

in order that any bad trend in government or any bad conduct in government may be stopped within a 2-year period.

Tenth. The collective mind of the people is an honest, sincere, intelligent mind. The people through their collective mind, in our elections and expressions of opinions, make mistakes occasionally. Two years is long enough for the people to suffer because of a mistake made in the selection of a representative. A good representative should welcome the opportunity to make a report to his constituents at the close of the Congress and ask for election to the succeeding Congress.

It appears to me that too many proposals are being presented for the changing of our United States Constitution. Most of them, if adopted, will weaken the power of the people to control and influence their own Government. The only substantial change we have had concerning the election of the Members of the Congress was when the 17th constitutional amendment was adopted compelling the direct election of United States Senators by vote of the people instead of by State legislatures. This move was in the direction of more power in the people and making it easier for them to have control of their Government at all times.

Now, if we are going to have 4 years for the Members of the House the question will come up—since the Senators are elected by the people just as the

House Members—why should they not be elected for 4 years instead of 6 years?

MORE HELP FOR INDIVIDUAL MEMBERS

There is nothing wrong with the Congress that more help for the individual Member will not cure. The Members are not equipped to do the work that they are in duty bound to perform. Their duties involve intricate, involved principles and policies. Since the Members generally are not informed in economic matters they should have people working for them who possess this educational training and background to help them. Each Member of Congress should not only have an administrative assistant but should also have an economist on his staff. It is my belief that if the individual Members were assisted in this way laws, policies and practices of our Government would soon result in a saving of at least a billion dollars a year in interest charges on the national debt alone. It could be done in a way that the country would be helped and not harmed, in addition to the billion dollar savings to the taxpayers.

MINORITY CONTROL PROPOSALS SHOULD BE STOPPED

Too many proposals are now pending in the Congress, providing for a change in our Constitution, that would absolutely turn the control of our Government over to a minority in each House. For instance, it is my opinion that if the Reed-Dirksen proposal now pending

should be adopted, the poor folks could be taxed without limit on all sorts of sales and excise taxes by a majority of the Members present, but in order to tax the wealthy—according to ability to pay—it would be necessary to secure the votes of 75 percent of the Members in each House. Since it is so seldom that all the Members are present, for all practical purposes this would mean almost 100-percent vote in each body of the Members present. It means, further, that a very small minority would be able to block and prevent any taxes on the wealthy. At the same time, there is no effort made in this proposal to reduce spending or make the burden on the poor less burdensome—it only protects the wealthy. Then, if by chance such a proposal should pass Congress, providing for a tax on the wealthy of over 25 percent, such a law would only be good under the constitutional amendment for 1 year. This would give a small minority another chance at the end of the year.

Such amendments as these are in the direction of tearing down our democratic fabric. Our democracy should be strengthened, not weakened. Any change in the Constitution should be in the direction of giving the people more power—not less—making it possible for the people to act more quickly and more effectively—not slow them down in their efforts.

SENATE

TUESDAY, MAY 18, 1954

(Legislative day of Thursday, May 13, 1954)

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

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

Our Father God, in a world filled with sights that sadden and problems that perplex, may our hearts be strengthened by the realization that ours is also a time arched with the promise of a better tomorrow. May the crashing of outworn things that are falling to earth not hide from our eyes the glory of a new era struggling to birth. May we never falter in the confident faith that Thy truth is marching on, even in the perplexities of these terrific days.

We give thanks with humble yet kindling hearts that we are summoned to live and give in such a time. If this weary flesh of ours, hemmed by foes, should fear or falter, keep us firm and steadfast as we put on the whole armor of faith and hope and love. May we be the instrument of healing our sorely wounded world and of breaking down all the barriers to human brotherhood. So may we play our part as Thy faithful servants in this day of destiny which may be history's crowning hour. We ask it in the dear Redeemer's name. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Monday, May 17, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed without amendment the following bill and joint resolution of the Senate:

S. 2120. An act to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches thereto, across the Piscataqua River at Portsmouth, N. H.; and

S. J. Res. 69. Joint resolution requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C.

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

H. R. 5833. An act to authorize the commissioner of public lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for school purposes;

H. R. 5840. An act to authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain privately owned land;

H. R. 6173. An act to provide for the use of the tribal funds of the Southern Ute Tribe of the Southern Ute Reservation, to authorize a per capita payment out of such funds, and for other purposes;

H. R. 6328. An act authorizing the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii, for certain privately owned lands;

H. R. 6386. An act to authorize the use of land in Yosemite National Park, Calif., for public-school purposes;

H. R. 6655. An act to amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes;

H. R. 6888. An act to amend sections 201 (a) and 207 (a) of the Hawaiian Homes Commission Act;

H. R. 6890. An act to approve Act No. 27 of the Session Laws of 1951 of the Territory of Hawaii, entitled "An act to amend Act 24 of the Session Laws of Hawaii, 1927, as ratified by the act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said act to cover the entire districts of Waimea and Koloa on the island of Kauai, T. H.";

H. R. 7111. An act to authorize the grant or retrocession to a State of concurrent jurisdiction over certain land;

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes; and

H. R. 8538. An act to provide for the revocation or denial of merchant marine documents to persons involved in certain narcotics violations.

The message further announced that the House had agreed to the following concurrent resolution (H. Con. Res. 206) extending best wishes of the Government and people of the United States to Berea College, in Berea, Ky., in which it requested the concurrence of the Senate:

Resolved by the House of Representatives (the Senate concurring), That the Congress of the United States hereby extends the best wishes of the Government and of the people of the United States to Berea College, in Berea, Ky., upon the observance of its 100th anniversary.

ENROLLED BILLS SIGNED

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

H. R. 1167. An act for the relief of W. A. Sampsel;

H. R. 1433. An act to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status;

H. R. 2274. An act to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

H. R. 2696. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 2913. An act to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson;

H. R. 3349. An act for the relief of Mrs. Margaret Burdo;

H. R. 3598. An act to consolidate the Parker Dam power project and the Davis Dam project;

H. R. 4135. An act for the relief of George Telegdy and Julia Peyer Telegdy;

H. R. 4475. An act for the relief of Curtis W. McPhall;

H. R. 4816. An act authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi;

H. R. 4864. An act for the relief of Mrs. Hildegard Noel;

H. R. 5090. An act for the relief of Mrs. Magdalene Zarnovski Austin;

H. R. 5862. An act to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy;

H. R. 5961. An act for the relief of Marianne Schuster Dawes;

H. R. 6186. An act to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal;

H. R. 6563. An act for the relief of Zdzislaw (Jerzy) Jazwinski;

H. R. 6647. An act for the relief of Yoko Kagawa;

H. R. 6754. An act for the relief of Mrs. Hoey Shee Eng;

H. R. 6870. An act to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batters in front of the Public Health Service hospital property in New Orleans, La.;

H. R. 7057. An act to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes;

H. R. 7328. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7329. An act to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men; and

H. R. 7452. An act for the relief of Theresa Boehner Soisson.

COMMITTEE SERVICE

On motion of Mr. JOHNSON of Texas, and by unanimous consent, it was

Ordered, That the Senator from Minnesota [Mr. HUMPHREY] be, and he is hereby, excused from further service as a member of the Committee on Government Operations, and that he be assigned to service on the Committee on Agriculture and Forestry.

Ordered further, That the Senator from Florida [Mr. SMATHERS] be, and he is hereby, excused from further service as a member of the Committee on Interior and Insular Affairs, and that he be assigned to service on the Committee on Finance.

COMMITTEE MEETING DURING SESSION OF THE SENATE

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Subcommittee on Internal Security of the Committee on the Judiciary be authorized to sit during the session of the Senate today. This has been cleared with the minority.

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

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches.

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

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

The 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 quorum call be rescinded.

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

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT OF FEDERAL BUREAU OF NARCOTICS

A letter from the Acting Secretary of the Treasury, transmitting, pursuant to law, a report of the Federal Bureau of Narcotics, Treasury Department, relating to traffic in opium and other dangerous drugs, for the year ended December 31, 1953 (with an accompanying report); to the Committee on Finance.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders suspending deportation of certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such suspension (with accompanying papers); to the Committee on the Judiciary.

GRANTING OF APPLICATIONS FOR PERMANENT RESIDENCE OF CERTAIN ALIENS

Two letters from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, copies of orders granting the applications for permanent residence filed by certain aliens, together with a statement of the facts and pertinent provisions of law as to each alien, and the reasons for granting such applications (with accompanying papers); to the Committee on the Judiciary.

REPORT ON CONTRIBUTIONS BY FEDERAL CIVIL DEFENSE ADMINISTRATION

A letter from the Administrator, Federal Civil Defense Administration, transmitting, pursuant to law, a report of the Federal contributions program, for the quarter ended March 31, 1954 (with an accompanying paper); to the Committee on Armed Services.

AUDIT REPORT ON FEDERAL CROP INSURANCE CORPORATION

A letter from the Acting Comptroller General, transmitting, pursuant to law, an audit report on the Federal Crop Insurance Corporation, for the fiscal year ended June 30, 1953 (with an accompanying report); to the Committee on Government Operations.

REPORT ON POTENTIAL BALMORHEA PROJECT, TEXAS

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, a report on the potential Balmorhea project, Texas (with accompanying papers); to the Committee on Interior and Insular Affairs.

LAWS ENACTED BY SECOND GUAM LEGISLATURE

A letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Second Guam Legislature (second regular session) (with accompanying papers); to the Committee on Interior and Insular Affairs.

AUDIT REPORT OF AMERICAN SOCIETY OF INTERNATIONAL LAW

A letter from the secretary, American Society of International Law, Washington, D. C., transmitting, pursuant to law, an audit report of that society for the year ended December 31, 1953 (with an accompanying report); to the Committee on the Judiciary.

FLAMMABLE FABRICS ACT—RESOLUTION OF HOUSE OF REPRESENTATIVES OF JAPAN

A letter from the Assistant Secretary of State, transmitting, at the request of the Japanese Ambassador, a translation of a

resolution adopted by the House of Representatives of Japan, relating to the Flammable Fabrics Act of the United States (with accompanying papers); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

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

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Mississippi; to the Committee on Interstate and Foreign Commerce:

"Senate Concurrent Resolution 24

"Concurrent resolution memorializing the Congress of the United States to take necessary action to insure that the season for hunting ducks in Mississippi shall be set for the 55-day period preceding January 31 rather than for the 55 days preceding January 10

"Whereas due to the fact that the water conditions on the Mississippi River and its tributaries in this State are best suited to the hunting of ducks after December 25 each year; and

"Whereas the present setting of the season for hunting ducks for the 55-day period preceding January 10, in effect, therefore, limits Mississippi hunters to an effective 15-day duck-hunting season; and

"Whereas as a result of this situation Mississippi hunters do not have the benefit of a sufficient duck-hunting season to enable them to harvest a fair share of ducks in the Mississippi flyway; and

"Whereas it has been impossible to secure an equitable adjustment of the situation in order that the rights and privileges of Mississippi hunters might be adequately protected: Now, therefore, be it

"Resolved by the Senate of the State of Mississippi (the House of Representatives concurring therein), That the Congress of the United States is memorialized to take such adequate steps as may be necessary, including the enactment of legislation, to provide for the setting of the season for hunting ducks in Mississippi for the 55-day period preceding January 31, each year, to the end that Mississippi hunters may have a fair and adequate opportunity to hunt ducks in the season of proper water conditions and thus harvest their fair share of ducks in the Mississippi flyways; be it further

"Resolved, That a copy of this resolution be sent by the secretary of state to the President of the United States Senate, to the Speaker of the United States House of Representatives, and to the Mississippi delegation in Congress.

"Adopted by the senate April 30, 1954.

"CARROLL GARTIN,

"President of the Senate.

"Adopted by the house of representatives April 30, 1954.

"F. WALTER SILLERS,

"Speaker of the House of Representatives."

A resolution adopted by the Reichling, Calif., Parlor 97, Native Daughters of the Golden West, protesting against the admission of Red China into the United Nations; to the Committee on Foreign Relations.

A resolution adopted by the board of directors of the Cleveland, Ohio, World Trade Association, favoring the enactment of legislation to carry out the administration's foreign economic policy; to the Committee on Foreign Relations.

A letter from the Institute of Ethnic Affairs, Inc., of California, signed by Martha L. Jay, editor, enclosing petitions signed by sundry citizens of California, favoring the obtaining of the consent of the Indians in all legislation concerning Indians (with accompanying papers); to the Committee on Interior and Insular Affairs.

A resolution adopted by the Pittsburgh Baptist Association, Pittsburgh, Pa., relating to the procedure of congressional investigative committees; to the Committee on Rules and Administration.

A resolution adopted by the Board of Aldermen of the City of Chelsea, Mass., favoring the use of the words "under God" in the oath of allegiance; ordered to lie on the table.

RESOLUTIONS OF NATIONAL EXECUTIVE COMMITTEE, THE AMERICAN LEGION

Mr. WELKER. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, two resolutions adopted by the national executive committee of the American Legion, at Indianapolis, Ind., on May 2-4, 1954, relating to the admission into the United States of refugees and expellees of working age, and mass migration into the Western Hemisphere.

There being no objection, the resolutions were received, appropriately referred, and ordered to be printed in the RECORD, as follows:

To the Committee on the Judiciary:

"RESOLUTION No. 71

"ADMISSION TO THE UNITED STATES OF REFUGEES AND EXPELLEES OF WORKING AGE

"Whereas the Public Law 203, known as the Refugee Relief Act of 1953, provides that individual job and housing assurances must be secured for all refugees and expellees prior to their admission to the United States; and

"Whereas this provision of the law was urged and supported by the American Legion at House and Senate hearings prior to the passage of said act, in order that recently discharged and other veterans would be protected job and housingwise from an influx of immigrants seeking jobs and housing in competition with American veterans; and

"Whereas bills have been introduced in both bodies of the 83d Congress providing for a change in numerous categories of Public Law 203 to admit nationals of Free Europe into the United States without such job and housing assurances being required prior to their entrance; and

"Whereas H. R. 8193 has been approved by a committee of the Congress without the aforementioned provisions pertaining to job and housing assurances: Now, therefore, be it

"Resolved by the national executive committee, in session at Indianapolis, Ind., May 2, 3, 4, 1954, That the American Legion urges and recommends that H. R. 8193 be amended to require individual job and housing assurances for all nationals of working age who would otherwise be admissible under said bill."

Ordered to lie on the table:

"RESOLUTION No. 70

"MASS MIGRATION INTO THE WESTERN HEMISPHERE

"Whereas there is pending in the House of Representatives an amendment to the bill (S. 1766), which amendment would establish an office for the purpose of developing and administering programs of international migration; and

"Whereas any such programs to be developed and administered would involve the mass migration into the Western Hemisphere, particularly into the South American countries, of tremendous numbers of people from Europe who would not be screened as to security in accordance with the standards of this Nation; and

"Whereas there is increasing pressure by the Communists to penetrate the Western Hemisphere: Now, therefore, be it

"Resolved by the national executive committee of the American Legion, in session at Indianapolis, Ind., May 2-4, 1954, That the American Legion oppose the amendments in the House of Representatives to the bill (S. 1766) and any other plan or program for the promotion of mass migration into the Western Hemisphere without provisions for screening as to security; be it further

"Resolved, That the American Legion opposes any and all portions of the aforementioned legislation that would amend or alter any provisions of Public Law 414, known as the McCarran-Walter Immigration Act; and be it further

"Resolved, That nothing in this resolution shall be construed or interpreted as approval of S. 1766, as passed by the Senate, 83d Congress, or as amended by the House of Representatives or the Senate, subsequent to said passage."

FOREIGN OPERATIONS PROGRAM—LETTER FROM NATIONAL FARMERS UNION

Mr. WILEY. Mr. President, a few days ago I received a very interesting letter from Mr. James G. Patton, president of the National Farmers Union.

In the concluding part of his letter he asks that it may be made a part of the record of hearings on the Foreign Operations Administration. His letter sets forth the position of the Farmers Union on various subjects, economic, political, foreign, and domestic.

I ask that the letter may be printed in the RECORD and then referred to the Committee on Foreign Relations, so that when Mr. Stassen appears before the committee in relation to the Foreign Operations Administration's program the letter will be available for incorporation, as the writer requests, in the record of the hearings.

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

MAY 4, 1954.

HON. ALEXANDER WILEY,
Chairman, Senate Committee on Foreign Relations, United States Capital, Washington, D. C.

DEAR SENATOR WILEY: United States agriculture, and indeed the entire economy, possesses the productive capacity, and the American people have the heart and spirit, to lead a great international effort to greatly increase production efficiency and raise living standards, to promote widespread and rapid economic development, and to preserve and strengthen democratic and ethical ideals. The chosen instrument under present organization of the executive branch for this effort is the Foreign Operations Administration.

Realizing that your committee now has before it the matter of extending this program, I suggest that you and other members of the committee may be interested in reading the following paragraphs from the 1954-55 National Farmers Union program. These make up the democratically considered and determined policies, with respect to foreign policy, of National Farmers Union. The 1954-55 program was adopted by the delegates to the national convention held recently in Denver, Colo.

It is my thought that these paragraphs from the National Farmers Union program may indicate to you the major principles which this group of representative farm people think are of paramount importance with

respect to the subjects now being considered by your committee.

"WORLD AFFAIRS

"Farmers Union will continue to strive for the earliest possible attainment of a democratic world brotherhood of nations living at peace with one another in a United Nations that derives its just governmental powers directly from the people of the world and that provides the basis and opportunity for constantly increased production and improved living standards.

"The United States should give steadfast and increasing support to the United Nations as a place where differences between nations can be settled by democratic processes of conciliation, arbitration, and negotiation. We shall give full support to the rapid development of stronger international agencies and to democratic regional and functional groupings and unions of nations consistent with the United Nations Charter and the Constitution of the United States.

"UNITED STATES FOREIGN POLICY

"The trend of world events has thrust the responsibility of world leadership on the United States. We reaffirm our support of United States efforts to assist in the expansion and strengthening of the productive capacity and living standards of democratic nations. We emphasize the great importance and decisive role that abundant United States food production can play in the implementation of these policies. In many areas better nutrition for low-income people can be more potent than weapons of war. United States and United Nations programs of economic and technical assistance should be established separately from military programs. Until such time as a world brotherhood is fully established, we assert, also, the responsibility of a free democratic nation to protect itself and, through the United Nations, protect weaker nations against aggression.

"EXPANDING ECONOMY OF ABUNDANCE

"We assert our conviction that our aims and aspirations can only be attained in an expanding full employment economy.

"INTERNATIONAL FOOD AND RAW MATERIALS RESERVE

"We urge establishment of an international agency to perform the following functions:

"(a) Prevent extreme price fluctuations in the international markets for food and other raw materials and encourage expanding production in order to meet the world's increasing foodstuff and other raw material needs, both in terms of raising existing per person consumption and of future increased population;

"(b) Maintain gainful employment not only in agricultural production, but also in those industries supplying agriculture and engaged in the processing and distribution of agricultural products and other raw materials;

"(c) Absorb temporary market surpluses of food and other raw materials;

"(d) Prevent famine and starvation; and

"(e) Provide for a self-financing operation through the orderly international exchange of raw materials and through the development of an international program of loans for raw material development, and for corollary economic development.

"INTERNATIONAL COMMODITY AGREEMENTS

"The International Raw Materials Reserve should be buttressed and coupled with additional international commodity agreements similar to the International Wheat Agreement.

"We urge the extension of the International Wheat Agreement, when it expires, on a basis adapted to current conditions and related to an international farm parity index.

"EXPANDED USE OF ABUNDANT UNITED STATES FARM PRODUCTION FOR PROMOTION OF PEACE

"We urge immediate steps by the United States to make fullest possible use of abundant United States farm production to further the aims of United States foreign policy through establishment in Foreign Operations Administration of a Farm Trading Post to be used as the operating arm of the United States Government to promote:

"(a) The sale, barter, or loan of United States farm commodities for dollars, local currencies, or other commodities at the world price or below or as a donation to friendly foreign nations and to friendly peoples to promote economic development, to relieve famine and other emergencies, and to relieve starvation and nakedness.

"(b) Foreign sale of exports at the world price through regular channels of trade, if possible, and preferably in connection with international commodity agreements. The difference between world price and the domestic support price would be made up by the United States Treasury, preferably by means of parity payments to producers, or if that is not done, through export subsidies.

"(c) Use donations of United States food to promote development of vocational training schools and other activities that will increase productive ability of the country involved.

"(d) Use, to the fullest extent possible, the voluntary foreign relief organizations so that United States food will actually reach those who need it, rather than those who could purchase it normally.

"SUPPLEMENTARY OR COMPETING IMPORTS OF FARM PRODUCTS

"Respecting imports of farm commodities that compete with domestic farm production, we favor adoption of policies that will give United States consumers an adequate supply at a fair price, preferably in connection with negotiated international commodity agreements, with provision for protecting 100 percent parity returns to family farmers. If this can be done in no better way, we shall support an automatic flexible tariff that will eliminate imports at prices less than 100 percent of parity.

"COST TO BE CHARGED TO FOREIGN POLICY

"We are convinced that when American food and fiber are used to promote the aims of national policy, consumption expansion, civilian defense, national security, or United States foreign policy, the costs of such programs should be charged to those appropriations and not to farmers and farm programs.

"FOREIGN POLICY TO PROMOTE PERMANENT PEACE

"There are today two major obstacles to the attainment of true world brotherhood and permanent peace. One is the continued existence throughout the world of colonialism and other uncorrected and indefensible evils which provide the seed bed for agitation, uprising, and revolt. The other is the fact that the rulers of the Soviet Union, instead of cooperating to end these conditions under free government, have revealed imperialistic world aims and a determination to exploit every wrong for their own imperialistic purposes. We must work to ease and ultimately to end starvation, exploitation, feudalism, dictatorships, bad land tenure systems, discrimination, and all other injustices and threats to world peace.

"UNIVERSAL DISARMAMENT

"We are convinced that the United States, while assisting and encouraging development of free world defensive strength, should take world leadership in trying to work out a fool-proof means to universal disarmament including definite assurance of being able to become forewarned of breaches of disarmament agreements.

"INTERNATIONAL COURT OF JUSTICE AND POLICE FORCE

"We favor participation of the United States in an international court with an international police force with sufficient power to prevent aggression and bring the aggressors to trial.

"UNITED NATIONS

"We urge full United States support of the United Nations and the specialized agencies such as the Food and Agricultural Organizations and World Health Organization. To that end we will support full appropriation of United States contributions to the support of these international agencies.

"DEMOCRATIC WORLD ECONOMIC UNION

"Solution of the fundamental problems of our time requires the earliest possible establishment of an economic union of the democratic nations consistent with the United States Declaration of Independence and the Constitution and its Bill of Rights. Any nation that will accept democratic principles, conduct free democratic elections, and abide by the laws enacted by the governing body of such a union should be eligible for membership. These laws would direct the administrative agencies of the union to establish and carry out programs to vastly speed up economic development and improved productivity of human labor and land and water resources; and to eliminate progress-retarding and opportunity-denying legal and institutional arrangements.

"ECONOMIC DEVELOPMENT

"We reaffirm our support for United States efforts to assist in the development of a coordinated program of aid to relieve hunger and suffering, and for expansion and strengthening of the national economies of the democratic nations in ways that will not destroy the principle of self-determination of people. The United States should help these nations to develop economic conditions that will:

"(a) Create an international community of economic effort for common purposes, avoiding the extremes of either forcing unwanted policies on others as a condition of our help, or of undertaking actions ourselves in the absence of appropriate efforts in the countries that participate;

"(b) Promote material well-being and all-around employment, production, trade, and investment in ways that will enrich human life and eliminate economic weaknesses that threaten political stability and invite totalitarian imperialism;

"(c) Afford all democratic nations increasing opportunities for economic growth and improving standards of living in ways that will operate so that economic gains are distributed equitably within countries; and

"(d) Attract peoples and governments toward the democratic system of political freedom.

"To attain these objectives we support continued international economic negotiation; increased United States contributions to the specialized agencies, such as the Food and Agriculture Organization, and expansion of United States foreign economic assistance and of the program by which our advanced technological knowledge and farm know-how is made available to other nations to assist them to increase the efficiency of production and marketing and to improve their agricultural land tenure systems, eliminate colonialism, and reform economic and social structures.

"INDUSTRIAL IMPORTS AND EXPORTS

"We see no reason why other domestic producers of exported and imported commodities should not be accorded the same treatment we have recommended in the farm sphere. We feel that in certain instances,

particularly in case of metals, minerals, petroleum, and other irreplaceable natural resources, it would be better public policy for the Government to buy up and preserve the reserves and capital investment of domestic private owners and allow imports to come in unrestricted.

"UNITED STATES CUSTOMS SIMPLIFICATION AND EXTENSION OF RECIPROCAL TRADE AGREEMENTS ACT"

"We favor further simplification of customs procedures and negotiated tariff reduction consistent with the principles enumerated above.

"INTERNATIONAL FEDERATION OF AGRICULTURAL PRODUCERS"

"We support the continued membership of National Farmers Union in the International Federation of Agricultural Producers, an international organization of national farm organizations."

I request that this letter be made a part of the record of your hearings on Foreign Operations Administration.

Sincerely,

JAMES G. PATTON,
President, National Farmers Union.

TAX TREATMENT OF HOSPITALIZATION PLANS—LETTER

Mr. WILEY. Mr. President, we are all familiar with the extremely fine job which has been performed by the Blue Cross and Blue Shield plans. In this connection, I have received a letter from Mr. L. R. Wheeler, executive secretary of Associated Hospital Service, Inc., who points out a problem which will arise in connection with the current omnibus tax bill.

I ask unanimous consent that the letter be printed at this point in the RECORD and be thereafter referred to the Senate Finance Committee.

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

ASSOCIATED HOSPITAL SERVICE INC.,
Milwaukee, Wis., May 14, 1954.

The Honorable ALEXANDER WILEY,
United States Senate,

Washington, D. C.

DEAR SENATOR WILEY: A matter of great import to the Blue Cross and Blue Shield plans of the United States has arisen with regard to the proposed revision of sections 104 and 105 of the Internal Revenue Code of 1954—H. R. 8300. As simply as I can state the matter the proposed revision would make it necessary that group-health plans must be qualified plans to obtain tax exemption for the recipients of hospitalization and medical benefits. My comments, of course, refer only to hospital and medical benefits and we have no interest in other proposed revisions of the code.

Although the stated objective of sections 104 and 105 of the proposed code are to write into law what has been administrative practice, this desirable end has become lost in a welter of confusing terminology. The proposed sections would require that a recipient of benefits under hospitalization and medical plans could only escape income-tax liability if the plan under which he received benefits was a qualified plan. The determination of the qualification of the plan would be left to the administrative discretion of the Internal Revenue Bureau. Large corporations probably would have no difficulty properly filing their plans and receiving approval. Such might not be the case with the many small plans which are extant throughout the country. Here in Wisconsin we have almost 8,000 groups and about 2,500 of those have 10

or less employees. It would certainly be a tremendous administrative problem to obtain qualification of all of these plans.

In the absence of any showing of abuse of the present complete exemption of benefits received, we feel that the imposition of the technical and complicated requirements of qualification on a growing and socially desirable system of hospital and medical benefits can only be regarded as most unfortunate.

Our specific suggestion is that section 104 (a) (3) be revised, at least so far as hospital and medical benefits are concerned, to read as follows:

"(3) amounts received through accident or health insurance for personal injury or sickness (other than amounts received by an employee, to the extent such amounts are attributable to contributions by the employer which were not includible in the gross income of the employee); and."

The parenthetical material should, of course, be deleted.

We would be most appreciative of any help that you could give us in this matter. We would particularly like to see the matter called to the attention of members of the House Ways and Means Committee and the Senate Finance Committee who are presently holding hearings on the matter. To us it would seem a travesty on justice if a person who had received hospital and/or surgical medical benefits would also assume a large tax liability because he was unfortunate enough to be a member of a plan that had not received technical administrative approval.

Very truly yours,

L. R. WHEELER,
Executive Vice-President.

LOWERING OF VOTING AGE TO 18—TELEGRAM

Mr. WILEY. Mr. President, I have long been interested in the subject of lowering the voting age to 18. I have always felt that a youngster old enough to fight and die for his country is old enough to vote for it.

I was glad, therefore, to receive a telegram yesterday afternoon from Mr. M. R. Robinson, publisher of Scholastic magazines, reporting an interesting and favorable poll conducted by the Institute of Student Opinion.

I ask unanimous consent that the telegram be printed in the RECORD at this point, and be thereafter appropriately referred.

There being no objection, the telegram was ordered to lie on the table, and to be printed in the RECORD, as follows:

NEW YORK, N. Y., May 17, 1954.

HON. ALEXANDER WILEY,
Chairman, Senate Committee on Foreign Relations, Senate Office Building:

In view of proposal for lowering voting age to 18 years now before the Senate you will be interested in results of latest poll of United States high-school students conducted last month by Institute of Student Opinion sponsored by Scholastic magazines. Total vote of 47,290 students from 43 States divided about equally between boys and girls favors constitutional amendment for 18-year-old vote by 64.94 percent for, 28.11 percent against; 6.59 percent no opinion. Boys' vote in favor was 67.09 percent; girls, 62.98 percent. Percentage favorable to lowering voting age has increased as follows since student polls were first taken: 1943, 43 percent; 1944, 52 percent; 1946, 49 percent; 1951, 58 percent; 1954, 64 percent. Complete data available on request.

M. R. ROBINSON,
Publisher, Scholastic Magazines.

BILLS INTRODUCED

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

By Mr. FERGUSON:

S. 3474. A bill to amend title 18, United States Code, chapter 79, to add a new section, 1623, to extend the law relating to perjury to the willful giving of contradictory statements under oath; and

S. 3475. A bill to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes; to the Committee on the Judiciary.

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

By Mr. PAYNE (for himself, Mrs. SMITH of Maine, Mr. BRIDGES, Mr. SALTONSTALL, Mr. DOUGLAS, Mr. KENNEDY, and Mr. UFTON):

S. 3476. A bill to provide for the advancement of Comdr. Donald M. MacMillan, United States Naval Reserve (retired), to the grade of rear admiral on the Naval Reserve retired list; to the Committee on Armed Services.

By Mr. KEFAUVER:

S. 3477. A bill to provide certain benefits for persons who served in the Armed Forces of the United States in Mexico or on its borders during the period beginning December 8, 1910, and ending April 6, 1917, and for other purposes; to the Committee on Finance.

S. 3478. A bill for the relief of Virgil M. Howie, first lieutenant, United States Air Force; to the Committee on the Judiciary.

S. 3479. A bill to direct the Atomic Energy Commission to provide education in the schools in Oak Ridge, Tenn., to certain children living in the vicinity of Oak Ridge; to the Joint Committee on Atomic Energy.

By Mr. CAPEHART:

S. 3480. A bill to amend section 24 of the Federal Reserve Act, as amended; and

S. 3481. A bill to amend sections 23A and 24A of the Federal Reserve Act, as amended; to the Committee on Banking and Currency.

By Mr. CASE (by request):

S. 3482. A bill to amend the District of Columbia Unemployment Compensation Act, and for other purposes; to the Committee on the District of Columbia.

By Mr. MORSE:

S. 3483. A bill for the relief of Lee In Ja; to the Committee on the Judiciary.

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATING TO PERJURY FOR THE WILLFUL GIVING OF CONTRADICTORY STATEMENTS UNDER OATH

Mr. FERGUSON. Mr. President, I introduce for appropriate reference a bill to amend title 18, United States Code, chapter 79, to add a new section, 1623, to extend the law relating to perjury to the willful giving of contradictory statements under oath.

It is a legislative proposal to amend chapter 79 of title 18, United States Code, to extend the law relating to perjury to the willful giving of contradictory statements under oath.

Under existing law, a person may not be convicted of perjury for making contradictory statements under oath unless the indictment charges and the Government proves which of the statements is false. The falsity of an alleged per-

jurious statement must be established by 2 independent witnesses or by 1 witness and corroborative circumstances.

The Department of Justice urges the amendment of the law relating to perjury so that proof of the contradictory nature of two willfully made statements would alone support a perjury conviction. This seems to me to be a sensible and warranted change. It in no way reduces the protection afforded defendants by the two-witness rule mentioned above, nor does it shift from the prosecution the burden of proof incident to criminal cases. It merely eliminates what appears to be a ridiculous requirement that proof be adduced as to which of 2 statements is false when 1 of such statements must, of necessity, be so.

It will be noted that to support a conviction, the statements must have been made within a period of 3 years of one another, and they must have been made willfully, on oath or affirmation, on material matters, and in proceedings before grand juries or courts.

The bill carries out the recommendations of the administration.

I hope the bill will receive prompt consideration.

The bill (S. 3474) to amend title 18, United States Code, chapter 79, to add a new section, 1623, to extend the law relating to perjury to the willful giving of contradictory statements under oath, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

REGISTRATION OF CERTAIN PERSONS IN CONNECTION WITH ESPIONAGE ACTIVITIES

Mr. FERGUSON. Mr. President, I introduce for appropriate reference a bill to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes.

This bill proposes the repeal of section 20 (a) of the Internal Security Act of 1950 and the enactment in its place of legislation which would better accomplish that section's intended purpose.

Section 1 (c) of the Foreign Agents Registration Act of 1938, as amended (52 Stat. 631; 22 U. S. C. 611), defines the term "agent of a foreign principal." The effect of section 20 (a) of the Internal Security Act of 1950 was to include within the definition persons who have knowledge of or training in foreign espionage or sabotage systems. Since the registration provisions of the Foreign Agents Registration Act make it clear that only those persons who presently or hereafter act as agents of foreign principals are required to register, persons who are agents of foreign principals by definitions, but who are not currently acting as such, are not so required. Hence, persons with knowledge of or training in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, who have not since the enactment

of section 20 (a) acted as foreign agents, appear to be under no obligation to register.

Furthermore, in administering the Foreign Agents Registration Act, the Department of Justice has attempted to make it clear that registration under the act in no way places any limitations on the activities which may be engaged in by a foreign principal and carries no stigma. The tenor and import of the act are altered, however, by including within the definition of "agent of a foreign principal" persons who have knowledge of or training in foreign espionage or sabotage systems.

For these reasons I believe that section 20 (a) of the Internal Security Act be repealed and in its place there should be enacted a separate registration statute which will require the registration of persons having knowledge of foreign espionage and sabotage systems, irrespective of whether they are currently agents of foreign principals.

It will be noted that provision is made for the exemption of certain categories of persons from its registration requirements. I believe these exemptions have been concurred in by the Departments of State and Defense.

In my opinion, the exemptions set forth in the bill are proper, and I hope the bill will be promptly enacted.

The bill carries out the recommendations of the administration.

The bill (S. 3475) to require the registration of certain persons who have knowledge of or have received instruction or assignment in the espionage, counterespionage, or sabotage service or tactics of a foreign government or foreign political party, and for other purposes, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on the Judiciary.

PRINTING OF ADDITIONAL COPIES OF COMMITTEE PRINT ENTITLED "STRENGTH OF THE INTERNATIONAL COMMUNIST MOVEMENT"

Mr. WILEY. Mr. President, I submit for appropriate reference a resolution to authorize the printing of 5,000 additional copies of a 78-page study entitled "Strength of the International Communist Movement."

This study was released earlier this month as Committee Print No. 2, by the Special Subcommittee on Security Affairs of the Senate Foreign Relations Committee.

The initial edition of this same study had been published last year. The committee at that time was completely flooded with requests. It attempted to comply with all of the requests to the limit of its ability, but the entire edition was completely exhausted in a matter of a few days and a backlog of some 2,000 requests remained.

With the publication of the revised edition, we have once more been flooded with requests from all over Capitol Hill and from outside sources.

A great many newsmen have written up the new edition both in wire service stories and in columns.

Mr. Theodore Streibert, Director of the USIA, advised me that he would like to send out a thousand copies to all USIS Missions, and I am delighted that this has now been done in line with the agency's stepped up anti-Communist program throughout the world.

It is my earnest hope, therefore, that the Senate Rules Committee will take favorable action upon the resolution which I am submitting today.

For the first time, the document has assembled not only a nation-by-nation and region-by-region summary of the Communist situation; but it includes a study on the historic expansion of Russia and a series of quotations from Communist sources describing what they expect as regards the role of the Communist Party.

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

The resolution (S. Res. 248), submitted by Mr. WILEY, was referred to the Committee on Rules and Administration, as follows:

Resolved, That there be printed 5,000 additional copies of Strength of the International Communist Movement (Committee print No. 2), a document compiled by the Special Subcommittee of Security Affairs of the Senate Committee on Foreign Relations and printed in May 1954 for the use of the Senate Committee on Foreign Relations. Such additional copies shall be for the use of the Senate Committee on Foreign Relations.

AMENDMENT OF RULE RELATING TO COMMERCIAL BROADCAST BY RADIO OR TELEVISION OF COMMITTEE PROCEEDINGS

Mr. BENNETT. Mr. President, the present public hearings of the McCarthy-Army dispute have again brought the Senate face to face with a problem we should begin to resolve, the problem created by television.

Should Senate committee proceedings be televised at all, and if so, how should this new medium be used? This is a problem with many facets, on which there are many conflicting opinions, but I feel sure it has one aspect on which most of us will agree. That is the question of the commercial sponsorship of Senate committee proceedings. That this should be suggested, much less accepted, has disturbed me, and because I believe it must be resolved now before a pattern and precedent may be established, I am submitting a resolution to add a new Senate rule forbidding commercial sponsorship of Senate hearings.

The very idea of commercial sponsorship seems to me to be improper and a threat to the integrity of the Senate. We immediately substitute a private interest for what should be preserved as the public interest and bring into our processes many extraneous, and I believe, improper forces and motives.

First, of course, is the question of good taste. Violations of good taste have always plagued the networks, and would be multiplied for us if the networks had the unrestricted power to "sell" the Senate like any other program. "De gustibus non disputandum" still reminds us

that we cannot successfully settle matters of good taste by argument, but every one of us could provide a long list of regularly advertised products under whose sponsorship we would not like to see Senate hearings presented. I am one who believes that the Senate should maintain its traditional dignity and decorum and that this should not be for sale.

I remember the outrage of the British people upon learning that the televised pictures of the coronation of their beautiful young Queen had been presented on an American program which featured a chimpanzee. We could not expect to escape a similar experience.

But this is the least dangerous of the possible results of commercial sponsorship. To me it opens the door to a whole new range of possible improper relationships and subtle means for influencing legislation.

The initiative could come from either side. An ambitious Senator or committee chairman, recognizing the potentialities of the alliance, might find a sponsor who would benefit from a particular investigation or hearing, and might work out the whole program in advance. Under such circumstances, the proceedings would undoubtedly be planned to spotlight the particular Senator with the desired effect on his political ambitions.

If the situation were reversed, the sponsor with an ax to grind might find an ambitious and pliant Senator, and the same kind of a program might be worked out. In either case the results would be the same. The Senator would have his spotlight, the sponsor would have his influence.

The commercial sponsorship of Senate committee proceedings has another danger. It offers a means by which corporate funds can be used for political purposes to evade present law. Friendly sponsors can supply funds for the big buildup if the eager Senator can work out a proper setting for his talents through a Senate hearing in which he will participate, or better still, over which he can preside.

Of equal danger to our work are the possible effects on the hearings themselves and the Senators who participate in them. New motives would inevitably be introduced. We would find it very difficult to concentrate on the problems before us, and would constantly be under the pressure of extraneous values. We have already seen many demonstrations of grandstanding, scene stealing and headline hunting. These would be multiplied many fold if a talented ambition could be sure of a national audience.

Then, too, the constant exploitation of committee hearings would directly impede the legislative process. There is no doubt in my mind that television coverage of Senate hearings has a definite lengthening effect. While our normal goal should be to find areas of agreement, the objective of professional radio and television is, naturally enough, to emphasize the dramatic. So, by their very natures, broadcasting and telecasting encourage—yes, almost demand—conflict, debate, and antagonism. When this happens within a committee, the

normal purpose is lost sight of. Commercially sponsored telecasting would have its effect on Senators. It would put a premium on demagogery and would reward brashness. This could only result eventually in a lowering of the respect of the people of America for the Senate and for our system of government.

Therefore, Mr. President, I believe we should act now to prevent these evils. To that end I submit a resolution to prevent the commercial sponsorship of Senate hearings. This resolution is not designed as a gag. The people certainly have a right to know what we in Congress are doing, but I resent, and my resolution is designed to prevent, commercialization of Senate business. My resolution would permit the presentation of limited scenes on news broadcasts, which, of course, may be sponsored, but would not permit the commercial sponsorship of telecasts of Senate hearings in their entirety.

My resolution would limit this rule to the Senate alone. I respect the right of the other body to make its own rules, and I am happy to note that somewhat similar proposed legislation has been introduced there.

Mr. President, I believe that many of my fellow Senators agree with me that we must preserve the right of the Senate to do its work objectively, free from the pressures of commercialism. I welcome their cosponsorship of this resolution.

The PRESIDENT pro tempore. The resolution submitted by the Senator from Utah will be received and appropriately referred.

The resolution (S. Res. 249) submitted by Mr. BENNETT was referred to the Committee on Rules and Administration, as follows:

Resolved, That the Standing Rules of the Senate are amended by adding at the end thereof the following new rule:

"RULE XLI

"COMMITTEE PROCEEDINGS

"No standing, special, or select committee (or any subcommittee thereof) shall permit the proceedings in any hearing before such committee to be—

"(a) broadcast by radio or television, or
 "(b) recorded, in whole or in part, by means of any motion-picture camera, television camera, or any form of sound recording or transcription,

unless the individual, firm, or organization (including but not limited to broadcasting networks and stations) making such broadcast or record has first furnished written assurances satisfactory to the chairman of such committee to the effect that such proceedings will not be used in any radio or television broadcast, rebroadcast, or re-creation (other than a broadcast, rebroadcast, or re-creation devoted exclusively to a survey or summary of news of current events and made without interruption for any commercial advertisement or announcement) which is (1) made for payment received or to be received from any advertiser of goods or services, (2) sponsored or made by or on behalf of any such advertiser, (3) interrupted by any announcement made by or on behalf of any such advertiser, or (4) made in connection with or in relation to any advertisement for any commodity or service offered for sale by any commercial enterprise. Upon receipt by the chairman of any information deemed by him to be reliable to the effect that any such

undertaking has been violated, a written statement of the facts concerning such violation shall be filed by him with the Secretary of the Senate, and the individual, firm, or organization which has given the undertaking so violated shall be excluded from further opportunity to so broadcast or record the proceedings of such hearing. No committee chairman shall permit any individual, firm, or organization to broadcast or record any such proceedings until he has ascertained from the Secretary of the Senate whether such individual, firm, or organization has within 1 year violated any undertaking previously given in compliance with this rule."

CREATION OF CERTAIN UNITED STATES JUDGESHIPS—AMENDMENTS

Mr. GREEN submitted amendments intended to be proposed by him to the bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes, which were ordered to lie on the table and to be printed.

HOUSE BILLS REFERRED

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

H. R. 5833. An act to authorize the commissioner of public lands of the Territory of Hawaii to exchange certain public lands for private lands of equal value required for school purposes;

H. R. 5840. An act to authorize the Hawaiian Homes Commission to exchange certain Hawaiian Homes Commission land and certain easements for certain privately owned land;

H. R. 6173. An act to provide for the use of the tribal funds of the Southern Ute Tribe of the Southern Ute Reservation, to authorize a per capita payment out of such funds, and for other purposes;

H. R. 6328. An act authorizing the exchange of certain public lands in the vicinity of Waimea, county of Hawaii, in the Territory of Hawaii, for certain privately owned lands;

H. R. 6386. An act to authorize the use of land in Yosemite National Park, Calif., for public school purposes;

H. R. 6888. An act to amend sections 201 (a) and 207 (a) of the Hawaiian Homes Commission Act;

H. R. 6890. An act to approve Act No. 27 of the Session Laws of 1951 of the Territory of Hawaii, entitled "An act to amend Act 24 of the Session Laws of Hawaii 1927, as ratified by the act of Congress of March 2, 1928, so as to extend the electric light and power franchise granted by said act to cover the entire districts of Waimea and Koloa on the Island of Kauai, T. H.," and

H. R. 8038. An act to authorize the conveyance to the Hot Springs School District and to Garland County, Ark., for school and for other public purposes, of certain land originally donated to the United States and situated in Hot Springs National Park, Ark., and for other purposes; to the Committee on Interior and Insular Affairs.

H. R. 6655. An act to amend the charter of the Columbia Institution for the Deaf, change its name, define its corporate powers, and provide for its organization and administration, and for other purposes; to the Committee on Labor and Public Welfare.

H. R. 7111. An act to authorize the grant or retrocession to a State of concurrent jurisdiction over certain land; to the Committee on Public Works.

H. R. 8538. An act to provide for the revocation or denial of merchant-marine docu-

ments to persons involved in certain narcotics violations; to the Committee on Interstate and Foreign Commerce.

ADDITIONAL REPORT OF JOINT COMMITTEE ON REDUCTION OF NONESSENTIAL FEDERAL EXPENDITURES, RELATING TO CIVILIAN EMPLOYMENT IN THE EXECUTIVE BRANCH

Mr. BYRD. Mr. President, as chairman of the Joint Committee on Reduc-

tion of Nonessential Federal Expenditures, I submit an additional report on civilian employment in the executive branch of the Federal Government for the month of March 1954, and, in accordance with the practice of several years' standing, I request that it be printed in the body of the RECORD as a part of my remarks, together with a statement by me.

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

FEDERAL PERSONNEL IN EXECUTIVE BRANCH, FEBRUARY-MARCH 1954, AND PAY, JANUARY-FEBRUARY 1954

PERSONNEL AND PAY SUMMARY¹
(See table I)

According to monthly personnel reports for March 1954 submitted to the Joint Committee on Reduction of Nonessential Federal Expenditures:

¹ Exclusive of foreign nationals shown in table VI.

Department or agency	Civilian personnel in executive branch			Payroll (in thousands) in executive branch		
	In March numbered—	In February numbered—	Increase (+) or decrease (-)	In February was—	In January was—	Increase (+) or decrease (-)
Total	2,340,546	2,340,962	-416	\$729,908	\$756,566	-\$26,658
1. Agencies exclusive of Department of Defense	1,178,218	1,173,235	+4,983	379,763	389,496	-9,733
2. Department of Defense	1,162,328	1,167,727	-5,399	350,145	367,070	-16,925
Within the Department of Defense:						
Office of the Secretary of Defense	1,869	1,840	+29	908	903	+5
Department of the Army	446,498	450,510	-4,012	121,395	127,879	-6,484
Department of the Air Force	290,954	288,712	+2,242	87,663	91,101	-3,438
Department of the Navy	423,007	426,665	-3,658	140,179	147,187	-7,008

Table I breaks down the above figures on employment and pay by agency.

Tables II, III, and IV break down the foregoing employment figures to show the num-

ber inside continental United States, outside continental United States, and the number in the so-called industrial categories. This further breakdown in tables II, III, and IV

does not include pay figures because payroll reports submitted to the committee by some agencies are inadequate for this purpose.

TABLE I.—Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during March 1954, and comparison with February 1954, and pay for February 1954, and comparison with January 1954

Department or agency	Pay (in thousands of dollars)				Personnel			
	January	February	Increase	Decrease	February	March	Increase	Decrease
Executive departments (except Department of Defense):								
Agriculture	21,164	20,927	237		67,936	70,251	2,315	
Commerce ^{1,2}	16,193	15,156	1,037		42,608	42,176		432
Health, Education, and Welfare	12,462	11,833	629		36,398	36,518	120	
Interior	18,297	17,399	898		51,776	52,508	732	
Justice	12,069	11,574	525		29,901	29,840		61
Labor	2,091	1,978	113		5,004	4,977		27
Post Office	162,573	162,167	406		504,558	503,185		1,373
State	6,494	6,114	380		20,275	20,145		130
Treasury	29,927	29,066	861		82,370	85,865	3,495	
Executive Office of the President:								
White House Office	125	118	7		259	259		
Bureau of the Budget	239	227	12		420	415		5
Council of Economic Advisers	21	16	5		26	25		1
Executive Mansion and Grounds	25	23	2		127	79		48
National Security Council ³	15	14	1		27	28	1	
Office of Defense Mobilization	186	179	7		380	338		42
President's Advisory Committee on Government Organization					3	4	1	
Emergency agencies:								
Defense Transport Administration	17	17			36	33		3
Federal Civil Defense Administration	365	364	1		685	691	6	
Foreign Operations Administration	1,966	2,231	265		5,135	5,131		4
National Security Training Commission	5	4	1		5	6	1	
Renegotiation Board	402	368	34		717	710		7
Subversive Activities Control Board	18	18			31	31		
Postwar agencies: War Claims Commission	60	57	3		152	159	7	
Independent agencies:								
American Battle Monuments Commission	90	104	14		4878	890		
Atomic Energy Commission	4,756	2,694	62		6,365	6,316		49
Board of Governors of the Federal Reserve System	244	233	11		570	575	5	
Civil Aeronautics Board	263	250	13		540	539		1
Civil Service Commission	1,671	1,617	54		4,480	4,469		11
Commission on Foreign Economic Policy	19	9	10		35	11		24
Commission on Intergovernmental Relations	13	14	1		32	51	19	
Committee on Retirement Policy for Federal Personnel	7	5	2		16	15		1
Export-Import Bank of Washington	68	65	3		129	131	2	
Farm Credit Administration	343	317	26		773	780	7	
Federal Coal Mine Safety Board of Review	5	3	2		8	8		
Federal Communications Commission	529	504	25		1,141	1,149	8	
Federal Deposit Insurance Corporation	433	407	26		1,024	1,024		3
Federal Mediation and Conciliation Service	220	202	18		353	358	5	
Federal Power Commission	314	298	16		665	664		1
Federal Trade Commission	288	277	11		585	594	9	
General Accounting Office	2,316	2,198	118		5,876	5,896	20	
General Services Administration	8,128	7,833	295		27,229	27,189		40
Government Contract Committee	3	3			16	11		5
Government Printing Office	2,629	2,552	77		7,067	6,977		90
Housing and Home Finance Agency	4,539	4,180	359		10,820	10,788		32
Indian Claims Commission	9	9			14	14		
Interstate Commerce Commission	820	786	34		1,880	1,880		5
National Advisory Committee for Aeronautics	2,931	2,800	131		7,049	7,076	27	
National Capital Housing Authority	105	101	4		333	328		5
National Capital Planning Commission	10	8	2		19	20	1	
National Gallery of Art	93	87	6		315	314		1
National Labor Relations Board	601	562	39		1,258	1,213		45

¹ March figure includes 758 employees of the Business and Defense Services Administration, a decrease of 114 from the February figure of 572.

² March figure includes 1,575 seamen on the rolls of the Maritime Administration and their pay.

³ Exclusive of personnel and pay of the Central Intelligence Agency.

⁴ Revised on basis of later information.

TABLE I.—Consolidated table of Federal personnel inside and outside continental United States employed by the executive agencies during March 1954, and comparison with February 1954, and pay for February 1954, and comparison with January 1954—Continued

Department or agency	Pay (in thousands of dollars)				Personnel			
	January	February	Increase	Decrease	February	March	Increase	Decrease
Independent agencies—Continued								
National Mediation Board	67	68	1		116	109		7
National Science Foundation	77	73		4	229	207		22
Panama Canal	4,482	3,394		1,088	16,517	16,290		227
Railroad Retirement Board	736	730		6	2,201	2,226		25
Reconstruction Finance Corporation	547	514		33	1,168	1,137		31
Rubber Producing Facilities Disposal Commission	14	14			25	25		
Securities and Exchange Commission	4,368	350		18	724	724		
Selective Service System	1,577	1,513		64	7,313	7,374		61
Small Business Administration	236	245		9	496	516		20
Smithsonian Institution	171	167		4	500	504		4
Soldiers' Home	145	143		2	795	815		20
Tariff Commission	98	94		4	192	194		2
Tax Court of the United States	73	66		7	139	141		2
Tennessee Valley Authority	9,642	9,302		340	22,965	23,185		220
United States Information Agency	2,505	3,014		509	9,166	9,281		115
Veterans' Administration	54,567	52,108		2,459	182,390	182,825		435
Total, excluding Department of Defense	389,496	379,763	799	10,532	1,173,235	1,178,218	7,711	2,728
Net change, excluding Department of Defense			9,733				4,983	
Department of Defense:								
Office of the Secretary of Defense	903	908	5		1,840	1,869	29	
Department of the Army:								
Inside continental United States	115,268	109,435	5,833	399,429	395,314		4,115	
Outside continental United States	12,611	11,960	651	51,081	51,184	103		
Department of the Air Force:								
Inside continental United States	83,146	79,924	3,222	251,167	252,112	945		
Outside continental United States	7,955	7,739	216	37,545	38,842	1,297		
Department of the Navy:								
Inside continental United States	138,338	131,912	6,426	396,093	392,253	3,840		
Outside continental United States	8,840	8,267	582	30,572	30,754	182		
Total, Department of Defense	367,070	350,145	5	16,930	1,167,727	1,262,328	2,556	7,955
Net decrease, Department of Defense			16,925				5,399	
Grand total, including Department of Defense	756,566	729,908	804	27,462	2,340,962	2,340,546	10,267	10,683
Net decrease, including Department of Defense			26,658				416	

* Revised on basis of later information.

TABLE II.—Federal personnel inside continental United States employed by executive agencies during March 1954, and comparison with February 1954

Department or agency	February	March	Increase	Decrease	Department or agency	February	March	Increase	Decrease
Executive departments (except Department of Defense):					Independent agencies—Continued				
Agriculture	66,373	68,838	2,465		General Accounting Office	5,833	5,853	20	
Commerce ^{1,2}	39,641	39,207		434	General Services Administration	27,107	27,063		44
Health, Education, and Welfare	35,833	35,948	115		Government Contract Committee	16	11		5
Interior	45,549	45,847	298		Government Printing Office	7,067	6,977		90
Justice	29,396	29,323		73	Housing and Home Finance Agency	10,639	10,656		33
Labor	4,911	4,888		23	Indian Claims Commission	14	14		
Post Office	502,194	500,823		1,371	Interstate Commerce Commission	1,880	1,885	5	
State	5,874	5,846		28	National Advisory Committee for Aeronautics	4,709	7,076	27	
Treasury	81,365	84,847	3,482		National Capital Housing Authority	333	328		5
Executive Office of the President:					National Capital Planning Commission	19	20	1	
White House Office	259	259			National Gallery of Art	315	314		1
Bureau of the Budget	420	415		5	National Labor Relations Board	4,211	1,191		20
Council of Economic Advisers	26	25		1	National Mediation Board	116	109		7
Executive Mansion and Grounds	127	79		48	National Science Foundation	229	207		22
National Security Council ³	27	28	1		Panama Canal	536	410		126
Office of Defense Mobilization	380	338		42	Railroad Retirement Board	2,201	2,226		25
President's Advisory Committee on Government Organization	3	4	1		Reconstruction Finance Corporation	1,162	1,131		31
Emergency agencies:					Rubber Producing Facilities Disposal Commission	25	25		
Defense Transport Administration	36	33		3	Securities and Exchange Commission	724	724		
Federal Civil Defense Administration	685	691	6		Selective Service System	7,110	7,174	64	
Foreign Operations Administration	1,457	1,482	25		Small Business Administration	496	516	20	
National Security Training Commission	5	6	1		Smithsonian Institution	498	502	4	
Renegotiation Board	717	710		7	Soldiers' Home	795	815	20	
Subversive Activities Control Board	31	31			Tariff Commission	192	194	2	
Postwar agencies: War Claims Commission	152	159	7		Tax Court of the United States	139	141	2	
Independent agencies:					Tennessee Valley Authority	22,965	23,185	220	
American Battle Monuments Commission	15	20	5		United States Information Agency	2,167	2,160		7
Atomic Energy Commission	6,347	6,296		51	Veterans' Administration	181,158	181,594	436	
Board of Governors of the Federal Reserve System	570	575	5		Total, excluding Department of Defense	1,114,165	1,118,955	7,307	2,517
Civil Aeronautics Board	533	532		1	Net increase, excluding Department of Defense			4,790	
Civil Service Commission	4,468	4,458		10	Department of Defense:				
Commission on Foreign Economic Policy	35	11		24	Office of the Secretary of Defense	1,783	1,812	29	
Commission on Intergovernmental Relations	32	51	19		Department of the Army	399,429	395,314		4,115
Committee on Retirement Policy for Federal Personnel	16	15		1	Department of the Air Force	251,167	252,112	945	
Export-Import Bank of Washington	129	131	2		Department of the Navy	396,093	392,253		3,840
Farm Credit Administration	764	771	7		Total, Department of Defense	1,048,472	1,041,491	974	7,955
Federal Coal Mine Safety Board of Review	8	8			Net decrease, Department of Defense			6,981	
Federal Communications Commission	1,115	1,123	8		Grand total, including Department of Defense	2,162,637	2,160,446	8,281	10,472
Federal Deposit Insurance Corporation	1,023	1,020		3	Net decrease, including Department of Defense			2,191	
Federal Mediation and Conciliation Service	353	358	5						
Federal Power Commission	665	664		1					
Federal Trade Commission	585	594	9						

¹ March figure includes 758 employees of the Business and Defense Services Administration, a decrease of 114 from the February figure of 872.² March figure includes 1,575 seamen on the rolls of the Maritime Administration.³ Exclusive of personnel of the Central Intelligence Agency.⁴ Revised on basis of later information.

TABLE III.—Federal personnel outside continental United States employed by the executive agencies during March 1954, and comparison with February 1954

Department or agency	February	March	Increase	Decrease	Department or agency	February	March	Increase	Decrease
Executive departments (except Department of Defense):					Independent agencies—Continued				
Agriculture.....	1,563	1,413	-----	150	Panama Canal.....	15,981	15,880	-----	101
Commerce.....	2,967	2,969	-----	2	Reconstruction Finance Corporation.....	6	6	-----	
Health, Education, and Welfare.....	565	570	-----	5	Selective Service System.....	203	200	-----	3
Interior.....	6,227	6,661	-----	434	Smithsonian Institution.....	2	2	-----	
Justice.....	505	517	-----	12	United States Information Agency.....	6,999	7,121	-----	122
Labor.....	93	89	-----	4	Veterans' Administration.....	1,232	1,231	-----	1
Post Office.....	2,364	2,362	-----	2	Total, excluding Department of Defense.....	59,070	59,263	-----	193
State.....	14,401	14,299	-----	102	Net increase, excluding Department of Defense.....			-----	
Treasury.....	1,005	1,018	-----	13	Department of Defense:				
Emergency agencies:					Office of the Secretary of Defense.....	57	57	-----	
Foreign Operations Administration.....	3,678	3,649	-----	29	Department of the Army.....	51,081	51,184	-----	103
Independent agencies:					Department of the Air Force.....	37,545	38,842	-----	1,297
American Battle Monuments Commission.....	1,863	879	-----	16	Department of the Navy.....	30,572	30,754	-----	182
Atomic Energy Commission.....	18	20	-----	2	Total, Department of Defense.....	119,255	120,837	-----	1,582
Civil Aeronautics Board.....	7	7	-----		Net increase, Department of Defense.....			-----	
Civil Service Commission.....	12	11	-----	1	Grand total, including Department of Defense.....	178,325	180,100	-----	418
Farm Credit Administration.....	9	9	-----		Net increase, including Department of Defense.....			-----	
Federal Communications Commission.....	26	26	-----					-----	
Federal Deposit Insurance Corporation.....	1	1	-----					-----	
General Accounting Office.....	43	43	-----					-----	
General Services Administration.....	122	126	-----	4				-----	
Housing and Home Finance Agency.....	131	132	-----	1				-----	
National Labor Relations Board.....	47	22	-----	25				-----	

¹ Revised on basis of later information.

TABLE IV.—Industrial employees of the Federal Government inside and outside continental United States employed by executive agencies during March 1954 and comparison with February 1954

Agency	February	March	Increase	Decrease	Agency	February	March	Increase	Decrease
Executive departments (except Department of Defense):					Department of Defense—Continued				
Commerce.....	440	127	-----	313	Department of the Air Force:				
Interior.....	2,050	1,932	-----	118	Inside continental United States.....	141,797	142,233	-----	436
State.....	141	150	-----	9	Outside continental United States.....	22,533	23,343	-----	810
Treasury.....	6,757	6,691	-----	66	Department of the Navy:				
Independent agencies:					Inside continental United States.....	257,375	253,356	-----	4,019
Atomic Energy Commission.....	113	113	-----		Outside continental United States.....	22,194	22,337	-----	143
Panama Canal.....	1,367	1,371	-----	4	Total, Department of Defense.....	667,383	661,430	-----	5,953
Tennessee Valley Authority.....	14,342	14,577	-----	235	Net decrease, Department of Defense.....			-----	
Total, excluding Department of Defense.....	25,210	24,961	-----	248	Grand total, including Department of Defense.....	692,593	686,391	-----	6,202
Net decrease excluding Department of Defense.....			-----	249	Net decrease including Department of Defense.....			-----	
Department of Defense:								-----	
Department of the Army:								-----	
Inside continental United States.....	190,756	187,311	-----	3,445				-----	
Outside continental United States.....	32,728	32,850	-----	122				-----	

TABLE V.—Federal employees assigned to Mutual Defense Assistance Program

Department or agency	Payroll (in thousands)			Civilian personnel		
	In January was—	In February was—	Increase (+) or decrease (—)	In February numbered—	In March numbered—	Increase (+) or decrease (—)
Total.....	\$6,996	\$7,139	+\$143	21,685	21,870	+185
Health, Education, and Welfare.....					2	+2
State Department.....	136	130	-6	1,381	1,144	-237
General Services Administration.....					8	+8
Office of the Secretary of Defense.....	72	78	6	144	135	-9
Department of the Army.....	¹ 4,793	² 4,793		¹ 12,659	² 12,659	
Department of the Air Force.....	1,063	997	-66	3,315	3,405	+90
Department of the Navy.....	932	1,141	+209	4,186	4,517	+331

¹ Revised on basis of later information.
² Subject to revision.

TABLE VI.—Foreign nationals working under United States agencies overseas, excluded from usual Federal personnel reporting because of the nature of their work or the source of the funds from which they are paid, as of March 1954 and comparison with February 1954 (not included elsewhere in this report)

Country	Total		Army		Navy		Air Force	
	February	March	February	March	February	March	February	March
Germany.....	118,331	118,052	97,569	97,268	1,932	1,948	18,830	18,836
Japan.....	172,548	174,300	113,994	113,865	17,018	17,761	41,536	42,674
Korea.....	106,359	103,565	¹ 97,040	¹ 94,153			9,319	9,412
Lybia.....	199	197					199	197
Ryukyus.....	14,925	15,182	11,184	11,128	146	151	3,595	3,933
Saudi Arabia.....	390	403					390	403
Trinidad.....	585	585			585	585		
Total.....	413,337	412,284	319,787	316,414	19,681	20,445	73,869	75,425

¹ Includes 37,687 members of the Korean Service Corps in March as compared with 38,408 in February.

NOTE.—The Germans are paid from funds provided by German governments. Ryukyus reported by the Army are paid from funds appropriated for personal service. All others are paid from funds appropriated for other contractual services.

STATEMENT BY SENATOR BYRD

Executive agencies of the Federal Government reported regular civilian employment in the month of March totaling 2,340,546. This was a net reduction of 416 as compared with employment reported for the preceding month of February.

Civilian employment as reported by employing agencies of the Federal Government by months in the current fiscal year 1954, which began July 1, follows:

Month	Employment	Decrease
July.....	2,454,714	-14,926
August.....	2,431,430	-23,284
September.....	2,401,810	-29,620
October.....	2,372,745	-29,065
November.....	2,357,330	-15,415
December.....	2,346,892	-10,438
January.....	2,340,962	-5,930
February.....	2,340,546	-416

These figures show that during the 9 months of fiscal year 1954 civilian employment was reduced by 129,094. March was the 20th consecutive month in which net reductions were reported.

Civilian employment by the Department of Defense continued to decrease during March, dropping 5,399 to a total of 1,162,328. Employment by the civilian agencies increased during the month from 1,173,235 to 1,178,218, an increase of 4,983.

Major decreases were reported by the Department of Commerce with 432, the Department of State with 130, Department of the Post Office with 1,373, the Panama Canal with 227, Department of the Army with 4,012, and the Department of the Navy with 3,658. Major increases were reported by the Department of Agriculture with 2,315, the Department of Health, Education, and Welfare with 120, Department of the Interior with 732, Department of the Treasury with 3,495, the Department of the Air Force with 2,242, Tennessee Valley Authority with 220, United States Information Agency with 115, and Veterans Administration with 435.

Employment outside continental United States increased 1,775, and inside continental United States civilian employment decreased 2,191.

These figures are from reports certified by the agencies, as compiled today by the Joint Committee on Reduction of Nonessential Federal Expenditures.

FOREIGN NATIONALS

The total of 2,340,546 civilian employees certified to the committee by executive agencies in their regular monthly personnel reports included some foreign nationals employed in United States Government activities abroad, but in addition to these there were 412,284 foreign nationals working for United States military agencies overseas during the month of March who were not counted in the usual personnel reports. The number employed in February was 413,337. A breakdown of this employment for March follows:

Country	Total	Army	Navy	Air Force
Germany.....	118,052	97,268	1,948	18,836
Japan.....	174,300	113,895	17,761	42,674
Korea.....	163,565	94,153		9,412
Lybia.....	197			197
Ryukyus.....	15,182	11,128	151	3,903
Saudi Arabia.....	403			403
Trinidad.....	585		585	
Total.....	412,284	316,414	20,445	75,425

LETTERS REQUESTING INFORMATION FROM ADMINISTRATOR OF HOUSING AND HOME FINANCE AGENCY

Mr. BYRD. Mr. President, I ask unanimous consent to have printed in the body of the RECORD two letters which I, as chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, wrote on May 14 to the Honorable Albert M. Cole, Administrator of the Housing and Home Finance Agency, requesting certain information.

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

MAY 14, 1954.

HON. ALBERT M. COLE,
Administrator, Housing and Home
Finance Agency, Washington, D. C.

MY DEAR MR. COLE: You have reported that through January 31, 1954, the Federal Housing Administration has approved Federal insurance of housing loans, as follows:

Program	Number of loans	Face amount
MODERNIZATION AND IMPROVEMENT INSURANCE		
Title I.....	(¹)	(¹)
MORTGAGE INSURANCE		
Title I: Sec. 8.....	16,671	\$82,528,100
Title II:		
Sec. 203.....	1,550,021	11,196,191,954
Secs. 207-210.....	269	174,223,847
Sec. 213.....	6,619	247,130,650
Title VI:		
Sec. 603.....	318,936	2,117,168,663
Sec. 609 (manufacturers' loans).....	1	100,000
Sec. 609 (purchasers' loans).....	27	81,902
Sec. 610 (sec. 603).....	2,973	14,567,200
Sec. 610 (sec. 608).....	18	6,616,800
Sec. 611.....	77	2,399,350
Title VII.....		
Title VIII: Sec. 803.....	231	578,850,732
Title IX:		
Sec. 903.....	38,878	340,738,750
Sec. 908.....	80	52,683,083
Total.....	1,941,316	18,043,738,693

¹ Not available.

As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to title VII of the National Housing Act:

1. A statement as to whether legislation authorizing the title VII program was advocated by the Federal Housing Administration, and, if so, the purposes it was designed to serve.

2. The reasons why it was not used.

3. A statement as to whether FHA promoted the program.

4. A statement as to whether FHA discouraged the use of the program, and, if so, why.

Cordially yours,

HARRY F. BYRD,
Chairman.

MAY 14, 1954.

HON. ALBERT M. COLE,
Administrator, Housing and Home
Finance Agency, Washington, D. C.

MY DEAR MR. COLE: As chairman of the Joint Committee on Reduction of Nonessential Federal Expenditures, and acting under authority of section 601 of the Revenue Act of 1941, I am requesting, at your earliest convenience, the following information with respect to overlapping Federal Housing Ad-

ministration insurance of more than one loan involving the same property:

1. A statement as to whether it is possible that two FHA-insured loans, under separate programs, involving the same property may run simultaneously; for instance, a purchaser loan under section 203 and a repair-improvement loan under title I. And an estimate as to the number of borrowers for whom FHA has insured such simultaneous loans.

2. A statement as to whether it is possible that more than two FHA-insured loans involving the same property may run simultaneously.

Cordially yours,

HARRY F. BYRD.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Post Office and Civil Service.

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

THE CALENDAR

The PRESIDENT pro tempore. If there be no reports of committees, the clerk will proceed to state the nominations on the calendar.

COMMODITY CREDIT CORPORATION

The Chief Clerk read the nomination of Robert L. Farrington, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

COMMISSIONER OF IMMIGRATION AND NATURALIZATION

The Chief Clerk read the nomination of Joseph May Swing, of California, to be Commissioner of Immigration and Naturalization.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES DISTRICT JUDGES

The Chief Clerk read the nomination of William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John W. Lord, Jr., of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of John L. Miller, of Pennsylvania, to be United States district judge for the western district of Pennsylvania.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

UNITED STATES MARSHALS

The Chief Clerk read the nomination of Thomas R. Clark, of Hawaii, to be United States marshal for the district of Hawaii.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

The Chief Clerk read the nomination of William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

DEPARTMENT OF COMMERCE

The Chief Clerk read the nomination of Melvin H. Friedman, of the District of Columbia, to be Examiner in Chief in the Patent Office.

The PRESIDENT pro tempore. Without objection, the nomination is confirmed.

That completes the Executive Calendar.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the nominations confirmed today.

The PRESIDENT pro tempore. Without objection, the President will be notified forthwith.

NOTICE OF HEARING ON NOMINATIONS OF UNITED STATES DISTRICT JUDGES

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 25, 1954, at 10 a. m., in room 424, Senate Office Building, upon the following nominations. At the indicated time and place, all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. KEFAUVER].

Ralph M. Freeman, of Michigan, to be United States district judge for the eastern district of Michigan, to fill a new position.

W. Wallace Kent, of Michigan, to be United States district judge for the western district of Michigan, to fill a new position.

Joe McDonald Ingraham, of Texas, to be United States district judge for the southern district of Texas, vice Thomas M. Kennerly, retired.

Charles E. Whittaker, of Missouri, to be United States district judge for the western district of Missouri, vice Albert L. Reeves, retired.

A. Sherman Christenson, of Utah, to be United States district judge for the district of Utah, to fill a new position.

NOTICE OF HEARING ON NOMINATIONS OF ASSISTANT ATTORNEY GENERAL AND UNITED STATES ATTORNEY

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 25, 1954, at 10 a. m., in room 424, Senate Office Building, upon the following nominations. At the indicated time and place, all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from Wisconsin [Mr. WILEY], and the Senator from Tennessee [Mr. KEFAUVER].

William F. Tompkins, of New Jersey, to be an Assistant Attorney General, to fill a new position.

Raymond Del Tufo, Jr., of New Jersey, to be United States attorney for the district of New Jersey, vice William F. Tompkins, promoted.

NOTICE OF HEARING ON NOMINATIONS OF UNITED STATES ATTORNEY AND UNITED STATES MARSHALS

Mr. LANGER. Mr. President, on behalf of the Committee on the Judiciary, I desire to give notice that a public hearing has been scheduled for Tuesday, May 25, 1954, at 10 a. m., in room 424, Senate office building, upon the following nominations. At the indicated time and place all persons interested in the nominations may make such representations as may be pertinent. The subcommittee consists of myself, chairman, the Senator from New Jersey [Mr. HENDRICKSON], and the Senator from Tennessee [Mr. KEFAUVER]:

B. Hayden Crawford, of Oklahoma, to be United States attorney for the northern district of Oklahoma, vice Whitfield Y. Mauzy, resigned.

Joseph F. Job, of New Jersey, to be United States marshal for the district of New Jersey, vice William T. Brady, resigned.

John Burke Dennis, of Missouri, to be United States marshal for the western district of Missouri, vice Fred A. Canfil, deceased.

Kenner Wilburn Greer, of Oklahoma, to be United States marshal for the western district of Oklahoma, vice Rex Bryan Hawks, term expired.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

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

TENTH ANNIVERSARY OF BATTLE OF MONTE CASSINO, ITALY

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a statement which I have prepared on the 10th anniversary of the

Battle of Monte Cassino, in Italy, on May 18, 1954.

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

STATEMENT BY SENATOR FERGUSON ON THE 10TH ANNIVERSARY OF THE BATTLE OF MONTE CASSINO, ITALY

This day marks the 10th anniversary of one of the bloody and long-remembered battles of World War II, the battle for Monte Cassino, an important German stronghold on the road to Rome in Italy. The victory helped to open the way to Rome for Allied troops and hastened the defeat of the Nazis in the Italian campaign.

I particularly wish to call the attention of the Senate to the battle because the victory belongs to the II Polish Corps under the command of Gen. W. Anders who won after the most difficult and courageous effort. This victory gives vivid illustration of the fact that the forces of free Poland have fought with valor and ability in comradeship with the Western World against tyranny and oppression. It demonstrates that we have allies in the Poles behind the Iron Curtain and they will some day be able to play their full role in the independence of their people.

To the officers and men of the II Polish Corps their victory seemed to open the road to a free and independent Poland in the postwar period. But they have not yet achieved that goal despite the courage of their arms and the righteousness of their objective.

It is fitting that we honor this occasion today in order to assure those gallant men that their objective has not been forgotten here in the United States. We all look forward to the day when freedom will be restored to the Polish homeland and Poland can take her rightful place as a proud, free, and independent nation.

I am especially happy to salute the anniversary of this victory of the II Polish Corps because of my sponsorship of an amendment to the Refugee Relief Act of 1953 authorizing members of General Anders' fine army, who live in exile, to come to the United States.

Their devotion to freedom has been demonstrated on some of the most difficult and trying battlefields of World War II, and I know they will make a real contribution to this Nation.

EDITORIAL COMMENT ON SPEECH BY FORMER PRESIDENT TRUMAN

Mr. SMITH of New Jersey. Mr. President, on Saturday, May 15, 1954, the New York Times in an editorial entitled "Back to Utopia?" completely demolished the specious foundations upon which rested the speech of former President Truman to the Amalgamated Clothing Workers on May 13, 1954. This speech was delivered at America's most famous seaside resort, Atlantic City, N. J.

Mr. President, I have the privilege of representing, with my colleague, the junior Senator from New Jersey [Mr. HENDRICKSON], the people of this fine community. I know that they sincerely welcomed Mr. Truman to their midst, and would have been delighted to extend him all hospitality—as they have for so long to so many—had he come merely for rest, rejuvenation, and pleasure.

But Mr. Truman had other ideas. He wanted to give a speech. Mr. President, the people of Atlantic City are not only

friendly and hospitable, they are also tolerant and undemanding of their visitors. Nonetheless, I must protest our ex-President's presumption in offering Atlantic City's other guests, the Amalgamated Clothing Workers, a barely warmed-over repast first offered in 1948 and served up frequently thereafter. For, as the New York Times says of this address, it "might have been any one of the speeches he delivered in the course of his whistlestop campaign of 1948" and made "repeatedly in the campaign of 1952." The sensible people of Atlantic City rejected the false premises of this speech in 1948 and 1952. Mr. Truman, it might have been hoped, should have more imagination than to believe that Atlantic City's 1954 guests would find it palatable.

Mr. President, the Times editorial very succinctly exposes the fallacies of Mr. Truman's economic philosophy upon which this tired speech was based. I ask unanimous consent that the editorial be printed in the body of the RECORD as a part of my remarks.

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

BACK TO UTOPIA?

Former President Truman's address on Thursday before the Amalgamated Clothing Workers might have been any one of the speeches he delivered in the course of his whistlestop campaign of 1948. These were the speeches, it may be recalled, when, in talking to the workers, Mr. Truman denounced the rampant inflation of the times, which, he explained, had its origin in the fact that "they" had killed price control. When talking to the farmers, on the other hand, inflation ceased to be inflation and became high prices for what the farmer sells, or, to put it in simpler terms, farm prosperity. While the inflation was the work of the Republicans, the high prices, of course, were strictly a product of Mr. Truman's policies.

Mr. Truman made essentially this same speech repeatedly in the campaign of 1952. But by that time the public had come face to face with a hard and painful fact, which many other countries and more than one generation in this country had learned to their dismay and sorrow. That is that inflation, however pleasant it may be in its initial stages, becomes a cruel burden on a people when it begins to work its way—as it must do sooner or later—into the fabric of the cost of living. There is nothing to be gained by discussing here what Mr. Truman refers to as his economic philosophy. The central fact of his administration, so far as the American economy is concerned, is this: In the years 1945-52 the cost of living (as measured by the Consumers' Price Index) rose from a monthly average of 76.9 in 1945 to 113.5 in 1952. That rise of 48 percent exceeded by 60 percent the inflation of the entire period of the Second World War from its very beginning in Europe in 1939 to 1945.

"We made the shift after World War II," observes Mr. Truman, "to a real peacetime economy without a recession—on the contrary, we had a boom." On this point at least the former President's speech is clearly irrefutable. But it wasn't a boom, it was a superboom. But this wasn't good enough for Mr. Truman and his advisers. Just to make sure, they decided to throw a can of kerosene on the kindlings. This kerosene was, needless to say, a huge shot of Mr. Truman's favorite cureall, purchasing power, and it was administered through that now thoroughly discredited wage-raising device, ability to pay. It was this that touched off the prairie fire of inflation at the war's end,

a fire which was to be fanned into new life every time it threatened to die down through a monetary policy that was only step removed from resort to the printing press, by the indiscriminate encouragement of consumer-credit expansion and by high, rigid farm-price supports, the effects of which were to encourage the production of farm production for a market that didn't exist.

CIO PROGRAM FOR PROSPERITY IN PEACETIME

Mr. MURRAY. Mr. President, the Congress of Industrial Organizations held a conference on the economic situation here May 10 and 11 which drew representatives of unions from all parts of the Nation.

Without exception, the delegates reported unemployment of an increasingly serious nature, and continuing reductions in the hours of those who still have part-time work and are consequently listed as employed.

One of the interesting developments of the conference was the reports of delegates back to the meeting after they had spent several hours calling on Members of Congress. It was repeatedly reported to the meeting that Republican Senators and Representatives were deeply concerned by the administration's inaction in relation to the recession and the unemployment situation. These reports confirmed my belief that many members of the majority party—who have remained silent for party reasons—are nonetheless as aware of the economic dangers of the present situation in the Nation as those of us on the Democratic side of the aisle.

While for very obvious reasons, they do not want to criticize the administration, the CIO delegate reports made it clear that an affirmative program for reversing the present downtrend would draw bipartisan support.

Members of the minority party have suggested needed economic measures on numerous occasions. In remarks on the floor of the Senate in February, I concluded that the administration would not act, and urged that the Congress consider a 10-point program for economic rehabilitation.

The CIO Full Employment Conference has also suggested a constructive, affirmative 10-point program for prosperity in peacetime. They propose tax concessions in the low-income, high-consuming brackets, an increase in minimum wages, strengthened collective bargaining, improvement of unemployment compensation, and social security, a housing program, strengthened farm-price supports, aid to small business, Federal public works, and local and State public works.

These are all constructive suggestions which merit the thoughtful consideration of the Congress. I therefore request unanimous consent to insert in the RECORD at this time the CIO full employment conference's program for prosperity in peacetime.

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

A PROGRAM FOR PROSPERITY IN PEACETIME

The United States is in a recession. Positive steps must be taken to restore the Nation to full employment.

In the face of present unemployment and reduced production, the Washington do-nothing look-the-other-way policy is both dangerous and disgraceful. It is a repudiation of the Employment Act, which pledged the Government to pursue policies "to promote maximum employment, production, and purchasing power."

Government, industry and labor, farmer and professional people—in fact, all Americans—must unite and act now to meet this threat to our well-being.

The present economic decline has been underway since mid-1953. Since that time industrial production has declined more than 10 percent. Total national output has fallen from a rate of \$371 billion annually to \$359 billion; this has occurred during a period when the Nation's output should have increased to a rate of approximately \$385 billion, if full employment had been maintained.

This decline has been felt in virtually every industry. Steel operations have been below 70 percent for several months. Automobile production is behind last year's rate. Farm-equipment operations have been in a slump for more than a year. Similar conditions prevail in textiles, clothing, and other industries. Retail sales have consistently lagged behind last year's levels.

Unemployment began to mount steadily after last September, and even the conservative Government figures went over the 3.6-million mark in February. Additional millions are forced to struggle along on reduced hours, and part-time work has become widespread. Under ordinary circumstances, as a result of the normal spring pickup in agriculture, construction, some branches of trade, and other industries, this figure should have declined over half a million by now. The actual drop in unemployment as reported for April has been less than half of this. Manufacturing employment has continued its downward trend and is already 1.3 million below last year's figure; over a quarter of a million of this drop occurred in the past month alone. Indeed, it is now painfully clear that we will suffer a sharp increase in unemployment, to well over 4 million this summer, as hundreds of thousands of young Americans leave school and are added to the labor force in June and July.

The entry of these youngsters into the labor force underscores the basic needs of the American economic system. Unless our economy grows and expands each year, unemployment will mount steadily. Literally, when we aren't expanding in this country, we are falling back, and unemployment grows.

The persistence of unemployment, the losses in production, and the bitter prospect of joblessness for thousands of America's young, new workers are evidence that the Federal Government is not living up to its responsibilities.

We reject the official Republican explanation that this downturn is merely a corrective process. There is nothing corrective about more than 3,500,000 unemployed workers.

Full employment and an expanding economy are not only possible but necessary for our country. But full employment will not be achieved by reliance on mere automatic market forces. The very passage of the Full Employment Act in 1946 is a symbol of the American people's rejection of the philosophy of laissez-faire. We are not prepared to sit by and trust to some vague self-regulating adjustments to bring prosperity around the corner. This smacks too much of 1929.

Depressions are not inevitable, and we reject the defeatist philosophy which believes that prosperity is possible only in a war or defense economy.

The forces making for this recession must be attacked at their roots.

The basic cause of the recession is a lack of purchasing power. This weakness in consumption first manifested itself in the spring of 1953, when our ability to produce began to outrun our capacity to consume. This resulted in a sharp pileup of inventories; as goods accumulated on the shelves, retailers and wholesalers began to cut their orders, and this led to production cutbacks and unemployment. The end of hostilities and reductions in defense spending as well as general budget cuts instituted by the new administration added to the decline. Moreover, as it becomes clear that production capacity in most industries is more than ample to meet the current demand for products, business investment for new plant and equipment is beginning to decline somewhat.

As business and Government spending slacken, it has become imperative to strengthen and expand the other main support of full employment, private consumer buying. This is the major task confronting the American people in the period ahead, if we are to avoid further declines in economic activity.

To meet the present unemployment situation, CIO is recommending a limited, basic, national economic program. Swift action can reverse the tide of recession and return the country to full employment.

1. Taxes: A tax program to benefit the many, not the privileged few, by raising personal income-tax exemptions now from the present \$600 to \$800, and to \$1,000 next year. A \$200 increase in the exemption this year will add \$4.5 billion to the income stream and support increased consumer buying. Proposals to provide new loopholes for the wealthy by cutting taxes on dividends and increasing corporation writedoff allowances must be rejected by the Congress.

2. Minimum wage: An increase in the minimum wage from 75 cents an hour to \$1.25 an hour and greater coverage for the Federal Fair Labor Standards Act. Action on this proposal is overdue and must not be postponed on the trumped-up administration pretext that this is not the time to bolster the purchasing power of the Nation's low-income workers and families.

3. Higher wages: Collective bargaining must be strengthened to protect consumer buying power and to enable workers to obtain a fair share of the rising productivity of American industry.

4. Improve unemployment compensation: Steps must be taken immediately, at both the National and State levels, to raise benefit levels so that the unemployed worker is entitled to a primary benefit of two-thirds his average weekly wage for a period up to at least 39 weeks; maximum primary benefits shall be equal to at least two-thirds of the State's or the national average weekly wage, whichever is higher; additional allowances should be provided for dependents; and procedures should be established to help those States most hard hit by unemployment. While the President has exerted tremendous pressure on the Congress to put through his good-for-business tax program, he has contented himself with a mere formal mail request to the States to improve the unemployment-compensation system. A special CIO survey reveals that this mail request has led to action in only 3 States, and in only 1 case did the action even come near what the President recommended.

5. Housing: A greatly expanded housing program is needed to provide decent homes for millions of Americans in the lower- and middle-income groups and to bolster the economy. Our goal must be set at 2 million homes per year. As part of this program CIO believes the Government should lift its public housing goal from 35,000 units a year to 200,000 and develop means that allow millions of moderate-income families to buy their own homes at reasonable cost.

6. Social security: Passage of the Lehman-Dingell bill is to expand social-security cov-

erage, add permanent and temporary disability insurance, and raise monthly payments to a maximum of \$200 a month.

7. Farm program: The Government should continue and strengthen programs including price supports, conservation, low-lost credit, and rural electrification, to aid the Nation's farm families now suffering from a serious recession.

8. Aid to small business: A special credit agency to perform functions formerly carried on by the Reconstruction Finance Corporation (RFC) should be established to make possible liberal credit for small business and to aid in the expansion of America's economy.

9. Public works: A big-scale public-works program to build badly needed highways, hospitals, schools, recreation facilities, etc., should be inaugurated at once. We need less emphasis on blueprints and more on getting projects under way. The President's Economic Report stated that State and local governments alone should spend approximately \$20 billion per year for the next decade to meet the building backlog for schools, highways, utilities, and the like. In 1953 the outlay for all public works—State, local, and Federal—was less than \$12 billion. During World War II and the Korean hostilities, many vitally needed projects were postponed, and the time has now come to move ahead with this essential work.

10. State and city programs: The 48 States and local communities should embark at once on a program of planning action for a number of activities listed above in order to insure that in every section of the country the full benefits of this program will be made available to all the people.

The responsibility to maintain full production and full employment rises above partisan politics. All Americans must unite to carry out this responsibility.

PROGRAM OF UNITED STEEL WORKERS OF AMERICA FOR FULL EMPLOYMENT, PRODUCTION, AND CONFIDENCE

Mr. MURRAY. Mr. President, the deputy to the Secretary of the Treasury, Mr. Randolph Burgess, said in a magazine interview some months ago that we are in a spiraling recession when the economy drops 25 or 30 percent.

Our economy totally is not in such a condition yet. But in the steel industry production is down approximately 40 percent. There are nearly 200,000 steelworkers unemployed and another 250,000 working a short workweek.

The steel industry itself is not suffering. Thanks to our repeal of the excess profits tax, the largest steel companies have net profits virtually as large as when they were operating at capacity. They made last ditch price increases in midyear, 1953, to assure high profits on lower production when the recession hit. The owners can sit by and contemplate the recession and lines of unemployed with some equanimity. But not the workers. For the 450,000 unemployed and on short workweek, there is a depression. And there is a business decline ranging from recession to depression for all those whom the steelworkers patronize, from the local stores to the farmers and the manufacturers of consumer goods.

On April 5, 1954, the international executive board of the United Steelworkers of America met and proposed a program for the restoration of full employment, confidence, and production in the United

States. It is an excellent program. It is a program that should receive the serious consideration of the Congress. Although the steelworkers are most directly and seriously affected by the decline of production in their industry, the situation concerns every citizen of the Nation.

Unemployment is malignant. As purchasing power falls the whole structure of our economy is endangered.

I ask unanimous consent to insert in the RECORD at this point the program for full employment, production, and confidence proposed by the United Steelworkers of America, April 5, 1954.

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

A PROGRAM FOR FULL EMPLOYMENT, PRODUCTION, AND CONFIDENCE

STATEMENT OF THE INTERNATIONAL EXECUTIVE BOARD OF THE UNITED STEELWORKERS OF AMERICA, APRIL 5, 1954

We have met in a special meeting of the international executive board of the United Steelworkers of America to voice the concern of the steelworkers about the Nation's present economic situation.

The state of the economy is not good. Industrial production has been slowly moving downward for months. At the end of February it was 9 percent below a year ago. The downward trend has continued in March.

Retail sales in February were 5 percent off from last year. March has brought a further reduction in sales.

Automobile production is down over last year, and, at the same time, auto dealers report inventories to be substantially greater than a year ago.

Approximately 4 million workers are totally unemployed. In addition, it is apparent from the decline in the average workweek that at least another 2 million or 3 million others are working only part time because of slack work.

In our own industry—steel, which is basic to our economy—production in the last week of March fell to 68 percent of capacity, with no substantial pickup in sight.

Almost one-third of the Nation's steel capacity lies idle—a loss of about 40 million ingot-tons of steel per year.

One hundred eighty-nine thousand three hundred and thirty-four members of our union in basic steel and metal fabricating have been laid off and are unemployed. Another 257,026 members are working a short workweek.

The loss of purchasing power in our industry due to unemployment and a reduced workweek approximates one-half billion dollars a year.

As steelworkers, we have no interest or desire to make political capital out of this situation. The situation is rapidly becoming critical for us and for the economy.

We are completely confident that with management and labor working together and cooperating in turn with their Government the downward economic trend can be checked and our economy restored once again to a state of dynamic expansion.

As steelworkers, we deem it our responsibility and obligation to put forward a program to keep this Nation strong and prosperous.

Our great production system can and must be restored to full operation to meet the daily needs of our growing population; it must, in fact, move constantly forward to higher levels of production and efficiency as it has so successfully in the past.

Today, unfortunately, the gap between what America must produce to maintain maximum production and employment, and

what we are actually producing, is growing larger.

Last spring, at the peak, we were turning out goods and services at an annual rate of \$371 billion; today, we are producing at a rate of about \$359 billion. Responsible economists predict that our national output for the entire year of 1954 will range between \$350 to \$355 billion, although we actually will need a production level of \$380 to \$385 billion to keep our growing labor force fully employed.

Here, then, is the task that confronts us: We must find customers for an additional \$25 to \$35 billion worth of goods and services which now are not being produced and sold because buyers are not available.

Surely, it is within the power of the American people to close this gap. Instead of vainly waiting to see if the situation gets worse—and then face the probability of trying to tackle the problem after it has become much more difficult to cope with—constructive private and public policies must be undertaken now to reverse the tide.

First, let us consider several policies which governments—Federal, State, and local—must pursue in order to make their full contribution to the goal:

1. Benefit payments to the unemployed and to pensioners under the Social Security Act should be increased immediately by at least \$3 billion.

As a simple act of humanity—quite apart from its stimulating economic effect—the rates and duration of benefits for the unemployed, and the amount paid to pensioners under the old-age and survivors insurance system must be immediately increased.

Today, the average unemployed worker covered by the State compensation laws receives about \$24-\$25 a week, about one-third of his former earnings in contrast to the two-thirds which were anticipated when these laws were enacted.

Pensioners receiving benefits under the Social Security Act receive a piteously low average payment of about \$50 a month, hardly enough to keep body and soul together.

This great and rich Nation certainly can and must improve the lot of its two most needy groups—the unemployed and the aged. All of the increased benefits would flow into the spending stream and create new consumer demand. To aid the unemployed and the aged alone benefits schedules must be increased by at least \$3 billion a year immediately.

2. By raising the personal Federal income tax exemption to \$800 more than \$4 billion can be added to consumer demand.

No single policy of government will more quickly stimulate consumer buying than wise and timely tax action. To counteract the downward trend the present \$600 personal exemption (which is actually far lower in real value than the \$500 exemption of World War II) should be raised to \$800 immediately.

Every family now subjected to the Federal tax will enjoy a benefit; more important, the tax savings of millions of moderate-income families will be spent for daily family needs, thus adding substantially to consumer purchases. A tax policy that achieves this end will do much more to reverse the recessionary trend than special tax privileges for corporations and a minority of stockholding families whose benefits, at this time, would be largely unspent.

3. Public-works programs should be immediately expanded by at least \$5 billion to help catch up with the backlog and keep abreast of new demand.

Because of the impact of the last depression and then the prior claims of war and defense requirements, vitally important public construction still lags far behind the need of our expanding population.

According to the 1954 Economic Report of the President, our State and local gov-

ernments alone must spend almost \$20 billion every year for the next 10 years just to meet the need for streets and highways, schools and hospitals, and local water, sewer, and industrial-waste facilities. Additional sums must be spent for courthouses, airports, recreation facilities, and other types of projects. Thus, total State and local public work expenditures should exceed \$200 billion over the next 10 years if the needs of the population are to be met.

On the Federal level, vitally important projects, some of them already authorized by Congress but postponed because of prior war and defense requirements, are needed to provide harbor improvement, flood control and power facilities, land reclamation, national park and forest improvements, and the construction of Federal buildings. There should be no further delay in authorization for United States participation in the vitally needed St. Lawrence Seaway.

The establishment and maintenance of a merchant marine and of a shipbuilding industry consistent with our national defense needs is required. Responsible authorities of the Maritime Administration and the Navy Department estimated last year that the deficiency in our merchant fleet numbered more than 200 ships, including 165 cargo ships and 43 tankers. In addition to the need for reducing these deficiencies there should be provided a realistic means for replacement of existing tonnage now approaching obsolescence. In order to make certain that privately owned shipbuilding and repair yards can expand to meet the needs of the United States in the event of an emergency, financial assistance by the Federal Government should be given to support an adequate merchant fleet. Experienced shipbuilders to construct and repair ships are an important requirement of our national defense. Domestic building of a greater proportion of our merchant shipping requirements will involve additional employment by the shipbuilding industry perhaps to the extent needed to maintain a work force potentially capable of expansion to meet emergency requirements.

In 1953, the total outlay for all public works—Federal, State, and local—amounted to slightly more than \$11 billion. Certainly, this amount can and should be raised by at least \$5 billion during the next 12 months. Not only would more employment be stimulated, both in the mines and mills that provide materials and on the construction projects themselves—but the wealth of the Nation as a whole would be greatly and permanently increased.

We do not advocate or believe in made work. We are suggesting substantial and vitally needed public improvements.

Our proposal is a modest one, indeed. According to the President's report, our public works "could be stepped up by one-half or more with a year." Now is the time to begin.

4. Prompt Federal action can increase our national home construction and slum clearance effort by \$5 billion.

Responsible public groups report, after years of exhaustive study, that a national housing goal of 2 million new units a year is now required if American families are to achieve adequate shelter.

The Administrator of the Federal Housing and Home Finance Agency, Mr. Cole, has stated that only about 1 million new housing units will be built this year—10 percent below last year's level and 40 percent under the output of 1950.

Surely, at the very least, we can achieve the million and a half new housing starts a year proposed by the late Senator Taft's postwar Committee on Housing and Urban Redevelopment. This can be done, in the first instance, by public policies which support the construction of well-built and reasonably priced homes for the great American middle income market by allowing low initial pay-

ments and long-term mortgages at low interest rates geared to ability to pay. For our lowest income families, however, who cannot undertake to buy new homes for themselves, public housing must be expanded to the 200,000 yearly level authorized by the Housing Act of 1949 if we really mean to obtain decent shelter for all Americans.

Even if we achieve only the construction of one and a half million new homes in the next 12 months—actually a completely inadequate goal—the additional \$5 billion expended will nonetheless provide a great stimulus to employment and production throughout the Nation.

All of these proposals, involving social welfare benefits, taxes, public works, and home construction, are practical, workable measures geared to reversing the current business downturn by reducing the existing gap in demand. There is no "waste" or "boondoggling" in them. Simple humanity toward needy men, women, and children dictates the improvement in unemployment compensation and pension benefits that we recommend. An equitable sharing of tax savings—with the largest aggregate going to the millions of families who need tax relief most and will spend whatever savings they receive—motivate our tax proposal. The urgent need for long delayed public works and more homebuilding, and the stimulus to the economy which would flow from an expanding construction program prompts our recommendation for action in this area.

Certainly it cannot be argued that these proposals involve a raid upon the Public Treasury. Major improvements in our social-welfare system can be covered by existing trust funds and reserves. In the case of taxes, our proposal would simply apply tax reductions in a manner that would most effectively strengthen the economy at this time. The cost of many new public-works projects like turnpikes, toll bridges, and airports would be self-liquidating. Others, sooner or later, must be built at public expense; with manpower and resources now available, this is the time to expand our effort. As for our proposal to increase substantially our national housing output, the public cost would be low compared to the benefits obtained. The additional hundreds of thousands of families who would be assisted to purchase their own homes would ultimately pay the full cost; in the case of public housing, a substantial part of the outlay would be covered later by rental income.

Enlightened policies by management in collective bargaining with labor can also contribute to the restoration of maximum production and employment in the United States.

With the approach of collective bargaining in the steel industry, we believe that forward-looking steps are more necessary now than ever to insure an improvement in the income and benefit position of its workers. Only by keeping the purchasing power of wage and salary earners in step with the constantly rising productivity of our American industrial system can prosperity be assured for both management and men.

We must particularly recognize the importance of this fact at a time when consumers' purchases are already lagging behind the Nation's capacity to produce. Whether we are considering the need of the lowest paid segment of our population—for whom a substantial increase in the statutory minimum wage is now long overdue—or the responsibility of the great steel industry to its own employees, the necessity to constantly attain a higher real wage level is basic to the preservation of the private enterprise system in the United States.

There can be no doubt that the combined effect of a forward-looking wage and benefits policy pursued by management in collective bargaining with labor and enlightened action by government in the field of social welfare, taxes, public works, housing, and

farm policy can bring this recession to a quick end. Both the direct increase in expenditures by consumers, government, and business and the indirect stimulus which these programs and policies can bring about will eliminate the present gap in total demand and restore our economy to health and prosperity.

The United Steelworkers of America neither views the present, nor the future, with hysteria. Our faith in this Nation and its capacity to meet its problems is unlimited but in the short run, between last summer and today, millions of workers and their families in steel and other industries have been suddenly faced with distress and we cannot stand idly by. The great resources and enterprise of America must be utilized to meet this problem now.

We are not urging any irresponsible action; we are simply proposing to the leaders of our industry and of our Government a reasoned and practical program which will restore full employment, production, and confidence to all of the people and enterprises of the United States.

PARITY PRICES FOR FARMERS

Mr. MURRAY. Mr. President, over the last several weeks I have been receiving identically worded resolutions signed by business and professional men and women from some 17 Montana cities and towns. I believe these resolutions have an unusual significance for the Members of this Congress. I believe this is true because these resolutions, coming, as I have said, from business and professional men and women, are not requests—such as we usually get from such groups—that the Congress do something about the immediate problems of small business. Instead, Mr. President, these are resolutions wherein these leading citizens of Montana's towns and cities are demanding that the Congress act promptly in the interests of Montana's farmers.

This is truly a new and heartening departure in the annals of congressional history. It means, I think, proof indisputable that America has come of age in its economic thinking, that no longer is it possible for self-seeking opportunists to set business against the farmer, the farmer against labor, and labor against both. Americans have learned—certainly the people of Montana have learned, as these resolutions will prove—that prosperity is one and indivisible, that business cannot profit if the incomes of farmers or of urban workers are allowed to sag, that the city worker and the businessman depend in large measure for their success on the success of the farmer, that all three are interrelated and interdependent.

These resolutions serve warning on those in high places in the Department of Agriculture today who have spent some fruitless months trying to justify their attempts to slash parity payments by attempting to turn our city people against our farm producers. These resolutions show that all such attempts have been and will be failures. They serve warning too, Mr. President, that this Congress must act and act promptly to guarantee at least a full 90 percent of parity to our farm producers or face the wrath not only of our farmers but of America's enlightened business and professional people as well.

To date I have received these resolutions from the towns and cities of Belt,

Brady, Chinook, Conrad, Cut Bank, Dutton, Fort Benton, Fort Shaw, Great Falls, Harlem, Ledger, Power, Red Lodge, Roberts, Sun River, Valier, and Wolf Point. Because they are so important and will prove, I am sure, so great an aid in the forthcoming fight for parity, I ask unanimous consent that the wording of one of these identical resolutions be printed in the body of the RECORD at the conclusion of these remarks and that the names of each of the signers of these resolutions also be printed in the RECORD so that the permanent record of the Congress will carry forever the names of those business men and women in Montana who were so intelligent and so conscious of their obligations as good citizens as to publicly join with the farm families in Montana in demanding a program which will mean continued prosperity for all of us. To these Montana men and women I want to express my own deep appreciation for the action they have taken.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, one of the resolutions, and all the signatures attached to the resolutions, were ordered to be printed in the RECORD, as follows:

PARITY FOR THE FARMERS

Being as the State of Montana is a majority agricultural State, the undersigned businessmen feel that it is most imperative that we work side by side with those attempting to maintain a farm program which will enrich and develop the agricultural activities wherever they are a major industry or source of livelihood.

In view of the above conclusion, we, the following businessmen resolve:

That we go on record opposing any effort on the part of any Congressman, the Department of Agriculture, or any agency for attempting to disrupt the stabilization program, affecting all farm commodities.

We further resolve that Congress not only maintain 90 percent of parity, but shall try to establish 100 percent of parity for all farm commodities. We do not favor any tendency toward flexibility of price supports, but urge Congress to maintain a production control program, which is necessary in order to have stabilized price support.

We further resolve to condemn any form of prosperity based on war and bloodshed, but favor a genuinely sane and sound economic program, particularly for the producer, which shall be based on industry, security, and individual initiative.

We further urge all business groups in other cities of this State as well as those of other agricultural States to go on record favoring similar resolutions.

Arthur Briggs, Briggs Implement Co.; Ray P. Smith, Smith Equipment Co.; R. J. Roseth, Roseth Bros., oils and gas; R. L. Wirth, Thisted Motor Co.; Mrs. G. Selckovich, Frontier Inn; Neil Beatty, Haas & Associates Implement Co.; Robert Ralph, The Strong Scott Manufacturing Co.; H. F. Lambertson, H. F. Lambertson Co.; Harry E. Marsh, Montana Olive Distributing Co.; O. D. Hollecker (limited to some farm products), George G. Mill Implement Co.; George T. Hopkins, Hiway Lumber Co.; J. Floyd Kellion, Ferris Kellion Implement & Hardware Co.; Robert L. Rahn, Midland Implement Co.; Robert L. Rahn, Weymont Tractor & Equipment; Robert L. Rahn, Midland Distributing Co.; Charles Steffans, South Side 66 Service; Clarence Ulmer, Ulmer's Auto Service; Norman Traber, Idawell Creamery, Inc.; C. N. Oswald, Riverside Machine Works; W. E. Bowen, Blais Bowen Realty; F. E.

Lowrie, Drapery & Venetian Blind Co.; William Fox, William Fox Realty; Charles M. Joyce, Joyce's Custom Furniture; W. W. White, White Refrigeration Co.; Dick Hogan, Shamrock Bar.

Alvin T. Westdal, Uke's Sports; Jerry Olson, Top Hat Cafe; Ethel R. Gunniss, The Curiosity Shop; Tom Green, Club Barber Shop; J. F. Hoppe, L. S. Cohn Co.; Sam Dallas, New York Shoe Shine Parlor; Edward F. Fuerch, Eddie's Army Store; Ben Bolen, B. & J. Trading Post; Andy Balko, Pension Bar; Lee Costin, Senate Bar; C. E. Beekner, Berk's Bar; Ernest A. Paly Payn, P. O. Newsstand; Ira M. Kaufman, Kaufman's; Ralph Schell, Schell Restaurant; Mrs. K. Smith, manager, Reeds Millinery; Richard P. Muncell, stockman; L. A. Encke, Encke Motor Co.; Robert F. English, English Realty Co.; Walter S. Thistel, The Hub; E. T. Montgomery, Sean Garbul & Co.; A. J. Hedensten, Montgomery Ward & Co.; L. K. Quam, American Dixie Shop, Inc.; C. E. Frame, J. J. Denberg Co., M. E. Goy, Killorn's; Julius Palog, Maverick Bar; E. S. Thoreson, Rexall Drug; L. & L. Co., E. P. Hartley; Manager Josephine Moyer, Dotty Dunn Hats; Zenos R. Potter, Nate Morgan Jbse; L. A. Christison, Dundas Office Supply Co.; Jack C. Throckmorton, Allsports Supply Co.; A. S. Farago, Carlson's Shoes; Thriftyway Drug, Deane Hopper; E. B. Johnson Co., E. B. Johnson; Robert K. Porro, Montana Bar; Nick Wolf, Wolf's Pastry Shop; J. P. Koetter, Central Market.

Lawrence J. McIntosh, McIntosh Tailor; Larry McIntosh, Foreign Motors; Chas. L. Carlson, Stuwocks; Nick Parrish, Jr., Nick and Martin Standard Service; Homer Taylor, Auto Wash Oiling Station; C. L. Carlson, Carlson Music Co.; K. R. Bailar, Bailar's Super Cream; Bill Bryant, Bill Bryant's Conoco; Paul M. Seese, Seese Chevrolet Co.; Marvin Maytag Shop, M. C. Marvin; E. S. La Combe, Vallet Fur Co.; L. La Combe, Vallet Fur Co.; D. I. Hagen, Vallet clerk; Harold R. Patts, Tourist Ranch; R. B. Schroeder, Schroeder Oldsmobile Co.; George J. Pinski, Pinski Bros.; City Glass Co., by Curtis V. Wasman; Douglas Rudd, Cascade Camera; D. F. Goggans, Goggans & Pennie; R. E. Lydiard, Barbers Inc.; J. J. O'Leary, O'Leary Elevator Co.; S. C. Rumford, Great Falls Sporting Goods Co.; George M. Smith, Big Six Barber Shop; John L. Shy, Davenport Barber Shop; Warren O. Rall, Fritz Rall & Sons; K. D. Nelson, Great Falls Radiator Repair Shop; Geo. Bowen, Service Center Co.; Les Hackett, Union Club; Herbert L. Flom, Chiropractor; A. L. Hasbrouck, Fort Union, Great Falls Station; N. L. Julian, Julian's Furniture; L. F. Peck, Peck's Radio-TV; John I. Yau, Yau Photo Shop; John J. McNaught, McNaught Service Station; Robert W. Ford, Aristocrat Cafe; Stanley G. Meagler, Miles Welding Supply Co.; Emma Gewold, Falls Maid Fountain.

James A. Hansen, Great Falls Dam; Russell D. Hanaker, Russ' 6th Street Service; Donald R. Ross, Graham & Ross Music Co.; C. A. Gemberting, Valley Motor Supply Co.; Edwin C. Zipterion, Victory Food Market; L. R. Krouse Snabal, Leis Agency; Jack Carver, Great Falls Watch Service; Frank A. Silvius, Western Bar Co.; Harry L. Prigge, Prigges Home Implement Co.; E. H. Manning, Warehouse Furniture; R. J. Moze, Western Furniture; Roy Bennett, Smith Sales; Jack Staley, Montana Meats; Sid Kelman, Zallies Jewelry Co.; Harold Pesis, Max the Clothier; La Rosa's Store, Paul Morris; Walter A. Olson, DeLux Barber Shop; F. C. Mitchell, 200 1st Avenue South, Great Falls, Mont.; Lingwells', 118 1st Avenue South, Carol E. Lingwell; Clarks Key Shop, 419 6th Avenue South, Noah D. Clark; A. C. Brown, Brown Furniture Co., 304 1st Avenue; W. H. Cole, Wilson Cole Furniture Co.; W. E. Siner, Siner, Geo. Mc., Co.; L. A. Koler, the Famous Mint; Jack Little, James M. Carlisle, Star Cigar Store, 212 C Avenue; Roy A. Anderson, No. 19, 2d Street South, Great Falls; Donald

E. Greene, Greene's Sheet Metal; Electric Motor Service Co., J. M. Simpson; Thos. H. Smith, Tommy's Ice Cream Bar; Buster Kahn, Sav-on TV; Martin J. Gillespie, Real Estate and Insurance; T. J. Heath, Mountain States Supply; J. Owen, National Cash Register Co.; Clancy Fineran, Furniture and Appliance; Arnold Berkow, Berkow's Auto Shop; Gene Shaffer, Midwest Motor Welders; Earl Baker, Blackshop, 301 3d Avenue South.

N. K. Tuleff, Champion Shoe Shop; Henry Carlson, Goldsmith; B. G. Poulos, Olympia Barber Shop; Elmer Teddy, Teddy Jewelry; Violet Willis, Liberty Beauty Shop; Perry C. Friel, Stockman Bar; D. E. White, White Realty, Inc., W. W. Huntsberger, Huntsberger Insurance and Realty Co.; Norman Dolbee, Liberty Shoe Shop, manager; James McAndrews, Liberty Barber Shop; Mrs. Gladys Bobier, Montana Agate and Gift Shop; Jay R. Brown; J. A. Hastereer, Parr Grocery; Glendale Warden, Great Falls Tribune; John A. Malela, Eddy Cafe; Henry W. Bridenbaker, 15½ Fourth Street South, Great Falls, Mont.; Floyd L. Rouse, Floyd L. Rouse Agency; Wm. H. Artz, Artz Accounting Service; A. E. Schwinky, Insurance; Wm. T. Hodges, Moon Agency Co.; Edwin Tuzatt, Quicks Barber Shop; Fred F. Plaho, Turf Barber Shop; Edward J. Gruter, Falls Barber Shop; Wm. J. Wendling, The Hobby Shop; Arthur Parkas, Deluxe Cleaners; Harris J. Ryan, attorney at law; E. A. Erickson, printer; Blanche Morton, Falls Upholstery Co.; Albert McCune, Town Tavern; Seeton S. Williams, Great Falls Mattress Factory; A. T. Fox, Ideal Laundry; J. S. Duncan, Joe Duncan Signs; D. L. Suhn, Suhn Motor Co.—Buick; James J. Flaherty, Great Falls Paper.

Mrs. William R. Greenizee, Shopper's Bazaar, 11 Sixth Street North, Great Falls, Mont.; W. W. Kelly, 7 Sixth North, Great Falls; Thomas H. Spring, Spring Market, 11 Sixth Street; C. S. Muir, Muir's Coffee; Harley Olmstead, Harley's Glass Shop; B. B. Burk, 23 Seventh Street Square; L. A. Wall, Geneva Kitchen Co.; Ben F. Stephens, partner, Falls Hotel; John J. Daly, Goodman's Bar & Liquor Store; Ray H. Ford, Club Cigar Store, 208 Central Avenue; Clay Penland, Club Cigar Store, 208 Central Avenue; Vernon C. Flesch, Young's Cafe, 302 First Avenue South; A. E. Teddy, Teddy's Pottery Shop; L. J. Mogstad, Midway Bar and Lounge, Route 1 West, Great Falls, Mont.; J. B. Robinson, six beef and dairy, Grogan Robinson Lumber Co.; Paul R. McClure, Beatrice Foods Co.; Henry Sheffel, Contract Machine Co.; the Cozy Shop, Virginia H. Blend; J. H. Heaton, HO Auto Supply Co.; Don Noegel, Service Station; Arthur T. Tucker, Stop and Shop Grocery; Elgin Wuerfel, Fifth Avenue Ice Cream Co.; Al F. Ronberg, Jr., Howley Standard, 7520 Tenth Avenue South; William L. Glonsulios, Howdy Drive-In, 2500 Tenth Avenue South; John W. Deirne, Deirne Asselstone Baritey, Inc.; Menli E. Ryan, A & W Root Beer; Mrs. I. Neumann, Farmers Electric; L. E. Peterson, Peterson Shoe Shop; Mrs. Edward Moltzau, Etta's Cafe; W. W. Sterling, Serve-ur-Self Service Station; Clifford C. Haugen, Cliff's Tenth Avenue Caterer; Charles Mora, Flying Saucer Cafe, 613 Tenth Avenue South; R. E. Waudie, Farmers' Union Central Exchange; S. J. Lollar, Holland's Cater Serv.; H. E. Prescott, 627 Seventh Avenue South, Prescott Food Market; Russell Traber, Frozen Assets, Inc.; Charles Brady, Brady Grocery.

W. L. Anderson, Walleys Superette, 2321 19th North; Eddie Newman, Delux Lounge and Steak House; Ninnie Volter, Volter's Grocery; Clynis E. Whitmore, Whit's Market; Warren R. Jones, Hall-Penn Machinery Co.; L. R. Mann, Mann's Sewing Machinery Shop; Mel Maguire, Vics Ice Cream and Donut Shop; R. V. Bowker, Bowker Realty Co.; J. V. Vozcek, Store, 900 10th South; Eve Larsen, Green Lantern, 10th South; E. E. Waam, 425 Second Avenue North; J. P. Kiunen, 814 12th Street North; N. J. McDonnell, 817 12th Street North; A. Huxdolen,

2505 Fourth Avenue South; H. O. Gaeorny, 709 Sixth Street South; J. B. Roger, 502 Seventh Avenue South; Duff S. Cullinell, 427 10th Avenue South; M. J. Brown, 711 10th Avenue South; N. S. Young, 214 15th Street South; Chas. A. Burrell, 1409 Fifth Avenue North; R. W. Walsh, 2114 Third Avenue North, Walsh-Anderson Theo Super-Save; Paul Mallenecci, 2666 Fourth Avenue North; Wm. E. Spater, Drive-In Drug Co., 2609 Second Avenue South; L. A. Wallace, 210 29th Street North; C. H. Bankhorff, Teds Convro Service, 25th and 6th Avenue North; Mrs. J. P. Flynn, Flynn Steel Buildings Co., 2222 River Drive, Great Falls; R. T. Anderson, Great Plains Supply Co.; Jas. P. Seissnos, Jims Cash Grocery; L. Briggs, Monarch Lumber Co.; Jack T. Young, Rainbow Bakery Service; A. V. Meeccedale, Meeccedale Body Works; Raymond J. Breman, B's Mart; W. R. Wonls, Second Avenue Pharmacy; E. E. Champion, Champion Grocery; John D. Gage, Fort Shaw Tannery; J. E. Hanson, Fort Shaw Gas Station; Paul Caldwell, Fort Shaw Motor Gas Station; Ora J. Anderson, Tavern, Fort Shaw.

Charles Pattersen, Pat's Upholstery Shop; Elmer Bofto, Bofto Upholstery Craft Shop; D. H. Sutherland, 416 Fourth Avenue North; Fred M. Chavez, 326 Second Avenue North; James Giese, 2021 Ninth Avenue South; Bob Bogarth, Central Floor Covering; Lyman J. Ferguson, Ferguson's Phillips "66" Service, 426 Second Avenue North; Bertha E. Akers, 1117 First Avenue South; Herbert C. Anderson, Statewide Gift Novelty Co.; Katherine Olson, Clock Cafe, 18th Avenue and 5th Street South; Walter G. Duda, The Pin Cushion, 24 Fifth Street South; D. M. Ginn, 214 Fifth South; Geo. Merrill, 625 Second Avenue North; Frank S. Courtney, Frank's Cream Depot; Jim Sowa, 526 Second Avenue North; Joe Rege, Martin's Shoe Shop; Harvey Hill, Elmore B—; Mel Winstoe, Mel's Cycle Service, Great Falls, Mont.; Chris Seibert, Falls Washer Service; Carson P. Bennett, Great Falls, Mont.; Harry Gultino, Belk Insurance Co.; Mrs. Daniel Johnson, 800 Third Avenue South (Store); Daisy A. Anderson, Corner Grocery; Ambrose's Hi Ho Tavern, —; Edd Cox, Town & Country Store; Mary V. Hall, Hall-Mark Shop; Fairview Grocery, Shirley De Weese; J. J. Purdue, 1100 10th Avenue South; Henry Myskeurtz, 10th Avenue 66 Service Station; George Hall, 1012 Ninth Street South; James Merlo, Merlo's Union Service; J. E. Reed, Reed's Tavern; Albert L. Young, Young's Tenth Avenue Conoco; Clark Station, Ed Sims; Mrs. Bert J. Goettel, Handy Cash Grocery; Joseph Chase, Parkdale Variety; John Wryn, Parkdale Bakery and Ice Cream.

C. E. Saylor; Frank J. Longway; Bartley Distributing, Pa., by J. M. Bartley; A. M. Olson (Olson Motors) dealer, Great Falls, Mont.; W. R. Davis, 121 1st Avenue North; Arthur L. Cole, 1626 8th Avenue North; F. H. Balley, Great Falls Transportation Co.; Park Hotel; Francis Gleason, 100 Central Avenue; Fannie Rounds, Red Johns Cafe, 24 2d Street South; George D. Anderson, Anderson-Cook Supply Co.; Herman Gettel Atlantic Bar, 226 1st Avenue South; Walter Meisenbach, 317½ Central Avenue, Great Falls; Cecil M. Malloy, Palace Bar, Great Falls Hotel; Gertrude Madsen, Great Falls Cafe; M. J. Peklewsky, Anchor Bar, Great Falls, Mont.; C. C. Savano, Sullivan Hotel City; Dan Gooselaw, United States Barber Shop; Carl C. Hyuesen, manager, Farmers Union Cooperative Association; Stuart L. Hognlund, Great Falls Army Store; Jerry Longan, Jerry's Radio and Television; R. A. McDaniel, 323 1st Avenue South, Auto Equipment Shop; Leo Becker, Becker's Radiator Service; Harry Schultz, Schultz Body Shop; E. L. Dick, 625 5th Avenue South; David J. Jensen, Jensen Service Station, 2026 Central Avenue; O. Mason, 401 1st Avenue South; George Weber, 20½ 2d Street South; James H. Baker, Rainbow Radio and Television; John N. Mosch, Mosch Electric Co., 10 2d Street

South; Lillian Turnquist, Curiosity Shop, 6 2d Street South; Mrs. Gordon J. Ford, Unique Lettering Shop; Will Dardin, Barber Shop, 106 3d Street South; Montana Welding Co.; Emmett Stewart, Ozark Cafe; M. E. Skoog, Red Boot Shoe Store; O. M. Rannage, 3105 7th Avenue South, Great Falls.

R. H. Koth, Albrechts' Furniture; Marvin C. Andersen, Andersen's Sales & Service; Edwin Johnson, Edwin Johnson; Jas. Charteris, Charteris Hardware Co.; James Bryant, Gerald Cafe; Salmensons Jewelers, A. Salmenson; Peter Clodoukin, Liberty Corner Confectionery; Fox Theatres, Joe Buchanan; Liberty Hat Shop, J. Loupon; McClain's Sewing Machine Store, Lloyd J. McClain; Bistodeau Jewelry, George Bistodeau; J. E. Wells, The Paris of Montana; H. R. Luquire, Block's Shoe Store; E. Kinkaid, Diana Stores Corp.; Boyd's Jewelry, by L. E. P.; Crown Jewelry Co., Mrs. Rozan Thomas; Classen Shops, E. C. Mettler; Club Cafeteria, Julius G. Rinan; Central Cigar Store, Clara Wolk; Jim Kavich, Jeweler, Jim Kavich; Style Shop, D. Stapp; Bernard Murphy, Buttrey's Department Store; Roy S. Correll, J. C. Penney Co.; Mode O'Day, Esther G. Smith; Josephine Lewick, Cascade Candy Co.; Don Stanfield, Texaco Station; C. J. McCharles, Carter Oil; R. L. Davidson, Phillips 66; A. W. Winkelman, Rainbow Hotel; P. J. Gilfeapus, 223 Ford Building, Great Falls, Mont.; W. J. Foy, Falls Alley; Ralph T. Olyois, Koffee Kup; Tom Kandyuo, 612 Third Avenue North; Frank Weldila, Copper State Cleaners; Vera E. Adams, North Side Bar; G. L. Vesser, Vesser Hotel; L. F. Buchers, American Furniture; R. Y. L. Palmer, Palmer Bros.; Wesley O. and Walter S. Atchison, Atchison Bros. Garage; J. P. Gabriel, Union 76 Service Station; Leonard Haggarty, Great Falls Motor Co., Inc.

Leslie's, Inc., R. C. Nehls; Public Drug Co. Inc., H. V. Morrow; Palmquist Electric Co., C. A. Palmquist; Ray's Fountain, R. R. Bergmann; Coast to Coast Store, Arnold Gable; Joyer's, George Le Roux; Furan-Omundsen, Radio and T. V., Wm. G. Omundsen; Frank Duval, 2500 1st Avenue N.; Gus & Eddie's Lounge, Inc., Tom P. Grassescki; 3-D-Club, Tom P. Grassescki; Benny's Cleaners, Ingmar Hippe; Top Notch Lunch, Jack Peterson; Rogers Co., Sam Rogers; Culligan Soft Water Service, Pat Tice; Silver State Auto Co., Cecil Nandst; Lintz Food Market, Fred Lintz; L. M. H. Company, T. C. Matsko; E. A. Nottl, Great Falls Office Equipment Co.; Forrest L. Zion, Zion Construction and House Moving; Carl Weissman & Son, C. Weissman; Graybill, Bradford & Graybill, Lee Graybill, Jr.; D. C. Ledger, Service Station; Jay Croft, Jay's Food Store; Chas. M. Kranz, Kranz House of Flowers; Great Falls Brick Co., W. J. Gunning; Katherine F. Mayer, Stockyards Cafe; Monty Selshovick, Frontier Inn; Glen A. Schultz, Montana Concrete Pipe Co.; George M. Thompson, Shawhan Poultry Co.

The following business firms of Sun River, Mont.:

P. Mail Co., R. Kramer, manager; Irene C. Anderson, Sun River Grocery; Joseph E. Lariwell, Ramble Inn Tavern; J. E. Waysla, grain buyer; Walter W. Wight, Wight's Garage.

L. C. Minckler, Omaha Standard; J. J. McLaughlin, General Truck & Tractor Co., Inc.; Paul Sparsten, Seltz Machinery Co.; Raymond J. Sweeney, Snyder Construction Co.; George Talus, Taber Trucking Co.; John J. Guerra, Black Eagle Texaco; George A. Wargo, Wargo's Tavern; Edward Briska, ACM Co., employee; William Ellis, Black Eagle Barber Shop; Joseph Resuler, Chemical Co.; Gino Marionetti, Black Eagle Bar; John Vukasin Ranger's Club Black Eagle; Emelio Masseschi Benri's Place Black Eagle; Rudolph B. Carney, Hi Hat Club Black Eagle; Tony Antonich, Chicago Mercantile Co.; L. J. Gutinberg, 89 Bar; H. C. Phillips, Wrecking Yard; K. B. Kemaghan, Kemaghan's Service; Hansin Brothers H. S. H., Wholesale Oil Co.; John Obstarczyk, West Side Realty; Robert T. Johnson, Service Station Operator;

H. G. Westmoreland, G. F. Feed & Supply Co.; Roy O. Terrell, Peoples Gasoline Co.; Frank O. Tunnell, Peoples Gasoline Co.; John C. Everhart, Union Arca Agent; E. Odeyand, Odeyand Brothers; C. R. Merrett, Barul Drive In; W. C. Augustine, Coca-Cola Bottling Co.; Robert B. Nisbet, West Side Texaco; R. W. Ray, Great Falls Mart; Frank C. Youngdale, W. G. Woodward Co.; Don R. Messman, Grogan Robinson Lumber Co.; E. D. Danforth, Farmers Union Grain Terminal Association.

Farmers Union Electric Co.; J. M. Howanach Barber Shop; Fender Chev. Co.; Belt Bar; Cal's Place Barber Shop; Belt Self Service; Walt's Tavern; Irvine Grocery; Thos. Benoy; Hansen Bros. Garage; Velder's Market; G. Rybbel & Sons; Belt Valley Creamery; Dr. Jas. S. Stewart; Belt Texaco Sta.; Center Plumbing & Htg.; Nobles Cafe; Keesey V. Dorr; Earl D. Rammey; Morris Store; L & M Frosted Foods; N. H. Browning, Jr.; Black Diamond Cafe; Ed's Bar, E. J. Ehret; Legion Bar; Dave Stewart, Belt Valley Times; W. A. Johnson; Belt Beauty Shop; Oliver Lorson; East Belt Coal Mine; Belt Theater; F. E. Beson, Black Diamond Bar; Wayne Falls; M. J. Machine & Repair; Elmer Lazure, Belt; Waldo Hotel, Belt; Roy Houseman, Great Falls, Mont.; A. J. Scanlon, Great Falls, Mont.; H. T. Toful, American Linen Supply Co.; R. C. Muler; W. Fred Schour; Lou Richmond, 527 1st Avenue North; Jack Little, Little's Lanes; Martys; A. A. Radio & TV; Robert A. Gilmon Sta., 507 1st Avenue North, Great Falls; E. J. Harberson, 509 1st Avenue North.

The following business firms of Power, Mont.:

James W. Anderson, Andy's TV Sales & Service; J. P. McDonnell, Montana Mustard Seed Co., Power, Mont.; E. G. Bolski, Les' Bar; Irving Olmsted, Honey Honey Co.; John Oberosler, Len Bar; Herman Helsper, Power Garage; Herbert M. Dittus, H & V Bar; Rollie Emch, Power Farmers Elev. Co.

Ben N. Loch, president, Farmer Mercantile; S. & P. Motor Co., by Harold Poser; James A. Cheethart; L. E. Behtram; D. L. Curtis, Curtis Auto & Implement Co.; J. F. Maxwell, manager, Dotor Co.; C. M. Weeks, manager, Farmers Mercantile Co.; C. J. Walkump, Dutton Farm Co.; Floyd L. Goodrich, Dutton Theatre; Robert Scott, Dutton; L. E. Johns Barber Shop, Dutton; B. R. Schlichter, Fire Side Inn; T. W. Orr, Dutton Market; Rayvan Hul, club tavern; Clara Clemenson Coffee Bar; Olive Nelson; Harlon Clodshaw; Carmon O. Thorne; Stanley W. Haglund; M. E. Fichtner, Dutton Market; W. M. Scott, Dutton Electric Shop; Archie R. Johnson; Everett Munroe, Munroe's Hi P Service; Roy Dixon, Dutton Motor Co.; John C. Schabel; Loren D. Schabel; J. Decker & Co.; J. Decker; Lester E. Wispried; O. T. Wipuid; Charles L. Caseaden, Dutton Confectionery; Jno. Callid; Iaelid and Mehl; E. H. Holzknecht, Jr., Monarch Air Co.; E. M. Ohevatiem, Hi-Way Garage, Dutton.

N. J. Kemmer, Minneapolis-Moline; D. X. Smith, auto dealer; J. W. Stack, contractor; C. H. Abraham, plumbing and heating contracting; Carl Nelson, H. Earl Clack Co.; George H. Platt, CPA; R. L. Ross, insurance; C. R. McShane, hardware; Walter E. Peoples, hardware; C. E. Larson, clothing; Paul Arndt, drugs; Bruce A. Safety, Monarch Lumber Co.; A. J. Myrhow, Cut Bank jeweler; Orin E. Knutson, radio shop; John R. Price, service station; E. Evenson, Glacier Motor Co.; Wayne's Standard Service; Alton W. Hanson, garage; Carl S. Brandvold, music store and rental property; Seymour M. Dobson, radiator and glass; J. D. Wood, oil field lumber; John W. Platt, body shop; Cordious McCree, Mack's Key Shop; Tony Mitch, Rieder & Co.; George Meister, army store; George Motarie, George's Barber Shop; Ralph E. Getter, Getter Trucking; E. C. Clapper, auto dealer; S. B. Hoge, Fashion Cleaner; M. F. Schwingel, Cut Bank Motors; Florence Ingram, Florence Beauty Shop; R. M. Hatch,

appliance center; Julia Thorpe, Wagon Wheel Cafe; C. H. King, Smokehouse Barber Shop; W. B. Stephenson, Cut Bank Meats; John L. Fry, sporting goods; E. J. Meyers, ladies clothing; W. E. Freed, car dealer; Robert C. Warren, service station; Wilbur Werner, lawyer; E. O. Boyle, accountant; R. S. Lovsnes, furniture store; H. H. Bell, Bell Chevrolet Co.

J. R. Moreen, Moreen-Murphy Motors; Tom's Union Service; A. H. Kirsch, International Elevator Co.; J. W. Hoyt, Valley Motor Supply Co.; J. F. Neil, electric construction; C. J. O'Neil, O'Neil Plumbing & Heating; A. P. Kovatch, tire and repair shop; Evan C. Essex, Dodd's Wholesalers; Kathryn N. Baker, Duncan's; Frank Richter, Cut Bank Shoe Repairing; George N. McCabe, oil operator; William Bolton, Bill's Barber Shop; E. P. Skabo, Glacier Distributors; Quality Cleaners & Laundry; Paul A. Wolk, accountant; G. E. Chambers, abstrator; Mary R. Blomstrom, real estate and insurance; G. O. Bloomstrom, Glacier Gift & Floral; E. A. Burgin, Burgin's Cafe; L. P. Ebert, garage owner; W. E. Larson, grocer; Paul Shelby, Standard Oil agent; F. A. Daley, insurance and real estate; K. Clarkson, Kenny's Motor Service; C. E. Peterson, Greely Elevator; F. Armstrong, Pioneer Distributors Texaco Products; H. H. Schaefer, Gamble Store, furniture mart, furniture exchange; H. W. Willis, Federal Bakery; Harold B. Dye, insurance and real estate; Farmers Trading Co., Inc.; Anderson Implement Co., Inc.; N. O. Johnson, Farmers Union GTA; Ralph Chase, Cut Bank Sheet Metal; Ralph Morris, sand and gravel dealer; H. E. Deming, Farmers Union Co-op Association; Ed J. Fauque, Frenchy's trucking for sand and gravel; Mundt & O'Day, Mimeo Shop; Joseph J. Johnson, Rieder Hotel; Frank C. Leech, Glacier Hotel; Thelma Lee Parker, Parker Rooms; Clara Posey, Rose Room.

Harold Thomas, Grand Union Hotel; Ed Davis, Davis Grocery; William Breiter, Secretary-Treasurer, Holman Inc.; Howard Teschler, Vice President, Chet & Tesch Chevrolet; C. L. Engren, President, Chet & Tesch Chevrolet; E. M. Peterson, Implement Sales; C. H. McClain, Lumber Dealer; C. J. Higgins, Greely Elevator Co.; O. S. Johnson, Grain Dealer; H. C. Brinkman, Manager, Farmers Elevator & Trading Co.; W. G. Syoboda, Montana Elevator Co.; Warren Halley, D-H Service; J. A. Schieno, Bybee Machinery Co.; John Davison, D-H Service; Roy Willett, Roy's Electric Shop; Dwight MacKenzie, Overland Bar; James W. Aznoe, Secretary-Treasurer, Benton Equipment Co.; W. R. Lyle, President, Benton Equipment Co.; W. T. Morrison, Benton Hardware; Sol Stache, Chouteau Barber Shop; Bain Feltnan, Bain's Garage; Harry E. Rowe, Harry's Welding Shop; C. D. Midlestadt, Midlestadt Pontiac & GMC; Taylor Sykes, Locker Plant; Bernice L. Flatt, Bernie's Cafe; Pioneer Insurance Agency, Hazel M. Young; Pioneer Insurance Agency, Fred L. Young; Coast to Coast Stores, Nell M. Barkus; J. B. Anderson, Dry Goods; John McCardle, Western Bar; Rudolph Lusin, Rudy's Shoe Shop; V. D. Merrill, Fort Benton Drug Store; Steve McSweeney, TV & Popcorn Concessions; Raymond McDermott, Palace Barber Shop; Ray H. Pittman, Palace Bar; Mackenstadt & Jasper, Owners, Price-Rite Grocery; Chris F. Courtnage, Benton Transfer; Joseph Gray, Pastime Tavern; H. W. Stranahan, Johnson Farm Equipment, Inc.

Gilbert Scott, Scott's Lumber & Supply Co.; Howard Hilton, The Clark-Hilton Co.; Frank F. Morger, Morger Realty & Insurance Co.; George R. Vielleux, Morger Realty & Insurance Co.; E. S. Gysler, Implement Dealer; J. W. Lynch; E & N Bar & Lounge, Norman Tacke; P. J. Sweeney, Dentist; J. T. Lepley, Service Station; Dellman Bybee, Real Estate Broker; Robert L. Deck, Carpenter; Erick Meyer, Clerk & T. V. Installation; Mabel Derr, Cook, Modern Cafe; Chouteau Co., Vets' Club, By F. E. Zimmer, Manager; Leland J. Edwards, Lee's Cab; Ken C. Mor-

row, Morrow Insurance Agency; C. L. Overholser, Carpenter; Gamble Store, E. J. Serbin, Owner; Joseph P. Jordan, Fort Benton Motor Co.; Eddie Albers, Albers & Drevwiske; O. A. Tschache, Ott's Green House; O. W. Nottingham, Carpenter; George Paul, Paul Roofing & Masonry; Roy Lane, Carpenter; Ray Flathers, Construction; Ira W. Vinion, Barber; McRay Ulrich, Palace Bar; Clyde Good, Good Apartments; Jos. S. Smith, Construction; Lloyd M. Nelson, Bybee Machinery Co.; Clyde Stovall, Bybee Machinery Co.; Clyde Stipe, Bybee Machinery Co.; Stella Meyer, Modern Cafe.

Arnold H. Campbell, Car Salesman; W. Siebenaler, Lumber Yard Manager; W. A. Silvius, Chouteau House Hotel; George F. Rowe, Chouteau House Bar; Helen F. Hall, Chouteau Cafe; R. G. McMillan, Carpenter; Geo. W. Wackerlin, Clerk; Oscar Meyer, Hauling; Opal Mauzey Pitt, E & N Cafe; Darlene Mauzey Pitt, E & N Cafe; Dagna Morger, Secretary & Bookkeeper; Martin Wolf, Jr., Plumbing; Darrel Smith, Body Shop; Louis Breiter, Holman, Inc., Body Shop; M. J. Crane, Parts Manager; Roy Homme, Steel Buildings Contractor; George W. Carver, Carpenter & Contractor; Ray W. Uhl, Dairy Owner & Manager; Walter R. Thomas, Transfers, Fort Benton; Dell Holmstrom, Mechanic; Ray Blohm, Contractor, General; LeRoy W. Oisen, Contractor; Howard L. Lett, Lett Plumbing & Heating; Jess E. Allison, Mechanic; Tope & Thomas, William J. Tope; L. R. Olmstead, Dairy; Oswald F. Mueller, Mechanic; Neal J. Archer, Land Agent; C. W. Grantham, Salesman; Emma Grantham, Cosmetologist; John R. Drevwiske, Albers & Drevwiske; Harold A. Larson, Painting Contractor; Harvey Fox, Bookkeeper; John Bradley, Sheriff.

Bloom & Co., Walter Bloom; Foltz Co., Gus B. Foltz; Red Lodge Drug, Peter J. Kushar; Model Drug, Inc., Richard Romessa; Coast to Coast Store, R. S. Pfeifer; Bob Gulch; Scewey, Robert L. Colness; Skange Implement Co., L. Monahan; Peter Micheletto Jewelry, Pete Micheletto; Red Lodge Cleaners, Don Short; Stevens Equipment Co., Don Stevens; Gas Dealer, Al Slowin; Art's Standard Service, Art Paulson; Olcott Implement Co., H. J. Olcott; Red Lodge Tractor Co., Frank Sicora; A. D. Whitecomb Oil Co.; Simmons, Neale Gearhart; Marchello Hardware, Masio Marchello; Norman B. Gardner, Korter Store, Vienna Korter; Hagis Plumbing; Manager, Dry Goods Store, John T. Macmillan; Busy Bee Cafe, Jo Spellman; Mountain View Station, H. C. Obert; Beverage, Max D. Omend Mountain Chevrolet Co., John R. Graham; Niel A. Stacey, D. D. S.; Richardson Barber Shop; Oiler Confectionery, Vera Oiler; Budd's Flat, E. G. Hamilton; Red Lodge Cafe; Waters Men's Store, C. W. Waters; City Bakery, Alex Colett; Harv's Sporting Goods, Harvey F. Schroeder; McDonough Motors, Inc., J. H. McDonough; Mount Maurice Station; Carl Tysel; Buening Electric, M. H. Buening; Paul Shoe Shop, Louis Contratt; Hoffman's, E. Levin; M & M, O. B. Marchelle; Quality Grocery, Emma C. Suggs; Anderson Conoco Service, Frank Domichek; Southern Hotel, Mrs. E. Rahkolee; Flash's Studio, Bernt I. Egenes; Matora Meat Market, Joe Castigne; Felix Sport Shop, P. C. Redicke; Henry Jones; T. J. Cormier, upholsterer; Marino's Artcraft Gifts.

Carbon County Creamery, J. J. Gerondale; D. W. Columbus, mayor, Red Lodge, Mont.; Fairchild Cleaners, Alice Fairchild; City Dairy, Chester Moran; Thompson Goods, George Dinne; George Maye Beauty and Gift Salon, Marguerite McGuide; Gebo Grocery, Ray Gebo; Red Lodge Trading Post, Mike Harschlip; Vaughan Drug, C. W. Vaughan; Margaret Meeks Cafe; Leslie McCline Inn; Theresa Berta, Grocery; P. M. Gibbons Grocery; Roy E. Donelson, Timber Products and Saw Mill; George W. Johnson, Johnson Greenhouse; F. V. Swenson, all of Red Lodge, Mont.; Fox Store, K. I. Hemselman; Roberts Elevator Co., Inc., Alfred E. Heekela; Roberts Implement Co., Eugene C. Stem; New Deal

Bar, Elmer C. Kloster; D. C. Forster, Roberts Barber Shop; Wisiter's Repair; Roberts Cafe, Emil R. Frier; Roberts Garage, Arned W. Wilson; all of Roberts, Mont.

Rathert-Schreiber Co.; Wolf Point Floral; Marshall-Wells Store; Styer Apartments; Gamble Store; Camrud Motors; P. F. Eldridge; J. T. Fahey; Electrical Refrig. Service; Public Drug Co.; Coast to Coast Store; Davey's Men's Wear; Jim Kurokawa, W. P. Cafe; Dasinger Cleaners; Larson Jewelry; Kelly's Hardware; Patterson Style Shop; Clack Service Station; the Herald-News; Farmers Union Oil Co.; Moe Motor Co.; Dr. C. R. Grow; Dr. R. W. Sorensen; J. L. Davey; Lerton Hall; Farmers Lumber Co.; R. F. Hansen; Leland F. Jones; Phillip Jackley; Floyd DeWitt; Montana Bar; Stockman Bar; Modern Cafe; Stephens Merc. Co.; Hank's Barber Shop; K. L. Bryan, Federated Store; Art Zervas, Buttreys Foods; D. F. Kemper; W. E. Burnison Agency; K. E. Voss; Andrew Hansen; Hazel Winslow; Ellis C. Thorsen; R. P. Madel; Farmers Union Lumber Co.; Ed Sassen; O. L. Stenslie; Guy Ault; John O. Garden; Coffey & Harada Insurance Agency; Triangle Cafe & Service Station; Highway Motor Co.; George Meister; Baxter Larson; Robert Penner; Don E. Nelson; Hovey-Stone Chev. Co.; Robert Beery.

CONRAD BUSINESSMEN

R. G. Arnot, Arnots Furniture; H. H. Burger, auto business; A. K. Conrad, Conrads' real estate and insurance; H. W. Conrad, Conrads' real estate and insurance; R. G. Barth, The Toggery; Avery L. Roser, Roser's Department Store; Ferne M. Baker, Baker's real estate and insurance; Ebert Malone, Pastime Billiard Parlor; H. W. Armstrong, Sr., Armstrong's Barber Shop; Sidney M. Dodge, Oil City Cleaners; Dave Humble, Humble's Cafe; Louis Salansky, Salansky's Fine Foods; William McKee, manager, Buttreys Foods, Inc.; Jack Baumann, service station; Chas. C. Whitney, Whitney's Motor Service; Tom McCracken, Pondera farm equipment; Ralph E. Hales, Conrad Creamery; Shirley J. Rise, Montana Cleaners; Kenneth E. Sheppard, Modern Shoe Shop; M. E. Carlton, Conrad Cafe; Fern D. Corcoran, Corcoran's Floral Shop; Don R. Burgess, aerial crop sprayer; D. J. Felska, Ben Franklin Store; Earl F. McCracken, Earl's Cash Market; E. C. Robinson, secretary-treasurer Conrad PCA; Joe Quenemoen, manager, Equity Co-operative Association; C. M. Borgen, manager, Occident Elevator; A. G. Dehler, president, Dehler Bernatz Co.; Cecil E. Mills, manager, Farmers Supply Co-op Store; Edward Holstein, manager, General Mills, Inc.; L. A. Larson and H. Wiese, managers, Cargill, Inc.; B. P. Hennessy, Hennessy Lumber Co.; Lynn E. Wallace, manager, Farmers Supply Co-op; Charles J. Berry, manager, Greely Elevator Co.; Elmer M. Munson, contractor; Herman Brakke, Pontiac agency; H. R. Schmidt, Herb's Service Station; H. N. Stenseth, investments; M. McIntyre, McIntyre's Texaco; Vaughn Dutro, manager, Conrad Implement Co.; Dr. Thomas Towey, DMD; Jack A. Smith, public accountant; George Bourquin, public accountant; E. F. Erwin, Gene's Barber Shop; Mrs. D. J. McClue, Conrad Bakery; J. F. Foose, Pondera Drug Co.; Lloyd Erickson, Erickson's Welding & Machine Shop; G. A. Holmes, Hannah & Holmes, auto dealer; Harold Pyle, Harold's Jewelry; Elvin Jensen, manager, People's Co-op Meat Co.; Ralph Sutherland, Marshall-Wells Store; Harry H. Drake, Drake's Drug Store, Inc.; E. H. Powell, manager, Towey Hotel; Elmer Jensen, Coast-to-Coast Store; Jerome L. Scott, Gamble Store.

Clyde E. Flynn, Flynn's Electric Shop; A. V. Verzuh, Al's plumbing and heating; Robert S. Hamilton, MD; A. O. Freebury, Conrad Cleaners; R. Siler, Siler's Texaco; A. Len Miller, Miller Motors, Inc.; O. Wieringa, Conrad Body Shop; Otis T. Misdeldt, electrical worker; B. C. Elsberry, Elsberry's Hardware; Mrs. E. P. Patten, Pondera Ab-

stract Co.; Lawrence D. Abel, Jr., City Hardware & Radio; J. W. Clark, manager, J. C. Penney Co.; Vernon Martin, Martin's jewelry; Wesley A. Person, the Electric Center; William E. Hadcock, MD; J. P. Clavin, Hotel Conrad; Howard T. Francisco, attorney-at-law; A. G. Petesch, Twin Service Co.; Jack Huntsinger, Huntsinger Buick; Asa Pickett, Silver Cafe; C. A. Mills, Reo Motors; C. B. Glaim, manager, Monarch Lumber Co.; Ruben Bortvedt, manager, Northern Montana Mustard Growers; L. F. Richardson, Luce Hotel; E. F. Wyse, E. F. Wyse Funeral Home; H. W. Conrad, Jr., attorney-at-law; Pat McElliott, North Montana Machinery Co.; Robert J. Ege, Conrad Sport Shop; P. J. Schultz, Schultz Lumber Co.; Ed Sincavage, manager, Safeway food store; John Preputin, barber; D. W. Doyle, attorney-at-law; P. S. Cannon, MD; Guy Fogelson, West Apartments; V. H. Anderson, mustard dealer; John R. Dahlin, Dahlin & Sons agricultural supplies; William Grubb, gravel and excavating; J. F. Holstein, Fred & Pat's Furniture Repair; James R. Miller, manager, Jacobson's Drive-In; Marie Brakke, Northgate Motel; Con Christenson, auctioneer; James Tennis, Cone Cafe; Richard E. Eckstein, Dick's Conoco; Tom Egan, Egan Metal Products; Eugene V. Crowley, New York Life insurance agent; James B. Ball, Pondera Machine Works; Willard Robinson, agent, Consolidated Freightways; Hal Gollehon, Conrad Transfer; Melvin Fladstol, apartment houses; Dr. Harry R. Yunc, DMD; Harold Kirk, Dean Hotel; R. D. Mason, MD; H. H. Dolliver, insurance agent; Ed G. Valentine, Valentine's Style Shop; Everett Auren, Jr., N & A Auto Co.; W. L. Rader, publisher, Independent-Observer.

VALIER BUSINESSMEN

Jim Fitzpatrick, Fitz Repair Shop; K. P. Munyon, Valier Lumber Co.; Jesse Kibbee, manager, Cargill, Inc.; U. B. Urness, Gambles Store; Ernest Sorenson, manager, Farmers Union GTA; A. C. Geiger, Capitol Theater; William Bohm, Montana Cafe; R. W. Leet, Trall Cafe; Minnie Ethel Leet, Leet's Apparel Shoppe; Lloyd M. Gigstad, Gig's Cash Cleaners; N. S. Swanson, president, Farmers & Stockmen Bank; Lloyd Epe, Lloyd's Market; DeVoe Swank, DeVoe's Builders Service; Eugene Bonnet, Gene's Dairy; P. E. Ames, Pete's Cafe; Hal K. Ferris, utilities worker; W. J. Schneider, Wesley's Service.

John T. Briden, manager, Briden Chevrolet; S. G. Snortland, Valier Implement Co.; Gordon Shephard, Shep's Union Service; W. R. Kincaid, manager, Continental Oil Co.; James Curry, Curry's Market; Geo. E. Boyd, manager, Greely Elevator Co.; Sam Stokes, Clack Service Station; Lyle Marsh, Marsh's Confectionery; L. Wefsenmoe, manager, Montana Western Railway; J. N. Starbuck, Starbuck Drug Co.; Mervin Chausse, Valier Garage; Andy A. Hammer, Hammer plumbing and heating; Charles Donovan, Valier Hotel; Ralph Bowman, general contractor; Sam Stokes, manager, Gallatin Valley Milling Co. Carl Monroe, Carl's Barber Shop; Roy Hanna, manager, Farmers Union Oil Co.

BRADY BUSINESSMEN

Gilbert Munday, manager, Equity Co-operative Association; Chas. L. Armstrong; Bruce Petersen, Pete's Repair Shop; Robert E. Laurence, manager Monarch Lumber Co.; Richard J. Thompson, M & T Implement Co.; Mrs. Julia L. Rose, confectionery; J. A. Magdall, Brady Garage; Fred W. Foebel, Fred's Super Market; H. McComb, manager, Montana Elevator Co.; E. Reluer, agent, Gallatin Valley Milling Co.; Hazel A. Andersen, the Coffee Cup Cafe.

LEDGER BUSINESSMEN

Richard Gemar, manager, Farmers Union Elevator; Freda L. Hall, Ledger Store.

CHINOOK BUSINESSMEN

G. L. Maberry, Diesel Service Co.; R. B. Doughten, Manager, Farmers Union Oil Co.; Walter Porter, Manager, Farmers Union Ele-

vator Co.; Al Wrick's Al's Repair Shop; R. B. Campbell, O. K. Tire Shop; Carl Gomavitz, Highland Junk Co.; E. D. Lunden, Chinook Equipment Co.; Basil Hiner, Hiner's Cafe; Harold Peterson, Food Center; H. A. Martens, Martens Drug; Nondas Bruss, Nondas' Shop; Robert J. Dolan, P. C. A.; John Lamey; Virginia Stein, Blaine Coffee Shop; Loretta Merkle, Blaine Coffee Shop; D. C. Mainwaring, Upholstery Shop; H. Kuper, Kuper Funeral Home; A. M. Dronen, Matulka Garage; E. J. Gallus, Dentist; Ira S. Harboft, Insurance; Mrs. Doug Taylor, Taylor Cleaners; Murdock Matheson, Liquor Vendor; Mrs. H. O. Wittkoff, Gambles; Chuck Fralck, Coast-to-Coast; Harry N. Olson, Blacksmith Shop; Burgess Agency, Insurance; Speers Implement Co., Farm Equipment; E. S. Taylor, Taylor Motor Co.; J. R. Jamieson, Jamieson Motors; Franklin D. Pehrson, Chinook Auto Court; Phil Brovold, Phil's Standard Service; R. E. Swenson, Standard Oil Co.; LeRoy C. Anderson, Andy's Service; John Upshaw, Montana Hotel; H. A. Marsh, Stockman; Murdo MacLean, Mint; G. S. Sargent, Milk River Coal Mine; LeRoy Christensen, Cozy Corner; Einar W. Johnson, Chinook Motors, Inc.; Art Keller, Bar X Bar; Jack DePriest; Orval Severson, Farmers Union Creamery; Phil Paulson, Paulson Hardware & Electric.

Stanley Casteel, Independent Food Store; Louis Mohar, Plumbing and Heating; E. M. Wallner, Wallner's Furniture; Floyd White, Pastime; T. A. Babiak; Chas. F. Ivey, Ivey's Drug; Bill Morrison, Silver Dollar Bar; Leonard's Shop, General Merchandise; F. A. Sharples, Sharples Jewelry; Herb Bonifas, Blaine Theater; Oliver C. Paulson, Ben Franklin Store; O. C. Gratton, Gratton Barber Shop; Walter Seigle; Dick Peterson (by V. L. B.) Monarch Lumber Co.; A. L. Reser, Manager, Home Lumber Co.; C. M. Boe, Blaine Lumber Co.; Edgar G. Obie, Obie's Flying Service; Floyd L. Sargent, Sarge's Shop; Thos. O'Hanlon, Chinook Lumber Co.; Howard C. Larkin, Chinook Heating and Equipment Co.; L. Jorns, Elk Cafe; Ted R. Johnson, Chinook Opinion; Ferald Taylor, Marshall-Wells Store; O. M. Bruss, Model Hardware; Mark Ambrose, Grill Cafe; Wm. Johnson, Draftsman; John Nelson, Dave's Texaco; Lynn Butcher, Baldwin Dairy; Donald V. Casteel, Quality Market; Clay McCartney, Blaine County Abstract Co.; Ivan H. Nelson, W. G. Woodward Co.; Joe P. Hoehn; E. W. Luckett, First State Bank of Chinook; John A. LaPlante, Aero Lounge; F. W. Boisvert, The Fountain; Fred Eisner, Blaine County Treasurer; Roy Cox, Barber; Maida McCartney, Chinook Hour; Chat's Pontiac, Chinook, Mont.; H. E. Coyner, Chinook Dray and Transfer; J. Ospelend, H. Earl Clack Co.; Glenn J. Hockett, Hockett Trucking; Clarence Hart, Barber.

HARLEM BUSINESSMEN

E. F. Johnson, Jeweler; G. H. Gallagher, Gallagher Grocery; L. E. Mollerstrom, Standard Service; George Klindworth, Manager, Equity Co-op Association; C. H. Dolven, Dolven Chevrolet; Beecher Machine Co.; Gjulinn Implement Co.; Elmer Bergh, Service Garage; Jim Walls, Montana Cafe; Norman McGuire, Mac's Recreation Hall; Wm. Churchill, Churchill's Cafe; W. S. Dale, Coast-to-Coast Store; Andrew Nelson, Confectionery; Ed Norskog, Manager, H. Earl Clack Co.; The Hub, Clothing; W. J. Lawr, Apparel; Pete Jergesen, Plumbing and Heating; Vince Larson, Larson's Market; Mary O'Brien, Merry Market Grocery; Glenn A. Hartman, Gamble Store.

J. A. Cassidy, Cassidy's Variety; Merle B. Wieres, Harlem Food Store; R. Cresswell, barber; A. W. Anderson, Gas Co.; Frank Orlando, druggist; L. M. Miller, Grand Theater; Vernon E. Ude, Harlem Seed Co.; F. C. Ekegren, Cafe; Steve O'Leary, Service Station; Donald L. Olson, Harlem Motor Co. (Ford); J. Frank McColom, Harlem Dry Cleaners; W. A. Brown, Monarch Lumber; Jim Poilard, Blacksmithing-Welding; E. P. Ekegren; D. A.

Ring, Groceries; P. C. Tompkins, Wellworth 5 & 10; Edith Benson, Valley Chickeries; Eric Berglund, Service Garage; Victor Knudson, Keck's Cabins and Grocery; Swen's Repair Shop.

SHOULD 18-YEAR-OLDS BE GIVEN THE RIGHT TO VOTE?

Mr. MANSFIELD. Mr. President, I am in receipt of a letter from Miss Pat Richards, secretary of the senior class of the Poplar (Mont.) High School, in which she tells me that the members of that class have completed a survey involving the members of the junior class, the senior class, and the faculty of all the high schools in the State of Montana, on the question, "Should 18-year-olds be given the right to vote?"

I am glad to note that yesterday the distinguished minority leader (Mr. JOHNSON of Texas) stated that the constitutional amendment approving the right of 18-year-olds to vote will be brought up on the floor of the Senate later this week.

I ask unanimous consent to have printed in the RECORD at this point a copy of the letter addressed to me by Miss Pat Richards. I express to her and to the senior class of Poplar High School my deep appreciation and gratification for the civic responsibility they have shown.

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

POPLAR PUBLIC SCHOOLS,
Poplar, Mont., May 13, 1954.

The Honorable MIKE MANSFIELD,
United States Senator,
State of Montana,
Washington, D. C.

DEAR SENATOR MANSFIELD: The members of the senior class of Poplar High School have just completed a survey involving the members of the junior class, senior class and faculty of all the high schools in the State of Montana, on the question, "Should 18-year-olds be given the right to vote?"

One hundred and eighty-six schools were polled. Replies were received from 106 schools with the following result:

For 18-year-olds voting 3,418.
Against 18-year-olds voting 1,681.
Abstained 318.

The decisive majority of people concerned are in favor of 18-year-olds receiving the right to vote. Not only the students, but the faculty likewise expressed desire for this to come into effect.

Would it be possible to ask that some official recognition be given to this expression of opinion, either by direct legislative action or through referendum channels, toward granting voting privileges to 18-year-olds in Montana?

The ballots and compiled figures in the poll are on file in Poplar High School and will be available to interested parties on request.

Sincerely yours,

PAT RICHARDS,
Senior Class Secretary.

ROMEO E. SHORT

Mr. FULBRIGHT. Mr. President, on behalf of my colleague the senior Senator from Arkansas (Mr. McCLELLAN) and myself, I announce to the Senate the news of the death of Romeo E. Short.

In the death of Romeo E. Short, my State of Arkansas and the entire Nation have lost an agricultural leader of outstanding ability and integrity.

As president of the Arkansas Farm Bureau Federation, as vice president of the American Farm Bureau Federation, and as Assistant Secretary of Agriculture, Romeo E. Short gave the best years of his life to improving the lot of his fellow farmers.

Mr. Short was a firm believer in the value of farm organizations. He believed that farmers' organizations should take the lead in promoting not only the welfare of America's millions of farm families but the general welfare as well.

He understood—better than many of his contemporaries—that the welfare of agriculture and the entire Nation depends on the development of an economic as well as a spiritual, bond of unity among the free nations.

It was in the development of world trade in farm commodities that he made his greatest contribution. He devoted every ounce of his energy to this work. His departure from the Department of Agriculture came only after his health had been spent in the cause.

Yesterday, at his home in Brinkley, Ark., Romeo E. Short passed away.

Born in Illinois, reared in Iowa, and a resident of Arkansas since 1920, Romeo Ennis Short first served his country in World War I. He enlisted as a private in the United States Army. He came out of the Army a first lieutenant.

Soon after the war, he and his bride settled on their Arkansas farm. He grew rice, cotton, and livestock. For a number of years—many of them difficult ones—he worked to build up his own farm business.

In 1936 he began to devote himself to public service and to farm organization leadership.

The Arkansas Farm Bureau Federation had almost no membership in 1936 when he took over as president. He helped it grow to over 40,000. He became a member of the board of directors of the American Farm Bureau Federation, a member of the board of directors of the St. Louis district of the Farm Credit Administration, and a member of the board of the Federal Reserve System of Little Rock.

In 1947 he became vice president of the American Farm Bureau Federation—an office which he held with distinction until he resigned early in 1953 to become Assistant Secretary of Agriculture in charge of the Foreign Agricultural Service.

How well he built for the future in this important agency of Government we all know. And how much more he might have done had not his health failed him. It is with the deepest sorrow that I have learned of his passing.

He was a distinguished Christian gentleman, a worthy son of Arkansas. We shall long remember his leadership and his devotion to duty.

Mr. McCLELLAN. Mr. President, I hasten to join in the solemn sentiments expressed by my able colleague from Arkansas.

It is with deep sorrow that I have learned of the passing of this great citizen of our State. I have known Mr. Short for the past 25 years, and in the course of my public service it has been my privilege and great advantage to

have had the benefit of his counsel, particularly with respect to legislation for the advancement of agriculture, not only in our own State, but throughout the Nation.

Mr. President, I recall my last conference, just a brief visit, with Mr. Short. It occurred about the time he resigned from his position as Assistant Secretary of Agriculture. He told me then that his health was failing, but he hoped to recuperate and soon get back into active participation in public affairs. I looked forward to the time when he would regain his health and would be back in Washington, giving of his fine talents and of his wisdom to the solution of the great problems of agriculture in which he was so deeply and vitally interested.

Mr. Short recognized, as many of us do, that agriculture is the basic industry of the United States and that its health and prosperity determine the economic strength of the Nation.

I know that his loss is felt by many people throughout America, and I extend to his family my heartfelt sympathy, because they have lost a wonderful husband and father, and our State has lost a great citizen.

COMPARATIVE PRICES OF CATTLE AND HOGS

Mr. LANGER. Mr. President, every once in a while Senators are interested in noting how the present market prices of livestock are affecting the rank and file of our people. I have before me a letter from a very small farmers' livestock shipping association, the Rutland Farmers Livestock Shipping Association, located at Rutland, N. Dak.

The letter states:

The board of directors of the Rutland Farmers Livestock Shipping Association have recommended that you be advised of the following net average prices per head received by their patrons for cattle and hogs for the past 3 years.

I know that every Senator will be interested in knowing what stock raisers get for cattle. For the year ending February 1, 1952, the average amount was \$205.50. For the year ending February 1, 1953, it had dropped from \$205.50 to \$157.85. For the year ending February 1, 1954, it dropped from \$157.85 to \$94.73.

With reference to hog prices, for the year ending February 1, 1952, the patrons of the shipping association received an average of \$42.94 per hog. For the year ending February 1, 1953, they received \$37.84. For the year ending February 1, 1954, the price had risen to \$48.43.

These figures show that while the price of cattle had depreciated, the price of hogs had increased.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The PRESIDING OFFICER (Mr. AIKEN in the chair). The Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the

transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

WIRETAPPING PROPOSALS THREATEN HISTORIC GAINS IN PROTECTING PRIVACY AND SE- CURITY OF THE HOME

Mr. MORSE. Mr. President, I propose to give today the first of a series of speeches on the general problem of wiretapping. Wiretapping proposals, in my judgment, threaten historic gains in protecting the privacy and security of the American home.

Freedom and rights that have been long enjoyed are too often taken for granted. The decades of sacrifice with which they were earned are too soon forgotten.

Our heritage of liberty is as precious as any of the material riches and mechanical marvels that past generations have willed. If we are not vigilant, this inheritance can be lost, not in one lawless sweep but by the erosion of what appear to be minor exceptions.

Today the right of our citizens to privacy and security in their homes, won over centuries, stands in such peril.

Attorney General Brownell has recommended to the Congress that it legalize wiretapping by authorizing the interception of private telephone messages by officials of the executive branch of the Government and the military department in the investigation of certain activities broadly defined as interfering with the national security and defense.

Brownell also recommends changes in the law which now prohibits the use of evidence obtained by wiretapping in the Federal courts.

In a series of speeches on the floor of the Senate, I intend to show that not only is the use of the wiretap by Government officials repugnant to historical and constitutional principles of American freedom and a threat to the personal security of loyal citizens, but also that, as an investigatory device, the unreliability, inefficiency, and the expense of wiretap operations outweigh their alleged utility.

Wiretapping is a police state method. We will do a poor job of defending democracy from the aggression of Communists and other totalitarians if in the process we adopt as our own the methods of our enemies.

The wiretap, the rubber hose, and the third degree are standard equipment of the officer with the prosecution complex whose zeal for conviction exceeds his respect for rights. They should have no place in the activities of responsible public officials.

Adoption of the Brownell proposal would revive search and seizure practices of the type outlawed by the courts in England 188 years ago, and recognized as unlawful from the framers of the Bill of Rights amendments to our Federal Constitution.

The fourth amendment to the Constitution was designed to protect personal privacy and security, and the sanctity of the homes of Americans from the assaults of impatient, overzealous, and opportunistic officials. The fourth amendment provides:

The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Wiretapping—secret listening to words spoken in the home, or surreptitious interception of a person's confidential communications to his family, friends, associates, lawyer, doctor, or priest—is an insidious kind of intrusion upon personal privacy.

It would be impossible, in my judgment, to authorize its use and at the same time provide safeguards consistent with the spirit and purpose of the fourth amendment.

Mr. President, I wish to emphasize at the beginning of this series of speeches against wiretapping that I have yet to listen to a single safeguard, so-called, which, in my judgment, would protect the privacy rights of free Americans.

It has been said that law is not a manufacture, but a growth, and that it is, therefore, difficult thoroughly to comprehend the true scope and meaning of a law, without at least some knowledge of its history and development.

In this first speech I am going to discuss the history of the fourth amendment and the history of the rights it protects and the evils it prohibits.

LIBERTY CANNOT BE TAKEN FOR GRANTED

A review of history may help us to understand more clearly the meaning of American freedom. It should help to banish any inclination we may have to take our liberties for granted.

The mistake of taking liberty for granted is not an uncommon one. Witness the fact that our Constitution, as ratified in 1788, and as it stood on the day of the opening of the 1st session of Congress in 1789, contained no bill of rights.

Among men who had gone through a great war for freedom, and then settled down to put a democratic government into operation, there were those who thought a declaration of rights not necessary in a democracy.

No declaration of rights was necessary, they felt, because it was assumed that all knew their rights.

No constitutional protection of rights was necessary, they contended, because in a democracy each would be respectful of the other's rights.

Farsighted men knew, however, that threats to liberty might come not only from kings; that elected or appointed officials, unless checked, could be as arbi-

trary as the mightiest monarchs in their exercise of power.

NEED FOR THE BILL OF RIGHTS

The need for a bill of rights was a major point of discussion in the constitutional debates, when ratification of the proposed Federal Constitution was being considered in the various States.

In the State of Virginia, Patrick Henry fought ratification of the Constitution because it contained no insurance against infringement upon the rights of the people by the Government. Virginia, on the advice of Thomas Jefferson and James Madison, both bill of rights advocates, ratified the Constitution, but by a narrow margin of 10 votes in a convention of 168 members, and only on the condition that a bill of rights be added by amendment.

An attempt to attach conditions to ratification in New York almost succeeded. Ratification was finally voted in July 1788, by a vote of 30 to 27, with a recommendation that a bill of rights be appended to the Constitution.

I always am surprised when I find students, to say nothing of laymen generally, laboring under the misapprehension that the Constitution of the United States came into being almost with the unanimous consent of the people of the States which at that time formed the Union. It was a hard-won victory all the way, Mr. President, and in State after State the Constitution finally was ratified by the narrowest of majorities.

One of the hardest battles, both in the Constitutional Convention and in the ratification conventions which followed, was over the issue of protecting the rights of the American people from the arbitrary discretion of the Government. It was only when it became perfectly clear that a bill of rights—one important feature of which I am speaking of in the Senate of the United States today—would be added to the Constitution by amendment, that the Constitution had any chance of final ratification and adoption.

So today, when we speak about preserving and protecting the privacy of American citizens, we are referring to a historic question, an issue which existed at the time the Constitution itself was adopted. In my judgment, unless there had been assurance that the privacy of American citizens would be protected from the arbitrary discretion of the Federal Government, the Constitution never would have come into being.

In the year 1954, when a short-sighted Attorney General of the United States, apparently ill-informed about American constitutional history, comes forward with a proposal which jeopardizes the privacy of American citizens, I do not propose to lend my support to it by voice or vote. In the hour in which we now live, it is as incumbent upon Members of the Senate of the United States to fight to protect the privacy of American citizens as it was incumbent upon our constitutional fathers to take such a stand, both in the Constitutional Convention and in the many ratification conventions which followed thereafter.

I am shocked that a President of the United States, in a message to the Amer-

ican people, would underwrite the proposal of the Attorney General of the United States. The President ought to read the constitutional debates. In my judgment, it would be good for the President to do so. If he has once read them, certainly he ought to refresh his memory about the fight to protect the privacy of American citizens throughout the constitutional history of this great Republic.

Not only did this battle rage in the State of New York, but the Massachusetts and New Hampshire ratifications contained Bill of Rights recommendations. Ratifications of the Constitution by these two great States might not have been obtained unless, first, there had been a commitment by way of recommendations for a Bill of Rights.

It was in Massachusetts that Elbridge Gerry told his fellow citizens that he had refused to sign the Constitution because it then contained no protection in law of the rights of the people, and "that the greatest men may err, and their errors are sometimes of the greatest magnitude."

Two of the Thirteen Original States did not ratify the Constitution until after the Bill of Rights amendments were adopted in the Congress.

PURPOSE OF BILL OF RIGHTS

James Madison, bringing to the first session of the Congress Virginia's proposed constitutional amendments, 10 of which were to become our Bill of Rights, told the Members of Congress:

It will be a desirable thing to extinguish from the bosom of every member of the community any apprehensions, that there are those among his countrymen who wish to deprive them of the liberty for which they valiantly fought and honorably bled.

The announced purpose of the amendments was "to raise barriers against power in all forms and departments of government."

Madison said to the Congress:

So far as a declaration of rights can tend to prevent the exercise of undue power, it cannot be doubted but such declaration is proper.

Congressional adoption of the Bill of Rights amendments in 1789, and their subsequent ratification by the States, established in law the principle that in a democracy, the rights of the people are always superior to the expediencies of government officials.

English law has long recognized a right of man not to be disturbed in the occupancy of his home. But the principle "a man's house is his castle" enunciated in the 17th century by Lord Coke in *Semayne's case* (5 Coke 91) was not unique to English jurisprudence.

HOME PROTECTED BY BIBLICAL LAW

Even in ancient times there were evidences of that same concept in custom and law. Biblical literature reveals a number of instances illustrative of a strong respect for the dwelling as a place which was not subject to arbitrary visitation, even on the part of official authority.

In the story concerning Achan, Joshua did not send his messengers to search for and seize the prohibited articles in

Achan's tent, even after his detection, until the latter had first confessed both his deed and the place where the articles were concealed.

By biblical law a creditor was forbidden to enter his debtor's house for his debt but had to wait outside for the bringing forth of the pledge, and a bailiff of the court was forbidden to enter for the same purpose.

The high regard that the law had for the home is reflected in the protection afforded it in article 21 of the Code of Hammurabi:

If a man makes a breach into a house, one shall kill him in front of the breach, and bury him in it.

The laws of ancient Rome held the home to be a place that was under the special protection of the household gods, who dwelt and were worshipped there. If even an enemy reached the fireplace of the house, he was sure of protection. Cicero said in one of his orations:

What is more inviolable, what better defended by religion than the house of a citizen. This place of refuge is so sacred to all men, that to be dragged from thence is unlawful.

When Roman criminal law allowed the search of the house of a person suspected of theft, such search could be undertaken only after the victim of a theft described with particularity the goods he was seeking. When, accompanied by a bailiff, he entered the suspect's house, the law required that he be clad only in an apron, to prevent his concealing objects in his garments and "planting" them in the other's house to implement a false charge. Crooked police methods were as well known in Roman times as they are in modern times.

Roman occupation of England implanted in the country the principle that an individual had a privilege not to be disturbed in the peaceful occupancy of his home.

In Anglo-Saxon and Norman times the crime of hamfare, the forcible entry into a man's dwelling, was looked upon with great severity, justifying the killing of the perpetrator in the act.

Chapter 39 of the Magna Carta of 1215 has been recognized as a safeguard against official intrusion into the home. Lord Coke said in 4 Coke's Institutes 177:

Breaking the houses of any subjects to search for felon or stolen goods is against the Magna Carta.

STAR-CHAMBER PROCEEDINGS

During the Elizabethan and Stuart periods in England, in the enforcement of tyrannical laws concerning printing, religion, and seditious libel and treason, the Court of Star Chamber initiated practices of unlimited search and seizure by Government officials.

A warrant issued by the Star Chamber in 1593 directed messengers of the Crown to search for and arrest "every person suspected of libels and for that purpose to enter into all houses and places where any such shall be remaining. And, upon their apprehension, to make search in any of the chambers, studies, chests, or other like places for all manner of writings or papers that may give you light for the discovery of the libelers."

The Star Chamber was abolished in 1640, and a year later the House of Commons resolved that the search of studies and papers of opposition members of Parliament and the issuance of warrants for that purpose in 1629 had been a breach of privilege on the part of those who executed the warrants, for which they were to be punished.

At this period in English history there began to be recognized a principle that government searches and seizures, if allowed, must be reasonable. The full significance of the principle, however, was not yet recognized, and further experience on the part of the people and the courts was required before the right to be left undisturbed in the home was given constitutional protection.

New regimes found it expedient to lapse back into the old practices from time to time, and a few years later there was enacted the hearth-money statute, by which custom officials in their collections were given right of entry into all houses at any time during the day.

After the revolution of 1688, one of the first acts of the new government was to abolish hearth money. King William gave as his reason for the abolition not only that the practice was a great oppression of the poorer classes, "but a badge of slavery upon the whole people, exposing every man's house to be entered into, and searched by persons unknown to him."

GENERAL WARRANTS CONTROVERSY

So strong had become the popular feeling against Government intrusion into the homes of citizens, that the practice of arbitrarily searching private homes for Government purposes was all but abandoned in England until the accession to the throne of George III in 1760, at which time there began the great controversy about the general warrants.

In the American Colonies the general warrants took the form of so-called writs of assistance, authorizing revenue officers to enter, in their discretion, suspected places and search for smuggled goods.

James Otis, speaking in Boston in February 1761, pronounced these warrants "the worst instrument of arbitrary power, the most destructive of English liberty, and the fundamental principles of law, that ever was found in an English law book," since they placed "the liberty of every man in the hands of every petty officer."

Otis denounced the dangerous character of the writs as an infringement of the Englishman's "right of house."

John Adams said later of the Otis speech:

Then and there was the first scene of the first act of opposition to the arbitrary claims of Great Britain. Then and there the child Independence was born.

As I read American history, I am satisfied that American independence was really born in the Otis speech in defense of the privacy of the American home.

Again let me say, Mr. President, in 1954 I do not propose to remain silent in the Senate while a misguided Attorney General makes another proposal to trespass upon the privacy of the American home. Many times in the history of the United

States we have repudiated that kind of arbitrary discretion, and I am satisfied that once the American people come to understand the underlying issue of the wiretap proposal of Brownell, it will be repudiated again.

In England, general warrants issued by the Secretary of State authorized Government officials to secretly enter homes, and search for and seize the private papers of persons suspected of seditious libel.

The court case of *Wilkes v. Wood* (98 Eng. Rep. 489 (1762)) involved a suit by a publisher of pamphlets critical of the Government against an official who had issued a warrant by the authority of which Wilkes' house was ransacked in a search for the alleged treasonable papers.

Is it not interesting, Mr. President, that in the famous Wilkes case in 1762 it was alleged treasonable conduct—just as now it is alleged subversive activities in the United States—that caused our forebears to arise and protect the privacy of the home. In 1762 they refused to accept the spurious premise that alleged treasonable conduct justified the violation of the privacy of the home. Let me say to my colleagues that the danger today is no greater than it was in 1762. If in the critical times in the early history of the Nation, our forebears protected the privacy of American citizens through the fourth amendment, we ought to be willing to stand up for the privacy of the home today, particularly when we have all the advantages of modern detection devices.

We do not have to follow Brownell, of the Eisenhower administration, the head of President Eisenhower's Department of Justice, in the adoption of police-state methods, in order to weed out subversive activities in the United States. There are all kinds of subversion. Brownell does not hate Communist subversion any more than does the Senator from Oregon; but let me tell my colleagues that I hate the subversive proposals of Brownell which would violate the sanctity of the American home by legalizing wiretapping. That is real subversion, of the same class as Communist subversion, because a citizen's rights and precious liberties can be destroyed by that kind of subversion as well as by Communist subversion.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator from Oregon yield?

Mr. MORSE. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. I wish to commend the Senator from Oregon for what he has been saying. Is it not true that we always have to be on our guard when we are passing through a period of hysteria akin to what we are going through at the present time, for it is in such times that the rights of the people are taken away?

Mr. MORSE. The Senator from South Carolina is absolutely correct. The reason why I have gone to the labor and the effort of preparation of what amounts to, I am frank to say, a series of lectures on this phase of constitutional law, is that I think the American people need to be awakened to the fact that there is nothing new in the problem which now

confronts us in respect to so-called treasonable or subversive activities. It is the repetition of an old, historic pattern. We have met it successfully heretofore without doing violence to the spirit and intent of the fourth amendment. That is why I am raising my voice, in a series of speeches on the floor of the Senate, in a plea to the American people that they awaken, before it is too late; and that they recognize, before it is too late, that this administration, acting through its Attorney General, in order to meet a problem of subversion, is actually proposing legislative remedies, remedies, in my judgment, which will do more harm than good, and are not needed in order to meet the threat of subversive activities in this Nation.

Mr. President, when this storm in our history has passed, when this threat of subversion has passed, as it will pass—and I always take a great deal of satisfaction in the advice of the philosopher, "This, too, shall pass away"; and the present period of history will pass—my confidence in the free way of life is such that I am satisfied we shall come out of this period stronger in our freedoms than when we entered it, if—if we do not listen to such advisers as Brownell, who proposes wiretapping procedures that threaten the privacy of the American home. I repeat my major premise, which will run through these lectures, as I apply these constitutional lessons, taken from American history, to the problems involved in this issue, namely, from a utility standpoint we do not need the Brownell proposal.

Mr. JOHNSTON of South Carolina. Mr. President, I should like to inform the Senator from Oregon that I am a member of the subcommittee that at the present time is holding hearings on this particular question, and I desire to assure him that I shall do everything I possibly can, as one member of the subcommittee, to see that all possible steps are taken to protect and preserve the rights of the home.

Mr. MORSE. Mr. President, not only do I appreciate the statement the Senator from South Carolina has made, but I wish to say that his statement does not surprise me. I know the Senator from South Carolina very well, and I know how sincerely dedicated he is to the personal rights which the American people fought so hard to establish in the Bill of Rights. I take great encouragement from the position the Senator from South Carolina has taken. I have been following the hearings in his subcommittee; and I am convinced that once the record is made, the members of the subcommittee will learn from the historic lessons which are awaiting their reading that there is no need for the adoption of any such police-state method as the one Herbert Brownell is proposing.

Mr. President, in further reference to the Wilkes case, let me say that the warrant was general as to the persons to be arrested and places to be searched and papers to be seized, and before the agents of the King discovered that Wilkes was the person who had published the papers, nearly 50 other persons were arrested and their homes searched.

Wilkes was awarded a verdict against the Under Secretary of State responsible for the warrant, and some of the other persons whose homes had been searched brought suit against the King's messengers.

In *Huckle v. Money* (95 Eng. Rep. 768) the court held the general warrants to be illegal, and awarded judgments against the messengers. The court said in awarding the judgment:

To enter a man's house by virtue of a nameless warrant in order to procure evidence, is worse than the Spanish Inquisition; a law under which no Englishman would wish to live an hour.

CONSTITUTIONAL RECOGNITION OF PRINCIPLE

Constitutional prohibition against unreasonable searches and seizures was established in England in 1765 in the case of *Entick v. Carrington and Three of the King's Messengers* (19 Howell's State Trials 1030). The United States Supreme Court in the case of *Boyd v. U. S.* (116 U. S. 616 (1885)) described the judgment in this case as "one of the landmarks of English liberty" and a "monument of English freedom."

This case grew out of a search of the home of one John Entick, a publisher of articles critical of the government, by messengers acting under a warrant to seize him, together with his books and papers.

The warrant was specific as to the person, but general as to the papers; and the messengers made the most of the discretion granted them.

The defendants attempted to justify their actions by an argument of "state necessity." They claimed that the power to search homes and seize evidence was "essential to Government, and the only means of quieting clamors and sedition."

Pronouncing the judgment against them, Lord Camden said:

With respect to the argument of state necessity, or a distinction which has been aimed at between state offenses and others, the common law does not understand that kind of reasoning, nor do our books take notice of any such distinctions.

The court condemned secret searches of the home:

If this injury falls upon an innocent person, he is as destitute of remedy as the guilty * * * there is no man capable of proving either the taker or the thing taken.

* * * the only witnesses are the trespassers, the party injured is left without proof.

INDISCRIMINATE SEARCHES PROHIBITED

Indiscriminate search for evidence was held unreasonable by Lord Camden, who recalled the search in the case of *Wilkes* against Wood:

All was taken and Mr. Wilkes' private pocketbook filled up the mouth of the sack. Such is the power, and, therefore, one should naturally expect the law to warrant it should be clear in proportion as the power is exorbitant.

Lord Camden stated in his decision a recognized principle of English law:

The law obligeth no man to accuse himself; because the necessary means of compelling self-accusation, falling upon the innocent as well as the guilty would be both cruel and unjust; and it should seem that search for evidence is disallowed upon the

same principle. There, too, the innocent would be confounded with the guilty.

Whether this proceedeth from the gentleness of the law toward criminals, or from a consideration that such a power would be more pernicious to the innocent than useful to the public, I will not say.

These words may be recalled when later we consider an American wiretap case, *Olmstead v. U. S.* (277 U. S. 438 (1927)). Justice Holmes said in his dissent in that case:

For my part I think it a less evil that some criminals should escape than that the Government should play an ignoble part.

WHOSE HOUSE WOULD BE SAFE?

The basic objection to unreasonable search and seizure was stated by Lord Camden:

Observe the wisdom as well as the mercy of the law. The strongest evidence before a trial, being only *ex parte*, is but suspicion; it is not proof. Weak evidence is a ground of suspicion, though in a lower degree; and if suspicion at large should be a ground of search * * * whose house would be safe?

That question asked by Lord Camden can be asked in 1954: "Under the Brownell proposal, whose house would be safe?"

In the course of argument in the Parliament, where the House of Commons in April 1766, declared general warrants to be illegal, William Pitt declared:

The poorest man may, in his cottage, bid defiance to all the forces of the Crown. It may be frail; its roof may shake; the wind may blow through it; the storm may enter; the rain may enter; but the King of England may not enter. All his force dares not cross the threshold of the ruined tenement.

Mr. President, how interesting it is, as we read history—and these days I would that more of my fellow Americans would read it—to hear the immortal and noble truths that have been spoken throughout the history of English and American jurisprudence, which proclaim the sanctity of the English home and the American home and their right to be free from the tyranny of government.

It is said that our Government would not be guilty of tyranny. It has been guilty in specific cases, many times. Read the great law cases of America. Time and time again the judicial robes of this country have had to protect the rights of American citizens from arbitrary, capricious acts of American officials. Such acts, when they violate the spirit and intent of the Bill of Rights, constitute tyranny in specific cases. In America we need a rededication to the great truth uttered by William Pitt, when he pointed out that the British concept of the supremacy of the home as the protector of the inhabitants thereof was so deep and so great that not ever the Crown could enter the home, no matter how humble it might be.

COLONIAL HISTORY

Freedom from unreasonable searches and seizures was one of the rights prominent in the thinking of Americans who on October 14, 1774, in the "Declarations and Resolves of the First Continental Congress" demanded "the rights, liberties, and immunities of free and natural-born subjects within the realm of England."

On June 12, 1776, less than a month before American independence was declared, the State of Virginia adopted in its Bill of Rights this provision:

That general warrants, whereby an officer or messenger may be commanded to search suspected places without evidence of a fact committed, or to seize any person or persons not named, or whose offense is not particularly described and supported by evidence, are grievous and oppressive, and ought not to be granted.

In September 1776, the constitution of the State of Pennsylvania declared:

That the people have a right to hold themselves, their houses, papers, and possessions free from search and seizure, and therefore warrants without oaths or affirmations first made, affording a sufficient foundation for them, and whereby any officer or messenger may be commanded or required to search suspected places, or to seize any person or persons, his or their property, not particularly described, are contrary to that right, and ought not to be granted.

By the time the fourth amendment to our Federal Constitution was adopted, a similar search and seizure provision was included in the bill of rights of every State in which the rights of the people were specifically enumerated in the State constitution.

CONSTITUTIONAL DEBATES

In the debates on the Federal Constitution, the question of search and seizure was the first illustration seized upon by Lee, of Virginia, and Gerry, of Massachusetts, as indicative of the necessity of a bill of rights.

In his arguments in the Virginia Convention, Patrick Henry dwelt on possible oppressions by public officials and said:

When these harpies are aided by excisemen, who may search, at any time, your houses and most secret recesses, will the people bear it? If you think so, you differ from me. Where I thought there was a possibility of such mischiefs, I would grant power with a niggardly hand; and here there is a strong possibility that these oppressions shall actually happen. I may be told that it is safe to err on that side, because such regulations may be made by Congress as shall restrain these officers, and because laws are made by our representatives, and judged by righteous judges; but, sir, as these regulations may be made, so they may not; and many reasons there are to induce a belief that they will not.

When I read that speech by Patrick Henry I closed my eyes and thought I was sitting in the Senate of the United States listening to some of the fallacious arguments which we hear so frequently in this Chamber, and which Patrick Henry answered in that speech.

The old argument is that we should not fear that Government officials will transgress upon our rights, because the Congress will protect them, or the courts will protect them. That is little solace for a fellow American after he has been wronged. It is little solace to say that the power exists to correct the wrong. I prefer to stand with Patrick Henry on this issue.

It happens to be our obligation, in protecting a free people, to take the steps in advance which will prevent the wrong from occurring. In my judgment, the argument of Patrick Henry is as unanswerable today as it was when made. Time and time again in the United States

Senate we hear the oft-repeated argument of expediency. It is said that we should take certain action because there is great danger of subversive activity in the United States, and therefore we ought to give police-State power to police officials and law-enforcement officers. Patrick Henry answered that argument; and the answer is good today.

Our obligation is to see to it that the checks are written into the law in the first place, that provisions are placed in the law which will prevent the tyrannical abuse of power through the discretion of law officers, against which Patrick Henry spoke.

Patrick Henry answered Brownell decades ago. I only ask the American people to reread the account of the great fight which Patrick Henry waged in the Virginia convention, insisting that the Constitution should not be ratified until there was first written into it the guaranty that the personal liberties and rights of American citizens would be protected in a Bill of Rights. It required the eloquent persuasion of Jefferson and Madison to convince the Virginia convention that it should ratify the Constitution, on the condition that a Bill of Rights would subsequently be added. Henry won his point, but Henry wanted to see it in black and white first, so he refused to go along until there was first a Bill of Rights.

As I stated earlier in this speech, it was only by a very small majority that Jefferson and Madison were successful in prevailing over Henry. It was not a defeat of the principle for which Henry fought. It was only on the basis, "We will give you what you insist upon," because, as both Jefferson and Madison pointed out, Henry was right, but they felt they ought to ratify the Constitution first, at the same time giving assurance that a Bill of Rights would be added by way of amendments.

One of those amendments was the precious fourth amendment, the history of which I am seeking to outline in this speech today. The history of the fourth amendment is a complete answer to Herbert Brownell.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. DOUGLAS. First, I congratulate the Senator from Oregon for the speech he is making; and secondly, I wish to say that I think he has now touched upon a very significant point in constitutional history, namely, that it was only by reason of the pledge of a Bill of Rights that Virginia was induced to ratify the Constitution. Is that not also true, as shown by the record, of a number of other States as well?

Mr. MORSE. Yes.

Mr. DOUGLAS. If it had not been for the pledge that at the first session of Congress a Bill of Rights, covering rights of the individual as against the Government, would be drawn up, in all probability the nine necessary ratifications would not have been obtained, and the United States of America would not have come into existence.

Mr. MORSE. The Senator from Illinois is completely right. I am glad to

have him reemphasize that point which I had the pleasure of raising before he joined me in the discussion. The same issue had been raised in New Hampshire and in Massachusetts, as well as in New York State, where the people insisted that there be a pledge to the effect that such a guaranty would be added subsequently as a bill of rights, or, in some instances, made the reservation of a bill of rights in their ratification of the Constitution.

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield further?

Mr. MORSE. I yield.

Mr. DOUGLAS. Is it not true that while the ratification of the Constitution by Rhode Island was complicated, at least one of the reasons Rhode Island did not ratify the Constitution as originally submitted was that it did not contain a bill of rights?

Mr. MORSE. It was one of the reasons that Rhode Island did not ratify the Constitution, and one of the reasons that North Carolina did not ratify the Constitution, until after a bill of rights had been added. In other words, to show how correct the Senator from Illinois is with respect to the importance of that issue in the minds of our constitutional fathers, Rhode Island and North Carolina would not come into the Union until there was first added to the Constitution a bill of rights protecting the personal liberties and the privacy of American citizens.

When James Madison spoke for a bill of rights in the first Congress, general warrants were to him the most prominent illustration of the need for a bill of rights.

It is significant to note that the fourth amendment when adopted did not attempt to create a right; it stated an already existing right of the people to be secure in their persons, homes, and effects which should not be violated.

The first clause of the amendment stated the right and the prohibition against its violation. The second clause stated specifically the requirements of a search warrant, its purpose obviously being to insure against future intrusions of the particular kind that was then fresh in the minds of the framers of the amendment, but not to limit the effect of the amendment to that one type of intrusion.

MONUMENT OF FREEDOM

It must be concluded that when our fourth amendment was adopted, its framers and those who approved it intended that the principles of the case of Entick against Carrington should be embodied in our law. The United States Supreme Court in the Boyd case said, referring to Entick against Carrington:

As every American statesman, during our revolutionary and formative period as a nation, was undoubtedly familiar with this monument of English freedom, and considered it as the true and ultimate expression of constitutional law, it may be confidently asserted that its provisions were in the mind of those who framed the fourth amendment to our Constitution, and were considered as sufficiently explanatory of what was meant by unreasonable searches and seizures.

Blackstone's Commentaries (1 Tucker App. 301-304) stated in the year 1803:

The case of general warrants, under which term all warrants not comprehended within the description of the preceding article may be included, was warmly contested in England about 30 or 35 years ago, and after much altercation they were finally pronounced to be illegal by the common law.

The constitutional sanction here given to the same doctrine, and the test which it affords for trying the legality of any warrant by which a man may be deprived of his liberty, or disturbed in the enjoyment of his property, cannot be too highly valued by a free people.

PRINCIPLES OF FOURTH AMENDMENT

Summing up, then, the framers of the fourth amendment had three main principles in mind:

First, that privacy and the sanctity of the home ought to be constitutionally protected; second, that the protection of individual rights was paramount to governmental expediencies; third, that secret search of a man's property for evidence, by way of general warrants, was an unjustifiable infringement upon the rights of a free people.

I find it difficult to reconcile the decision of the Supreme Court in 1928 in the case of Olmstead against United States, which has been cited in support of the proposition that wiretapping is not a violation of the fourth amendment, with what history shows me to be the purpose and spirit of the amendment.

Legalized wiretapping, as proposed by the Attorney General or in the bill passed by the House of Representatives, could not meet the requirements laid down by the Court in the decision in Entick against Carrington.

The proposals would legalize wiretapping for investigation purposes, without evidence of a fact committed. Suspicion alone would be the ground for search.

Wiretapping is nonselective. The privacies of innocent persons would be invaded, because its operations cannot be limited to the conversations of only those who are properly held suspect.

Innocent persons whose lines were tapped would be without protection. In the words of Lord Camden, "The only witnesses are the trespassers."

Wiretapping is indiscriminate. Its attention cannot be confined to materials legitimately the subject of examination.

No wiretapping warrant—whether it be called a warrant, an official authorization, or a court order—could be other than a general warrant.

Mr. President, I should like to call that point to the attention of the Washington Post and Times Herald, because after reading its editorial this morning, I am convinced that the writer of the editorial needs a refresher course in constitutional history and in the history of the American Bill of Rights, including the fourth amendment.

The Washington Post and Times Herald speaks of limited wire-tapping. Mr. President, there is no such thing as limited wire-tapping. Any wire-tapping must necessarily be in the character of a general warrant. It cannot be selective. When a wire is tapped a precious safeguard is gone. Oh, it is interesting to listen to some liberals and some liberal

organizations and some liberal newspapers trying to rationalize a compromise with the privacy of the American home.

But it cannot be compromised. If it is compromised there is no privacy left.

The Washington Post ought to know that. Yet a so-called great liberal newspaper—with the word "so-called" underlined—comes out this morning with a recommendation for a compromise of a precious principle in American constitutional history, the principle of the privacy of the American home, which is the castle of freemen.

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

Mr. MORSE. I yield to the Senator from Illinois.

Mr. DOUGLAS. Does the Senator from Oregon make the point that when a person taps the wires of a suspect he also taps the wires of anyone who converses with the suspect, and therefore in that way invades the privacy even of those who may have absolutely no connection with any act of the suspect himself?

Mr. MORSE. That is exactly my point; of course it is not my point. It is the point made by the great Justice Brandeis in his historic dissent in the Olmstead case, when he advanced the argument I have just made. Wire-tapping is indiscriminate, because when one is tapped many are tapped. In other words, the innocent as well as the guilty are tapped and Justice Brandeis suggested that that was a more serious example of tyranny than a general warrant.

Mr. President, I have given the history of the general warrant, running through English and American jurisprudence. It is a history which shows that the leaders of free people have stood up and fought to protect the privacy of free men and women from the general warrant.

Yet we have before us such a proposal, accepted by way of compromise by such liberal newspapers as the Washington Post and other liberal organizations. I am surprised at the number of liberals who are willing to compromise. A very effective job has been done in spreading the hysteria that we are about to be destroyed by subversive activities within our country. Of course there are subversive activities in our country, but—to use a medical phrase by way of analogy—they are not even creating a fever in the patient so far as the strength and vitality of the American Republic are concerned. We can protect the health and vitality and strength of the American Republic without walking out on Entick against Carrington, and without walking out on the historic dissent in the Olmstead case by Stone and Brandeis and Holmes.

In my judgment, if, in the year 1954, we could get a case on all fours with the Olmstead case, the Supreme Court would overrule the ill-advised decision of the majority in that case. In fact, I think it is perfectly clear in dicta which are to be found in subsequent cases that the doctrine of the Olmstead case is now pretty well repudiated. As a lawyer, I

am willing to take the stand on the floor of the Senate that the history of the fourth amendment as it developed in both British and American jurisprudence cannot be reconciled with the majority opinion in the *Olmstead* case. I believe the place to reverse it is in the Supreme Court Chamber. I do not think we ought to try to write into permanent law the majority decision in the *Olmstead* case by going along with Brownell in a police-state proposal called wiretapping, with safeguards. I repeat, there can be no safeguards, because wiretapping simply is indiscriminate.

Listening to and recording a person's conversations is a taking of his property. Modern law recognizes as property and protects every kind of possession, intangibles as well as tangibles.

Interception of telephone conversations from or to the home is an intrusion into the home, whether or not the home itself is physically entered, because its purpose and effect is to snoop into what goes on in the home.

In the *Boyd* case, the leading case of interpretation of the fourth amendment, the Supreme Court said that the amendment prohibits not only proceedings containing the obvious incidents of search and seizure, but also those which contain "their substance and essence, and affect their substantial purpose."

HISTORY MUST GUIDE US

If we are to be guided by our constitutional history; if we are to give more than lip service to the Bill of Rights; if we are to maintain our democratic institutions, we cannot authorize the use of the police-state practice of wiretapping in America.

In a recent Supreme Court case, Justice Jackson said:

Security is like liberty in that many are the crimes committed in its name.

In the name of security the police state justifies its oppressions.

In the name of security we are asked to set aside our constitutional guaranties of liberty.

At any time in history short-sighted leaders can use a national emergency as an excuse for precipitous actions.

The strength of our democratic processes is in their proven ability to withstand the tests put to them in times of emergency.

I do not for a moment underestimate the aggressive intent of foreign Communists and their agents within our country. Nevertheless, I am satisfied that the FBI and the intelligence agencies, working within the framework of our Constitution and not outside it, are doing an excellent job of discovering and destroying enemy activity, a better job than could be done by aping the methods of the Communists.

I have no doubt, Mr. President, that such telephones as there are in Russia today are tapped. We know what happened in Nazi Germany. It is told us that in Nazi Germany the people became so fearful of the telephone as an instrument that many German families wrapped their telephones in blankets because they were fearful that even when the receiver was down the Gestapo

could tap their conversations. Such things happen when fear takes over people.

In the Senate of the United States I intend to be no party to feeding the fear that already is becoming a type of thought-control in America.

As a liberal, I am willing to stand up and fight to protect the liberal tradition of American constitutional law which I have sought to set forth in this first speech on this subject, because our great forebears, as they fought to protect the privacy of citizens, were liberals in the great American tradition. The time has come when we need to walk again in the footsteps which made the path of American history.

NO NEED FOR WIRETAPPING SHOWN

Brownell and the other administration proponents of wiretapping have not shown that the agencies cannot continue to do an effective job without the use of wiretap. They have only claimed that without it the Government is handicapped in its work.

That is the word they use—"handicapped."

I have no doubt that some of the police have always considered constitutional limitations on the methods they may use in their work to be "handicaps." But these limitations have been what has distinguished the free state from the police state.

The elimination of the rubber hose in the third-degree tactics of brutal police departments was a handicap to the police, but it was necessary to protect the American people against official abuse.

An argument has been advanced that because spies and criminals make use of modern scientific devices the police should be allowed similar liberty in the case of the wiretap—a sort of a "fight fire with fire" argument.

The trouble with "fighting fire with fire" in a case like this is that in doing so you may reduce the Bill of Rights to a heap of ashes.

History shows that bad police methods breed disrespect for law, shake the confidence of law-abiding citizens in the administration of justice, and weaken the national morale. Police tyranny is no substitute for police protection.

Our strongest weapon in the fight against communism is constant and undiminished observance of democratic processes.

In future speeches on the subject of wiretapping I shall discuss the Brownell proposals in detail, review the court cases, outline today's laws and practices, and make specific recommendations. I will, of course, frequently refer to the words of Lord Camden in the case of *Entick* against Carrington, and the other historical landmarks I have reviewed here today.

Paraphrasing Lord Camden's question, "If suspicion at large should be ground for search, whose house would be safe?" Let me conclude by asking here today:

If the citizen's every word must be uttered in the fear that it is being monitored by the agents of an all-powerful government, whose mind will be free?

Mr. DOUGLAS. Mr. President, will the Senator from Oregon yield for a question?

Mr. MORSE. I yield.

Mr. DOUGLAS. Mr. President, I wish first to congratulate the Senator from Oregon again for the very able and timely speech he has made. I am sure we all look forward to his future speeches in which he will go into the matter in greater detail.

Although it may be anticipating a future speech of his, may I ask the Senator from Oregon if it is not commonly recognized to be a general practice of local police departments to tap wires of private citizens whom they may suspect of criminal activity?

Mr. MORSE. Yes. It is a great evil which exists at the present time in many police departments. As the Senator knows, before I entered the political arena I did a considerable amount of professional work in the field of criminal law, criminal law administration surveys, and surveys of criminal justice. We came in contact with a great many police abuses, and that was one of them.

Let me say again that what is needed is public disclosure. What is needed is to bring the light to bear on such practices. As we brought the light to bear on the third-degree tactics of police departments, the tyrannical browbeating conduct of prosecutors, and corruption in the administration of criminal justice, remedies were forthcoming to bring to an end those tyrannical practices.

As one who has worked a long time in the field of criminal law administration, I yield to no one in my desire to be helpful to law-enforcement officers in providing them with the facilities and the means they need for crime detection, but within the constitutional framework. We can bring wrongdoers in America to the bar of justice without adopting tactics which, in my judgment, are themselves subject to the description of being criminal.

Mr. DOUGLAS. Does the Senator from Oregon believe that the general public understands the extent to which wiretapping is now being conducted by local police departments?

Mr. MORSE. No, the public does not understand it.

Mr. DOUGLAS. Is not wiretapping an almost universal practice of most large police departments?

Mr. MORSE. No, I would not say it is universal.

Mr. DOUGLAS. Is it not almost universal?

Mr. MORSE. It is the practice of many police departments.

Mr. DOUGLAS. Is it not true also that private wiretapping is being carried on to a large extent throughout the country?

Mr. MORSE. Oh, yes, and it is being carried on by so-called private detective bureaus and informers. I will indicate somewhat the nature of my future speeches by saying that the time has come to make the whole practice entirely illegal, because the abuses of it are too great to justify the practice.

Mr. DOUGLAS. Was not a portion of the curtain shielding wiretapping lifted,

at least briefly, a few years ago in the District of Columbia, when it was found, apparently, that police officers were tapping the telephones of prospective witnesses before Senate committees, either with or without connivance on the part of Members of the Senate?

Mr. MORSE. Yes, that was brought out. Furthermore, the La Folléte investigations in the field of industrial relations disclosed the fact that wiretapping frequently was practiced within the field of industrial relations, when anti-union employers were seeking to get information about union leaders.

Mr. DOUGLAS. Does not the practice of wiretapping by local police departments and by private individuals open up a wide field for potential blackmail?

Mr. MORSE. I am glad the Senator from Illinois has raised that question. I shall spend a considerable amount of time later in dealing with the cases which discuss it. There was a case before the Supreme Court, within the past dozen years, in which it was pointed out in the decision that the police department, using third degree methods on the person accused of aiding a crime act, had wiretapped him, and had obtained information about him in respect to other behavior. The police department said to the person, in effect, "You had better come clean, because, if you don't we are going to disclose the other material." That is a form of blackmail. There are other forms of blackmail.

The actual blackmail which I think the Senator from Illinois has in mind relates to law enforcement officers who use wiretapping in order to obtain information about individuals, and actually blackmail them for money. I do not subscribe to the idea that if we fail to keep checks and protections upon the police departments, so far as the rights of citizens are concerned, we run the danger of illegal conduct on the part of some police officers.

I wish to testify here, as I have testified elsewhere, that, as a body, taking them as a whole, American police officers and law enforcement officers are a very honorable group of men. In fact, they are a better group of men than we citizens deserve, when we consider the lack of support, in terms of salary, and tenure, and facilities, that we give to police departments in too many instances. Nevertheless, we must be on guard against abuses of police practices, and wiretapping is one of the abuses.

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

Mr. MORSE. I yield.

Mr. DOUGLAS. While I have not studied the Brownell bill in detail, the Attorney General, as I understand, is asking for the power, without review, to tap any wire which he believes to be justified in the interest of national security.

Mr. MORSE. Brownell does not even want the requirement of obtaining a court order.

Mr. DOUGLAS. Is it not increasingly true that the Attorney General is a political officer?

Mr. MORSE. There is no question about this Attorney General's being a political officer.

Mr. DOUGLAS. I was not referring in particular to the present Attorney General, but is it not true that formerly a Postmaster General usually had acted previously as the chairman of the national committee of the party which happened to win the election?

Mr. MORSE. That is true.

Mr. DOUGLAS. Is it not true—and I think it may be said of previous Democratic administrations as well as of previous Republican administrations—that President Truman appointed as Attorney General a former chairman of the Democratic National Committee, one of our colleagues, and a very fine Senator?

Mr. MORSE. That is true; and the appointment became too political. I may say that I think it is a misuse of the Attorney Generalship.

I was once offered the Attorney Generalship of the United States, and in the discussion that took place prior to my declination, I made very clear that if I accepted the Attorney Generalship of the United States, there would be no political activity within the Department of Justice.

I think it is very unfortunate that in recent years the Attorney Generalship of the United States has become really a sort of political headquarters for the administration. The administration of justice should not be mixed with politics.

Mr. DOUGLAS. Without wishing to single out the present Attorney General, because, as I have said, the previous administration appointed a chairman of the Democratic National Committee to be Attorney General, is it not true that Mr. Brownell in 1944 and 1948 virtually conducted the campaigns of Governor Dewey for the Presidency?

Mr. MORSE. As I recall, he was generally considered, at least, to be the campaign manager.

Mr. DOUGLAS. Is it not true also that Mr. Brownell always has been a close political adviser, confidant, and manager for Governor Dewey in New York?

Mr. MORSE. That is correct.

Mr. DOUGLAS. Is it not true also that Mr. Brownell managed the pre-convention and post-convention campaigns of the present President, General Eisenhower?

Mr. MORSE. That is true.

Mr. DOUGLAS. So without regard to his merits as a man, is it not true that, with his great abilities, he has devoted himself largely in the past to the fortunes of a political party and to the fortunes of a particular group inside the great party of which he is a member?

Mr. MORSE. The Senator from Illinois has used language which makes it necessary to rephrase the question in order for me to answer it truthfully. I should say that on the basis of whatever abilities he may have, rather than on the basis of the Senator's language assuming great abilities, the Senator from Illinois is, I think, correct in his observation.

Mr. DOUGLAS. Is it not dangerous to give such a man with such a background, however excellent he may be as a citizen, as a father, or as a member of the community, power to tap the wires of any citizen of the United States?

Mr. MORSE. It is inexcusably dangerous.

I thank the Senator from Illinois because, as usual, with his penetrating mind, I think he has helped to focus attention on some of the dangers which I shall cover in considerable detail in a later speech in opposition to the proposed Brownell wire-tapping program.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, as a part of my remarks connected with this speech, an article entitled "Telephone Talks Recorded Secretly Barred as Evidence," written by Morrey Dunie, and published in the Washington Post and Times Herald of May 18, 1954; an editorial entitled "Admission of Wiretap Evidence," published in the Oregon Statesman, of Salem, Oreg., on April 9, 1954; an article entitled "Should We Use Wiretapping, a Police State Weapon?" published in the International Oil Worker, of April 5, 1954; and a report of the Chicago Bar Association, based on a report of the committee on civil rights, as approved by the board of managers, entitled "Proposed Legislation Respecting Wiretapping." Although I do not agree with all the observations of the report of the Chicago Bar Association, I think the report should be included in the RECORD at this time.

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

[From the Washington Post and Times Herald of May 18, 1954]

TELEPHONE TALKS RECORDED SECRETLY BARRED AS EVIDENCE

(By Morrey Dunie)

A Federal judge yesterday declared a telephone conversation may not be monitored unless both parties consent.

District Court Judge David A. Pine made the ruling in the perjury case of Warren L. Stephenson, Republican socialite accused of lying to a House Armed Services subcommittee last year.

In a situation bearing a marked similarity to the Army-McCarthy fracas over monitored phone talks, Judge Pine restated the legal rule that interception of a telephone conversation must be authorized by both parties.

The memorandum opinion indicated it makes no difference that one of the persons engaged in the phone conversation made the recording of what was said.

Following Judge Pine's decision, in which he refused to permit a recording of a long-distance talk between Stephenson and a west coast businessman go into evidence, Assistant United States Attorney Edward Troxell announced the Government will appeal the ruling.

Troxell asserted the Government is unable to proceed with the prosecution of Stephenson without the use of the recording made by Robert Q. Parsons, president of Century Engineers, Inc., of Burbank, Calif.

Parsons phoned Stephenson last May 20. The businessman had previously attached to his telephone a mechanical device known as a soundscraper. The device recorded the talk between the two men.

However, Stephenson did not know the conversation was being recorded and did not authorize it. Also, there was no "beep" sound called for by the Federal Communications Commission to indicate a phone talk is being recorded.

Pointing out that Stephenson's portion of the conversation could be deleted from a stenographic transcript made from the re-

ording. Judge Pine noted that this would deprive the defendant of his right to be confronted by the best evidence, namely, the disk [recording].

The judge stated that his opinion in the matter was supported by the FCC rule requiring a "beep" system to be installed whenever telephonic recording devices are used.

The perjury case against Stephenson charges him with lying three times to House probers investigating an alleged 5-percent deal.

[From the Oregon Statesman of April 9, 1954]

ADMISSION OF WIRETAP EVIDENCE

Wiretapping is regarded as a personal offense by most people. It is an invasion of privacy, like opening and reading a personal letter. Federal law bans use of information obtained in wiretapping in court trials. This has proven something of a handicap in prosecution of some of the cases against Communists; for instance Judith Coplon, who was trapped largely as a result of listening in on her telephone conversations. Attorney General Brownell has favored amending the law to permit introduction as evidence in prosecution of spies and saboteurs information secured by wiretapping. The House has passed such a bill but first it attached an amendment which would require court approval before such evidence would be admitted.

A principle is involved here which cannot be avoided: Is wiretapping justified or not? If use of wiretap evidence is justified in the case of spying, is it not also justified in a case involving murder or armed robbery or counterfeiting? And if it is admissible in criminal cases should it not be admitted also in civil cases? And if it is admitted anywhere, what becomes of the constitutional guaranty of security provided in the fourth amendment to the Constitution? "The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated."

As for admitting certain wiretap evidence on approval of the court, that puts quite a burden on the judge. What are the criteria on which the judge should decide?

We want to erect no shield for spies and saboteurs; neither do we out of fear throw overboard the constitutional guaranties which have proven the bulwark of our liberties.

[From the International Oil Worker of April 5, 1954]

SHOULD WE USE WIRETAPPING, A POLICE STATE WEAPON?

Wiretapping is illegal under a law passed in 1934. Yet wiretapping has been a flourishing practice in the United States for many years and only one person has been convicted of violating the law against wiretapping in the 20 years it's been on the books.

How come? Robert H. Jackson, United States Attorney General in 1940, explained the Government's reluctance to enforce the law: "I do not feel that the Department of Justice can in good conscience prosecute persons * * * for a practice * * * engaged in by the Department itself."

It's been no secret that the FBI has been tapping telephone wires for years. It even runs a school where it teaches wiretapping. Police agencies in States and cities also use wiretapping, and at least 57 other varieties of snoopers use wiretapping, including politicians, business firms, union busters, divorce lawyers, private detectives, gangsters, black-mailers.

The Government has had trouble using evidence from wiretapping, however. The Federal courts won't allow it on the record. In State courts, it's another story: They can use evidence gained in wiretapping if their State allows wiretapping.

Instead of enforcing the Federal law against wiretapping, the Government wants to make it legal. Congress will consider several bills this session. One plan would authorize Federal judges to permit wiretapping in national security cases. Another proposal would give the Attorney General the power to listen in on your telephone. And still another bill would legalize wiretapping when authorized by a Supreme Court Justice. All plans would legalize the use of wiretapped evidence in Federal courts.

There are still some Congressmen, however, who believe in the personal liberty and privacy guaranteed by the United States Constitution. They'll fight wiretapping as a violation of freedom. They're going to face the same type of hysterical attitude which has created McCarthyism, so great a fear of communism that it drives free people to use totalitarian methods.

As OWIU International Vice President B. J. Schafer told an American Civil Liberties Union meeting recently.

"United States Attorney General Brownell wants wiretapping legalized to enable the Government to deal with treason and espionage. The argument is that Communists use telephones; therefore, let's listen in and get the evidence to convict them."

Schafer pointed out that a self-confessed Communist spy, Elizabeth Bentley, debunked this argument when she said wiretapping would probably not have worked "in the case of my Soviet agents, because we were so frightened of telephones, we never said anything over them."

But more important, Schafer continued, is this question: "Are our freedoms so endangered that we have to use a police state method? We will do nothing but compromise the principles of democracy if we adopt a totalitarian method to combat totalitarianism."

"The result will be the creation of a police state, the kind we destroyed in Germany in World War II and the kind we now oppose in Russia and her satellites. Brownell's position, it seems, is that we can't protect ourselves from a police state unless we become a police state ourselves."

The Reporter magazine, in a detailed exposé of wiretapping, said it "is now a common practice in almost every troubled area of American life." Schafer pointed out that CWIU has learned firsthand how wiretapping is used against unions.

In California CWIU moves during a strike were anticipated because union lines were tapped. Wiretapping has also been used against OWIU in Tulsa, in Ohio, and in other areas.

But, as the Reporter magazine said, "the vast majority of wiretapping cases will never be proved. Most of them will never be known, for generally only those cases involving well-known persons break into print."

Other unions have had their wires tapped. Perhaps the most publicized case involved a telephone company itself, found listening in on conversations between its union members who were on strike.

Other specific purposes for which wiretapping has been used, according to the Reporter magazine, include: a rich man, for blackmail; a businessman for competitive information; a politician, for attacks on opponents; a taxpayer, for information on possible evasions; an honest, law-abiding man who happens to be a nonconformist, for data on his unpopular views.

Actually, what's needed is a stronger law to outlaw wiretapping. The dangers are immense. A man can be framed, for example, by wiretapping. Suppose he's suspected of a crime and calls his wife. He might tell his wife "I am not guilty."

But an unscrupulous agent tapping the wire can easily erase the "not" and present the man's own "confession" of guilt on a re-

order. The court would then hear the man telling his wife, "I am guilty."

J. Edgar Hoover, FBI Director, said in 1938 that if he'd let his own men practice wiretapping to any extent "they would turn crooks in no time." And back in 1929, Hoover was even more opposed to wiretapping.

He said then "any employee engaging in wiretapping will be dismissed from the service of the Bureau." By 1941, however, Hoover thought wiretapping should be used in some cases, "such as espionage, sabotage, kidnaping, and extortion."

And used it's been, possibly against you yourself, while it's been technically illegal. Wonder what might happen if wiretapping is now legalized? Read George Orwell's book, *Nineteen Eighty-four*, for a terrifying picture of life in a nation where wiretapping has been carried to its ultimate—braintapping.

"BEEP"

In 1947 the Federal Communications Commission issued an order requiring that every telephone recorder attachment must emit a "beep" warning signal over the wires each 15 seconds when in operation.

At least a hundred thousand telephone recorders are in use, mostly in private industry, but a good number in government. Less than 10 percent give the required "beep," according to the Bell system.

HOW TO TAP A WIRE

A wiretapper can break in only at certain points on the line by splicing a pair of wires which form a terminal circuit. When you use the telephone, you are connecting two wires in your phone to two similar wires on the other end.

The wires from your phone, comparable to the roots of a tree, join others, possibly as many as 2,000 pairs, in a "trunk." The trunk then branches out again, finally ending in two wires you selected by dialing.

The wiretapper must pick a terminal in the chain not too far from the target phone in order not to make the selection of the correct wires too difficult. At this terminal, or bridging point, the two wires are connected to twin metal posts labeled with a number. The wiretapper might pose as a repairman and ask the telephone office for the number of the pair he's after.

He then installs his tap and listens in on every call. If business is good, or if the tap is going to be kept on for several days or weeks, a recording machine does the listening in.

AN INSTRUMENT OF TYRANNY

Late Supreme Court Justice Brandeis had this to say on wiretapping:

"The evil incident to invasion of privacy of the telephone is far greater than that involved in tampering with the mails. Whenever a telephone line is tapped, the privacy of the persons at both ends of the line is invaded and all conversations between them upon any subject, and although proper, confidential, and privileged, may be overheard."

"Moreover, the tapping of one man's telephone line involves the tapping of the telephone of every other person whom he may call or who may call him. As a means of espionage, writs of assistance and general warrants are but puny instruments of tyranny and oppression when compared with wiretapping."

REPORT OF THE CHICAGO BAR ASSOCIATION BASED ON A REPORT OF THE COMMITTEE ON CIVIL RIGHTS AS APPROVED BY THE BOARD OF MANAGERS

I. PROPOSED LEGISLATION RESPECTING WIRETAPPING

The United States House of Representatives passed on April 8, 1954, H. R. 8649, which proposes to permit the admission into evidence of material obtained through intercepting wire or radio communications by the

Federal Bureau of Investigation or the intelligence services of the Army, Navy, or Air Force during the course of investigations in connection with certain named crimes affecting the national security. Such material could be introduced only in criminal proceedings involving those crimes and must have been obtained upon express written approval of the Attorney General. If acquired after the effective date of the act, it must have been obtained pursuant to an order issued by a Federal district or appellate court judge as well. The judge must be satisfied before granting the order that one of the named crimes has been or is about to be committed and that the material to be obtained would assist in the conduct of the investigation. The bill would also prohibit the divulgence of the information contained in the order or acquired pursuant to the provisions of the bill for purposes other than those mentioned.

In the Senate, Senator MCCARRAN introduced S. 3229. This bill would add section 245 to chapter 13 of title 18 of the United States Code (the civil rights chapter of the title designated Crimes and Criminal Procedure), prohibiting all wiretapping except as authorized therein, and would add to section 605 of the Communications Act of 1934 (47 U. S. C. 605) a proviso corresponding to the exception. This exception would authorize agents of the Department of Justice to intercept wire communications when authorized in writing by both the Attorney General and a Federal district court. The agent of the Department of Justice would obtain from the court an ex parte order to extend for not more than 6 months, renewable for a like period, upon application supported by the authorizing certificate of the Attorney General and such oral or other evidence as the judge may require to determine whether there is reasonable ground for belief that such interception will result in the procurement of evidence of the commission of particular specified crimes relating to the national security. The Attorney General may authorize application for a wiretapping order whenever he has reason to believe that evidence of the commission of any crime punishable under certain named statutes may be obtained through the interception of any wire communication.

The Attorney General has expressed a desire to have enacted a bill which would permit the use of all evidence obtained upon his express written approval during the course of an investigation into any of the mentioned crimes affecting national security without the requirement of a court order.

II. PRESENT LAW AND DECISIONS GOVERNING WIRETAPPING

A. Under the pertinent decisions of the United States Supreme Court, wiretapping is constitutional, but the use of material so obtained is prohibited by statute. *Olmstead v. United States* (277 U. S. 438, 72 L. Ed. 944 (1927)) concerned a conviction for violation of the National Prohibition Act based on evidence obtained by transcribing tapped telephone conversations. Seven hundred and seventy-five typewritten pages of such conversations were in the record. In holding that neither the fourth (unreasonable search and seizure) nor the fifth (due process, compulsory self-incrimination) amendment was violated, Chief Justice Taft said:

"There is no room in the present case for applying the fifth amendment unless the fourth amendment was first violated. There was no evidence of compulsion to induce the defendants to talk over their many telephones. They were continually and voluntarily transacting business without knowledge of the interception. Our consideration must be confined to the fourth amendment."

He distinguished *Gouled v. United States* (255 U. S. 298), which held inadmissible

papers taken by an Army private in the course of an apparently social call, and language of Mr. Justice Field in *Ex parte Jackson* (96 U. S. 727) saying that the fourth amendment protected sealed letters and packages in the mail. The second distinction was made on the grounds (1) of the constitutional provision setting up the post office and (2) that the individual pays the Government to deliver mail unopened. The court cited *Hester v. United States* (265 U. S. 57), admitting the testimony of Federal officers who had trespassed on the land of the defendant to watch him hand a bottle of whisky to another from 100 yards distance. Mr. Justice Holmes, referring to wiretapping as dirty business, dissented on the ground that as wiretapping was a crime under State law, the judicial branch of the Government should not encourage the prosecuting forces of the Government to break the law. He expressly declined to state his position on the constitutional questions presented. Mr. Justice Brandeis dissented on the same ground and on the ground that the fourth amendment covered all invasions of privacy, but was phrased in words covering only those invasions common at the time the Constitution was written. He also held that the use of evidence obtained by wiretapping was a violation of the fifth amendment. Justices Butler and Stone also dissented on constitutional grounds.

Nardone v. United States (302 U. S. 379, 82 L. Ed. 314 (1937)) concerned a conviction for smuggling liquor in which essential evidence was obtained by wiretapping. This was after the enactment of the Communications Act of 1934, and the Court, through Mr. Justice Roberts, held that section 605 of the Communications Act prohibited the use of such evidence. Justice Sutherland and McReynolds dissented.

The pertinent section of the Communications Act of 1934 prohibits unauthorized divulgence of wire or radio messages by the carrier and provides: "and no person not being authorized by the sender shall intercept any communication and divulge or publish the existence, contents, substance, purport, effect, or meaning of such intercepted communication to any person; and no person not being entitled thereto shall receive or assist in receiving any interstate or foreign communication by wire or radio and use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto; and no person having received such intercepted communication or having become acquainted with the contents, substance, purport, effect, or meaning of the same or any part thereof, knowing that such information was so obtained, shall divulge or publish the existence, contents, substance, purport, effect or meaning of the same or any part thereof, or use the same or any information therein contained for his own benefit or for the benefit of another not entitled thereto."

More recent cases have held that evidence which could not have been obtained had the Government not tapped the defendant's wires was inadmissible (*Nardone v. United States* (308 U. S. 338, 84 L. Ed. 307 (1939))); that intrastate communications came within the protection of the first *Nardone* case (*Weiss v. United States* (308 U. S. 321, 84 L. Ed. 298 (1939))); and that if a tap is used, defendant may examine records of material taken from the tap and cross-examine Government witnesses as to where and how they got their evidence, *United States v. Coplon*, 185 F. (2d) 629 (C. A. 2d) (1950), cert. den., 342 U. S. 920, 96 L. Ed. 690. Evidence acquired by a detectaphone applied to the wall of the office adjacent to defendant's is admissible, even as to the defendant's end of telephone conversations, *Goldman v. United States* (316 U. S. 129, 86 L. Ed. 1322 (1942)); and it is up to the courts of the several States whether wiretap evidence is admissi-

ble in State court trials, *Schwartz v. Texas*, (344 U. S. 199, 97 L. Ed. 231 (1952)).

B. On the practical level, one of the prime safeguards against wiretapping is the trouble to which the Government must go to maintain a continuous watch. According to the testimony of Mr. Miles McDonald, District Attorney of Kings County, N. Y., before the subcommittee of the House Committee on the Judiciary, this operation requires the full on-duty time of 6 men. Technological advances, however, may eventually reduce or eliminate the need for manpower.

III. RECOMMENDATIONS REGARDING PROPOSED LEGISLATION

It should be observed first of all that a large number of bills have been introduced in previous sessions of Congress to permit wiretapping by Federal law-enforcement officers and the evidence thereby obtained to be introduced into court. None has become law. Under the present law, the various attorneys general since the adoption of section 605 of the Communications Act have uniformly interpreted the words "intercept and divulge" to include in the prohibition of that section only the divulgence of intercepted material; so wiretapping is done, but evidence derived therefrom is not used in court.

It is the position of this committee that under standing United States Supreme Court decisions the Federal Constitution does not prohibit the use of wiretap evidence in court. It is further the position of the committee that the minimal rights guaranteed the individual by the Constitution may be implemented by act of the Congress, and that this is a suitable area for such implementation. As a matter of policy, this committee feels that wiretapping is an evil which generally ought to be prohibited by law. In general, Americans should have an enforceable right to speak freely over the telephone. Although the right to be secure from the introduction of wiretap evidence in court is directly valuable only to those whom the Government may prosecute, the right not to be spied on is valuable to all. No Government, however benign, should invade the right to privacy which is one of the factors making American citizenship so valuable.

Chief among those circumstances which some allege might justify tapping wires is a threat to the national security. Since most of the evidence upon which the threat of internal subversion can be evaluated is not available, the committee is in no position to determine whether the present threat is great enough to justify departure from the normally sound policy of prohibiting wiretapping altogether.

The committee does wish to make clear, however, its belief that certain steps should be taken by the Congress in making this policy determination. Before deciding, Congress, through the appropriate committee or subcommittee, should have before it all possible evidence as to (1) the extent of the threat to be combated; (2) the material which could be introduced in criminal proceedings; and (3) the probable effectiveness of the contemplated measures. The committee feels that it is incumbent on anyone supporting the authorization of wiretapping to bear the burden of proof in all three of the above respects.

If, upon adequate showings, Congress should decide that a law is necessary to permit the use of wiretap evidence, this committee believes that at least certain safeguards should be included in any such law to minimize the infringement of our rights and to assure that wiretapping will be used only where necessary to the purpose for which authorized. This committee is opposed to both of the aforementioned bills in their present form, as neither includes the minimum safeguards deemed necessary.

The provision that such authority be granted only to Federal judges seems essential. The safeguard that unauthorized wiretapping be made a crime also seems necessary, though further clarification should be made with regard to the rights of State and local officials in this field under State legislation.¹ Perhaps a provision should be inserted granting an individual right of action for punitive damages against any person, whether in the course of a Government investigation or not, who illegally taps his telephone wire. A bill should include a provision clarifying its relationship to section 605 of the Communications Act, and perhaps amending the keywords of that act to read "intercept or divulge."

Although under the present rules of discovery the accused probably would have ample opportunity to examine a complete transcript of all conversations intercepted along with the right to introduce any additional relevant parts thereof into evidence that might be deemed helpful to his defense, further examination should be given to the need for spelling out such precautions. Technical information with regard to the detection of forged recordings does not appear to have been available to the House committee considering the legislation. Such advice might be helpful in reducing the possibilities of such evidence being distorted and might accordingly increase the reliability and weight of such evidence in court. Some provision should be made for all original recordings to be kept under seal as soon as obtained and the tampering or altering of any such recordings should be made a felony. Under no circumstances should evidence obtained before the effective date of the act be admissible, as would be authorized by H. R. 8649.

In order that Congress be assured of an opportunity to reexamine the effectiveness of this legislation and also to correct possible abuses in the light of its operation any such act should extend for a limited duration. Further, court orders authorizing wiretapping under such legislation should expire within a given length of time, as set out in S. 3229.

In view of the experience of New York officials with the importance of secrecy in the wiretapping procedure, it might be wise to incorporate a provision setting forth certain secrecy precautions. Applications to the court could be in the form of an affidavit by a designated official of the agency desiring to make such a tap and should set forth therein all facts necessitating such authorization. This application could be made in private to the judge in his chambers and could be kept under lock and key at least until the authorization had expired.

It has also been suggested for the sake of efficiency and authenticity that the wiretapping function be delegated only to the FBI. Other governmental agencies making investigations could then as they apparently do now, work in conjunction with the FBI in the wiretap phase.

These bills appear to restrict the use of information derived from wiretapping to investigations and judicial proceedings brought by executive agencies, but it might be wise further to prohibit expressly any use of wiretapping or the evidence therefrom by other governmental bodies such as congressional committees.

Several points on the general subject of wiretapping should be discussed briefly in this report. First, it should be understood that the exclusion of wiretapping evidence from court proceedings is based only on the ground that as a matter of policy courts should not consider evidence acquired by

¹ Presently many State and local officials are engaged in wiretapping under State authorization. New York is an example of such a State.

the Government in violation of the law. Since section 605 of the Communications Act prohibits the divulgence of such communications, the courts have excluded such evidence. England and Canada have no such doctrines. It seems clear that the basis for any exclusion of any such evidence has not been its untrustworthiness. With certain precautions such evidence might be the most reliable evidence that could be obtained and introduced in some types of proceeding.

Secondly, a similarity can be shown to the search and seizure and self-incrimination prohibitions of our Constitution, although their application to wiretapping was rejected in the 5 to 4 opinion of the United States Supreme Court in *Olmstead v. United States*, *supra*. For those who feel the analogy has merit it should then be pointed out that under proper judicial supervision as outlined herein wiretapping authorization would differ from the process of issuing a warrant for a search and seizure primarily in the aspect of the secrecy of wiretapping as against the element of knowledge that usually exists in such a search and seizure.

The supporters of legislation authorizing wiretapping have suggested that its enactment would effectively put everyone on notice that telephone communications were not necessarily private and therefore would be a warning against making incriminating statements in that type of communication. But notice that you are deprived of a right is a poor substitute for the right itself. It might also be pointed out that if the supporters are correct in this view, the potential value of any wiretapping in future investigations will be correspondingly diminished.

It has been argued that we can depend on the Attorney General not to use wiretapping to excess without relying on the courts. In answer, it should be pointed out that if the practice were legal and the evidence obtained thereby admissible, it would be the Attorney General's duty to tap wires whenever he thought that to do so would be effective. He should not, therefore, have to guard those whom he should prosecute against his legal attempts to procure evidence against them.

IV. CONCLUSION

The burden of proof in showing the Congress that there is a need for legislation authorizing wiretapping should be borne by those advocating it. Since such legislation would necessarily derogate from the individual's freedom and right of privacy, it should be considered only after a congressional determination that the advantage in safeguarding our national security outweighs the disadvantage of individual rights. If such legislation is then determined necessary, careful thought must be given to minimizing the accompanying impairment of individual privacy and freedom.

Those bills now under consideration by Congress are not acceptable. In their present forms, they fail to contain even the following minimum safeguards: (1) Supervision by a court upon written showings by the Government; (2) prohibition of unauthorized wiretapping, together with clarification of the Federal-State relationship on the subject; (3) limitation of scope to specified crimes regarding national security; (4) provisions to assure security of the material obtained; (5) limitation of authorization to the FBI; (6) limitation of the duration of both the act itself and the periods of each judicial authorization; and (7) prohibition against the use of evidence obtained prior to the effective date of the act.

In consequence, this committee opposes the proposed legislation and respectfully recommends that the board of managers adopt this report as the report of the Chicago Bar Association and take whatever further action relative thereto it deems advisable.

Respectfully submitted.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

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

The PRESIDING OFFICER (Mr. UPSON in the chair). The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. MAGNUSON. Mr. President, on page 2 of the bill, the second paragraph reads as follows:

This section shall not apply to a common or contract carrier or to a freight forwarder engaged in interstate commerce or to the transportation of fireworks into a State for the use of Federal agencies in the carrying out or the furtherance of their operations.

One of the committee amendments proposes the elimination from that paragraph of the words "or to a freight forwarder." For the purpose of the record, let me inquire of the chairman of the committee why those words are proposed to be eliminated by means of a committee amendment.

Mr. WILEY. I am informed that committee amendment was proposed at the request of the Senator from Washington [Mr. MAGNUSON], who sent to the committee a memorandum requesting that those words be deleted.

Mr. MAGNUSON. I think the memorandum related to the question of whether a freight forwarder is a common carrier. I wish the RECORD to show clearly that the committee amendment proposing the elimination of the words "or to a freight forwarder" was suggested because it was felt that freight forwarders need not be included in this paragraph, for the reasons stated in the letter or memorandum.

I ask the Senator from Wisconsin whether that is the situation. I ask this question in order that the record on this point may be clear. The theory is that freight forwarders use common carriers in their operations, and therefore to include freight forwarders by name would be, as it were, to establish a secondary degree of liability. Is not that correct?

Mr. WILEY. On page 10 of the report is found a statement of the reason for the proposed elimination of the words "or to a freight forwarder." Therefore, it was suggested that those words be eliminated from the bill. I now read from page 10 of the report:

The committee report should indicate that reference to freight forwarders was stricken because freight forwarders are embraced within the term "common carriers," and that to make separate reference to them would be confusing and misleading.

Mr. MAGNUSON. Yes.

I wish the RECORD to show clearly that to include freight forwarders would thus amount to establishing a secondary degree of liability, in that some years ago Congress by law established that freight forwarders are common carriers.

I should like to ask the distinguished chairman of the committee another question. Common carriers have been excluded. What would be the status of a water carrier—in other words, a steamship—coming from the Orient, with fire-works destined for San Francisco or Seattle? Would such a water carrier also be excluded? I can see no objection to excluding them, along with common carriers.

Mr. WILEY. I do not believe that matter was considered in the committee. I shall be glad to have the suggestion of the Senator from Washington.

Mr. MAGNUSON. My suggestion is as follows: On page 2, after the words "contract carrier", in line 8, to insert "or international or domestic water carrier."

Such operators would have no way of knowing whether their ships were carrying packages of fireworks from a foreign country, to be landed at a United States port in a State whose laws might prohibit such shipments. So I suggest that the language I have proposed be taken to conference, so that such water carriers would also be excluded.

Mr. WILEY. Will the Senator from Washington repeat the language he proposes to have inserted at that point?

Mr. MAGNUSON. Yes; I propose that on page 2, in line 8, following the words "contract carrier", there be inserted the words "or international or domestic water carrier."

That would exclude intercoastal shipments and shipments from foreign countries by steamship.

Mr. WILEY. I shall be glad to give consideration to that proposal.

Mr. MAGNUSON. The reason for it is that representatives of the shipping lines have contacted the members of the Subcommittee on Merchant Marine. The steamship lines were not concerned about the bill, but they were somewhat concerned that they were not included in the list of those excluded, because in effect they are international common carriers.

If the language were taken to conference, perhaps better wording than I have suggested could be drafted. At least it would bring to the attention of the conference the matter of shippers and intercoastal water carriers.

Mr. WILEY. The language seems to be satisfactory. I shall give it further consideration and will consult with the Senator later.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to submit that amendment, subject to the consideration and approval of the chairman of the committee.

The PRESIDING OFFICER. There is an amendment pending at the present time.

INTERMOUNTAIN INDIAN SCHOOL, BRIGHAM CITY, UTAH

Mr. WATKINS. Mr. President, recently there was a unique graduation

ceremony conducted in the State of Utah. It was unique in that it was the first commencement exercise held in the Intermountain Indian School in Brigham City, Utah.

The Intermountain School was established by Congress in 1949 to provide academic and vocational training for Navajo Indian children between the ages of 13 and 18. This vitally-needed school for the Navajo education program utilizes buildings and property of the Bushnell Army General Hospital, declared surplus in 1946. I think I may be pardoned if I take a personal interest in this institution, because the bill effecting the surplus property transfer was introduced by me in the 81st Congress.

When the school opened its doors 4 years ago, the staff welcomed some 200 students, many of whom had reluctantly traveled from the Navaho Reservation in the Four Corners area to this northern Utah school to commence a vocational education program. For most of the children it was their first experience in a school. Many of the children could neither speak nor understand English. A number of the students had defective teeth and other disabilities requiring treatment in the school's medical center, and many had never lived in facilities with modern plumbing, heating and lighting. But virtually all exhibited an eager interest to learn as they embarked on a special program, designed to prepare them for graduation in 5 years, qualified with the requisite academic schooling and trained as a craftsman in a trade.

The second year as the buses pulled up to the loading stations on the reservation they were swamped with eager children clamoring to attend. The number has now grown to approximately 2,300 students and during the past week the first graduates, numbering some 24, donned caps and gowns to receive their diplomas. This was the school's first graduation.

An editorial in the Salt Lake Deseret News of May 6, 1954, paid tribute to these young graduates and to the school which has done so much in attacking the education problems on the reservation. I ask unanimous consent to have that editorial printed at this point in my remarks.

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

INDIANS WITH A FUTURE

Several thousand Utah youngsters will graduate from high school during the next few weeks. None will have reason to be prouder than the 24 young Navahos who donned caps and gowns to receive diplomas at the Intermountain Indian School at Brigham City.

Nor is any graduation more significant than this one. These are the first to complete the course at Brigham City. Their graduation marks a milestone along a long and difficult road that must be traveled by many, many others before this country's "Indian problem" is solved.

Off-reservation education is the only solution for assimilating the Indian into "white-man" civilization. Until he is assimilated, there will always be problems of government dependency, with the illiteracy and poverty that always go with it.

Progress is being made. Among the Navahos, there are about 28,000 children of school age. About half of them, 14,765, were in some sort of school this year—and this is about twice the percentage of 5 years ago. But almost half of these were in schools on the reservation; a comparative few were in modern boarding schools, but far too many were struggling along in trailers or small mission schools or even in hogan schools. It is doubtful that such education will do much to solve the basic problem of getting the Indian off the reservation and into useful, gainful work.

The future lies with such schools as the one at Brigham City where its 2,200 youngsters, nearly all of high-school age, rub shoulders daily with the white civilization. It also lies with the growing trend of Indians to attend regular public schools off the reservation. There is a limited program, but a growing one, for the Indian Service to pay to some local school districts part of the cost of educating Indian youngsters whose parents remain on the reservation and thus do not pay local school taxes. This is the most hopeful possibility for the solving of a social problem that has gone unattended for nearly a century. San Juan County school officials might well take a close look at this program.

How well the young Navahos graduating at Brigham City go out and take their place in society will be watched closely. Others of their race have demonstrated that, given equal opportunity, they can hold their own in any society. The performance of these first pioneers and others who follow will be a key factor in determining the whole future of this country's relationship with the people it has wronged and ignored so long.

Mr. WATKINS. The press of legislation in Congress prevented me from attending that graduation. However, I have been informed that it was a very successful commencement. This graduation ceremony points up one of the very excellent jobs now being done by Supt. George A. Boyce and his staff at the Intermountain School in preparing these young Navaho children for integration into the society surrounding their reservation.

An outstanding program initiated under Dr. Boyce's administration has been the student-exchange program. That is a program whereby groups of from 24 to 60 Navaho youngsters in the senior class visit the classrooms of children their own age in the non-Indian schools in the area. During such an exchange, the Indian students stay in private homes for 3 nights as guests and spend the daytime in attending the public schools with their non-Indian student hosts. Correspondingly, on a subsequent visit, a similar number of non-Indian students visit the Intermountain School as guests of the Indian students whom they had entertained previously.

The program was worked out through the cooperation of chambers of commerce, civic groups, and the public-school officials, and has met with splendid success. As evidence of that success, I wish to have printed in the RECORD following my remarks, five letters addressed to Superintendent Boyce by school principals and members of chambers of commerce who have witnessed this exchange.

My colleagues here in the Senate will be thrilled, as I was, at the enthusiasm and sincere interest being shown by

these civic organizations and public-minded individuals in this program, which I am sure accounts for much of its success.

I ask unanimous consent to have these letters printed in the RECORD at this point as a part of my remarks.

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

EASTSIDE CLASS A SCHOOL DISTRICT No. 201,
Preston, Idaho, March 22, 1954.
Supt. GEORGE A. BOYCE,
Intermountain School,
Brigham City, Utah.

DEAR MR. BOYCE: I certainly appreciate and thank you for the wonderful experience that our young people had. They are still talking about it. I believe this exchange idea is an excellent means to have barriers broken down between the Navaho people and ours. People can get along if they understand something of each other's problems and traditions.

Our student body president, Clair Bosen, said that this was one of the finest experiences that he has had in his 4 years of high school.

Sincerely,

REED H. BRENCHELY,
Principal, Preston High School.

PROVO CHAMBER OF COMMERCE,
Provo, Utah, March 18, 1954.

Dr. GEORGE A. BOYCE,
Superintendent, Intermountain School,
Brigham City, Utah.

DEAR DR. BOYCE: We desire to officially report that we again enjoyed the visit of the students from the Intermountain School and from all information that has come to us, the visit was entirely satisfactory, at least from our point of view.

We have appreciated this fine cooperation and assure you we stand ready to assist in any of the good projects you have, for we know you are rendering a great service.

Sincerely yours,

PROVO CHAMBER OF COMMERCE,
J. WYLEY SESSIONS,
Chairman, Civic Affairs Committee.

BURLEY HIGH SCHOOL,
Burley, Idaho, March 26, 1954.

Dr. GEORGE BOYCE,
Superintendent, Intermountain Indian School, Brigham, Utah.

DEAR DR. BOYCE: I would like to take this opportunity to thank you and your staff for the wonderful exchange program we had the privilege of enjoying. We have had lots of field trips, educational tours, and other types of programs but I am sure this is by far the most valuable program we have had. It has given more students a chance to speak to our community, helping our public relations program. Our students have spoken on the "Intermountain Indian School," to Lions, Rotary, Kiwanis, chamber of commerce, all churches, Business Professional Women's Club and many other organizations in Burley and nearby towns.

Our problem if we have the same program next year, and we want to, is who will get to go. It seems like every parent has called and wants to be sure his child gets the chance to go.

Again on behalf of the board of education, the students and the staff, we wish to thank you for this wonderful educational program.

Sincerely,

EARL H. CARLSON, Principal.

SALT LAKE CITY CHAMBER OF COMMERCE,
Salt Lake City, Utah, April 22, 1954.

Mr. ROSS BOWEN,
Manager, Box Elder Chamber of Commerce, Brigham City, Utah.

DEAR ROSS: May we take this opportunity of congratulating you on the very excellent

program that you worked out and which through your efforts was put over in the interchange of students between the Intermountain Indian School and South High School.

The undertaking was in every way a success.

Sincerely,

GUS P. BACKMAN, Secretary.

EASTSIDE CLASS A SCHOOL DISTRICT No. 201,
Preston, Idaho, February 17, 1954.

GEORGE A. BOYCE,
School Superintendent,
Intermountain School,
Brigham City, Utah.

DEAR SIR: I wanted to let you know how pleased and happy we are at the Preston High School to have had the 24 students and Mr. Browning from the Intermountain school visit with us last week. It has been one of the highlights of the year in our school. Our students are already asking if we can participate on such an exchange again.

You and your staff should be proud of the young people that were here. They conducted themselves very well. Some of the parents who had them in their homes are full of praise.

I am sure that you have hit on an excellent way to put the problems of the Indian race out to the people of surrounding areas. I know I have learned more about their problems last week than I thought existed.

Put us down for definite participation next year in this exchange program.

Sincerely,

REED H. BRENCHELY,
Principal, Preston High School.

PROPOSED ITINERARY FOR INTERMOUNTAIN SCHOOL STUDENTS WHILE GUESTS OF SOUTH HIGH SCHOOL

Monday, April 19: 4 p. m., arrive at South High; 4:15 p. m., brief reception by board of control in community room, introduction of school and community officials; 4:30 p. m., pairings of guests and hosts and orientation meeting in music room; 5 p. m., leave school with hosts for homes. Dinner, evening activities, and time of retiring to be planned by hosts and parents.

Tuesday, April 20: Breakfast at home; 8:30 a. m., arrive at school, report to community room; 8:45 a. m., buses to pick up guests, hosts, and sponsors for trip to downtown Salt Lake; 9 a. m., arrive at Temple grounds for tour on grounds and organ recital; 10 a. m., arrive at Hotel Utah for tour of hotel facilities; 11 a. m., board buses for Tower House Cafe; 11:15 a. m., luncheon at Tower House Cafe (to be ordered individually from menu); 12 noon, board buses for trip to This is the Place monument and State Capitol; 1 p. m., arrive at State Capitol for visit to agricultural and industrial exhibits; 1:45 p. m., leave capitol for industrial center; 2 p. m., tour of industrial center units; 3:15 p. m., board buses for return trip to South High; 3:30 p. m., track meet, South High track; 5 p. m., leave with hosts for their homes. Dinner, evening activities, and time of retiring to be planned by hosts and parents.

Wednesday, April 21: Breakfast at home; 8:30 a. m., report to South High community room; 8:45 a. m., tour of South High School building and grounds; 9:50 a. m., student body assembly; 10:50 a. m., report to classes with hosts; 11:45 a. m., lunch with hosts in school cafeteria; 12:20 p. m., report to music room for a cappella concert; 2 p. m., buses leave South High for Brigham City.

AUTHORIZATION FOR CERTAIN TRANSACTIONS BY DISBURSING OFFICERS

The PRESIDING OFFICER (Mrs. BOWRING in the chair) laid before the

Senate the amendment of the House of Representatives to the bill from the Senate (S. 2844) to amend the act of December 23, 1944, authorizing certain transactions by disbursing officers of the United States, and for other purposes, which was to strike out all after the enacting clause and insert:

That the act entitled "An act to authorize certain transactions by disbursing officers of the United States, and for other purposes", approved December 23, 1944 (ch. 716, 58 Stat. 921), as amended by the act of June 16, 1953 (67 Stat. 62), is hereby amended by deleting section 4 thereof.

Mr. CAPEHART. Madam President, I move that the Senate disagree to the amendment of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. CAPEHART, Mr. GOLDWATER, Mr. BENNETT, Mr. MAYBANK, and Mr. FULBRIGHT conferees on the part of the Senate.

AMENDMENT OF CERTAIN PROVISIONS OF SECURITIES ACT OF 1933, ETC.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2846) to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, which were, on page 4, strike out lines 17 through 20, inclusive; on page 4, line 21, strike out "Sec. 7" and insert "Sec. 6"; on page 4, strike out lines 23 through 24 inclusive; on page 5, line 22, strike out "Sec. 8." and insert "Sec. 7."; on page 5, after line 23, insert: "Prohibitions relating to interstate commerce and the mails"; on page 5, line 24, strike out "(a)" and insert "Sec. 5. (a)"; on page 7, line 9, strike out "Sec. 9." and insert "Sec. 8."; on page 7, after line 10, insert: "Information required in prospectus"; on page 7, line 11, strike out "(a)" and insert "Sec. 10. (a)"; on page 10, line 20, strike out "Sec. 10." and insert "Sec. 9."; on page 10, line 23, strike out "Sec. 11." and insert "Sec. 10."; on page 11, line 1, strike out "Sec. 12." and insert "Sec. 11."; on page 11, line 6, strike out "Paragraph" and insert "Subsection"; on page 11, line 10, strike out "paragraph" and insert "subsection"; on page 11, strike out line 17, and insert "following: 'as heretofore amended.'"; on page 13, lines 5 and 6, strike out "words 'as heretofore amended.'" and insert "following: 'as heretofore amended.'"; on page 14, after line 6, insert "Securities not registered under securities act"; and on page 19, after line 3, insert:

TITLE V—EFFECTIVE DATE

Sec. 501. This act shall take effect 60 days after the date of its enactment.

Mr. CAPEHART. Mr. President, I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and

that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Mr. CAPEHART, Mr. BUSH, Mr. BRICKER, Mr. IVES, Mr. FREAR, Mr. ROBERTSON, and Mr. SPARKMAN conferees on the part of the Senate.

SUPREME COURT DECISIONS REGARDING SEGREGATION

Mr. DANIEL obtained the floor.
Mr. JOHNSTON of South Carolina. Madam President, will the Senator yield?

The PRESIDING OFFICER (Mrs. BOWRING in the chair). Does the Senator from Texas yield to the Senator from South Carolina?

Mr. DANIEL. I yield to the Senator from South Carolina.

Mr. JOHNSTON of South Carolina. Knowing that the Senator from Texas is about to discuss a very vital issue at this time, I ask him to yield to me for the purpose of suggesting the absence of a quorum. I should like to have as many Senators present as possible.

The PRESIDING OFFICER. Does the Senator from Texas yield for that purpose?

Mr. DANIEL. I yield for that purpose.

Mr. JOHNSTON of South Carolina. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JOHNSTON of South Carolina. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. DANIEL. Madam President, yesterday's unprecedented decisions by the Supreme Court that separate but equal schools violate the 14th amendment call for the best that is in all of us to assure the continuation of our public-school systems and our progress in good relations among the races in the 17 affected States.

There are those who feel that the decisions have sounded the death knell to the public-school systems in certain areas of the country, and others who believe that they will supplant recent southern progress in race relationships with intolerance and violence. Madam President, this should not be so.

No matter how much some of us may disagree with the reasoning and result of the Court's decisions, we must look to the future with patience, wisdom, and sound judgment to live under the law as it has now been written and at the same time preserve our public-school systems and maintain peace, order, and harmony.

My efforts shall be in this direction, Madam President, but before turning to the future I feel impelled to keep the record straight with reference to the past and present. In the heat of the arguments and the aftermath of the decisions there have been misstatements and misconceptions which should not be treated with silence in this RECORD.

SEPARATE BUT EQUAL DOCTRINE BEGAN IN MASSACHUSETTS

In the first place, to those intolerant critics of the South who charge that we originated this "separate but equal" doctrine to discriminate against Negro citizens and their children, I remind them that the doctrine began not in the South and not for discrimination but as the only means in the North by which Negro citizens could be furnished equal educational opportunities in those communities where the customs, attitudes of the people, and preservation of peace and order required separation of the races in public institutions.

The doctrine began, not in the South, but in Massachusetts, a State which from the beginning has led all the rest in fighting for equal rights and opportunities for all races. The city of Boston determined that equal educational opportunities for its white and Negro children in primary grades could be furnished best in separate schools. In 1849 a Negro citizen brought a lawsuit for admission of his children to the white school, insisting that separation tended to deepen and perpetuate "the odious distinction of caste" and that it violated the equal protection clause of the Massachusetts Constitution, the same provision that was later embodied in the 14th amendment to the United States Constitution. The Massachusetts Court in *Roberts v. City of Boston* (5 Cush. (Mass.) 198 (1849)) disagreed, upholding the reason, experience, and honest judgment of those who decided that the separate but equal schools furnished better opportunities and did not constitute discrimination against either race.

Thus, statements in the newspapers of last evening and this morning that the separate but equal doctrine originated in the Louisiana case of *Plessy* against *Ferguson* in 1896 are incorrect. At least, the opinion of the Supreme Court yesterday seems to agree with me on this point, for Mr. Chief Justice Warren wrote, in footnote 6 in *Brown* against *Board of Education*, the following:

The doctrine apparently originated in *Roberts v. City of Boston* (59 Mass. 198, 206 (1849)), upholding school segregation against attack as being violative of a State constitutional guarantee of equality.

OTHER NORTHERN STATES

Similar "separate but equal" systems were maintained in Connecticut, Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Nevada, New Jersey, New York, Ohio, and Pennsylvania, and the system was upheld by their courts as reasonable and nondiscriminatory. As stated by Mr. Chief Justice Warren in yesterday's opinion:

Segregation in Boston public schools was eliminated in 1855. Massachusetts Acts, 1855, chapter 256. But elsewhere in the North segregation in public education has persisted until recent years. It is apparent that such segregation has long been a nationwide problem, not merely one of sectional concern.

Even today only 16 States prohibit separate schools. Seventeen States and the District of Columbia require separate but equal schools. Four States, Arizona, New Mexico, Wyoming, and Kansas, per-

mit separate schools, and 11 States have no legislation on the subject.

Having shown the origin of the doctrine of separate but equal schools as being nondiscriminatory in Northern States, where it is said the rights of the various races have always been protected, it is difficult to understand why the motive of discrimination and the brand of inferiority should be placed on the doctrine when it was adopted in the Southern States.

Actually, Madam President, the truth is that the purpose of the system everywhere it has existed has been to accomplish two purposes: First, to furnish equal opportunities and privileges and services for the children of the two races, and, secondly, at the same time to preserve peace and harmony and public support of the public school system.

SEPARATE SYSTEMS HAVE NOT BEEN A SUBTERFUGE

There is a second point to which I should like to invite the attention of the Senate in connection with this subject, and that is that our separate systems have not been a subterfuge.

The 17 States with separate school systems have made progress through the expenditure of millions of dollars in providing actual equality of educational institutions. Those who charge the system has been a subterfuge and that we have failed to provide equal schooling, or at least have failed to attempt to do so, simply are not acquainted with what has been done in good faith by the States during the past 20 years.

For instance, in my State of Texas we have spent literally millions of dollars in an effort to bring all of our schools, whether they be colored or white, to the standard of equality in our various communities. While I served as attorney general, I had the privilege of helping to prepare for the legislature a bill to establish a university for Negroes in our State which would be second to no university in the State or in the South. That university was established and is now in full operation. Although the Supreme Court held several years ago that Negro citizens are entitled to attend, on the graduate level, the University of Texas at Austin, the great majority—about 6 to 1—of the students have elected to remain in their separate university, now called Texas Southern University, located at Houston.

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

Mr. DANIEL. I yield to the Senator from Louisiana.

Mr. LONG. Is it not true that the Senator from Texas played some part in the establishment of that university?

Mr. DANIEL. Yes; that is true. While defending the separate but equal provision of our State constitution as attorney general of Texas, I went before the legislature and said:

Not only to maintain our system of separate and equal schools must you establish a university equal to the University of Texas and other State schools, but you must do it because our State constitution also provides that the two races must be treated equally and without preference in the matter of schools, and that this equality shall be provided in separate institutions.

I testified in behalf of the enactment of that legislation in our State, and we spent \$3 million initially for the university and many millions thereafter, and I have been before committees of the Legislature of Texas testifying as to the needs of that university.

When that university was about to inaugurate its president, I had apparently done enough work for them to be honored by being asked to be the principal speaker at the inauguration of the president of the Texas Southern University.

Many of us in good faith have worked to see that equal educational opportunities were actually provided for the Negro citizens of our State, not simply because it was required by the State constitution, but because we believed that as citizens they were entitled to it.

STATES HAVE ACTED IN GOOD FAITH

Again, in recent hours some have implied that the States have intentionally violated the Constitution all these many years and that they should not be permitted any more time within which to comply with the Court's opinion. This argument is without foundation. On the contrary, the States with separate school systems have been acting in accordance with all former Supreme Court opinions on this subject. The opinions of yesterday are new law. They are the law for today and for the future. But they did not follow the law as former opinions had stated it in the past. These new opinions overrule the plain statements of the law contained in at least five previous Supreme Court opinions, at least 59 State court decisions, and at least 13 Federal court decisions, wherein this precise question has been passed upon. That the States have relied in good faith upon the separate but equal doctrine as being constitutional, is evidenced by what the Supreme Court has said in former decisions.

As attorney general of Texas, I lived with this problem for several years and I had the duty of preparing a brief and appearing before the Supreme Court on the very issue which was decided yesterday. My study of the issue leads me to disagree with the latest opinion of the Court, but, as I said to begin with, the purpose of my remarks today is simply to place in the RECORD the facts as to the past and as to the good faith of the people of 17 States in maintaining our separate school systems.

The first case mentioning this subject was that of *Hall v. DeCuir* (95 U. S. 485), decided in 1877 by the Supreme Court. A Louisiana statute provided for enforced commingling of the races in common carriers. A steamboat master operating in interstate commerce, separated Negro and white passengers and was sued for damages for having denied a Negro woman the right to remain in cabins reserved for whites. A judgment against him resulted. In reversing the judgment, the Supreme Court said:

We think this (Louisiana) statute, to the extent that it requires those engaged in the transportation of passengers among the States to carry colored passengers in Louisiana in the same cabin with whites, is unconstitutional (95 U. S. at 490).

Mr. Justice Clifford concurring, went into the matter more fully, including the reasonableness of the classification:

Substantial equality of right is the law of the State and of the United States; but equality does not mean identity, as in the nature of things identity in the accommodation afforded to passengers, whether colored or white, is impossible (95 U. S. at 503).

Reviewing the authorities, he wrote:

Questions of a kindred character have arisen in several of the States, which support these views in a course of reasoning entirely satisfactory and conclusive * * * equality of rights does not involve the necessity of educating white and colored persons in the same school any more than it does that of educating children of both sexes in the same school, or that different grades of scholars must be kept in the same school; and that any classification which preserves substantially equal school advantages is not prohibited by either the State or Federal Constitution, nor would it contravene the provisions of either.

The Court went on to say:

Separate primary schools for colored and for white children were maintained in the city of Boston. * * * Distinguished counsel insisted that the separation tended to deepen and perpetuate the odious distinction of caste; but the court responded, that they were not able to say that the decision was not founded on just grounds of reason and experience, and in the results of a discriminating and honest judgment. * * *

Age and sex have always been marks of classification in public schools throughout the history of our country, and the Supreme Court of Nevada well held that the trustees of the public schools in that State might send colored children to one school and white children to another. * * *

* * * and it is settled law there that the (school) board may assign a particular school for colored children, and exclude them from schools assigned for white children, and that such a regulation is not in violation of the 14th amendment (95 U. S. at 506).

The second case in which we find the same problem discussed was that of *Plessy v. Ferguson* (163 U. S. 537), decided in 1896.

A later Louisiana statute required that colored and white passengers be furnished separate accommodations on carriers. Plessy, a Negro, was convicted for refusing to occupy the section set aside for his race. The railroad did not operate in interstate commerce. It was squarely contended by Plessy that the State law, as applied to him, violated the equal protection clause. In overruling the contention, the Supreme Court said:

The object of the 14th amendment was undoubtedly to enforce the absolute equality of the two races before the law, but in the nature of things it could not have been intended to abolish distinctions based upon color, or to enforce social, as distinguished from political equality, or a commingling of the two races upon terms unsatisfactory to either. Laws permitting, and even requiring, their separation in places where they are liable to be brought into contact do not necessarily imply the inferiority of either race to the other, and have been generally, if not universally, recognized as within the competency of the State legislatures in the exercise of their police power. The most common instance of this is connected with the establishment of separate schools for white and colored children, which has been held to be a valid exercise of the legislative power even by courts of States where the

political rights of the colored race have been longest and most earnestly enforced. * * *

The distinction between laws interfering with the political equality of the Negro and those requiring the separation of the two races in schools, * * * and railway carriages has been frequently drawn by this Court * * *.

So far, then, as a conflict with the 14th amendment is concerned, the case reduces itself to the question whether the statute of Louisiana is a reasonable regulation, and with respect to this there must necessarily be a large discretion on the part of the legislature. In determining the question of reasonableness it is at liberty to act with reference to the established usages, customs, and traditions of the people, and with a view to the promotion of their comfort, and the preservation of the public peace and good order. Gauged by this standard, we cannot say that a law which authorizes or even requires the separation of the two races in public conveyances is unreasonable, or more obnoxious to the 14th amendment than the acts of Congress requiring separate schools for colored children in the District of Columbia, the constitutionality of which does not seem to have been questioned, or the corresponding acts of State legislatures.

As I said a moment ago, I know of no one who has ever defended the doctrine of separate and equal schools because of prejudice or a desire to discriminate against either the white or the colored race, or because of hatred, or a feeling of superiority. I have not lived among people who had that feeling. That has not been my feeling. The only defense and justification for the doctrine have been that in certain localities it has been impossible to maintain peace, order, and harmony among the people, and to have support for the public-school system by the taxpayers, when people are forced to mingle together against the will of the majority of each race.

It is a police power of the State which has been held to be constitutional in the past. It is the same proposition as we find in Northern States, when there had to be segregation at swimming pools, because there were some persons of each race who do not get along with each other. There are some in each race who have prejudices.

Not too long ago in the District of Columbia, swimming pools had to be closed because of fights which occurred when there was commingling of the races. The same thing was true in Detroit, Chicago, St. Louis, and New York.

It is unfortunate that there are any prejudices left; that there is even one person of the white race or of the Negro race who would still cause trouble when commingling in public places, but we might just as well face the facts. There has been trouble in the past. I hope we may not have it in the future.

When I began my remarks, I said it was not my purpose to criticize the opinion of the Supreme Court, to flout it, or to do anything else with respect to it, but simply to hope that we can look forward to living under the opinion in a way which will enable us to preserve our public-school system, as well as peace, harmony, and order in the various communities which are affected. I make these remarks today simply to show in the RECORD the good faith of the States in the past, to show where they got

the doctrine, and how they have applied it in good faith; and also to show that the new decisions by the Supreme Court have overruled many previous court decisions. I mainly wish to show that the States have acted in absolute good faith in believing that they were obeying the Constitution and the opinions of the Supreme Court in providing separate but equal school systems in the respective States.

In *Cumming v. Board of Education* (175 U. S. 528), decided in 1899, the Supreme Court said:

Under the circumstances disclosed, we cannot say that this action of the State court was, within the meaning of the 14th amendment, a denial by the State to the plaintiffs, and to those associated with them of the equal protection of the laws, or of any privilege belonging to them as citizens of the United States. We may add that while all admit that the benefits and burdens of public taxation must be shared by citizens without discrimination against any class on account of their race, the education of the people in schools maintained by State taxation is a matter belonging to the respective States, and any interference on the part of Federal authority with the management of such schools cannot be justified except in the case of a clear and unmistakable disregard of rights secured by the supreme law of the land.

The next case was that of *Berea College v. Kentucky* (211 U. S. 45), decided in 1908, in which Justice Brewer said:

The single question for our consideration is whether it—

A statute providing that there should not be commingling of the races in a private college—

conflicts with the Federal Constitution. * * * That the Legislature of Kentucky desired to separate the teaching of white and colored children may be conceded.

The Supreme Court upheld the statute of Kentucky in that case.

The next case which passed on this point was the Supreme Court case of *Gong Lum v. Rice* (275 U. S. 78), decided in 1927, a case directly in point. The pertinent portion of the Constitution of Mississippi, as set out in the Court's opinion, reads as follows:

Separate schools shall be maintained for children of the white and colored races.

A Chinese girl, classified as "colored" under the Mississippi law, was denied admission to the white schools. A direct attack was made on the constitutionality of the separation of the races for schooling purposes, the contention being made that such was a violation of the equal-protection clause of the 14th amendment.

In its opinion yesterday the Supreme Court disagreed with the statement I have just made. I wish to quote from the Supreme Court's opinion of yesterday concerning the 1927 case of *Gong Lum* against *Rice*, as follows:

The validity of the doctrine—

Of separate but equal—
was not challenged.

To those who hear or who will read these remarks, I leave judgment as to the accuracy of that statement. The

first assignment of error in the *Gong Lum* against *Rice* case was as follows:

A child of school age and otherwise qualified * * * is denied the equal protection of the laws when she is excluded from such schools solely on the ground that she is a Chinese child and not of the Caucasian race.

Mr. Justice Taft, speaking for a unanimous Court, composed of himself and Justices Holmes, Van Devanter, Brandeis, Stone, McReynolds, Sutherland, Butler, and Sanford, clearly stated the question before the Court in these words:

The case then reduces itself to the question whether a State can be said to afford to a child of Chinese ancestry born in this country, and a citizen of the United States, equal protection of the laws by giving her the opportunity for a common school education in a school which receives only colored children.

This shows that the Court was especially concerned with the separation of children in schools under the equal-protection clause. Mr. Justice Taft said:

We cannot say that this action * * * was, within the meaning of the 14th amendment, a denial * * * of the equal process of the laws * * * the education of the people in schools maintained by State taxation is a matter belonging to the respective States.

The opinion by the Supreme Court, concurred in by such Justices as Holmes and Brandeis, went on to say:

In *Plessy v. Ferguson* * * * in upholding the validity under the 14th amendment of a statute of Louisiana requiring the separation of the white and colored in railway coaches, a more difficult question than this, this Court, speaking of permitting race separation, said: "The most common instance of this is connected with the establishment of separate schools for white and colored children, which has been held to be a valid exercise of the legislative power even by the courts of States where the political rights of the colored race have been longest and most earnestly enforced."

The Chief Justice, speaking for the Court, said:

We think that it is the same question which has been many times decided to be within the constitutional power of the State legislatures to settle without intervention of the Federal courts under the Federal Constitution.

The Court concluded:

The right and power of the State to regulate the method of providing for the education of its youth at public expense is clear * * *.

The decision is within the discretion of the State in regulating its public schools and does not conflict with the 14th amendment. The judgment of the Supreme Court of Mississippi is affirmed.

As I have said, there is a total of at least 13 Federal court decisions which follow these Supreme Court cases, holding that separate but equal facilities do not violate the 14th amendment. I ask unanimous consent that the list of these Federal cases, together with a summary of the decisions, be printed at this point in the RECORD.

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

OTHER FEDERAL COURT CASES

1. *Carr v. Corning* (182 Fed. 2d 14 (C. C. A. D. C. 1950)): A mandatory injunction was

sought to compel the admission of Negro students into the schools designated for white students in the District of Columbia. It was urged, as stated by the Court, that "the separation of the races is itself, apart from the equality or inequality of treatment, forbidden by the Constitution." The Court said:

"The Supreme Court has consistently held that if there be an 'equality of the privileges which the laws give to the separated groups' the races may be separated. That is to say that constitutional invalidity does not arise from the mere fact of separation but may arise from an inequality of treatment. Other courts have long held to the same effect."

2. *Corbin v. School Board* (177 F. 2d 924 (C. C. A. 4th 1949)): The Court stated that the question of the validity of separate schools was foreclosed against plaintiffs "by decisions of the United States Supreme Court, and no useful purpose could be served by adding to the able discussion of the problem in the opinion below." (84 F. Supp. 253 (W. D. Va. 1949)).

3. *Brown v. Board of Trustees, LaGrange, Ind. School Dist.* (187 Fed. 2d 20 (S. D. Tex. 1950)): Denied an injunction against alleged discrimination in providing separate schools. Following the *Gaines* and *Sipuel* cases, the Court concluded that maintaining separate schools for white and Negro students does not violate the fourteenth amendment.

4. *Jennings v. Board of Trustees, Hearne Ind. School Dist.* (W. D. Tex., 1948, unreported): A suit to compel entrance of Negro students to white high school. A declaratory judgment was entered considering the Texas constitutional provisions for separate schools and the equal protection clause of the fourteenth amendment. It concludes, "Under the above provisions, the defendants are required to furnish separate, but impartial and substantially equal facilities to both Negro and white students."

5. *Pitts v. Board of Trustees* (84 F. Supp. 975 (E. D. Ark., 1949)) held that the 14th amendment does not require mixed schools, and that "such a course of action" would not be "for the best interest of the children of either race."

6. *Boyer v. Garrett* (88 Fed. Supp. 353 (1949) Aff'd. 183 Fed. 2d 582 (1950)) held that it was proper, under the 14th amendment, for the State to provide separate recreation facilities for the white and Negro citizens.

7. *Carter v. School Board* (87 F. Supp. 745 (E. D. Va., 1949)): In holding that there was no discrimination in equal separate schools, the court stated: "We find that the segregation in the public functions of the State, including education in public schools, is exclusively a State matter and * * * is not questionable save to assure equality."

8. *Johnson v. University of Kentucky* (83 F. Supp. 707 (E. D. Ky., 1949)). Citing the *Sipuel* and *Gaines* cases the court held separate school facilities are valid under the 14th amendment, provided the facilities are equal.

9. *Wrighten v. University of South Carolina* (72 F. Supp. 948 (E. D. S. C. 1947)). The circuit court returned the case to the district court for a fact finding of equality of the separate law school established after the first trial. In July 1948, the trial court found that the Negro law school was substantially equal and denied *Wrighten's* injunction.

10. *Bluford v. Canada* (32 F. Supp. 707 (W. D. Mo. 1940; appeal dismissed. 119 F. 2d 779)) denied damages for refusal to admit *Bluford* to University of Missouri School of Journalism.

11. *Wong Him v. Callahan* (119 Fed. 381) involved the constitutionality of separate schools for Chinese children. It was held the separate school being equal, the separation does not violate the 14th amendment.

12. *U. S. v. Buntin* (10 Fed. 730) was an indictment for deprivation of right to at-

tend nonsegregated school. It was held the Ohio statute providing for separate schools, if schools are substantially equal, does not violate the 14th amendment.

13. *Bertonneau v. Board of Directors* (3 Fed. Cases 294) again concerned the constitutionality of separate schools for Negroes. It was held the separate school being equal, the separation does not violate the 14th amendment.

Mr. DANIEL. Madam President, there have been 59 State and Territorial court decisions upholding the separate but equal doctrine as valid under the 14th amendment of the Constitution. Many of the States, as I have indicated, are north of the Mason-Dixon line, and include Indiana, New York, Kansas, Ohio, Massachusetts, and Pennsylvania.

I ask unanimous consent that a chart and summary of State court decisions with respect to the separate but equal doctrine be printed at this point in the RECORD.

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

Summary of State court decisions on "separate but equal" doctrine

State	Case	Issue	Decision
Alabama:	<i>State v. Bd. of School Commissioners</i> , 145 So. 575 (1933).	To obtain admission to white school.....	Separation of children in schools is mandatory under statute.
Alaska:	<i>Sing v. Sitka School Bd.</i> , 7 Alaska 616 (1927)...	Constitutionality of separate schools for Negroes and Indians.	The separate school being equal, the separation does not violate the 14th amendment.
Arkansas:	<i>State v. Board of Directors</i> , 242 S. W. 545, Cert. Den. 264 U. S. 567 (1922). <i>Maddox v. Neal</i> , 45 Ark. 121 (1885).....	To obtain admission to white school; plaintiff claimed no Negro blood. Constitutionality of separate schools for Negroes..	Separation is proper and ruling of school board supported by evidence will not be disturbed. The separate school being equal, the separation does not violate the 14th amendment.
Arizona:	<i>Burnside v. Douglas School</i> , 261 Pac. 629 (1928). <i>Dameron v. Bayless</i> , 126 Pac. 273 (1912)..... <i>Harrison v. Riddle</i> , 36 P. 2d 984 (1934).....	do..... do..... Mandamus to compel separation by school board..	Do. Do. Where substantially equal school is provided school board must separate pupils.
California:	<i>Ward v. Flood</i> , 48 Cal. 36 (1874).....	Constitutionality of separate schools for Negroes..	The separate school being equal, the separation does not violate the 14th amendment.
District of Columbia:	<i>Wall v. Oyster</i> , 36 App. D. C. 50 (1910).....	To contest being sent to separate school when there was no notice of statute providing for separate schools.	Statute is not invalid for lack of notice. Board may assign to separate school.
Florida:	<i>State v. Bryan</i> , 39 So. 929 (1905).....	To test the constitutionality of the white university, when there was no similar Negro institution.	As long as Negroes have a State normal, it is not unconstitutional to place the white normal in a university.
Georgia:	<i>Blodgett v. Bd. of Ed.</i> , 30 S. E. 561 (1898)..... <i>Bd. of Ed. v. Cumming</i> , 29 S. E. 488, Aff'd 175 U. S. 528 (1898).	To restrain appropriation for white high school when there was no appropriation for Negro high school. do.....	Wrong action. No benefit to Negroes by attacking white high school. Action should be to compel a high school for Negroes. Do.
Indiana:	<i>Cory v. Carter</i> , 48 Ind. 327 (1874)..... <i>Greathouse v. School Board</i> , 151 N. E. 411 (1926). <i>State v. Gray</i> , 93 Ind. 303 (1884)..... <i>State v. Grubbs</i> , 85 Ind. 213 (1882). <i>State v. Wirt</i> , 177 N. E. 441 (1931).....	To contest separate schools..... To prevent construction of separate high school as unlawful expenditure. To obtain admission to white high school..... To compel town to organize school for Negroes.... To contest an alleged discrimination in separate schools.	A classification which does not exclude either class from equal accommodations is no infringement of rights. The separate school being equal, the separation does not violate the 14th amendment. The constitutionality of the law for the establishment of separate schools for white and Negro children is settled. To require Negro to attend nearby separate school was proper. Organization of separate schools must not result in denying equal privileges; but here no denial is shown.
Kansas:	<i>Reynolds v. Board of Education</i> , 72 Pac. 274 (1903). <i>Richardson v. Board of Education</i> , 72 Kan. 629 (1906). <i>Wright v. Board of Education of Topeka</i> , 284 Pac. 363 (1930).	To test constitutionality of separate schools..... do..... To prevent transfer to Negro school because plaintiff had to pass white school to reach Negro school.	Separate schools do not violate the 14th amendment. Do. Separate schools, substantially equal are constitutional; inequality shown by plaintiff.
Kentucky:	<i>Board of Education v. Bunger</i> , 41 S. W. 2d 931 (1931). <i>Davess Co. Bd. v. Johnson</i> , 200 S. W. 313 (1918). <i>Grady v. Bd. of Education</i> , 147 S. W. 928 (1912). <i>Mullins v. Belcher</i> , 134 S. W. 1151 (1911)..... <i>Prowse v. Board of Education</i> , 120 S. W. 307 (1909).	To contest the establishment of separate schools... To obtain identical facilities..... To contest the establishment of separate schools... To test constitutionality of separate schools..... To contest the establishment of separate schools...	Board of Education has the power to establish separate schools. Facilities need not be identical if they are equal. Board of Education has the power to establish separate schools. The separate schools being equal, the separation does not violate the 14th amendment. Board of Education has the power to establish separate schools.
Maryland:	<i>Williams v. Zimmerman</i> , 192 Atl. 353 (1937)...	To obtain admission to white school.....	Negro student cannot be admitted to white school; substantially equal Negro school being provided.
Massachusetts:	<i>Roberts v. City of Boston</i> , 5 Cush. (Mass.) 198 (1849).	do.....	School board has the power to separate Negro and white students. Admission denied.
Mississippi:	<i>Barrett v. Cedar Hill S. D.</i> , 85 So. 125 (1920).... <i>Bond v. Tj Fung</i> , 114 So. 332 (1927)..... <i>Bryant v. Barnes</i> , 106 So. 113 (1925)..... <i>Chrisman v. Town of Brookhaven</i> , 70 Miss. 477 (1893).	To contest bond issue for consolidated school because discriminatory. To obtain admission of Chinese boy in white school. To contest an alleged discrimination in establishing school districts. To test the constitutionality of separate schools....	Since there are ample substantially equal schools for Negroes they cannot contest establishment of school for whites. The separate school being equal, the separation does not violate the 14th amendment. Court will prohibit discrimination between races in the operation of the schools, but no discrimination is shown by separation. The separate school being equal, the separation does not violate the 14th amendment.
Missouri:	<i>Lehew v. Brummell</i> , 15 S. W. 765 (1891)..... <i>State v. Cartwright</i> , 99 S. W. 48 (1907)..... <i>State (Finlond) v. Canada</i> , 343 Mo. 298 (1941)...	To set up discrimination between white and Negro schools. To test constitutionality of separate schools..... To contest validity of separate journalism schools for white and colored.	Schools being substantially equal there was no discrimination. Separate schools do not violate 14th amendment. Separate schools are constitutional when equal.
New York:	<i>People v. Gallagher</i> , 93 N. Y. 438 (1883)..... <i>People v. School Board</i> , 161 N. Y. 598 (1900) ... <i>People v. Easton</i> , 13 Abb. (N. Y.) Pr. N. S. 160 (1872). <i>Dallas v. Fosdick</i> , 40 How. Prac. 249 (1869).....	To contest separate schools..... do..... do..... do.....	Statute providing for separate, equal, schools for Negroes is constitutional. Do. Do. Do.
North Carolina:	<i>Bonitz v. Trustees</i> , 70 S. E. 735 (1911)..... <i>Johnson v. Bd. of Education</i> , 82 S. E. 832 (1914).	To test constitutionality of tax for white schools only. To contest constitutionality of separate schools....	Separate schools are constitutional when substantially equal hence tax must be construed as applying to both white and Negro schools. Advantages being equal separate schools are constitutional.

Summary of State court decisions on "separate but equal" doctrine—Continued

State	Case	Issue	Decision
North Carolina—Continued			
	Lowery v. Sch. Trustees, 52 S. E. 267 (1905)....	To contest alleged discrimination in separate schools.	Separate schools, substantially equal, are constitutional; no discrimination shown.
	McMillan v. School Committee, 107 N. C. 609 (1890).	To compel school committee to admit Negroes....	Statute requiring separate schools was binding on committee.
	Whitford v. Bd., 74 S. E. 1014 (1912).....	To get interpretation of constitutional provisions of separate schools.	Statute providing for substantially equal school would be constitutional.
	Puitt v. Gaston Co., 94 N. C. 709 (1886).....	To test constitutionality of separate schools.....	Advantages being equal, separate schools are constitutional.
	Smith v. Robersonville, 53 S. E. 524 (1906).....	To contest alleged discrimination in separate schools.	Separate schools, substantially equal, are constitutional; no discrimination shown.
Nevada:			
	State v. Duffy, 7 Nev. 342 (1872).....	To restrain board from separating white and Negro students.	The separate school being equal, the separation does not violate the 14th amendment.
Ohio:			
	State v. Bd. of Education, 7 Ohio Dec. 129 (1876).	To contest alleged discrimination in separate schools.	Separate schools, substantially equal, are constitutional; no discrimination shown.
	State v. McCann, 21 Ohio St. 198 (1871).....	To contest separate schools.....	Establishment of separate schools substantially equal is constitutional.
	State v. Board of Trustees Ohio U. 126 Ohio St. 290 (1933).	To contest separate colored and white home economics classes in Ohio University.	Separate but equal classes held constitutional.
Oklahoma:			
	School District v. Board, 275 Pac. 292 (1928)....	To recover State aid funds from board of county commissioners.	Separate schools with like conditions must be provided and impartially maintained.
	Jumper v. Lyles, 185 Pac. 1084 (1921).....	To prevent certain schools being designated Negro schools.	The board has the power to determine which separate school shall be attended by white or Negro students.
	State v. Albritton, 224 Pac. 511 (1924).....	To test constitutionality of separate schools.....	Facilities being substantially equal, separate schools are constitutional.
Pennsylvania:			
	Commonwealth v. Williamson, 30 Leg. Int. 406 (Pa. 1873).	To contest exclusion from public schools.....	Under statute if twenty Negro children appeared for admission a separate school may be established.
South Carolina:			
	Tucker v. Blease, 81 S. E. 668 (1914).....	To prevent exclusion of Negro from white school..	School board may set up separate school for these persons and if substantially equal it is constitutional.
Tennessee:			
	Greenwood v. Rickman, 235 S. W. 425 (1921)...	To test separate schools as discriminatory, for tax purposes.	When equal opportunities are given in free schools there is no discrimination in taxes.
	State (Michael) v. Witham, 179 Tenn. 250 (1942).	Contesting constitutionality of separate colleges...	Held constitutional.
Texas:			
	Sweatt v. Painter, 210 S. W. 2d 442 (1948).....	To compel admission to white law school.....	The facilities being substantially equal, separate schools are constitutional.
Virginia:			
	Eubank v. Boughton, 36 S. E. 529 (1900).....	To compel admission to white school.....	The duty is upon the school board to provide separate schools. Admission denied.
West Virginia:			
	Martin v. Board of Education, 26 S. E. 348 (1896).	To test constitutionality of separate schools.....	The separate school being equal, the separation does not violate the 14th amendment.

INTERPRETATION OF 14TH AMENDMENT

Mr. DANIEL. There is one other point on which I wish to touch for a moment, namely, a statement in the opinion of yesterday with respect to the case of Brown against Board of Education. I refer to page 8 of the printed opinion in the case of Brown against Board of Education where the Court wrote as follows concerning its interpretation of the intention of the 14th amendment:

In approaching this problem, we cannot turn the clock back to 1868, when the amendment was adopted, or even to 1896, when *Plessy v. Ferguson* was written.

In deciding what the intention of the 14th amendment was, it would appear to me, under all the rules of construction, that we must go back to the intention of those who submitted the amendment in Congress and the intention of those who voted upon the amendment in the State legislatures which had to pass upon the amendment.

That has been the rule of construction used in the past. It is not a matter of turning the clock back except for the purpose of finding out the intention of those who drafted and passed upon the amendment. I have a quotation from Mr. Justice Frankfurter in another case, interpreting the intent of a constitutional amendment. In the case of Adamson against California, in which the question of interpretation of a constitutional provision was at issue, which case is found in 332 U. S. 46, Mr. Justice Frankfurter said:

After all, an amendment to the Constitution should be read in a "sense most obvious

to the common understanding at the time of its adoption." * * * For it was for public adoption that it was proposed. * * *

Any evidence of design or purpose not contemporaneously known could hardly have influenced those who ratified the amendment.

It would seem to me that the intention of the writers, the proposers, and those who accepted the 14th amendment, should have some weight with the Court in this matter.

Simply to keep the record straight, I wish to call to the attention of the Senate that at no place can there be found an interpretation of the 14th amendment, the equal protection clause, or any other clause, which indicates that it was intended to do away with the separate but equal schools established for the white and colored students in almost all of the States that voted upon the amendment before it became effective in 1868. Practically all of the States had separate schools at that time. I believe the colored schools which existed in the District of Columbia at that time were maintained as separate schools by the Government through the Freedmen's Bureau. It is a fact that the same Congress which submitted the amendment later maintained separate schools in the District of Columbia. Congress has continued to maintain them separately.

It is also true that practically all of the legislatures of States which passed upon the 14th amendment provided for separate schools. Nor can there be found any indication on the part of those who wrote the 14th amendment and the States which subsequently ratified it,

that there was an intention to prohibit a separate school system, if that system provided equal advantages for both races. On the other hand we do find considerable evidence of the fact that those who proposed the amendment and passed upon it did not think it would prohibit separate schools.

Madam President, I ask unanimous consent to have printed in the RECORD, at this point, quotations from the brief submitted in the case of Sweatt against Painter by the attorneys general of 17 States.

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

REVIEW OF CONTEMPORARY CONSTRUCTION

There is nothing in contemporary legislation or in Federal and State decisions which indicates any belief that the 14th amendment required mixed schools for all races, or that it prohibited the furnishing of equal educational privileges to all through separate schools. On the contrary, there is a great amount of contemporary construction and interpretation which points only in one direction—that equality of educational opportunities may be furnished in separate schools for children of the white and Negro races when deemed necessary to preserve the public peace, harmony, and welfare.

Before examining contemporary interpretation of the amendment, proposed by Congress in 1866 and ratified by two-thirds of the States in 1868, a word should be said about the historical setting. It is interesting to note that separate schools for white and Negro students had been established in Northern States prior to the Civil War. In Massachusetts, the State which furnished the most ardent advocates of freedom, equal

protection, and civil rights,¹ an equal-protection clause in the State constitution, the same as the 14th amendment, had been held not to prohibit the city of Boston from maintaining separate schools for the white and Negro races.² Similar separate systems were in effect when the 14th amendment was voted upon in Connecticut (Laws of Connecticut, 1835, p. 321; separate schools abolished by Laws of Connecticut, 1868, p. 206); Illinois (Laws of Illinois, 1846, p. 120; id., 1874, p. 983); Indiana (Laws of Indiana, 1869, p. 41); Iowa (Laws of Iowa, 1858, p. 65); Kansas (Laws of Kansas, 1868, p. 146); Michigan (abolished, Laws of Michigan, 1871, p. 274); Minnesota (abolished, Revised Laws, 1905, sec. 1403); Nevada (Laws of Nevada, 1864-65, p. 426); New Jersey (Laws of New Jersey, 1881, p. 186); New York (Laws of New York, 1864, p. 1281); Ohio (Laws of Ohio, vol. XLVI, 1847-48, p. 81; id., 1848-49, p. 17; Revised Stats., 1880, vol. I, p. 1005); Pennsylvania (Laws of Pennsylvania, 1854, p. 623; id., 1881, p. 76). They continued in operation after the amendment was adopted, were upheld by State courts,³ cited with approval by the Supreme Court,⁴ and ended only when the people of those States determined that conditions were ready for the change.⁵

After the Civil War, the Federal Government, through the Freedmen's Bureau of the War Department, established the first schools in the South in which Negroes were taught. These were separate schools exclusively for Negroes.⁶

During the reconstruction era when many bills were enacted which were considered by southern people as "force bills," no legislation was adopted by Congress which attempted to compel the mixture of the races in the public schools or colleges of this country, although it was many times proposed and defeated.⁷

The 14th amendment was declared to be duly ratified on July 28, 1868. Contemporaneous construction of the amendment by the adopting States was almost unanimous that it permitted continuation of separate equal schools for white and Negro students. Many Northern States retained statutory or constitutional provisions authorizing or requiring school districts to provide separate schools: e. g., Illinois, Indiana, Kansas, Nevada, New Jersey, New York, Ohio, Pennsylvania.

The Southern States ratifying the amendment included the States of Tennessee, North Carolina, South Carolina, Missouri, Arkansas, Louisiana, Alabama, Georgia, and Florida. Virginia, after first rejecting, ratified on October 8, 1869. Texas ratified February 18, 1870. All of these 11 States within a short time thereafter adopted constitutional and statutory provisions for separate but equal schools for white and Negro children, thereby demonstrating the contemporary understanding of these States that there was no conflict with

the 14th amendment and the principle of separate schools.

The schools of the District of Columbia, before, during, and after the adoption of the 14th amendment, were maintained by the Congress on a separate basis for white and Negro children. Thus, the very Congressmen who proposed the 14th amendment could not well have interpreted it to prohibit separate equal schools in the States.⁸

Subsequently the Congress gave contemporaneous construction to the 14th amendment in its actions on the bill which became the Civil Rights Act of 1875. The original bills in both Houses (S. No. 1 and H. R. 796) prohibited separate schools for white and Negro students. All reference to schools was stricken in the House⁹ and this action was concurred in by the Senate.¹⁰

It is significant to note that the trustees of the George Peabody Fund (a foundation having assets of over \$2 million, created by George Peabody of Massachusetts, which fund was instrumental in the establishment of many schools in the South) were influential in having the mixed schools provisions taken out of the Civil Rights act of 1875.¹¹ More positive interpretation by Congress came with passage of the act of June 11, 1878 (20 Stat. 107, chapter 180) which specifically provided for the operation of the public schools of the District of Columbia upon an equal but separate system for white and Negro children. Since their origin in 1862 (12 Stat. 407) the schools of the District of Columbia have continued to be operated in that way¹² under direct authority of the Congress of the United States, the branch of the Government authorized by the 14th amendment to enforce its provisions.

Contemporaneous interpretation by State courts was the same as that of the Congress and State legislatures. For example, the New York Court, in *Dallas v. Fosdick* (40 How. Pr. 249 (1869)) stated:

"It was claimed upon the argument of the appeal taken in this cause, that the provisions of the charter, if they were to be so construed as to exclude colored children from the schools provided for white children, were inconsistent with the act of Congress called the 'civil rights bill,' and had, therefore, become inoperative. But that is very clearly not the case. It was no part of the civil rights bill to regulate or provide for the enjoyment of rights or privileges of the nature of those in controversy in this case" (p. 256).

Similarly the Indiana Court in *Cory v. Carter*, 48 Ind. 327 (1874) wrote:

"The action of Congress, at the same session at which the 14th amendment was proposed to the States, and at a session subsequent to the date of its ratification, is worthy of consideration as evincing the concurrent and after-matured conviction of that body that there was nothing whatever in the amendment which prevented Congress from separating the white and colored races, and placing them, as classes, in different schools, and that such separation was highly proper and conducive to the well-being of the races, and calculated to secure the peace, harmony, and welfare of the public. * * * [The

Court then cites several acts of Congress relating to separate schools in the District of Columbia.]

"The legislation of Congress continues in force, at the present time, as a legislative construction of the 14th amendment, and as a legislative declaration of what was thought to be lawful, proper, and expedient under such amendment, by the same body that proposed such amendment to the States for their approval and ratification" (pp. 364-366).

See also *State v. McCann* (21 Ohio St. 198 (1871)); *State v. Duffy* (7 Nev. 342 (1872)); *People v. Gaston* (13 Abb. (N. Y.) Pr. N. S. 160 (1869)); *Ward v. Flood* (48 Cal. 36 (1874)); *State v. Board of Education* (7 Ohio Dec. 129 (1876)); *Commonwealth v. Williamson* (30 Leg. Int. 406 (Pa. 1873)).

Contemporaneous construction by this Court is found in *Hall v. DeCuir* (1877), supra, where this Court struck down a State statute requiring a commingling of the races on a steamboat operating in interstate commerce. The contemporaneous construction of the State courts is discussed at length by Mr. Justice Clifford.

Other contemporaneous expressions of this Court upheld the State's police power. For example in *Bartemeyer v. Iowa* (18 Wall. 129, 21 L. ed. 929 (1873)), Mr. Justice Field, concurring said:

"No one has ever pretended * * * that the 14th amendment interferes in any respect with the police power of the State."

Following this decision this Court said of the 14th amendment in *Barbier v. Connolly* (113 U. S. 27, 28 L. ed. 923 (1885)):

"But neither the amendment—broad and comprehensive as it is—nor any other amendment, was designed to interfere with the power of the State, sometimes termed its police power, to prescribe regulations to promote the health, morals, education, and good order of the people. * * *"

What could be clearer than the statement by Mr. Justice Clifford in *Hall v. DeCuir* (95 U. S. at 506 (1877)):

"And it is well settled law there that the (school) board may assign a particular school for colored children and exclude them from schools assigned for white children and that such a regulation is not in violation of the 14th amendment."

This doctrine has been reemphasized in the many cases heretofore cited. It is respectfully submitted that to overthrow the systems built up over a period of almost a century and following the plan first used by the Northern States and the Freedmen's Bureau as an agency of the Federal Government, would result in utter chaos and confusion which would fully nullify the progress in public education and race relations which the States have made during this period.

All contemporaneous interpretation indicates that separate schools, if equal, were not considered discriminatory against either race and that the system does not contravene the equal protection clause as then or now understood and interpreted.

Mr. DANIEL, Madam President, as I said at the beginning, it is not my purpose today to criticize or complain about the opinion of the Supreme Court. It is my purpose, rather, and my hope, that all concerned in the affected States, those from each race, will be tolerant so that we may work together and be able to live under the decision of the Court without abolishing or harming our public school systems, and without having a setback in the progress we have made in proper racial relations in the South. We have made great progress in recent years, and it would hurt me deeply if the effect of the opinion, or the efforts of those who hail the opinion and want to carry it forward in a march to force other things

¹ These included John Quincy Adams, Charles Sumner, Henry Wilson, George S. Boutwell.

² *Roberts v. Boston* (5 Mass. 198 (1849)).

³ Brief of Respondents in Opposition to Petition for Writ of Certiorari, Appendix, pp. 74-85.

⁴ *Plessy v. Ferguson* (163 U. S. 537, 41 L. ed. 256 (1896)); *Hall v. DeCuir* (95 U. S. 485, 24 L. ed. 547 (1877)); *Gong Lum v. Rice* (275 U. S. 78, 72 L. ed. 172 (1937)).

⁵ New York, 1909; New Jersey, 1948; Michigan, 1871.

⁶ Semi-Annual Reports on Schools and Finances of Freedmen, 1866-70, J. W. Alvord.

⁷ CONGRESSIONAL GLOBE, 32d Cong., 2d sess., p. 396 (1866); J. G. Blaine, *Twenty Years of Congress* (1886), p. 514, et seq.; Pierce, *Memories and Letters of Charles Sumner* (1893), pp. 72 and 179, et seq.; Storey, *Charles Sumner* (1900), p. 402, et seq.

⁸ Lillian G. Dabney, *The History of Schools for Negroes in the District of Columbia, 1870-1947*, Catholic University of America Press 1939, pp. 21 and 111 et seq.

⁹ CONGRESSIONAL RECORD, 43d Cong., 2d sess., p. 1010.

¹⁰ *Ibid.* p. 1870.

¹¹ Curry, *Biographical Sketch of George Peabody*; Boyd, *Educational History in the South Since 1865*, *Studies in Southern History*, p. 262.

¹² Public Law 254 of the 59th Cong., H. R. 11,442, passed June 20, 1906 under which separate schools continue to be maintained in the District.

they think best for us, should set back the great progress we have made. It would hurt me deeply, and would hurt the very people whom such persons seem to be interested in helping. I hope that will not happen. I am hopeful that we may in every way possible look to the future and work out the problems involved. However, I did not want to turn my face toward the future without once again stating in the Senate of the United States the facts of the past, and calling attention to the good faith shown by the people of the South and other States in attempting to provide equal school facilities through separate schools.

Mr. RUSSELL. Madam President, will the Senator from Texas yield?

Mr. DANIEL. I yield to the Senator from Georgia.

Mr. RUSSELL. The Senator from Texas has rendered a real service by placing in the RECORD of the Senate the long line of decisions which has been overturned by the decision rendered by the Supreme Court on yesterday. I did not hear all of the remarks of the Senator from Texas. Unfortunately, I was called off the floor for a moment. I do not know whether the Senator saw fit to call attention to the fact that the decision, in addition to overruling every precedent on the subject made by previous judicial decisions, and distorting our Federal charter, also struck down the constitutions of approximately 17 States. Due to the rulings of the Court the States are assuming less and less importance and more power is concentrated in Washington.

The decision of the Supreme Court was unique in other respects. Not only did the opinion reverse the construction of the Constitution which had been applied by the Supreme Court at a time when there were able lawyers and experienced members sitting on the Supreme Court; not only did the opinion strike down all the precedents on the subject and also State constitutions; but, for the first time, the Court admittedly substituted psychology for law and precedents when it came to construing the Constitution of the United States.

It is my opinion that if the Supreme Court is to abandon law and precedents in favor of psychology in arriving at its opinions, the rights of the States which might remain or the liberties of the American people should not be subjected to the findings of amateur psychologists whose chief background and experience has been in the field of practical politics and not in either law or psychology. If they are to rely on psychology, then we should either add trained psychologists of recognized ability to the Court, or else we should provide that a Court psychologist of high standing shall attend the sessions of the Court and assist the Attorney General of the United States in bringing the Court to its conclusions.

We have gone far afield in this country.

The judiciary was once considered a coequal and coordinate branch of the Government. The present Court is clearly dominated by the executive branch. The present Attorney General, as was the case of the Attorney General during the last administration, is the po-

litical spokesman for the political party which happens to be in power and has control of the executive branch of the Government. In every case where political implications are involved, and the majority party sees a chance to garner some votes by obtaining a decision to suit their purposes from the Court, the Attorney General intervenes in the case. It makes no difference whether the United States is, or should be, a party to the case, if there are votes involved.

Where the Attorney General intervenes, the present Court adopts the philosophy of his brief as its decision.

In its decision on yesterday, this Court—which was once the greatest judicial body on earth—after having, in effect, adopted the brief of the Attorney General as its decision, again prayerfully besought the Attorney General to assist it in applying the decision of yesterday in the final decree or judgment the Court proposes to write next fall.

Mr. President, we have come to sad days when the judiciary of this Nation is absorbed by the executive branch and used as a tool to executive ends. It is all the more deplorable to have the Court publicly announce that it is incompetent to apply its decision without the help of the Attorney General.

Mr. MAYBANK. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. BUTLER of Maryland in the chair). Does the Senator from Georgia yield to the Senator from South Carolina?

Mr. RUSSELL. I ask my friend, the Senator from South Carolina, to wait a moment, please.

The able Senator from Texas has read from the decision the statement that the members of the Court were unable to ascertain the intention of those who proposed, as well as those who adopted, the 14th amendment. The Court not only stated that the intent at the time was inconclusive, but the clear inference of the decision is that it is hardly worthy of consideration by this Court.

Mr. President, if there has been a cardinal rule of construction since the dawn of Anglo-Saxon justice—until this decision which undertakes to brush it aside—it is that the intent of the law-maker was of vital importance in arriving at the proper construction of statutes. The case to which the Senator from Texas refers also shows that heretofore the Courts have thought it to be their duty to examine the intent in construing the application and meaning of the Constitution of the United States and its amendments. * * *

Whether we agree or not, when the Court declares that whether or no it will not, as it says, "turn back the clock," that language is understandable. When the Court says, "we propose to overrule every decision that has ever been made in this particular field and place a different construction on the Constitution of the United States" they are being forthright.

Such rulings are quite frequent now and are laid down in accord with the theory of the expanding Constitution brought forward in recent years—the theory which asserts that if the written word of the Constitution and its prior

construction does not meet the requirements of this Court, that instead of suggesting that the Congress propose an amendment to the Constitution it will undertake, by construction of that document, to change the conditions of which they might disapprove.

But, Mr. President, that is one thing. It is another to have expressions of doubt as to the intention of those who submitted and ratified the 14th amendment. A claim that this intent cannot be found can only result from the fact that he who is supposed to seek it is obtuse, or has not examined into the history of the amendment; or because he simply is not being honest in making such a statement.

The history of the 14th amendment makes it perfectly clear to any fair-minded man of reasonable intelligence that neither the Congress which submitted the amendment, nor the legislative bodies of the States that ratified it, ever dreamed it would apply to, and justify, the decision in the separate schools' case. The very Congress which proposed the 14th amendment provided for the adoption of a separate school system for the races in the District of Columbia. My own State at the time had a legislature that was largely carpetbagger or scallawag. The same legislature which ratified the 14th amendment proposed by the Congress, wrote a constitution for the State of Georgia which contained a provision for separate schools. I do not see how anyone who pretends to understand the English language who has really made a study of the subject could have failed to ascertain the intent of all of those who are responsible for the 14th amendment now being a part of the Constitution.

Mr. President, I deplore what I regard as being a flagrant abuse of the judicial power by the Supreme Court, as it moves to impose the purposes of the executive branch of the Government upon the sovereign States of the Nation.

Mr. DANIEL. Mr. President, I thank the Senator from Georgia.

I wish to say that at the time when I was handling a case on this issue before the Supreme Court, as attorney general of Texas, I had occasion to read all the debates that occurred in Congress at the time of the submission of the 14th amendment, and also all the debates in the State legislatures which were available. I went thoroughly into the matter. I have before me approximately 100 pages of extracts from the arguments and the record of the action of Congress and the action taken by State legislatures. I did not find one indication that any Member of Congress or any of the State legislators felt that the adoption of the 14th amendment would prohibit separate schools, if they were equal. On the contrary, many indications are to be found, including the passage by the Congress and by the State legislatures of legislation for separate schools, that separate schools were permitted under the 14th amendment, if they were equal.

Mr. RUSSELL. Apparently the research conducted by the Senator from Texas was more extensive than mine; but I have had occasion to delve into

that field, and my conclusions were exactly the same as those of the Senator from Texas.

Mr. DANIEL. I thank the Senator from Georgia.

Mr. President, I believe the Senator from South Carolina wished to ask a question.

Mr. MAYBANK. Mr. President, I was going to ask a question of the Senator from Georgia, but meantime he has covered the point I had in mind.

Mr. STENNIS. Mr. President, will the Senator from Texas yield to me?

Mr. DANIEL. I yield.

Mr. STENNIS. I wish to thank the Senator from Texas for the very sound presentation he has made on this important subject. I commend him, further, for his temperate attitude and his temperate approach to the matter and his very strong hope for the future, as this problem is faced by the people. I subscribe to his sentiments, and I am especially glad he made his remarks today.

I wish to point out to him that, with reference to the historical facts in connection with the 14th amendment, I attended the argument on these cases in the Supreme Court in 1952, and heard every word of the argument. In 1953, I heard 90 percent of the argument. With the exception of the remarks of one Member of Congress at the time when the 14th amendment was adopted—and he simply raised the question of the possibility that the amendment would affect the school system—everyone else who mentioned the subject in the course of the debates was firm in the conviction and the position that the 14th amendment could not possibly affect the question of public education.

Since that time, many decades have passed in the history of the United States, as the Senator from Texas has so well pointed out. I have never seen a group of attorneys before any court with so little straw with which to make brick, as was the case with the attorneys who represented the petitioners on this question as to the historical basis of the amendment. The history of the 14th amendment was absolutely unanswerable on the facts.

How did the Supreme Court meet that issue? I speak with whatever deference the judicial branch of the Government may be entitled to, but I submit that the Court failed to meet it. Instead, the Court ignored it, and said, "We cannot turn back the clock of time." The Court might better have said, "We dare not look at the clock of that time." The clock's face shows irrefutably that this contention was far beyond even the dream of those who wrote the 14th amendment and beyond the dreams of those who voted for its adoption and as well as those who have interpreted it judicially and otherwise down to this very day.

So the Court failed to meet the issue; the Court ignored it. Instead, as the Senator from Georgia has said, the Court turned to a group of psychologists for its authority. The Court thereby abandoned every rule based on precedents and all the other cardinal rules of judicial processes under the basic document,

including the Constitution. Instead, the Court relied upon psychologists. I notice that 9 psychologists are cited on page 10 of the printed copy I hold in my hand.

Furthermore, I wish to point out that on page 8 we find a dangerous precedent stated in another way:

We must look, instead, to the effect of segregation itself on public education.

That is an unusual substitution the Court has made in the place of the opinion and intent of those who adopted the amendment. In other words, the Court is substituting the opinion of nine psychologists in the place of historical fact and precedent. The Court has abandoned judicial history, judicial precedents, and all the other cardinal principles of judicial procedure; and now the Court says, "We must look to the effect of segregation." These nine judges look at it one way today. Nine other judges may look at it tomorrow in a different way. As a result, what is held to be lawful today may very easily be held to be unlawful tomorrow, and so on. To follow such procedure is to abandon all the constitutional judicial precedents. It is to resort to the rule of personal law and personal opinion, based on the opinion of this group or that group. This is rule by men, not by law.

However, Mr. President, in spite of those facts, despite the fact that I think this decision is a great blow to the prospect of having a better chance to give the members of the colored race educational opportunities and facilities, I am willing that we should work as far as we can—although, of course, beyond certain limits we will not go—but so far as we can, in carrying out a program of education and training.

I believe that in my area of the South a great deal of the future prospect will depend upon the Negro leaders. I know that a great number of them do not want to abandon the present plan. They want to continue the pattern we now have, under which they have their own teachers, and their teachers have the opportunity to grow in their profession and to train their youth. The problem is now at their doorstep. I pray that they will have the right guidance in making their decision, rather than follow the advice of outside agitators.

Mr. MAYBANK. Mr. President, will the Senator from Texas yield to me in order that I may ask a question of the Senator from Mississippi?

Mr. DANIEL. I yield.

Mr. MAYBANK. When does the Court intend to look at this question again with the Attorney General?

Mr. STENNIS. I understand that it will be set for reargument. No time has been fixed for that purpose; but the time for submission of briefs is by October 1, 1954.

Mr. MAYBANK. When are the elections this year?

Mr. STENNIS. October 1 is about 30 days before the elections.

Mr. MAYBANK. I thank the Senator.

Mr. STENNIS. Mr. President, I was greatly disappointed in the opinion of the Court, because I had gone so far as to express publicly to my people a faith in the fundamentals. I had believed

that, regardless of what members of the Court thought personally, the precedents were clear, unmistakable, and numerous. I thought the Court would follow them. I was disappointed that it did not.

Furthermore, I was disappointed in that I think the Court abandoned one of the fundamental bulwarks of our form of government, the rule of stare decisis and constitutional precedent and went over to the side of rule by men. That is one of the most disastrous things that can happen. It goes far beyond the field of education, far beyond the question of segregation.

So we are now faced with the question, Are we to extend that theory further, or are we to stop it? I always have preached respect for an independent judiciary. I did not know that that meant independence of the law and of the precedents. That is indeed a new concept to which I do not subscribe, and which I hope the Nation will not tolerate.

I thank the Senator from Texas.

Mr. DANIEL. I thank the Senator from Mississippi.

I have always felt that the psychologists and sociologists were wrong when they said we could not have equal schools if we had the same physical facilities on one side of the street for one race, as we had on the other side of the street for the other race, and the same equally qualified teachers. Under that system everything is the same except that the Negro students go to school in one building and the white students go to school in another. Those who say that is not a system of equality are the ones who are attributing inferiority to the Negro citizens and their children, because certainly they claim that the Negro school is an inferior school merely because members of that race are in it. I believe that the psychologists and sociologists who make that argument are attributing an inferiority to the Negro race that I am unwilling to do. I believe that we can have separate schools which are equal. In a great many instances today they are equal. I cannot surrender the floor without saying again that I believe that the Southern States should be congratulated on the progress they have made, the money they have spent, and what they have done to try to furnish their citizens with equal educational opportunities.

Mr. President, not only have southern Negroes enjoyed those schools, but a great majority of Negro citizens from the North have chosen to come to our separate colleges in the South to take their training. According to the latest edition of the Encyclopedia Britannica, 85 percent of all the Negro citizens of this country with college degrees received them at southern separate colleges.

In various reports by the Federal Department of Health, Education, and Welfare, we find that of the northern Negroes attending college throughout the year, the majority who had the free choice elected to go to separate schools for Negroes in the South, rather than to schools in the North where they could be with members of the other race if they desired.

I believe that perhaps one of the possible solutions of the entire problem in

the areas where it is a problem—and I realize that it is not a problem everywhere—is for the sane and sensible members of each race to solve the problem on a voluntary basis. I sincerely believe that the great majority of members of the Negro race in my State prefer to have their children go to separate schools and receive instruction from teachers of their race. I believe that they wish to continue to enjoy the opportunities they have enjoyed in the past, under our separate school system. I do not believe they could enjoy as many advantages and as many opportunities if separate schools are abolished. I believe that the problem can be worked out, and will be worked out if we are tolerant. If those who are disappointed in the decision are tolerant, and if those who hail the decision are tolerant, I believe these problems can be worked out in the future.

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

Mr. DANIEL. I yield.

Mr. LONG. I want the Senator to know that I completely agree with his argument that this question had been before the Court previously. As I understand from the Senator's statement, the Court squarely decided the issue on previous occasions.

Mr. DANIEL. That is correct.

Mr. LONG. In its opinion the Court recognizes that it is overruling its prior decisions.

Mr. DANIEL. It does to some extent. Like the Senator from Georgia [Mr. RUSSELL], I would have felt better if the Court had said so more firmly. I was disappointed in the Court's comment on the case of Gong Lum against Rice, a case in which the Court yesterday said the constitutionality of separate schools was not challenged. I believe that anyone who reads it will see that the constitutionality was challenged, and that the Court passed upon the question. But, in effect, the Court has overruled its previous decisions, and to some extent it has said so. It has written new law for the future.

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

Mr. DANIEL. I yield.

Mr. LONG. I believe the Senator will recall that in the first session of this Congress we had some discussion of the previous Supreme Court decisions, and the extent to which one could rely upon them. I have expressly in mind the fight over the so-called tidelands issue. Some pointed out that on previous occasions the Court had ruled that the States could regard the beds of inland waters as belonging safely and securely to the States. The argument was made that this issue had been decided for the States by the Supreme Court, and that the Supreme Court would respect its prior decisions.

Some of us argued that in view of the language of the tidelands cases, anyone who was relying upon those earlier decisions was leaning upon a broken reed, and for that reason it would be well for the Congress to enact a law to make it clear beyond any doubt that the properties under inland waters belonged to the States. Congress quite wisely decided to do so.

I believe that this case demonstrates what many of us have felt, namely, that the Court today feels that prior decisions of the Court were unwise, and perhaps do not conform to what the Court today thinks is sound public policy. Even though such previous decisions have been entirely correct and completely in pursuance of the legislative intention both of those who wrote the Constitution and its amendments and those who have enacted laws of the Congress, one cannot be sure that the Supreme Court will rule them to mean what they have been held to mean in the past.

Mr. DANIEL. I thank the Senator from Louisiana for his comment.

Mr. RUSSELL. Mr. President, I ask unanimous consent to have printed in the RECORD at this point as a part of my remarks a brief statement which I issued yesterday with respect to the decisions which have been under discussion.

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

STATEMENT OF SENATOR RUSSELL ON SUPREME COURT DECISION IN SCHOOL SEGREGATION CASES, MAY 17, 1954

The decision of the Supreme Court in the school cases is a flagrant abuse of judicial power. It strikes down the right of the States, plainly guaranteed by the Constitution, to direct their most vital local affairs. It reverses and nullifies numerous decisions handed down by courts composed of real lawyers and experienced judges confirming the authority of the States to regulate the State-supported school system.

It is a clear invasion of the prerogatives of the legislative branch of our Government of divided powers. It demonstrates that the Supreme Court is becoming a mere political arm of the executive branch of the Government.

The Attorney General is now the political spokesman for the party in power. This has been particularly true of the present administration and its predecessor in office. Where political implications and pressure groups are involved, the Attorney General consistently intervenes in an effort to influence the votes of these groups in key States. This is true even where the United States is not a proper party to the case. The Court then supinely transposes the words of the briefs filed by the Attorney General and adopts the philosophy of the brief as its decision.

In the instant decision, the Court again proclaims its inability to maintain its position as a co-equal and coordinate branch of the Government by requesting the advice of the Attorney General in formulating its final decrees.

The decision is unique in another respect. For the first time, the Court admittedly substitutes psychology for law and legal precedent in construing the Constitution. If we are to permanently abandon law and precedent in favor of psychology, the rights of the American people should not be subjected to the findings of amateur psychologists whose chief background and experience is in the field of practical politics. Either trained psychologists should be added to the personnel of the Court; or, at the least, provision should be made for a court psychologist of proper qualifications to appear with the Attorney General to help the Court in preparing its rulings.

In its grasping for more and more power, the executive department is now using the Court as its pliant tool to acquire the authority to direct every activity in the life of our people from Washington. This is mak-

ing mere satrapies out of once sovereign States.

Ways must be found to check the tendency of the Court to disregard the Constitution and the precedents of able and unbiased judges to decide cases solely on the basis of the personal predilections of its members as to political, economic, and social questions. Unless this is done, the Court will bring about the destruction of the dual system of government which has enabled this country to achieve its present greatness.

The decision in this case will cause great confusion and will work a hardship on thousands of innocent people. It may well result in the destruction of the common-school system of some States.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL] on behalf of the Senator from Nevada [Mr. McCARRAN] and the Senator from South Dakota [Mr. MUNDT].

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

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

The question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL].

Mr. CASE. Mr. President, I offer an amendment to the amendment offered by the Senator from Texas.

The PRESIDING OFFICER. The Clerk will state the amendment offered by the Senator from South Dakota to the pending amendment.

The CHIEF CLERK. In the last line of the amendment offered by Mr. DANIEL it is proposed to strike out "September" and insert "July."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota to the amendment of the Senator from Texas [Mr. DANIEL].

Mr. KNOWLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. KNOWLAND. Is this an amendment to an amendment?

The PRESIDING OFFICER. It is the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Texas [Mr. DANIEL] setting the date as July 1, 1954, instead of September.

Mr. KNOWLAND. Mr. President, on the amendment to the amendment I ask for the yeas and nays.

Mr. JOHNSTON of South Carolina. Mr. President, I have an amendment to the bill which I should like to present.

Mr. KNOWLAND. Mr. President, I withdraw my request for the yeas and nays.

Mr. WILEY. Mr. President, I wish to make my position very clear. The amendment reduces the time in which this nefarious business can be carried on. I shall vote against it, because I feel that the manufacturers have had plenty of time, as indicated yesterday. I have talked with the distinguished Senator from Texas, and, of course, if his amendment is agreed to, we shall take it to conference. I only wish to make my position clear on the matter.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Dakota [Mr. CASE] to the amendment of the Senator from Texas [Mr. DANIEL].

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

Mr. JOHNSTON of South Carolina. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from South Carolina.

The CHIEF CLERK. It is proposed, on page 1, line 8, immediately before the comma, to insert "and otherwise than for the personal use of the person performing the transportation."

On page 1, line 9, after the word "fireworks" to insert "in interstate commerce."

On page 1, line 10, after the word "transportation", to insert "in interstate commerce."

Mr. JOHNSTON of South Carolina. Mr. President, I think the intention of the bill is to prevent those who sell fireworks from sending them into a State which now prohibits the sale or use of fireworks.

The amendment which I have offered gives a person the right to purchase fireworks and take them to South Carolina, for instance, in his private car, if he is going to use them himself. My amendment would insert in two places in the bill the words "in interstate commerce" for the purpose of clarifying the bill and to show we are at this time legislating with reference to matters which involve interstate commerce.

The PRESIDING OFFICER. Is it the request of the Senator from South Carolina that his amendments be considered en bloc?

Mr. JOHNSTON of South Carolina. That is correct.

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

Mr. WILEY. Mr. President, these amendments were not submitted to the committee, and, as I read them, it seems to me they would open the door for a great deal of bootlegging, and violation of the very act which 36 States have prohibited. In other words, the amendments would permit a person to cross a State border and go into another State with a carload of fireworks, without violating a Federal statute.

The bill provides as follows:

Whoever, otherwise than in the course of continuous interstate transportation through

any State, transports fireworks into any State, or delivers them for transportation into any State, or attempts so to do, knowing that such fireworks are to be delivered, possessed, stored, transhipped, distributed, sold, or otherwise dealt with in a manner or for a use prohibited by the laws of such State specifically prohibiting or regulating the use of fireworks, shall be fined—

And so forth. There can be no justification for permitting the bootlegging of fireworks by a citizen of one State into another State in violation of its law. The committee went into the subject quite thoroughly, though this particular amendment was not suggested, and I feel that we should not further emasculate the bill.

Mr. JOHNSTON of South Carolina. Mr. President, with respect to what the Senator from Wisconsin has said, I wish to invite attention to the words added by the amendment: "and otherwise than for the personal use of the person performing the transportation."

In two places the words "in interstate commerce" are added for the purpose of clarification. I cannot see why anyone could object and say that a person is bootlegging when he is taking something he owns and is not going to sell, but is going to use himself.

Mr. WILEY. Mr. President, the answer to that is that the laws of 36 States prohibit fireworks. What the Senator is saying is that a person can purchase fireworks in State "X" and take them into State "Y," where they are prohibited. I do not think that in a Federal statute there should be any such provision.

Mr. JOHNSTON of South Carolina. The Senator from Wisconsin would not permit a person to carry his own property through one State into another State.

Mr. WILEY. The language of the bill is "otherwise than in the course of continuous interstate transportation through any State."

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from South Carolina [Mr. JOHNSTON]. [Putting the question.] The "ayes" seem to have it.

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays are demanded.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] is absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Pennsylvania [Mr. MARTIN] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES] would vote "nay."

Mr. CLEMENTS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT],

the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], the Senator from Louisiana [Mr. LONG], and the Senator from Arkansas [Mr. McCLELLAN] are absent on official business.

The Senator from Louisiana [Mr. ELLENDER] is absent on official business at the Department of State.

The Senator from Nevada [Mr. McCARRAN] is absent by leave of the Senate.

I announce further that on this vote the senior Senator from Louisiana [Mr. ELLENDER] is paired with the junior Senator from Louisiana [Mr. LONG]. If present and voting, the senior Senator from Louisiana [Mr. ELLENDER] would vote "yea," and the junior Senator from Louisiana [Mr. LONG] would vote "nay."

The result was announced—yeas 12, nays 65, as follows:

YEAS—12		
Beall	Goldwater	Maybank
Butler, Md.	Jenner	McCarthy
Daniel	Johnson, Tex.	Murray
Eastland	Johnston, S. C.	Weiker
NAYS—65		
Aiken	Hendrickson	Neely
Barrett	Hennings	Pastore
Bennett	Hickenlooper	Payne
Bowring	Hill	Potter
Burke	Holland	Purtell
Bush	Ives	Robertson
Byrd	Jackson	Russell
Capehart	Johnson, Colo.	Saltonstall
Carlson	Kefauver	Schoeppel
Case	Kennedy	Smathers
Clements	Kilgore	Smith, Maine
Cooper	Knowland	Smith, N. J.
Cordon	Kuchel	Sparkman
Douglas	Langer	Stennis
Dworshak	Lehman	Symington
Ferguson	Magnuson	Thye
Flanders	Malone	Upton
Frear	Mansfield	Watkins
Fulbright	Millikin	Wiley
Gillette	Monroney	Williams
Gore	Morse	Young
Green	Mundt	
NOT VOTING—18		
Anderson	Duff	Kerr
Bricker	Ellender	Lennon
Bridges	George	Long
Butler, Nebr.	Hayden	Martin
Chavez	Humphrey	McCarran
Dirksen	Hunt	McClellan

So the amendment of Mr. JOHNSTON of South Carolina was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KEFAUVER. Mr. President, I call up my amendment and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment proposed by the Senator from Tennessee.

The LEGISLATIVE CLERK. On page 1, it is proposed to strike out all after the enacting clause and insert the following:

§ 836. Transportation of fireworks to be delivered to a person under the age of 21 years

Whoever transports fireworks of any nature or description whatsoever on interstate commerce into any State, or delivers them for transportation in interstate commerce into any State, or attempts so to do, knowing or having reason to believe that such fireworks have been ordered by one or are to be delivered to a person under the age of 21 years, shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both.

This section shall not apply to a common or contract carrier engaged in interstate commerce.

As used in this section, the term "State" includes the several States, Territories, and possessions of the United States, and the District of Columbia.

Sec. 2. The analysis of chapter 39 of title 18, United States Code, immediately preceding section 831 of such title, is amended by adding at the end thereof the following new item:

"836. Transportation of fireworks to be delivered to a person under the age of 21 years."

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

Mr. KEFAUVER. I yield to the Senator from California.

Mr. KNOWLAND. As I listened to the reading of the proposed amendment, it appears to me that the amendment would make it illegal to transport fireworks in interstate commerce only when such delivery was to be made to a person under the age of 21. I should like to ask the distinguished Senator from Tennessee whether that would be so regardless of whether the State laws prohibited the use of fireworks without reference to the age of the individual.

Mr. KEFAUVER. My proposed amendment would make such a provision apply uniformly to all States, and would place upon those who sold fireworks the burden of not selling to any person under the age of 21.

Mr. KNOWLAND. I do not know what the law is in Tennessee, Arkansas, or other States of the Union. Specifically, however, let us suppose that a certain State had a law which made it illegal to use fireworks because of the danger involved to individuals or property; suppose there was a prohibition against the use of fireworks; would not the amendment proposed by the Senator from Tennessee still permit the shipment of fireworks in interstate commerce into such a State as long as the shipment was made to a person over 21 years of age?

Mr. KEFAUVER. The proposed amendment would have nothing to do, of course, with the law of the State. The only result of the amendment would be to prevent the shipment of fireworks through interstate commerce to any person in any State who was under 21 years of age.

If the Senator from California will permit me to do so, I should like to explain my amendment. I believe it is understandable, workable, and enforceable.

The PRESIDING OFFICER (Mr. HICKENLOOPER in the chair). The Senator from Tennessee may proceed.

Mr. KEFAUVER. Mr. President, this amendment will require all segments of the fireworks industry to determine at their peril that the persons from whom they accept orders or to whom they ship fireworks are over 21 years of age.

The amendment, if it should become law, would operate uniformly in all the States, Territories, possessions, and the District of Columbia. Why should the Congress be interested in protecting children only in the States that have prohibitory laws? Anyone who is sincerely interested in keeping fireworks out of the hands of children and irresponsible minors in all States should be in favor of my amendment.

Mr. President, the proponents of the bill have had considerable to say about saving the lives or saving the eyes of young people and about otherwise pro-

tecting them. Yet the bill affords no protection to young people in States that do not have such a prohibition in their laws. Do not the proponents of the bill care about the children in Tennessee, Nevada, and the other local-option States?

Mr. President, no question of legality or constitutionality is involved in this amendment. Similarly, the amendment will not interfere with the supplying of fireworks for agricultural purposes or to Federal agencies, and so forth.

Of course the amendment would bar the shipment or delivery of all types of fireworks to children, in contrast to the many exemptions contained in the various definitions in State laws, no two of which are alike. Of course the amendment would eliminate advertising activities by means of which a minor segment of the fireworks industry has been sending fireworks to children. However, such activities should be eliminated, because the responsible members of the fireworks industry wish to have the use of fireworks controlled, and do not wish to have fireworks placed in the hands of children.

Mr. President, the amendment will have the active support of the legitimate fireworks industry, and that support is absolutely essential to the enforcement of legislation of this type. The legitimate and responsible members of the fireworks industry have tried voluntarily to get all segments of their industry to stop the sale and shipment of fireworks to children, but they need the aid of a Federal statute in order to eliminate completely this practice.

This amendment will not depend upon any State statutes or upon any administrative rulings or legal interpretations. The amendment will put the Congress straightforwardly on record as saying the sale and shipment of fireworks to children and irresponsible minors shall stop.

Mr. President, no law is good if it is not possible of enforcement. The pending bill, although based on good intentions, will be very difficult of enforcement, because there will still be bootlegging of fireworks to children in the local-option States, and even in the States where the use of fireworks is altogether prohibited. It will be difficult, if not impossible, for the legitimate members of the fireworks industry to keep up with the changing municipal laws and statutes, the rulings of commissioners, and so forth, all of which place on the industry so great a burden that the result is liable to be no enforcement at all.

Furthermore, Mr. President, if protecting children is a good thing in thirty-odd States, why is it not a good thing in all the States?

This amendment will simply stop the use of interstate commerce in connection with the shipment of fireworks, when the shipper knows, or has reason to believe, that the shipment is to a child or is to be used by children.

I believe this amendment will afford the protection that the sponsors of the bill desire to have afforded. The amendment will be enforceable, will be universal in application, and will, I believe, better meet the demands of the

fine, worthy agencies that are demanding some legislation on this subject. I believe the amendment will accomplish more in that respect than would be accomplished by the bill as it now stands.

Mr. WILEY. Mr. President, I wish to speak very briefly in opposition to the amendment which was submitted yesterday by the distinguished senior Senator from Tennessee [Mr. KEFAUVER].

First, let me say it is a source of regret to me to find myself ranged to some extent on the opposite side of the fence from my associate, the Senator from Tennessee. From long association with him on the Senate crime-investigating committee, it is a source of regret to me that we should now be so seriously divided on an issue affecting the health and welfare, not only of a great many American adults, but of a great many American children.

The Senator from Tennessee has rendered a great deal of constructive service to the American people on behalf of law enforcement. It is odd to see him now contributing, even to the slightest extent, to an effort whose net effect is to give comfort to those who have been bootlegging fireworks into various States of the Union. I am referring to the effect of my colleague's proposal, not to his motives, because I know his motives are of the highest, and that in his own mind he feels that his amendment is in the interest of American law enforcement.

It was odd to hear him speak yesterday as if the legislation which we are attempting to enact was vague. That is precisely the argument which was used against all the anticrime bills, of which the Senator from Tennessee is the principal cosponsor. It is always contended that every effort to tighten the Nation's laws is vague and unworkable.

Now I wish to address myself to the specific proposals of the Senator from Tennessee.

BANNING FIREWORKS TO MINORS IS COMPLETELY UNWORKABLE

Mr. President, what is the purpose of the Kefauver amendment? Its purpose is evident from the fact that it would strike out all after the enacting clause in the Church-Wiley bill and would substitute therefor an absolutely ineffectual proposal. This proposal would ban, in effect, shipments of fireworks to minors, persons under the age of 21.

I may say that some weeks ago a fireworks manufacturer brought the same amendment to my attention as one which the fireworks industry was trying to offer as a "substitute." If this is supposed to be a substitute, then I say it bears as much resemblance to a real fireworks bill as night does to day. The Kefauver "substitute" is no substitute at all.

Mr. President, not a court in the land would convict a manufacturer if he contended that in good faith he had shipped fireworks to someone whom he believed to be over the age of 21.

Suppose a youngster typewrites a coupon in connection with the purchase of fireworks. How could a manufacturer know that the person typewriting the request is under 21? Does my colleague from Tennessee think a manufacturer

can tell the difference between the handwriting of a young man or young woman age 20 and the handwriting of a young man or young woman age 22?

Does my colleague think that there is no adult in this country whose handwriting might not resemble a teen-ager's scrawl?

What does my colleague propose to do about the situation if an adult requests fireworks and then turns them over to a child? In other words, there are many adults who do not realize the harm fireworks can cause. They will request fireworks and then will give them to children. Under this amendment, the net result will be that the child will lose an eye or a limb, but the manufacturer will be scot-free.

Suppose the adult requests fireworks, but does not intend to turn them over to a child. He merely intends to keep them around the house and then explode them by himself as the child looks on. But if the child gets control of the fireworks, anyway, as children often do get hold of things which lie around a house, again the net result will be the same.

Mr. President, I could point out a great many other flaws in the so-called substitute. I repeat that it is no substitute at all.

If the Senate were to adopt this so-called substitute—which to my way of thinking would be a fantastic development—the Senate would be saying to the fireworks manufacturers, "It is perfectly all right for you to bootleg fireworks into the States and to let them blind any person over the age of 21. However, you must be good boys and must try not to let them blind anyone under the age of 21."

Mr. President, is it less serious for a young mother or a young father to be blinded, rather than for a 65- or 75-year-old man or woman to be blinded?

Are we trying to save the lives only of persons under 21 years of age? Does anyone think a firecracker that explodes amidst a group will blind only the eyes of adults and not the eyes of any child who may be standing close by?

I say that this amendment does not merit the slightest consideration of the Senate. I say that it is completely contrary to the purpose supported by the National Congress of Parents and Teachers, the American Optometric Association, the American Municipal Association, and all the other groups supporting us in this effort.

I urge that the amendment dated May 17, 1954, be consigned to the limbo it deserves.

Mr. CASE. Mr. President, it seems to me that this amendment would destroy the bill. It would strike out all after the enacting clause, and therefore become a substitute for the bill. If that fact is kept clearly in mind, I think a reading of the amendment ought to make clear what it would do. I read from the amendment:

Whoever transports fireworks of any nature or description whatsoever on interstate commerce into any State, or delivers them for transportation in interstate commerce into any State, or attempts so to do, knowing or having reason to believe that such fireworks have been ordered by one or

are to be delivered to a person under the age of 21 years, shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both.

Looking at it from the other side, it would be perfectly legal, under that language, to ship fireworks into any State if the shipper thought they were to be handled by someone who was 21 years of age or more. So the seller of the fireworks, the manufacturer, or whoever puts them into interstate commerce, would be scot-free if he could affirm that he did not know they were going to anyone under the age of 21, regardless of how they were obtained. If he could sell them to anyone over the age of 21, that person, over 21, could then do with them whatever was permitted under the laws of the State, and the Federal law would not touch him. The amendment would completely destroy the bill. It ought to be voted down.

Mr. KEFAUVER. Mr. President, I should like to say just a word or two in rebuttal of what my friend from Wisconsin and my friend from South Dakota have said.

In the first place, under the language of the bill as reported, if fireworks are shipped into a portion of a local option State, there will be bootlegging throughout the State. There will be bootlegging to minors as well as to adults.

Under the provisions of the bill as reported it would be difficult, where fireworks are shipped to a local option State, to prevent someone from taking them into another State and selling them to minors as well as adults.

This amendment would not interfere with the enforcement of the laws of any State. It would simply make it a matter of national policy that the Federal Government at least wishes to try to block, wherever it can, and to the extent it can, the shipment by anyone of fireworks to a minor.

The distinguished Senator from Wisconsin has shown the committee various documents containing statements to the effect that the chief violations and the chief damage have been committed by some of the bad elements of the fireworks industry, by sending objectionable advertisements to young people, who then order fireworks through the mail.

Even the legitimate fireworks manufacturers do not want that to happen, and, of course, it should not happen. My amendment would stop that practice. It would mean that if a dealer were found selling fireworks to minors, that information would get to the manufacturer, and if the manufacturer were to sell fireworks to a dealer who in turn sold them to minors, the manufacturer would be violating the statute. So manufacturers would have to be very careful with respect to those to whom they sold fireworks. Undoubtedly a code would be written, and would have to be followed by the manufacturers, to make certain that the fireworks did not get into the hands of children.

Furthermore, if keeping fireworks out of the hands of adults is a good thing in 36 States, why are not the children of the wide-open States entitled to some protection from the Federal Government?

I should like to ask the distinguished Senator from Wisconsin if the bill he has before him would be of any benefit to children who are losing their eyes in the States where there is no prohibition whatsoever? Would it be of any benefit in the States which have local option, or in the towns and counties where there is no ban on the use of fireworks? At least my amendment would place the burden upon the shipper to see to it that no fireworks were sold to young people under the age of 21. It would be a great help in keeping fireworks out of the hands of youths. It would be a great help in supplementing the effort of State enforcement agencies in dealing with fireworks, and I think it would do more overall good than what I think is an unenforceable and unworkable bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

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

Mr. KEFAUVER. I yield.

Mr. CASE. Does the Senator think it would be easier for a shipper or manufacturer to determine the age of the persons who were to receive the fireworks than it would be to determine whether an ordinance on the subject existed?

Mr. KEFAUVER. Yes; I think it would be. I think that what would happen in the enforcement of such a law would be that there would be a requirement for the submission of evidence that the person ordering the fireworks was over the age of 21 or a requirement for the submission of evidence by the purchaser that he intends to sell them to persons other than those under the age of 21.

This is a basic law. The Department of Justice, under its general powers to write rules and regulations as to how the law should be administered, would have the right, just as it has in the case of a shipment of narcotics into one of the States, to require signatures, and evidence as to who is ordering the narcotics. Statutes of this kind are not uncommon. The Department of Justice has been able to administer them satisfactorily, so that the intent of Congress is carried out.

I think my amendment would really do some good, and would protect the people of all the States. It would eliminate all the confusion and argument which has arisen with respect to the bill as reported. I believe that upon consideration of my amendment parent-teacher associations, and many others, if this proposal were brought before them, would decide that they would rather have the over-all protection of the children of all the States than the uncertain protection they would receive under the bill as reported.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

The amendment was rejected.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the

amendments and the third reading of the bill.

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

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. WILEY. Mr. President, an amendment has been submitted by the Senator from Washington [Mr. MAGNUSON], which I think I can accept. The language at the top of page 2 of the bill reads as follows:

This section shall not apply to a common or a contract carrier engaged in interstate commerce.

The amendment of the Senator from Washington—

The PRESIDING OFFICER. The bill is not open to amendment. It has been read the third time.

Mr. WILEY. I thought I was on my feet in time. Mr. President, I ask unanimous consent that the vote by which the amendments were ordered to be engrossed and the bill to be read a third time, be reconsidered, in order that the amendment of the Senator from Washington may be considered. I wish to keep faith with the Senator from Washington.

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

Mr. WILEY. Mr. President, on behalf of the Senator from Washington [Mr. MAGNUSON], I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Wisconsin on behalf of the Senator from Washington [Mr. MAGNUSON] will be stated.

The LEGISLATIVE CLERK. On page 2, line 8, after the word "carrier", it is proposed to insert the words "or to international or domestic water carriers."

Mr. WILEY. I agree to accept the amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wisconsin on behalf of the Senator from Washington [Mr. MAGNUSON].

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The bill having been read the third time, the question is, Shall it pass?

Mr. LONG. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were not ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, with the permission of the distinguished Senator from Louisiana [Mr. LONG], who suggested the absence of a quorum, I ask

unanimous consent that the order for the quorum call be rescinded.

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

Mr. KNOWLAND. Mr. President, I ask for the yeas and nays on the final passage of the bill.

The yeas and nays were ordered, and the legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Ohio [Mr. BRICKER] and the Senator from South Dakota [Mr. MUNDT] are absent on official business.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], and the Senator from Pennsylvania [Mr. MARTIN] are necessarily absent.

If present and voting, the Senator from Ohio [Mr. BRICKER], the Senator from New Hampshire [Mr. BRIDGES], the Senator from Nebraska [Mr. BUTLER], the Senator from Illinois [Mr. DIRKSEN], the Senator from Pennsylvania [Mr. DUFF], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from South Dakota [Mr. MUNDT] would each vote "Yea."

Mr. CLEMENTS. I announce that the Senators from New Mexico [Mr. ANDERSON and Mr. CHAVEZ], the Senator from Georgia [Mr. GEORGE], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from Tennessee [Mr. KEFAUVER], the Senator from Oklahoma [Mr. KERR], the Senator from West Virginia [Mr. KILGORE], the Senator from North Carolina [Mr. LENNON], and the Senator from Arkansas [Mr. McCLELLAN] are absent on official business.

The Senator from Nevada [Mr. McCARRAN] is absent by leave of the Senate.

I announce further that if present and voting, the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Wyoming [Mr. HUNT], the Senator from West Virginia [Mr. KILGORE], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], and the Senator from Nevada [Mr. McCARRAN] would each vote "Yea."

The result was announced—yeas 73, nays 3, as follows:

YEAS—73

Aiken	Goldwater	Morse
Barrett	Gore	Murray
Beall	Green	Neely
Bennett	Hendrickson	Pastore
Bowring	Hennings	Payne
Burke	Hickenlooper	Potter
Bush	Hill	Purtell
Butler, Md.	Holland	Robertson
Byrd	Ives	Russell
Capehart	Jackson	Saltonstall
Carlson	Jenner	Schoeppel
Case	Johnson, Colo.	Smathers
Clements	Johnson, Tex.	Smith, Maine
Cooper	Kennedy	Smith, N. J.
Cordon	Knowland	Sparkman
Daniel	Kuchel	Stennis
Douglas	Langer	Symington
Dworshak	Lehman	Thye
Eastland	Long	Upton
Ellender	Magnuson	Watkins
Ferguson	Malone	Wiley
Flanders	Mansfield	Williams
Frear	Maybank	Young
Fulbright	Millikin	
Gillette	Monroney	

NAYS—3

Johnston, S. C. McCarthy Welker

NOT VOTING—19

Anderson	George	Lennon
Bricker	Hayden	Martin
Bridges	Humphrey	McCarran
Butler, Nebr.	Hunt	McClellan
Chavez	Kefauver	Mundt
Dirksen	Kerr	
Duff	Kilgore	

So the bill (H. R. 116) was passed.

Mr. MUNDT subsequently said: Mr. President, I simply wish to announce that I was detained on business in connection with the current hearings before the Investigating Committee at the time of the rollcall. In consonance with my announcement yesterday, I would have voted for the bill had I been on the floor of the Senate when the vote was taken. I regret that I could not be present and vote for it. I was supporting it. I should like to have this statement follow the vote in the RECORD.

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

INDEPENDENT OFFICES APPROPRIATIONS, 1955

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of calendar 1342, House bill 8583, which is the independent offices appropriation bill.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 8583) making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

THE SANTA MARGARITA PROJECT

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter which I have written to the Senator from Nebraska [Mr. BUTLER], chairman of the Committee on Interior and Insular Affairs.

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

HON. HUGH BUTLER,
Chairman, Committee on Interior and Insular Affairs, United States Senate,
Washington, D. C.

DEAR SENATOR BUTLER: As you know, I objected to H. R. 5731, Calendar No. 1325, on the call of the calendar yesterday. This is the bill concerning the Santa Margarita project.

I am advised that the hearings on this bill have not as yet been printed, and an inquiry to the committee staff indicates that there are no plans for printing the hearings which consist of 1 day of open session and 3 days of testimony taken in executive session.

The majority leader, to whom I am sending a copy of this letter, has indicated that he plans to call this bill up on motion after the Independent Offices appropriation bill is acted upon by the Senate.

It would seem to me that the Senate should observe its normal procedure and have available to it the hearings on this bill before it proceeds to consider it on the merits.

I would appreciate being advised as to your plans in this matter.

Sincerely yours,

WAYNE MORSE.

CRITICAL STATE OF SHIPBUILDING AND SHIP-REPAIR INDUSTRIES—SETTLEMENT OF LITIGATION BETWEEN THE UNITED STATES LINES AND THE GOVERNMENT

Mr. BUTLER of Maryland. Mr. President, the present critical state of our shipbuilding and ship-repair industries is not due to any single factor. Indeed it has reached such alarming proportions that our Water Transportation Subcommittee is tomorrow holding a public hearing at which representatives of the leading yards will testify as to their plight, looking toward emergency legislation which will put necessary work into their facilities.

However, one thing which undoubtedly has acted as a serious deterrent to the construction of large oceangoing vessels, involving as they do construction differential subsidies, has been the uncertainty or lack of finality of the Government's participation.

I am sure Senators are aware of the Court of Claims litigation between the United States Lines and the United States Government. As will be recalled, at the insistence of the Comptroller General, large sums of money otherwise due the United States Lines were withheld, on the theory that that company had received a construction differential subsidy larger than the law permitted on the steamship *United States*. Thereafter, the United States Lines sued the Government in the Court of Claims to recover these sums withheld. The mere existence of this litigation, regardless of who was right, undoubtedly dampened the desires of would-be shipbuilders who would have to depend in part, on construction subsidies. Stated simply they felt that nothing was to be gained by building a ship if a protracted law suit was guaranteed.

In recent months the General Accounting Office and the Maritime Administration have cooperated in the determination of construction differentials, and I have high hopes that administratively these two agencies have eliminated the need for major changes in our construction subsidy law.

Nonetheless the United States Lines litigation, until today, hung ominously over the entire scene.

It is with great pleasure that I am able to inform you that the parties to that suit have entered into a settlement whereby the United States Lines will pay in round figures an additional \$4 million for the steamship *United States* and the sums otherwise withheld will be released. I understand that the General Accounting Office approved this settlement as being in the best interest of the Government on April 30, 1954, the last day that Mr. Lindsay Warren held office. I

should like to extend my congratulations to him, to the Attorney General, to their respective staffs, and to the United States Lines for the intelligent and constructive way in which they have handled this difficult matter.

Mr. MAYBANK. Mr. President, I wish to congratulate the Senator from Maryland for the work he has done to help to protect our maritime industry.

Mr. BUTLER of Maryland. Mr. President, the subject was given very serious thought, and I think the settlement is a very fair and equitable one and will go a long way toward continuing our American tradition.

AMENDMENT OF REVENUE CODE TO PERMIT VERBAL PRESCRIPTIONS FOR CERTAIN NON-HABIT-FORMING PREPARATIONS

Mr. LONG. Mr. President, I introduced Senate bill 3447 on May 12, 1954.

This bill is designed to permit a physician to prescribe certain non-habit-forming drug preparations verbally rather than in writing. I understand that it will, in fact, do little more than legalize a practice which is very widespread already, with the most unfortunate result that the druggist who accepts a prescription over the telephone is left holding the bag unless he is careful enough and persistent enough to require the physician to sign a prescription the next time he is in the pharmacy.

It should also be noted that there are many exempt codeine preparations under existing law, such as Cheracol cough syrup. My bill would merely extend the coverage to include some other similar compounds and preparations.

In addition, under the present law, physicians in hospitals can prescribe these preparations to a patient by merely having the nurse indicate on the chart that codeine compounds have been prescribed by the physician.

Under this bill, not only will the druggist be protected in the future in a practice which is already widespread but services to the sick would be expedited.

The law which prohibits a physician from using the telephone to prescribe common everyday prescriptions for the alleviation of pain was enacted 40 years ago—in December 1914. It is quite appropriate that we revise laws of this kind, subject to all appropriate safeguards, to conform to the very important developments in medical and pharmaceutical sciences.

I wish to make it very clear that this bill would not authorize a verbal prescription for any drug until the Federal Commissioner of Narcotics has issued a regulation describing precisely what drugs may become subject to the verbal prescription procedure.

Before he issues such a regulation the Commissioner is required to consider the views of the Surgeon General, the United States Food and Drug Administrator, the respective heads of State narcotic law enforcement agencies, and the respective secretaries of national associations representing narcotic-drug manufacturers, physicians, and pharmacists.

Although it will not be possible to predict in advance what drugs will be considered entirely safe by the Federal Commissioner of Narcotics and his advisers, I understand that it is likely that he will find it appropriate to include such drugs as aspirin compounded with small amounts of codeine, the very widely used PAC capsules, eye drops containing dionin, and a number of other non-habit-forming and commonly used medicines.

Before introducing this legislation I have consulted with the Office of the Federal Commissioner of Narcotics, and I have been advised that legislation of this kind would be welcomed by him. He will, of course, submit his comments in detail and more officially to the committee of the Congress in the usual course of their consideration of this bill.

Under the terms of the bill the druggist is still required to maintain the same kind of records of issue which are required of him at the present time, but he is authorized to prepare the written record on the basis of a spoken rather than a written order.

Also, a verbal prescription will only permit repetitive sales if specifically authorized by the physician in the same manner as for a written prescription.

Expedient action on this bill is desirable because it will be necessary to amend the laws of each State in order to put the new practice into effect. As we all know, most State legislatures meet every 2 years.

If this bill is enacted into law this year the State legislatures will be able to amend their laws next year. Otherwise many of them will not have an opportunity to do so until 1957. Thus passage by this session of the Congress, rather than the next succeeding session, will avoid a 2-year delay.

AMERICAN AND SOVIET AIRPOWER

Mr. MALONE obtained the floor.

Mr. MAYBANK. Mr. President, may I ask my friend and colleague, the distinguished Senator from the great State of Nevada, if he will yield to me in order to place something in the RECORD and to make a very short comment about it?

Mr. MALONE. I will yield for an insertion in the RECORD. How long does the Senator wish to speak?

Mr. MAYBANK. At least 5 minutes.

Mr. MALONE. I yield, provided I do not lose my right to the floor.

Mr. MAYBANK. I appreciate the cooperation I have always received from my good friend, the distinguished Senator from Nevada, in connection with what is good for the country. I desire to have printed in the RECORD a speech delivered in Texas, the State from which our minority leader comes, and also the State of the junior Senator from Texas, who spoke so ably on the floor today on the decision the Supreme Court rendered yesterday. The speech I wish to have printed in the RECORD, however, was delivered by Gen. Nathan F. Twining, Chief of Staff of the United States Air Force.

I desire to call attention to what General Twining said, in part. I read as follows:

We need more technicians of all types, and more training for each technician to make the United States Air Force the best Air Force.

I invite the attention of the senior Senator from Alabama [Mr. HILL] to the remarks I am making, because he has supported the Air Force and knows of all its trials and tribulations.

Mr. President, I would appreciate it if we could have order in the Chamber, so that Senators may hear what General Twining said. I feel that this is more important than the firecracker bill which the Senate passed a few moments ago. In his speech, General Twining said:

The principal problem of the United States Air Force today is to stay ahead of the Soviet Air Force. This task becomes more difficult every day. The Soviet Air Force is advancing rapidly.

It is by far the biggest air force in the world. In numbers of combat planes it far exceeds the United States Air Force. In fact, the Reds have thousands more combat planes than the United States Air Force, Navy, Marines, and Army combined.

Mr. President, I have made similar statements on the Senate floor. General Twining goes on to say:

We have always counted on having superior planes and superior crews. The Reds, however, are trying hard to overtake us in quality as well as in quantity.

I continue to quote from General Twining:

Just 2 weeks ago they unveiled some of their latest models of aircraft in flight over Moscow. For the second time their annual air parade was made up entirely of jet planes. Last year they showed us only some improved MIG fighter planes and light jet bombers. They already had thousands of these in their combat units, so we were not surprised.

This year, however, they revealed something very new. In the air parade they included nine new medium jet bombers comparable in size and design to our own B-47. Of course, we already have hundreds of B-47's in our Air Force, so we are ahead of them at present. But we must face the fact that the Reds have now begun to copy, and perhaps to try to improve upon, our medium jet bomber. They did the same thing with our B-29 a few years ago and they soon produced hundreds of them.

I come now to one of the most important parts of the speech. It is as follows:

Even more significant, however, was the new jet heavy bomber that they displayed for the first time in flight. One American newspaper correspondent in Moscow cabled that this bomber flew over Red Square at an altitude of only 250 feet. He said: "It cast a shadow that seemed to extend from one side of the square to the other."

I appreciate the courtesy which has been shown to me by the distinguished junior Senator from Nevada.

Again I wish to say, respectfully, that, as a member of the Committee on Appropriations, and of the Subcommittee on Armed Services, I regret that General Twining, General Ridgway, and others cannot tell the American people what they think about the so-called New Look as proposed by the President, who, after all, is supposed to be in charge.

Mr. President, I ask unanimous consent to have the entire address delivered by General Twining at Amarillo, Tex., printed at this point in the RECORD.

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

On Armed Forces day we honor past and present members of all the armed services of the United States. Every man and woman in the uniform of the United States, regardless of the insignia, contributes in some way to our security. No one man, no one unit, no one service, can fight alone and win.

Warfare today is unlike the wars of yesterday. Today every man who uses a weapon must be supported by several men who supply and maintain him and his weapons.

To fight and win, our gun crews, ship crews, and air crews, must have the unfailing support of hundreds of thousands of technicians. Only a small percentage of the men in the Air Force are trained to operate weapons directly against an enemy. The others supply and maintain these weapons and support the men who use them.

It is because of that support that the men of the Air Force who operate directly against an enemy can wield a firepower superior to that of all the fighting men of history combined.

As our weapons become more powerful they also become more complicated. We need more skilled men to operate and maintain them.

We need more technicians of all types, and more training for each technician to make the United States Air Force the best air force.

Right here on the high plains of Texas the Air Force is training thousands of young men in the skills that we must have in ever increasing numbers. We have found that Amarillo is a highly desirable location for this important work.

Here we have the space we need and the facilities we need. Here we have found friendly, hospitable, and helpful people. They provide a splendid human environment for the young airmen and officers of the Air Force.

The people of Amarillo and surrounding communities, both the officials and the private citizens, have a record of wholehearted cooperation with the aims and ideals of the Air Force. We consider it a privilege to live among them. We hope that we can continue to deserve the hospitality of the good people of the Texas Panhandle.

After careful study the Secretary of the Air Force has approved the recommendation of the Air Staff that Amarillo be designated a permanent Air Force base. I hope that the transactions necessary to carry out this decision will soon be completed.

Texans have always shown an intense and active interest in the defense of our country. Both you people here at home and your Senators and Congressmen in Washington have contributed an unusual amount of time and effort to the strength and welfare of the armed services.

I wish that all our people everywhere were as well informed and as cooperative. If this were true, we should have far less serious problems of training and reenlistment than we now have.

The principal problem of the United States Air Force today is to stay ahead of the Soviet Air Force. This task becomes more difficult every day. The Soviet Air Force is advancing rapidly.

It is by far the biggest Air Force in the world. In numbers of combat planes it far exceeds the United States Air Force. In fact, the Reds have thousands more combat planes than the United States Air Force, Navy, Marines, and Army combined.

We have always counted on having superior planes and superior crews. The Reds, however, are trying hard to overtake us in quality

as well as in quantity. They are making progress. Right now they want us to know they are making progress.

Just 2 weeks ago they unveiled some of their latest models of aircraft in flight over Moscow. For the second time their annual air parade was made up entirely of jet planes. Last year they showed us only some improved MIG fighter planes and light jet bombers. They already had thousands of these in their combat units, so we were not surprised.

This year, however, they revealed something very new. In the air parade they included 9 new medium jet bombers comparable in size and design to our own B-47. Of course, we already have hundreds of B-47's in our air force, so we are ahead of them at present. But we must face the fact that the Reds have now begun to copy, and perhaps to try to improve upon, our medium jet bomber. They did the same thing with our B-29 a few years ago and they soon produced hundreds of them.

Even more significant, however, was the new jet heavy bomber that they displayed for the first time in flight. One American newspaper correspondent in Moscow cabled that this bomber flew over Red Square at an altitude of only 250 feet. He said: "It cast a shadow that seemed to extend from one side of the square to the other."

Actually this new heavy jet bomber is comparable in size and appearance to our own B-52. We have as yet only a few B-52's. The Reds have now proved to the world that they have at least one long-range jet bomber of a similar type. It is interesting to note that the new heavy bomber and the new medium bombers of the Reds are all equipped with extremely powerful engines embedded in the wings.

Neither of these new jet-bomber types is necessary for use by the Reds against the free countries near the Iron Curtain.

In fact, their medium bombers could reach any important target in Europe, or Asia, or North Africa. They would need the new heavy bomber only to reach important targets in the United States.

There is no question that the Reds were anxious for the representatives of other nations in Moscow to see their new bomber. They rehearsed the show several times and they always flew low.

Both these new bombers had been carefully hidden up to that time. That the Reds intend to impress and to frighten us with their aeronautical progress and with the advanced design of the new bombers and their new jet engines is clear. That they should expose their previously guarded secrets of aeronautical achievement at this time of international crisis is significant.

It is significant because the cold war is to a very large extent a war of nerves. If it can bring about any loss of nerve among us and our allies—if they can cause any relaxation of our courage and firmness, the Kremlin will win another important victory without the risk of military action.

The Reds may be hoping to produce a degree of discouragement and despair even in the United States of America. They know that their progress in long-range airpower is most likely to cause uneasiness here in this country.

I am sure they hope our reaction will be in the direction of increased fears and weakened resolution. I am also sure that the people of the United States need not and will not react in the way they would like us to react.

We still have a considerable lead over the Reds in long-range airpower as well as in weapons that can be delivered by long-range airpower. We can maintain this advantage if we are willing to pay the price in material resources and in the human resource of hard work.

In the Air Force today the answer is simply more hard work, since we can use only the resources that are allotted to us. We

must constantly develop better planes, weapons, and equipment of all types. At the same time we must continually improve the training and skill of the men who maintain and operate these improved devices. We must get more use and better performance out of every piece of equipment in the Air Force.

The only way to do this is by getting good men into the Air Force, training them thoroughly, and keeping them with us after they are trained.

We are working toward all those goals here at Amarillo and also at other stations of our training command. The task of maintaining American air supremacy is not insurmountable but to accomplish it will call for more concentration than ever before. It will call for more work and more sacrifices. Yet the fate of the free world, and perhaps the survival of our own Nation, depends heavily upon our success. With help such as we are receiving here, and with the increased understanding and support of all the citizens of the Nation, we can do the job.

Mr. SYMINGTON. Mr. President, will the Senator from Nevada yield, so that I might comment briefly on the remarks of the Senator from South Carolina?

Mr. MALONE. I yield.

Mr. SYMINGTON. Mr. President, I hope everyone will take note of the speech by General Twining and the remarks of the distinguished senior Senator from South Carolina [Mr. MAYBANK] with respect thereto, relative to the airpower of the United States.

Certainly there is no source of information about our airpower which is better than that of the Chief of Staff of the Air Force. Despite certain matters which have occupied attention during recent weeks, the figures furnished by him prove that actually there are far more important things in the world than some of the subjects which have been recently getting the headlines.

I respectfully wish to point out that now the Chief of Staff of the Air Force states—and one might almost say his statement is convincing—that the Soviet air force is far bigger than ours in quantity, and is rapidly overcoming any possible qualitative lead we have.

I cannot imagine anything which is more important to the future security of the United States than the few lines which were read by the distinguished senior Senator from South Carolina, plus the comments made by him, with respect to the relative strength—and relative is the important word—of the United States Air Force as compared with that of the Soviet air force.

I thank the distinguished Senator from Nevada.

Mr. MALONE. Mr. President, apropos the remarks which have been made relative to the release or statement of General Twining on the inadequacy of our Air Force, I should like to say at this time that perhaps within 30 days or less a report will be submitted to the Senate on the subject of the availability of critical materials to this Nation in time of war, the investigation of which was authorized by Senate Resolution 143 in August 1953. The Special Subcommittee on Minerals, Materials, and Fuels Economics of the Committee on Interior and Insular Affairs has heard approxi-

mately 350 witnesses from Seattle, Wash., Los Angeles, Calif., Henderson, Nev., Salt Lake City, Utah, and Washington, D. C., and the subcommittee will have information on the availability of materials which are needed to make the planes that will outfly any other planes in the world, which is information we do not have at this time. I think such information will be very interesting. It is hoped that within 30 days a report will be forthcoming from the committee.

HEALTH REINSURANCE PROGRAM

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. MALONE. I yield to the Senator from New Jersey.

Mr. SMITH of New Jersey. Mr. President, the Health Subcommittee of the Senate Committee on Labor and Public Welfare is holding hearings on the so-called reinsurance portion of the administration's health program. A bill to that effect was introduced by me earlier this year.

This morning there was held at the White House a meeting between the President and various leading insurance executives, which I hope will clear the road so that a bill embodying the administration's health reinsurance program may be reported and enacted into law.

I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a White House press release reporting on the conference and listing the names of the insurance executives who were present and who conferred with the President of the United States.

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

THE WHITE HOUSE

At the invitation of the President 17 officials of life insurance companies attended a luncheon conference at the White House today to discuss the administration's pending legislative proposal to establish health reinsurance facilities as a function of the Department of Health, Education, and Welfare. Secretary Hobby and other officials of the Department were also present at the luncheon.

At the conclusion of the conference the life insurance company representatives issued the following statement:

"During our conference with the President there was a general expression on the part of the life insurance company representatives who were present favoring the general objectives of the bill. We believe the measure is directed toward encouraging and stimulating still further the development and expansion of health insurance services and coverage for the American public through voluntary plans. There was discussion at the conference as to how the bill may be improved. The plan includes many sound insurance principles. We feel that provision in the bill dealing with the utilization of State insurance departments under the plan may be further strengthened in order that they may be used to the maximum extent and that the system of State supervision of insurance should not be limited by Federal activity in any field."

Present at the conference were Horace W. Brower, president, Occidental Life Insurance Co., Los Angeles, Calif.; Asa V. Call, president, Pacific Mutual Life Insurance Co., Los Angeles, Calif.; Paul F. Clark, president, John Hancock Mutual Life Insurance Co., Boston, Mass.; Frederick W. Ecker, president,

Metropolitan Life Insurance Co., New York City; Louis W. Dawson, president, Mutual Life Insurance Co., New York City; W. T. Grant, chairman, Business Men's Assurance Co. of America, Kansas City, Mo.; S. J. Hay, president, Great National Life Insurance Co., Dallas, Tex.; Ralph R. Lounsbury, president, Bankers National Life Insurance Co., Montclair, N. J.; Ray D. Murphy, president, Equitable Life Assurance Society of the United States, New York City; Powell B. McHaney, president, General American Life Insurance Co., St. Louis, Mo.; Clarence J. Myers, president, New York Life Insurance Co., New York City; Adlai H. Rust, chairman of the board, State Farm Life Insurance Co., Bloomington, Ill.; Eldon Stevenson, Jr., president, National Life and Accident Insurance Co., Nashville, Tenn.; Carroll M. Shanks, president, Prudential Insurance Co. of America, Newark, N. J.; Frazar B. Wilde, president, Connecticut General Life Insurance Co., Hartford, Conn.; Claris Adams, executive vice president and general counsel, American Life Convention, Washington, D. C.; Eugene M. Thoré, general counsel, Life Insurance Association of America, New York City.

BUY-FOREIGN POLICY OF GOVERNMENT LEADS TO FOREIGN PURCHASES FOR FEDERAL POWER AND RECLAMATION PROJECTS

Mr. MALONE. Mr. President, Mr. F. L. Snyder, of Sharon, Pa., has written me a letter which points up the waste in American taxpayers dollars on foreign purchases for Government projects, and the cost in jobs caused by the proforeign policy of several executive departments and bureaus to "buy abroad." Mr. Snyder is vice president of the transformer division of the Westinghouse Electric Corp. He writes in part:

TRANSFORMER DIVISION,
WESTINGHOUSE ELECTRIC CORP.

HON. GEORGE W. MALONE,

United States Senate,
Washington, D. C.

DEAR MR. MALONE: The March 21 issue of the New York Times published a picture of a very large power transformer leaving the English Electric Co. plant at Stafford, England, en route to Folsom Dam in California. The publication of this picture causes our employees to again bring up the question as to why these large power transformers are being built in England or elsewhere in Europe, instead of at Sharon, Pa., or elsewhere in the United States.

As you know, we now have approximately 7,500 employees in the transformer division. The large majority of these employees are represented by the International Union of Electrical, Radio, and Machine Workers (CIO) or by the Federation of Westinghouse independent salaried unions. These people are quite concerned that various agencies of the United States Government have awarded a number of contracts for very large power transformers to European firms. They are concerned, because they know that as a group they have either lost, or will lose, approximately \$1 million in wages and salaries as a result of awarding large power-transformer contracts to foreign firms. In addition to this loss of wages and salaries to our own people, the Government has, of course, lost approximately \$600,000 in taxes which the transformer division would have paid to the Government if these transformers had been built at Sharon. Our stockholders have also lost money in the form of lost dividends, since had these transformers been built at Sharon some of the profit would have been paid to stockholders in the form of dividends.

Mr. President, this is a forthright statement by an official of a great American corporation which has made, and is making, important contributions to our national defense and represents 7,500 employees in that particular division who are dependent for their jobs on the necessity of making such products for use in the United States of America. Naturally, with the standard-of-living wages which are paid in this country, it will not be possible to export to foreign nations any machinery whatsoever if such machinery is available in foreign countries, because that machinery will be made by low-cost labor, and because of the difference in the cost of manufacturing such products in this country.

DIVISION OF MARKETS WITH WORLD STARTED WITH TRADE AGREEMENTS ACT

Mr. President, where did this plan for the division of the American markets with the low-wage foreign nations start, in the first place? It started with, and the whole movement toward averaging our standard of living with such nations is based upon, the 1934 Trade Agreements Act; and upon that act was founded the General Agreement on Trade and Tariffs—GATT, as it is generally known; the proposed International Trade Organization—ITO— which Congress refused to accept; and the International Materials Conference—IMC—formed by our State Department in defiance of Congress.

Mr. President, if the Congress will allow the 1934 Trade Agreements Act to expire on June 12, 1954, this whole international structure to divide our markets with the nations of the world will fall of its own weight, and the adjustment of the duties or tariffs in the regulation of foreign trade will revert to the Tariff Commission, an agent of Congress. Then the President of the United States will merely have to serve notice on the foreign nations which are parties to the agreements in order to cancel them; and the American workman and the American businessman will be back in business.

ONE HUNDRED AND THIRTY-SIX THOUSAND FIVE HUNDRED ELECTRICAL WORKERS LOST JOBS IN PAST 12 MONTHS

What Mr. Snyder has to say, however applies to many smaller American manufacturers as well, as the junior Senator from Nevada will presently demonstrate. The following facts are officially of record:

First. During the past 12 months 136,500 employees in electrical manufacturing in the United States have been thrown out of work. Twenty-one thousand seven hundred lost their jobs last month; 10,400 the month before; 19,200 the month before that; or 51,300 since the 1st of January.

SIX MILLION SEVEN HUNDRED AND SIXTY-TWO THOUSAND TWO HUNDRED DOLLARS IN ARMY ELECTRICAL CONTRACTS SENT ABROAD

Second. During 1953 the Corps of Army Engineers awarded contracts totaling \$6,762,200 to foreign firms for transformers and generators to be constructed in foreign countries and installed at dams on Government projects in the United States, built and paid for by American taxpayers, which includes,

by the way, the persons who are thrown out of work by awarding the contracts to firms abroad.

A contract in the sum of \$1,137,600 also was awarded to a foreign firm by the Corps of Engineers in the previous year. Of this \$7,899,800 total, \$7,574,700 went to the booming British electrical manufacturing industry, also busy supplying generators, transformers, and other electrical equipment in large quantities to Communist Russia, and which at last reports had an executive mission in Moscow, drumming up more business.

Mr. President, it may be of interest for me to tell the Senate that several days ago a release from London announced that tin and rubber from the sterling bloc nations were available to Russia on the same basis as to the United States.

RECLAMATION BUREAU CONTRACTS GO TO FOREIGN FACTORIES

Third. The Bureau of Reclamation of the Department of the Interior has spent \$4,819,594.60 of American taxpayers' money in foreign countries for generators, transformers, and other electrical equipment to be used on its projects being built and paid for by the taxpayers of the United States.

Fourth. The Bonneville Power Administration has gone abroad to buy \$1,150,949 worth of foreign equipment, in preference to purchasing from American manufacturers who pay American wages and American taxes.

Fifth. Foreign countries whose industries were favored over American industries include not only England, which has had by far the largest slice of this American pie, but also France, Switzerland, the British Zone of Austria, Italy, Sweden, and Japan. The last two, however, have received only minute amounts of the orders.

BUY-FOREIGN POLICY SET AT CABINET LEVEL

The junior Senator from Nevada has been informed that the policy of favoring foreign nations, in making these purchases for American projects, has been made at the very high cabinet level.

In addition to the \$13,870,000 already paid to foreign industries under this "buy-foreign" program, the Corps of Engineers still has bids on 16 hydraulic turbine governors for the Dalles Dam, on the Columbia River, in Oregon, and for 2 generators at the same dam, for which no awards have been made.

Mr. President, I have no wish to criticize the Corps of Army Engineers. As I stated before, its award of bids to foreign firms was made under direction, and the direction came from the cabinet level.

The Corps of Engineers, as a matter of fact, has been far more forthright in supplying me with information as to its foreign purchases than has the Department of the Interior, which supplied a list of its foreign purchases, but failed to state the projects for which they were intended, and likewise failed to state the dates on which the awards were made.

BONNEVILLE BUYS FROM AUSTRIA AND ENGLAND

However, we do find the Bonneville Power Administration purchasing auto transformers in Austria for \$454,500, and

in England for \$639,915, and \$50,970 worth of circuit breakers in Switzerland.

We find the Bureau of Reclamation paying more than 2½ million American taxpayers' dollars for Swiss-built generators; \$743 for Swiss-built breakers; and \$67,000 for Swiss-built transformers, with additional purchases of electrical apparatus from Switzerland bringing the total to more than \$3½ million.

Mr. President, Switzerland is a fine and prosperous country. To all intents and purposes, she has virtually taken over our own watch-making industry.

Switzerland has no debt because for more than 130 years she has carefully avoided becoming embroiled in any of Europe's wars. Neutrality is the key to her foreign policy. The Swiss franc is the soundest money in Europe and is considered there as sound as the American dollar. Switzerland neither asks for nor receives economic aid, and neither asks for nor receives military aid, believing herself competent to manage her own defenses. She has no slums or unemployment because for more than a century and one-quarter she has minded her own business, while ever eager to accept business from other countries, including the United States, as the record of our purchases from Switzerland well shows.

REPLACEMENT IMPOSSIBLE IN EVENT OF WAR

In the event of war, replacement of these generators, transformers, circuit breakers, and other electrical apparatus, or of repair parts for them, would be impossible. Switzerland would, as usual, be neutral, surrounded by belligerents, and completely landlocked.

Purchases from Switzerland in no way serve to build up Europe's defenses against communism. In no way do they serve as a buffer to communism, because there is no Communist threat in Switzerland. Furthermore, these purchases are quite unnecessary to Switzerland's economy, because it is equal to our own, and Switzerland has no burden of debt.

Switzerland thus is a prime example of the desire of some elements in our Government to "buy foreign" whenever and wherever foreign purchases can be made in preference to purchasing from wage-paying, taxpaying, dividend-paying American industries.

Mr. President, so fanatical is this "buy-foreign" urge on the part of our foreign traders in our Government that millions of taxpayers' dollars are spent on giant transformers and other electrical equipment for our Federal projects, although the simple facts of geography, if nothing else, preclude this Nation from ever getting replacements or repairs for them in time of war.

The same is true of Austria, and particularly the British Zone of Austria, where the Bureau of Reclamation has spent nine hundred and forty-four thousand American taxpayers' dollars for transformers to be used on western reclamation and power projects. Could Austria supply replacements in time of emergency? Of course not, Mr. President.

BRITISH FIRMS GET BIG CONTRACTS

The Bureau of Reclamation also invested \$248,406 for a transformer built

by the English Electric Co. at Stafford, England—a small order, compared to those of the Corps of Army Engineers.

The Bonneville Power Administration invested six hundred and thirty-nine thousand nine hundred and fifteen American taxpayers' dollars in transformers made by this company; another \$454,500 on Austrian transformers; and \$56,245 on Swiss electrical apparatus.

Now we come to the foreign purchases by the Corps of Army Engineers, where the British really were in line for favors.

A contract for nine 33,333-kilovolt-ampere transformers for the Garrison Dam, in North Dakota, was awarded to the Ferranti Electric Co., of England, on its bid of \$1,137,600. The Ferranti Electric Co. also got the \$857,600 contract for six 56,500-kilovolt-ampere transformers for the McNary Dam in Oregon.

An Italian company drew the contract for three 31,500-kilovolt-ampere transformers at Gavins Point Dam, in South Dakota—a \$325,100 contract.

THREE MILLION SIX HUNDRED AND FIFTY-ONE THOUSAND FIVE HUNDRED DOLLARS CONTRACT TO ENGLISH ELECTRIC CO.

An English electric company drew the \$1,928,000 contract for ten 103,300-kilovolt-ampere transformers for the Chief Joseph Dam, in the State of Washington; and then the \$3,651,500 contract for two 73,684-kilovolt-ampere generators for Oregon's McNary Dam.

Bids have been readvertised for 16 hydraulic turbine governors for the Dalles Dam, in Oregon; and the Corps of Engineers is now evaluating bids for two 14,210-kilovolt-ampere generators at that dam. In the first, two Japanese firms and an Italian firm have submitted bids; and in the second, the Austrian firm again and the English Electric Co.

Some weeks ago the junior Senator made inquiry of the Army concerning award by the Department of the Army to the English Electric Co. of the \$3,651,500 contract for two generators at McNary Dam, addressing his letter to Secretary of the Army, Robert T. Stevens.

BUY AMERICAN ACT IGNORED

At this point I should like to say for the benefit of Senators that the "buy-American" clause allows 25 percent of the amount of the bid in favor of American producers because of the difference in wages, taxes, and other pertinent factors which affect the cost of manufacture. Twenty-five percent is not enough to make up the real difference, but at least it is a step in the right direction. However, that provision is being totally ignored by the departments of Government. The only other way, of course, that the American workingman and the American investor could be taken into consideration would be to allow the 1934 Trade Agreements Act, as extended, to expire at midnight on June 12 of this year, as it will if Members of Congress will sit still and allow it to expire. Then the regulation of foreign trade would revert to the Tariff Commission, an agency of Congress under the law already in effect, and it would fix the duty, as it is called in the Constitution—we have come to call it a tariff or import

fee. It would be fixed on the basis of fair and reasonable competition, meaning the general difference between the cost of manufacture in this country and the cost abroad.

FIVE QUESTIONS ASKED ARMY SECRETARY STEVENS

To go back to my letter to Secretary Stevens, five specific questions were asked. They were:

First. In awarding the contract to the English electric company, what weight and consideration was given to loss in revenues and taxes to the Federal Government, States, and municipalities?

Second. What weight and consideration was given to loss in man-hours and wages to American workers?

Third. What weight and consideration was given to past performance and experience of the competitive bidders, both American and British?

Fourth. What consideration was given to the factors of repair and replaceability in time of war or other emergency?

Fifth. In view of President Eisenhower's announced policy of encouraging Federal-State-local cooperation, what State or municipal officials were consulted in connection with the awarding of this contract?

No specific answers to any of these questions have been forthcoming, doubtless for the reason that the Department of the Army did not take into consideration any of the factors designated in the first four questions and conducted no consultations with State or municipal officials concerning the award to the British electric company of Stafford, England.

Mr. T. A. Young, special assistant to the Secretary of the Army, admitted as much when he replied to my letter in the absence of Secretary Stevens.

He said in part:

Unfortunately, the Department is not able to answer all the questions which you have raised inasmuch as the foreign procurement policy was not established at this level.

Mr. Young continued:

When the first situation of this type arose with respect to the Chief Joseph Dam generators and transformers, it was decided the questions of foreign policy and foreign economic aid were of very great importance, as well as the military and economic aspects within the sphere of responsibility of the Department of the Army. The question, therefore, had to be referred to Cabinet level for decision; and the action taken established a policy within which awards are made to foreign manufacturers in cases where a major price differential exists and where the bid is otherwise acceptable.

I am sure you will agree with the principle that foreign-aid programs of billions of dollars each year, for which nothing is received in return, are much less desirable than reciprocal-trade relations which might accomplish the same economic effect.

BUY-FOREIGN POLICY UNCHANGED IN 7 YEARS

Mr. President, I could refer the gentleman to about 7 years of statements on the floor of the Senate which would disabuse his mind of any misunderstanding which he may think the junior Senator from Nevada has had as to the policy of this Government. However, we did think that we might encounter some change in the policy.

The junior Senator from Nevada is very much interested in Mr. Young's assumption and can say that he agrees thoroughly with Mr. Young's statement that "Nothing is received in return" for the billions we have spent in foreign-aid programs.

ACT NEVER RECIPROCAL

He does not agree, however, that they are any less desirable than reciprocal-trade relations. The word "reciprocal" and the expression "reciprocal trade" are misnomers, and nowhere appear in the Trade Agreements Act, under which again the United States receives nothing in return, and, in fact, has lost important industries and segments of important industries to foreign competitors pampered by our State Department.

No nation has ever kept the spirit of any trade agreement made by the State Department. They are not trade agreements anyway. That term is a misnomer. They are agreements to lower tariffs and import fees, which the Constitution call duties, imposts, and excises. So the State Department, by its own decision, can destroy at any time any industry in the United States which is dependent upon the amount of protection which would make up the difference between the wages, taxes, and other pertinent factors entering into the cost of production here, and such factors abroad.

To return to Mr. Young, the Senator does agree that foreign procurement and foreign trade under the costly and wasteful trade agreements program might accomplish the same economic effect, to wit, the squandering of American dollars on foreign countries for which, to use Mr. Young's words, "Nothing is received in return."

Mr. Young, in his interesting letter, answered none of the questions which I had addressed to the Secretary of the Army. Instead he states:

Under the existing world situation, it appears that some form of foreign assistance is still necessary, and as long as this necessity exists I presume that overall national economic policy must take the fact into consideration.

SWITZERLAND NEITHER NEEDS NOR WANTS FOREIGN ASSISTANCE

Of course, any so-called need for foreign assistance cannot apply to Switzerland, which has rejected foreign-aid assistance from us, both economic and military. Switzerland also has quite removed herself from any of the problems of the world situation through her policy of strict neutrality.

Nor is the British electrical industry in need of American assistance, having made excellent progress in exporting electrical machinery, apparatus, and equipment to all parts of the world, including Communist Russia, Red Poland, and other Soviet satellites.

Mr. President, the misrepresentation to the people of the country when we wanted to stop the sale and trade of valuable material to Red Russia, her satellite countries, and to Communist China, preparing for war against us, is beyond belief. A few years ago Congress passed what was known as the Wherry-Malone-Kem joint resolution, which prohibited

the giving of any assistance to any foreign nation which traded with our potential enemies. That stopped the trade cold in its tracks.

However, later the so-called Battle Act was passed. It was sold to the country as an act which would prevent such trade. It contained a little paragraph—a paragraph that was little noticed—which left to the President of the United States the determination of what materials were valuable to Russia and her satellite countries and to Communist China, in their preparation for war with us.

AIDED NATIONS BOOM TRADE WITH COMMUNISTS

Both President Truman and President Eisenhower apparently decided that tin, rubber, and electrical-generating equipment, tools, steel, engines, and hundreds of other products are in no way helpful to those nations in their preparation for war. The exports of such material from the nations which we are helping with millions of dollars of taxpayers' money—who simply cannot afford such expenditures—are greater than they have ever been in the history of the world.

SECRETARY STEVENS' REPLY

I neglected to state above that following Mr. Young's letter I received a letter from Secretary Stevens, which was again most courteous but answered none of my specific questions. Secretary Stevens said in part:

As Mr. Young indicated in his communication to you, this matter relates not only to the national defense but the national economy as well, and includes considerations related to the foreign policy and foreign economic aid which are not within the sphere of responsibility of the Department of the Army. Since this entire matter has been referred to the Cabinet level for decision, the action taken established the policy within which awards are made to foreign manufacturers in cases where major price differentials existed and where the bid was otherwise acceptable.

In other words, Mr. Stevens puts the matter right in the lap of the Cabinet. He states the Cabinet made the decision that such materials can be sent to nations behind the so-called Iron Curtain and that we can continue to support such nations by our buying material from them and in that way helping to employ their workers and rendering our workers idle.

Mr. President, the same information is given in the same language, and it does reveal that the Army has nothing to say about whether huge generators and transformers for major Federal projects are purchased in the United States or in England, Switzerland, or the British Zone in Austria. The buy-foreign decision has been made at Cabinet level.

BRITISH SALES TO SOVIET RUSSIA

Let us now take a look at the British electrical industry so highly favored at Cabinet level by our Government.

During the first 2 months of 1954 Great Britain supplied Soviet Russia with electrical equipment valued at 533,283 pounds or slightly under \$1,500,000 in terms of dollars figuring the British pound at exchange quotations of \$2.81.

In the corresponding 2-month period in 1953, Britain had supplied Russia with only 12,349 pounds worth of electrical equipment.

REDS BUY BRITISH GENERATORS

Much of the British exports to Russia consisted of generating plants and motors.

Comments a leading British publication in this field:

The reappearance of Russia as a large purchaser of plants of this description is noteworthy: In the first 2 months of the year she took 323,596 pounds worth against 6,819 pounds in the corresponding months of 1953.

In addition to her sales to Communist Russia, Great Britain exported electrical equipment to Communist Poland valued at 253,245 British pounds or more than \$700,000.

At the same time Great Britain was exporting electrical machinery, apparatus, and appliances to Communists she was carrying on a thriving business with other countries, including the United States. Total exports of electrical goods for the 2-month period amounted to 28,420,242 British pounds or nearly \$80 million.

Exports to the United States, including those purchases made with taxpayers' money by our Government for electrical equipment for use in Government projects also paid for by our taxpayers totaled 493,787 British pounds.

This, in good American dollars, is the equivalent of \$1,387,000 plus.

The junior Senator from Nevada is happy that the British electrical manufacturing industry is booming, but is not happy that Britain has chosen to supply Communists with such vital electrical equipment as generating plants and motors, which, of course, are invaluable to a nation seeking to expand its industrial potential for whatever purpose.

Mr. President, of course, it must be a well-known fact to everyone that Great Britain was practically the first nation to recognize Communist China.

BRITISH TRADE WITH REDS NEVER ENDS

Great Britain has been trading with Russia ever since World War II, and, of course, during World War II also. She has never stopped and she has never slacked up.

Nor is the junior Senator from Nevada pleased that it is the policy of the present administration—a policy decided at Cabinet level, if you please—to purchase electrical generators and other equipment from foreign countries whose manufacturers are competing against American companies, investors, and payrolls, and rendering idle many thousands of American men and women.

To go back to Mr. Young's letter replying to my inquiry, he stated:

Under the existing world situation, it appears that some form of foreign assistance is still necessary, and as long as this necessity exists, I [meaning Mr. Young] presume that overall national economic policy must take that fact into consideration.

He added:

This entire matter, including the considerations of national defense, was considered very thoroughly at the time the original decision (procurement of generators and

transformers for Chief Joseph Dam in the State of Washington) was made and reconsidered again in the present case (procurement of foreign generators for the McNary Dam on the Columbia River between Washington and Oregon).

Mr. President, what the Cabinet has accomplished in its great wisdom is to encourage and build up the British electrical manufacturing industry where it can now, in the initial months of 1954, supply Communist Russia with approximately a million and a half dollars' worth of electrical equipment, including \$900,000 worth of generating plant and motors.

RUSSIA GAINS: AMERICA LOSES UNDER "BUY FOREIGN" POLICY

Mr. President, if the defense element was considered—and Mr. Young says it was—Communist Russia acquired more defense in terms of electrical equipment during the first 2 months of 1954 than did the United States.

Actually it acquired positive defense because Soviet Russia does not have the industrial capacity to manufacture generating plants and motors to meet its demands.

The United States gained nothing in defense by purchasing generators and motors from Great Britain; instead, decisions to award Government contracts to British and other foreign firms instead of to American manufacturers cut back plant production, investment values, and workers' payrolls.

Russia gains and America loses under the policy of favoring foreign nations in Government purchases of electrical equipment for Government projects.

How far, the junior Senator from Nevada would like to ask, can this fizzle-away and fumble-away policy go?

Secretary of the Army Stevens, in reply to my inquiry concerning the procurement of generators for the McNary Dam, stated, as mentioned earlier in my remarks:

Since this entire matter has been referred to the Cabinet level for decision, the action taken established the policy within which awards were made to foreign manufacturers in cases where major price differentials existed and where the bid was otherwise acceptable.

AMERICAN PAYROLL, TAX LOSSES IGNORED

As the junior Senator from Nevada also has previously stated, many of these so-called price differentials are fictitious. They take into account none of the payroll losses to American workmen, none of the losses in tax revenues to the United States Treasury, none of the losses to national or local economy, none of the potential losses in wartime due to the inevitable inability that would exist to obtain replacements or repairs from overseas foreign countries, and none of the losses of the lives of American boys when we get into a war, if we do, with Russia and her satellites who are being armed through the medium of trade carried on by the nations we are financing out of the pockets of the taxpayers of America.

SCRAP IRON TO JAPAN RECALLED

Mr. President, I hark back to 1937, 1938, and 1939, when I had a branch en-

gineering office in the Sutter Building in San Francisco. I could look out the window and see shiploads of scrap-iron going to Japan. The American Legion, Veterans of Foreign Wars, and other veterans' organizations screamed about it all the time, but all they got in reply was merely an echo. When war was finally precipitated, American boys were sent to the South Seas and the islands of the Pacific to catch that scrap-iron in their bare hands, on its way back. It was not funny.

In the case of Great Britain, it might be doubly difficult because of her great anxiety to trade with Communist Russia and other Communist nations.

Our businessmen are being given the thought that they will secure a part of the foreign trade, and we are being conditioned for the recognition of Communist China. Sometime, when the proper conditioning process is at the right stage, the junior Senator from Nevada expects the subject to be brought up in the United Nations and China voted in, with our Nation voting against the admission. But China will be in.

Mr. DOUGLAS. Mr. President, will the Senator from Nevada yield?

Mr. MALONE. I shall be happy to yield.

Mr. DOUGLAS. Who does the Senator think is conditioning our Nation for the recognition of China?

Mr. MALONE. I think it started in World War II, and I do not think it has ever let up.

Mr. DOUGLAS. Who is now the Secretary of State?

Mr. MALONE. Mr. Acheson was Secretary of State, and now Mr. Dulles has taken over.

Mr. DOUGLAS. Is not the foreign policy made by the President as well as by the Secretary of State?

Mr. MALONE. I think the Constitution is clear in that regard, and I do not think the policy has changed in the past 15 years.

Mr. DOUGLAS. The Senator from Nevada is making a very grave charge against the members of his own party.

Mr. MALONE. I made a similar charge against the members of the Senator's party, and they have not changed. I hope my party will change before we go much further.

If the distinguished Senator from Illinois is attempting to justify what the Democrat Party started and what is now being carried on by a successor in the State Department, I am glad to have his opinion.

Mr. DOUGLAS. No, I am not defending the recognition of Communist China, which I have always opposed, but I was interested in the speech by the Senator from Nevada attacking what I thought was the foreign policy of this administration.

ACHESON FOREIGN POLICY CONTINUED

Mr. MALONE. I am attacking the policy initiated by the Democrat Party, which is being carried on up to this time. In 1950—it may have been in 1949—Mr. Acheson made a trip to Europe and visited various European nations. When he returned, there was a joint meeting

of the Congress to hear Mr. Acheson tell about his trip. We listened for an hour to the distinguished former Secretary of State, and we heard nothing we had not heard 50 times before, with the exception of one remark. He led up to it like a master of ceremonies at an Elks Club dinner, and then dropped it fast. He said, and he did not stutter, that the United States would not use the veto to prevent the recognition of Communist China. I commented on it later, and the policy has never been changed, either by Mr. Acheson or by Mr. Dulles.

Mr. DOUGLAS. Mr. President, will the Senator from Nevada yield further?

Mr. MALONE. I yield.

Mr. DOUGLAS. The Senator is aware, is he not, that the question of recognition of one government rather than another is not subject to veto in the United Nations?

Mr. MALONE. Why, then, did the distinguished former Secretary of State mention the matter at all?

Mr. DOUGLAS. I am not able to answer that, but I am interested in the fears and forebodings of the eminent Senator from Nevada with reference to the policy of the State Department.

Mr. MALONE. I say the policy has not changed. The distinguished former Secretary of State believed the veto could be used, but we would not use it—

Mr. DOUGLAS. Of course, Mr. Acheson ceased to be Secretary of State some 17 months ago.

Mr. MALONE. Yes. It is hard to recognize the difference at this time.

Mr. DOUGLAS. I take it, then, that the Senator from Nevada is not enthusiastic about the foreign policy of the present Secretary of State.

Mr. MALONE. I am not enthusiastic about the foreign policy with reference to Communist China, or any of the policies initiated by the former Secretary of State, Mr. Acheson. In effect, he said—I shall not attempt to quote him verbatim—that it was impossible to separate the regulation of our domestic economy from our foreign policy.

Does the distinguished Senator from Illinois remember that?

Mr. DOUGLAS. There is a vague memory in my mind that something like that occurred.

Mr. MALONE. It is not so vague in my mind. That is how we are ruining the workingmen and investors of America.

Mr. DOUGLAS. Am I ruining them?

Mr. MALONE. I say the Senator's party started the program by the passage of an act which put into the hands of the Government the instrument to bring about their ruination. Congress is at fault for giving the State Department the latitude to tie our domestic economy to our foreign policy—to tie the two together.

Mr. DOUGLAS. Do I correctly understand that the eminent Senator from Nevada is opposed to the extension of the Reciprocal Trade Act?

CONSTITUTION SEPARATED DOMESTIC POLICY AND FOREIGN POLICY

Mr. MALONE. I thought the distinguished Senator from Illinois would have gathered that long ago. The Constitution of the United States had no diffi-

culty whatever in separating the regulation of the domestic economy from the regulation of foreign policy. The Constitution in article I, section 8, imposes on the Congress of the United States, the legislative branch, the duty of regulating foreign trade and establishing duties, imposts, and excises, which we call tariffs.

It does not say that the executive branch of the Government shall regulate foreign commerce; it says that the legislative branch shall regulate it. So Congress is at fault for transferring the authority to the Executive.

Mr. DOUGLAS. Is the Senator from Nevada aware of the fact that the President of the United States has asked for a 3-year extension of the Reciprocal Trade Act?

Mr. MALONE. I am perfectly aware of that fact, and I hope that we shall be able to prevent this extension and revert to the Tariff Commission, an agent of Congress, for the regulation of the duties or tariffs on the basis of fair and reasonable competition.

Mr. DOUGLAS. The Senator from Nevada does not seem to be enthusiastic about either the diplomatic or the foreign economic policy of the present administration.

Mr. MALONE. It is simply a continuation of the policy under Mr. Acheson—it was against the interests of the American workingmen and investors then as it is now. I might ask the distinguished Senator from Illinois, if he cares to answer, is he enthusiastic about the reciprocal-trade policy, and does he favor the recognition of Communist China?

Mr. DOUGLAS. I am not in favor of the latter, but I believe in the extension of the Reciprocal Trade Act.

On this occasion, as on so many others, we on the Democratic side will support the President of the United States far more vigorously than will Senators on the other side of the aisle.

Mr. MALONE. I am glad to hear the distinguished Senator from Illinois come forward in debate and say that he cares nothing about the unemployment of workers and the welfare of manufacturers and investors in his own State of Illinois.

Mr. DOUGLAS. The Senator from Nevada is resorting to tortuous language and still more tortuous reasoning, because an export market cannot be developed for the United States unless we import some articles.

I may say that in Illinois the production of farm implements and of earth-moving machinery has been greatly handicapped because of the lack of foreign markets. We have not had foreign markets because foreign countries have not been able to sell.

Mr. MALONE. Is the Senator from Illinois certain that that is the reason why Illinois has not had foreign markets?

Mr. DOUGLAS. That is a reason.

Mr. MALONE. I may say that no foreign country ever has kept a trade agreement. They have quotas, trade permits, and exchange permits; they practice manipulation of their currency for trade

advantage. To begin with, they purchase little in our markets unless we send them the money with which to pay for what they buy from us. But I suppose the Senator from Illinois is still in favor of that procedure. I hear no answer.

Mr. DOUGLAS. I may say that I could answer the Senator at great length.

Mr. MALONE. Let the Senator take any time he desires for an answer.

Mr. DOUGLAS. I do not wish to interfere with the eloquent speech being made by the distinguished Senator from Nevada.

Mr. MALONE. I shall be delighted to debate the subject at length with the Senator from Illinois, if he still feels that we are getting any break at all in the markets of Europe. The record is clear that we do not have access to their markets—it is a one-way street. The countries of Europe today have tariffs higher than ever, going back to the time when the first trade agreements act was passed in 1934. Our own tariffs have been severely reduced. We now have in effect a fraction of the tariffs which were in effect at that time.

BRITAIN'S TRADE MISSION TO MOSCOW

The January 29, 1954, issue of the *Electrical Review* which is published in London, carries a very interesting article titled "British Trade Talks in Moscow." I read as follows:

On Tuesday 33 businessmen representing 26 British firms left London for trade discussions in Moscow.

Led by Mr. J. B. Scott, sales director of Crompton Parkinson, Ltd., the party comprises high-level executives, all capable of signing contracts in Moscow.

Then follows a list of executives and their companies which I will omit.

To resume reading the body of the article, it states:

After explaining the objects of the tour before leaving, Mr. Scott said that the original aim was to be in Moscow before Christmas, but as the necessary details could not be arranged in time the visit was postponed until after the New Year.

This was, they understood, the largest group of businessmen to visit Moscow since the war. They all had high hopes of the venture, and each of the companies represented was capable of handling a large volume of business.

Some of the group, including his own company, had already had considerable orders from Moscow, but they believed and hoped that this would be the beginning of a constant two-way traffic in East-West trade, which could only be to their mutual advantage. Some of the party would be returning via Poland.

Mr. President, I suppose the people of the United States are still being sold the cold war as a reason for dividing their markets and tax dollars with Europe. Exactly what a cold war amounts to, I am unable to state, since there has never been a cessation of trade in the usual manner between these European countries and Russia and her satellites, including Red China. The only thing cold about it is the thought that we shall send our boys, if we ever do fight Russia, right in to face the material which the European countries are selling to Russia, and which we are financing. That is the coldest thing I can think of. We have done it twice, in my remembrance. I

go far enough back to remember three such wars. Each of the Presidents has kept us out of war.

The President who kept me out of war was Mr. Wilson. He was reelected in 1916 because he kept us out of war, and I was on the way to France in 6 months. Another President kept us out of war in 1940. But in 6 months another group of boys were on their way all over the world.

Mr. President, it is simply getting on my nerves to continue to arm the countries which we are about to fight.

RANDALL REPORT RECOMMENDS MORE EAST-WEST TRADE

The East-West trade comment in the British article has a familiar ring.

One of the recommendations in the Randall report, directed by Mr. Clarence B. Randall, now consultant to the White House, was that the United States acquiesce in more trade in peaceful goods between Western Europe and the Soviet bloc.

I suppose the report considers engines, ball bearings, and the electrical equipment as being peacetime equipment, peacetime goods.

We seem to find here a very close relation between the thinking of Mr. Randall and the 33 British executives bound for Moscow, all of them capable of signing contracts in Moscow and hoping for more East-West trade. Or is our foreign policy being dictated entirely by Great Britain?

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

Mr. MALONE. I am very happy to yield.

Mr. DOUGLAS. I may say that Mr. Randall is a member of the opposing political party to mine, he being an Illinois Republican. Mr. Randall is a highly respected businessman, who is the active head of the Inland Steel Co., a splendid member of his community, and, I believe, a public-spirited man. I do not like to hear these imputations cast upon him by the Senator from Nevada, particularly since he is a member of the Senator's own party.

I think it is extraordinary that it is necessary for Democrats to protect the President of the United States and the representatives of the President from attacks made upon them by members of the Republican Party.

Mr. MALONE. I am very glad the distinguished Senator from Illinois has made himself entirely clear as to which side he is on in the foreign trade fight—that he is for free trade. I have no doubt that Mr. Randall is a very fine person, but his policies so far as I am concerned, are not parallel with the interests of the United States of America, or those of the workingmen and investors of this Nation.

I notice the following in an address which I made on March 31, 1954:

Today, there is a depression in certain industries including many producing critical minerals and materials, and a recession in 80 of the 195 labor-market areas listed by the Bureau of Employment Security in its latest bimonthly summary.

Seventy-seven of these distressed areas are in the continental United States. There are 1 or more areas in each of the following 27 States:

The State of Illinois is very prominent in that list, I may say to the distinguished senior Senator from Illinois.

As shown by the January-February figures of British exports of electrical generating plant, motors, and other equipment to Communist Russia, the British mission to Moscow must have reaped results.

During the entire year of 1953, Britain's exports of electrical goods to Communist Russia totaled £1,121,380. Almost half that value—£533,283 worth—was exported to her by the United Kingdom in the first 2 months of 1954 alone.

Britain's exports to the United States in 1953 were valued at £1,452,608, and in 1952 at £1,187,476.

British exports of electrical equipment to the United States and her exports to Soviet Russia were both less, however, than her exports to Hong Kong, the British Crown Colony which is the gateway to Red China. These totaled £1,552,146 in 1953, and £2,052,318 in 1952.

Hong Kong has an area of 391 square miles, or less than one-third the area of Rhode Island. Doubtless Hong Kong is well electrified, having received more than \$11 million worth of electrical equipment from England in a 2-year period.

Total British exports of electrical goods and apparatus in 1953 amounted to £103,840,939, or slightly over \$290 million; yet our Government rejects bids from American firms and awards contracts to British competitors under a buy-foreign policy which includes, as Secretary Stevens states, "consideration related to foreign policy and foreign economic aid."

How much aid would England need, one might ask, if all electrical equipment for our Federal projects were purchased from England, and more thousands of American electrical workers were thrown off their jobs?

AMERICAN FIRMS WHICH LOST TO FOREIGN BIDDERS

And when, oh when, is an American policy going to be formed at the Cabinet or any other administration level?

Mr. President, it may be of interest to note who the low American bidders were on some of these contracts awarded to foreign firms with labor costs ranging from one-fifth to one-third American wage rates.

I hope the distinguished Senator from Illinois will note the comparison of wage rates and the living standards as compared with the American living standards.

American companies which bid unsuccessfully on Army engineers' projects were the Maloney Electric Co. of St. Louis, the Allis-Chalmers Manufacturing Co., Penn Transformer Co., and General Electric Co. In each case the Department of the Army awarded the contract to a foreign firm under exceptions which evaded the strict requirements of the Buy-American Act.

BUY-AMERICAN ACT BYPASSED

In fact, the Department of the Army has worked out a formula "administratively," under which it bypasses the Buy-American Act, a procedure clearly de-

signed to favor foreign bidders under the present buy-foreign policy.

The Bonneville Administration, as stated before, awarded its contract of \$454,500 to an Austrian concern over bids by the Westinghouse Electric Corp. and General Electric. It awarded a \$639,915 contract for auto transformers to a British company over bids by General Electric, Westinghouse, and Allis Chalmers, all American firms. It awarded a contract for circuit breakers to Swiss industry over bids by Westinghouse.

The Bureau of Reclamation discarded bids from the Elliott Co., of Ridgway, Pa., Allis-Chalmers, Westinghouse, Pacific Electric Manufacturing Co., General Electric, Standard Transformer Co., Wagner Electric Corp., W. T. Foley Electrical Supplies, and the Kelman Electric Manufacturing Co., all American companies, and our lowest domestic bidders on the various contracts, totaling \$4,819,-594 awarded to foreign companies, while 136,000 American electrical workers were losing their jobs because production in American electrical manufacturing plants was falling off.

Mr. President, some of the political opponents of my party have sought in recent weeks to convey the impression that the Republican Party is the party of big business. That simply is not true. No American business, big or small, has the ear of the administration today, any more than it had the ear of the previous administration, if a foreign industry was asking preference.

FAVORS TO FOREIGN BUSINESS

Both the previous administrations and the present administration have favored foreign enterprise over American industry, whether that industry was large or small.

It has done this through special tariff concessions, special tax concessions, special diplomatic concessions and inducements, and special encouragement from administration leaders, whether the interest be large or small. In shorter words, our foreign trade policy for the past 20 years has been, and is, pro-foreign.

Some of our larger corporations—and we need name only those in the electrical industry—have been discriminated against under our proforeign trade policy just as effectively as such small businesses as cutlery, briar pipes, silk scarves, and glassware have been discriminated against.

Their foreign competitors are invited to this country and taken on conducted tours to study our markets and learn our trade methods.

Tariffs are lowered to give these foreign competitors an advantage in our markets over our own producers.

GIVE AMERICAN INDUSTRY AN EQUAL BREAK WITH FOREIGN COMPETITORS

All anyone has ever asked for is a duty which is adjusted on a basis of fair and reasonable competition to make up that general difference between the wages and the taxes paid in this country and the other pertinent factors relating to the cost of doing business in this country and the costs in the chief competitive nations. No one has talked about a high or low tariff or duty; we

have simply talked about fair and reasonable competition—in other words, give the American producer an equal break in the American market.

Mr. President, I ask unanimous consent to place in the RECORD at this point a Washington report by Ingrid Jewell, dated May 15, 1954.

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

[From the Pittsburgh Post-Gazette of May 15, 1954]

WASHINGTON REPORT—RECIPROCAL TRADE ACT DIES JUNE 12—NO HEARINGS SET

(By Ingrid Jewell)

WASHINGTON, May 14.—The Reciprocal Trade Agreements Act has been the controlling instrument of our foreign trade and an important factor in our foreign policy since Congress first enacted it on June 12, 1934.

It was promoted then as a device to stimulate world trade and so deflect the impact of world depression. Most Americans appear to think it has been successful.

The act was to have expired last June 12. Congress extended it for 1 year and provided for a commission to study foreign trade problems and recommend the form in which the legislation should be continued, if at all. That commission, chaired by Clarence Randall, has reported, recommending in the main a continuation of the legislation with its emphasis on low tariffs.

Unless Congress acts before June 12 to extend or amend the act it will expire then. The Ways and Means Committee of the House, where such legislation normally starts, has been busy with revisions of the excise and general income tax bills, and now with an overhaul of social-security legislation. Besides reciprocal trade, the committee also has before it the rewriting of unemployment insurance legislation and public assistance laws. It has set no date for starting hearings on reciprocal trade.

Meanwhile, there is apparently greater opposition this year to continuing the reciprocal trade program in its present form than in any recent Congress.

There are the perennial complaints of the high-tariff industries, like china and glassware, hats and watches. There is the increasing opposition of the coal industry to importation without quota restriction of residual fuel oil in amounts sufficient to displace a serious quantity of industrial boiler coal. These complaints are all based on the old argument that American labor cannot compete with cheap foreign labor unless it surrenders its American standard of living.

But in addition there is a growing complaint of another sort against the reciprocal trade program. It is the complaint that the program is not truly reciprocal. It is charged that many foreign nations sign these agreements, then nullify them by enacting other sorts of trade restrictions, such as import licenses, import quotas, exchange permits, and other monetary controls.

There is growing resentment against these foreign trade barriers among Congressmen who like the reciprocal trade program in theory; and a growing inclination to tell our foreign neighbors, "Look here. Either this program is truly reciprocal or the deal's off." Nearly all the nations of the world require import licenses from our exporters. Usually it is not difficult to obtain a license. But the device is there to shut out American goods at a moment's notice.

A case in point is that of the Harley-Davidson Motorcycle Co. In 1930, under the Smoot-Hawley high-tariff law, the tariff on motorcycles was 33½ percent, whether they were American machines imported into England or English machines imported into the United States. The Reciprocal Trade Agreements Act got that down to 10 percent. But the British embargo the importation of

American motorcycles by refusing import licenses. So does Australia. The two best foreign markets are thus lost to Harley-Davidson, yet British machines come in here at the 10-percent rate.

It seems incontrovertible that this legislation needs overhauling rather than a mere extension, if it is to accomplish the purpose for which it was devised.

Mr. MALONE. Mr. President, the huge million-dollar contracts, with the Nation's taxpayers furnishing the dollars, are awarded to foreign companies in preference to American firms, and at a fearful cost to American communities, investors, and payrolls.

The Battle Act, the Buy-American Act, the Antidumping Act, and the escape-clause provisions of the Trade Agreements Act, as extended, are waived, ignored, or given distorted interpretations that make them ineffective and defy the intent of Congress.

There is no surcease and no compromise in this drive of the one-worlders to turn over a large share of American production, tax revenues, and payrolls to foreigners, some of whom may be foes tomorrow, or, at best, neutral.

Mr. President, with the expiration of the 1934 Trade Agreements Act on June 12, 1954, and the reversion to the Tariff Commission, an agent of Congress, of the adjustment of the duties or tariffs on the basis of fair and reasonable competition, the American producer will again be in business. The American workingmen and the investors of this Nation will again have equal access to the American markets; that is, Mr. President, provided Congress does not extend the act.

INDEPENDENT OFFICES APPROPRIATIONS, 1955

The Senate resumed the consideration of the bill (H. R. 8583) making appropriations for the executive office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes.

Mr. SALTONSTALL. Mr. President, I have consulted with the majority leader, the minority leader, the acting minority leader, and the minority whip, and they are all in accord with the unanimous-consent request I am about to make.

I ask unanimous consent that all of the amendments of the committee to the pending bill be agreed to en bloc, subject to being reopened for amendment at the request of any Senator.

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

The amendments agreed to en bloc are as follows:

Under the heading "Title I—Executive Office of the President—Council of Economic Advisers," on page 3, line 20, after "(not exceeding \$300)", to strike out "\$250,000" and insert "\$285,000."

Under the subhead "National Security Council," on page 4, line 5, after the word "Council", to strike out "\$200,000" and insert "\$215,000."

Under the subhead "Office of Defense Mobilization," on page 4, line 14, after the word "appropriation", to strike out "\$2,134,000" and insert "\$2,486,000"; and in the same

line, after the word "which", to strike out "\$134,000" and insert "\$161,000."

Under the heading "Funds Appropriated to the President—Emergency Fund for the President—Expenses of Management Improvement," on page 6, at the beginning of line 4, to strike out "\$250,000" and insert "\$300,000."

Under the heading "Independent Offices," on page 6, after line 8, to insert:

"ADVISORY COMMITTEE ON WEATHER CONTROL
"Salaries and expenses

"For necessary expenses of the Advisory Committee on Weather Control, established by the act of August 13, 1953 (67 Stat. 559), including services as authorized by section 15 of the act of August 2, 1946 (5 U. S. C. 55a), \$120,000."

Under the heading "American Battle Monuments Commission," on page 8, line 2, after the word "Army", to insert a colon and "Provided further, That the Commission may reimburse other Government agencies, including the Armed Forces, for salary, pay, and allowances of personnel assigned to it."

Under the heading "Atomic Energy Commission," on page 8, at the beginning of line 10, to insert "rental in the District of Columbia"; and in line 20, after the word "vehicles", to strike out "\$1,093,462,300" and insert "\$1,102,780,300."

On page 10, line 8, after the word "vehicles", to strike out "\$96,498,400" and insert "\$130,000,000."

On page 11, line 14, after the word "budget", to insert a colon and "Provided further, That not to exceed \$2,500,000 of the funds herein provided may be transferred to the Bureau of Public Roads, Department of Commerce, for the construction or improvement of access roads in the United States to sources of uranium ore."

Under the heading "Civil Service Commission," on page 16, line 25, after the figures "\$400,000", to insert "together with not to exceed \$500,000 of the unobligated balance of funds appropriated for this purpose in the Supplemental Appropriation Act, 1954."

Under the heading "Federal Communications Commission," on page 18, line 15, after the word "exceed", to strike out "\$4,000" and insert "\$48,000"; in line 17, after the word "exceed", to strike out "\$16,000" and insert "\$37,500"; and in line 22, after the word "travel", to strike out "\$6,544,400" and insert "\$7,294,400."

Under the heading "Federal Trade Commission," on page 19, line 17, after "(5 U. S. C. 55a)", to strike out "and not to exceed \$140,000 for expenses of travel, \$4,030,700" and insert "\$4,100,000."

Under the heading "General Services Administration," on page 21, line 2, after the word "travel", to strike out "\$94,460,000" and insert "\$96,460,000."

On page 22, after line 19, to insert:

"Buildings management fund: For additional working capital for the Buildings management fund, authorized by the act approved July 12, 1952 (66 Stat. 594), \$2,000,000, to remain available without fiscal year limitation."

On page 23, line 10, after the word "travel", to strike out "\$11,066,800" and insert "\$13,066,800"; and in line 13, after the word "only", to insert "and for the acquisition of 13 such vehicles from excesses reported by other agencies, or from forfeitures."

Under the heading "Housing and Home Finance Agency—Office of the Administrator," on page 28, line 7, after the numerals "1949", to strike out "\$2,668,500" and insert "\$2,918,500, including \$150,000 for additional costs of establishing and operating a central staff for investigation and compliance functions for the Housing and Home Finance Agency."

On page 29, line 8, after the word "Provided", to strike out "That no funds in this act shall be available for payment of capital grants under any contract involving the development or redevelopment of a project for

predominantly residential uses where incidental uses are not restricted to those normally essential for residential uses: *Provided further.*"

Under the heading "Interstate Commerce Commission," on page 31, line 18, after the word "Commissioner," to strike out "who is responsible for the supervision of the Bureau of Service to carry out functions delegated to him under the Defense Production Act of 1950, as amended" and insert "of the Interstate Commerce Commission who has been delegated functions under the Defense Production Act of 1950, as amended, to carry out such functions."

At the top of page 32, to strike out: "Railroad safety and locomotive inspection: For expenses necessary in the performance of functions relating to railroad inspection and safety, including not to exceed \$290,000 for expenses of travel, \$1,684,000."

And in lieu thereof, to insert the following:

"Railroad safety: For expenses necessary in performing functions authorized by law (45 U. S. C. 1-15, 17-21, 35-46, 61-64; 49 U. S. C. 26) to insure a maximum of safety in the operation of railroads, including authority to investigate, test experimentally, and report on the use and need of any appliances or systems intended to promote the safety of railway operation, including those pertaining to block-signal and train-control systems, as authorized by the joint resolution approved June 30, 1908, and the Sundry Civil Act of May 27, 1908 (45 U. S. C. 35-37), and to require carriers by railroad subject to the act to install automatic train-stop or train-control devices as prescribed by the Commission (49 U. S. C. 26), including the employment of inspectors and engineers, and including not to exceed \$163,050 for expenses of travel, \$974,500."

On page 32, after line 19, to insert:

"Locomotive inspection: For expenses necessary in the enforcement of the act of February 17, 1911, entitled 'An act to promote the safety of employees and travelers upon railroads by compelling common carriers engaged in interstate commerce to equip their locomotives with safe and suitable boilers and appurtenances thereto,' as amended (45 U. S. C. 22-34), including not to exceed \$112,620 for expenses of travel, \$709,500."

Under the heading "National Advisory Committee for Aeronautics," on page 34, line 1, after "(5 U. S. C. 55a)", to strike out "\$49,000,000" and insert "\$52,107,750."

On page 34, line 7, after the word "Committee", to strike out "\$4,349,000" and insert "\$4,620,000."

Under the heading "National Science Foundation," on page 36, line 8, after the word "exceed", to strike out "\$89,500" and insert "\$116,000"; and at the beginning of line 12, to strike out "\$11,000,000" and insert "\$14,000,000."

Under the heading "Securities and Exchange Commission," on page 37, line 3, after "(5 U. S. C. 55a)", to strike out "\$4,700,000" and insert "\$4,775,000."

Under the heading "Small Business Administration," on page 38, line 17, after the word "vehicles", to strike out "\$2,025,000" and insert "\$2,575,000"; and in line 20, after the word "exceed", to strike out "\$1,650,000" and insert "\$2,500,000."

At the top of page 39, to insert:

"REVOLVING FUND, SMALL BUSINESS
ADMINISTRATION

"For additional capital for the revolving fund authorized by the Small Business Act of 1953, to be available without fiscal year limitation, \$25,000,000."

Under the heading "Subversive Activities Control Board," on page 41, line 23, after the word "periodicals", to strike out "\$150,000" and insert "\$185,000"; at the beginning of line 24, to strike out "\$81,000" and insert "\$115,000"; and on page 42, line 2, after the

numerals "1954", to insert "and 'The Supplemental Appropriation Act, 1954'."

Under the heading "Tariff Commission," on page 42, line 10, after "(5 U. S. C. 55a)", to strike out "\$1,250,000" and insert "\$1,327,000"; and in line 17, after the word "representative", to strike out the colon and "Provided further, That no part of the foregoing appropriation shall be used for making any special study, investigation or report at the request of any other agency of the executive branch of the Government unless reimbursement is made for the cost thereof."

Under the heading "Tennessee Valley Authority," on page 43, line 2, after the word "exceed", to strike out "one hundred" and insert "two hundred and eleven"; in line 4, after the word "vehicles", to strike out "\$103,582,000" and insert "\$129,582,000"; on page 44, line 3, after the word "exceed", to strike out "\$600,000" and insert "\$1,200,000"; and in the same line, after the amendment just above stated, to strike out "to be" and insert "of which \$600,000 shall be derived from this appropriation and \$600,000 shall be."

Under the heading "Veterans' Administration," on page 44, line 19, after the word "exceed", to strike out "\$2,690,000" and insert "\$3,144,000"; and at the beginning of line 25, to strike out "\$163,922,300" and insert "\$171,876,300."

On page 46, line 3, after the word "of", to strike out "fifty" and insert "seventy."

On page 47, line 3, after the word "employees", to strike out "\$76,744,000" and insert "\$86,744,000, of which not exceeding \$15,810,000 shall be available for outpatient fee basis dental care."

On page 49, line 10, after the word "expended", to strike out "\$39,000,000" and insert "\$47,000,000."

On page 50, line 14, after the word "facilities", to strike out "\$3,400,000" and insert "\$3,480,000."

Under the heading "Title II—Corporations—Housing and Home Finance Agency," on page 60, line 5, after the words "exclusive of", to insert "costs of services performed on a contract or fee basis in connection with termination of contracts and legal services on a contract or fee basis and of"; in line 9, after the word "thereof", to insert "any services approved by the Federal National Mortgage Association"; and on page 61, line 3, after the word "exceed", to strike out "\$20,000,000" and insert "\$26,230,000."

On page 63, line 15, after the word "exceed", to strike out "\$5,000,000" and insert "\$5,175,000"; and on page 64, line 1, after the figures "\$500", to strike out the colon and "Provided further, That expenditures for nonadministrative expenses classified by section 2 of Public Law 387, approved October 25, 1949, shall not exceed \$24,000,000."

On page 64, line 6, after the word "by", to strike out "or pursuant to"; in line 8, after the word "by", to strike out "or pursuant to", and on page 65, line 3, after the word "by", to strike out "or pursuant to".

RECESS

Mr. SALTONSTALL. Mr. President, I move that the Senate stand in recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 6 o'clock and 9 minutes p. m.) the Senate took a recess until tomorrow, Wednesday, May 19, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 18 (legislative day of May 13), 1954:

POSTMASTERS

The following named persons to be postmasters:

ALABAMA

Virginia L. Love, Eden, Ala., in place of D. R. Wyatt, retired.

Donald Holt, Florence, Ala., in place of A. W. Darby, retired.

Buren Hanson, Foley, Ala., in place of J. W. Cyphers, retired.

Joel L. Lovett, Siluria, Ala., in place of J. H. Dunlap, removed.

CALIFORNIA

Carroll E. Harris, Bishop, Calif., in place of W. A. Johnson, retired.

John H. Bergstrom, East Highlands, Calif., in place of L. B. McCulley, resigned.

Ralph B. Webb, Maricopa, Calif., in place of O. G. Miller, retired.

Albert J. Honett, Pinecrest, Calif., in place of Roy Corhan, resigned.

Francis E. Bodeson, Ripon, Calif., in place of Agnes McCausland, retired.

COLORADO

Della M. Svoboda, Agate, Colo., in place of Anna Christensen, resigned.

Ray E. Snyder, Limon, Colo., in place of C. C. Bell, transferred.

Lynne Taylor, Jr., Milliken, Colo., in place of Matthew Martinez, transferred.

CONNECTICUT

August F. Benvenuti, Torrington, Conn., in place of Frank Buonocore, retired.

FLORIDA

William D. Hillier, Florida City, Fla., in place of A. B. Chapman, retired.

Arnold Bridges, Ormond Beach, Fla., in place of M. C. Hitchcock, retired.

Rudolph W. Long, Sebastian, Fla., in place of J. O. Rogers, resigned.

ILLINOIS

Ivan M. Prather, Charleston, Ill., in place of C. B. Muchmore, retired.

Charles H. Redebaugh, Dixon, Ill., in place of R. A. Arnould, resigned.

Theodore J. Keil, Jr., Dubois, Ill., in place of V. J. Bochantin, resigned.

William R. Laur, Ina, Ill., in place of Anna Kirk, retired.

Miles L. Ward, Lexington, Ill., in place of B. R. Dawson, deceased.

Jack L. Schaub, Olney, Ill., in place of Ralph Van Matre, retired.

Howard C. Marshall, Orion, Ill., in place of B. E. LeClair, resigned.

Chester J. Steel, Sigel, Ill., in place of C. O. Burgess, retired.

Walter Beinke, Staunton, Ill., in place of E. A. Rahm, retired.

IOWA

Russell L. Jackson, College Springs, Iowa, in place of W. D. Nowels, resigned.

Donald J. McGonigle, Odebolt, Iowa, in place of E. F. Rex, transferred.

William H. Rogers, Princeton, Iowa, in place of J. M. Hirl, deceased.

Gilbert R. Dickinson, Richland, Iowa, in place of Hazel Horning, deceased.

KANSAS

Bion J. Reynolds, Saint Francis, Kans., in place of L. D. Dowling, retired.

KENTUCKY

Oliver H. Martin, Coral Ridge, Ky., in place of G. F. Hozendorf, removed.

Betty J. Moher, Melbourne, Ky., in place of V. J. Kramer, resigned.

Glenn P. Henson, Mount Olivet, Ky., in place of H. B. Chandler, Jr., transferred.

William R. LeGrand, Warsaw, Ky., in place of B. F. Beall, retired.

LOUISIANA

William T. Thurmond, Gibsland, La., in place of A. D. Williams, retired.

Myrtle S. Busch, Longleaf, La., in place of A. O. Chevalier, resigned.

MAINE

Edward P. Rand, Clinton, Maine, in place of E. L. McKenney, deceased.

Bernard A. Larlee, East Millinocket, Maine, in place of J. A. Lyons, deceased.

Gabriel O. Dumont, Skowhegan, Maine, in place of F. R. Madden, retired.

Joe P. Davis, South Berwick, Maine, in place of J. M. Minahane, retired.

MARYLAND

Willard S. Nagle, Forest Hill, Md., in place of C. H. Wilson, retired.

Thomas C. Groton, Glencoe, Md., in place of M. E. Gorsuch, retired.

MASSACHUSETTS

Frank Wesley Garran, North Truro, Mass., in place of M. L. McLoon, retired.

Donald R. Biron, Pittsfield, Mass., in place of D. P. Sweeney, retired.

MICHIGAN

Sylvia I. Seppi, Chatham, Mich., in place of Gunile Heldmann, retired.

John E. Burling, Crystal Falls, Mich., in place of Daniel Riordan, retired.

Lillian K. Kersten, Fulton, Mich., in place of A. J. Sherman, resigned.

Ivan G. Burnett, Luther, Mich., in place of R. L. Beckwith, retired.

Milford E. Reeder, Olivet, Mich., in place of George Rundle, retired.

Howard E. Augspurger, Sturgis, Mich., in place of J. W. Henry, retired.

George J. Danneffel, Whitmore Lake, Mich., in place of B. M. Stanfield, resigned.

MINNESOTA

Laurel D. Sherman, Angora, Minn., in place of R. A. Harris, Jr., transferred.

Elmer T. Requa, Austin, Minn., in place of J. M. Pierce, resigned.

Bernard J. Petroski, Grand Marais, Minn., in place of E. L. Cheech, deceased.

Warren O. Johnson, McGregor, Minn., in place of B. B. Maddy, deceased.

Melvin S. Dalby, Solway, Minn., in place of N. E. Stone, resigned.

MISSOURI

Elbert P. Petty, Arbyrd, Mo., in place of M. E. Coburn, resigned.

Lloyd H. Thomas, Larussell, Mo., in place of R. M. Shook, resigned.

Clyde M. Temple, Miller, Mo., in place of M. L. Lennert, resigned.

Chester Arch Bay, Springfield, Mo., in place of C. W. Greenwade, retired.

Oren B. Peterson, Urbana, Mo., in place of W. E. Burris, retired.

NEW JERSEY

John R. Hendricks, Dividing Creek, N. J., in place of P. W. Robinson, retired.

Florence M. Letts, Hohokus, N. J., in place of H. B. Hofford, removed.

Robert H. Thomson, South Branch, N. J., in place of James Abercromby, resigned.

James W. Harris, Surf City, N. J., in place of J. S. Thebaud, retired.

NEW YORK

Merlin W. Osterhout, Altamont, N. Y., in place of Verner Sharp, retired.

Harold L. Payne, Bainbridge, N. Y., in place of Henrietta Fairbanks, retired.

Ada J. Dunn, Big Moose, N. Y., in place of R. M. Marleau, retired.

John A. DeFrees, Durhamville, N. Y., in place of C. F. Seibel, deceased.

John J. Loughnane, Franklin Square, N. Y., in place of F. T. Frisby, deceased.

Scott E. Gage, Morris, N. Y., in place of L. H. Starr, retired.

Raymond F. Schermerhorn, New Baltimore, N. Y., in place of E. H. Cole, resigned.

Ward C. Hazard, Norwich, N. Y., in place of H. M. Bulger, deceased.

Leonard T. Gadwood, Oswego, N. Y., in place of J. H. Mackin, deceased.

Ralph U. Jeffords, Oxford, N. Y., in place of H. N. Griffin, resigned.

Geary H. Whitlock, Patchogue, N. Y., in place of J. W. Harrison, deceased.

Jennie I. Goodale, Quogue, N. Y., in place of J. J. Sullivan, resigned.

NORTH CAROLINA

Richard W. Hannah, Clyde, N. C., in place of G. C. Haynes, retired.

Floyd Graham Hinnant, Pine Level, N. C., in place of H. R. Gerald, retired.

Claude Harris, State Road, N. C., in place of Kent Haynes, deceased.

OHIO

Bernice E. Bridges, Conover, Ohio, in place of M. L. Birkhold, resigned.

Cedric V. Carpenter, Creston, Ohio, in place of W. F. Hookway, retired.

William D. Smallwood, Londonderry, Ohio, in place of T. H. Dearth, deceased.

John L. Hall, Orwell, Ohio, in place of V. H. Parker, resigned.

OKLAHOMA

Charles B. Bolar, Gotebo, Okla., in place of B. N. Bills, retired.

OREGON

Neil L. Morfitt, Astoria, Oreg., in place of E. P. Burke, retired.

Ruth E. Piquet, Long Creek, Oreg., in place of A. W. Porter, deceased.

PENNSYLVANIA

William N. Olson, Black Lick, Pa., in place of W. E. Rankin, retired.

Louis H. Wilt, Breezewood, Pa., in place of Edgar Swartzwelder, retired.

Warren A. Putt, Camp Hill, Pa., in place of L. M. Sutton, retired.

Robert F. Aucker, Jr., Freeburg, Pa., in place of A. M. Riegle, resigned.

Robert G. Kronk, Freedom, Pa., in place of W. C. Jack, retired.

Leslie Ditty, Karthaus, Pa., in place of Hiram Greenland, deceased.

Charles M. Hambright, McVeytown, Pa., in place of A. W. Watts, retired.

Paul R. Leonard, Manns Choice, Pa., in place of E. J. Burkett, retired.

William Clark McNeal, Mifflin, Pa., in place of W. M. Cramer, retired.

Russell S. Basler, Narberth, Pa., in place of J. L. Kelley, retired.

Francis R. Murphy, Swedeland, Pa., in place of F. R. Murphy, resigned.

SOUTH CAROLINA

Mason C. Stroud, Jr., Great Falls, S. C., in place of E. W. Nunnery, resigned.

Chalmers M. Butler, Hartsville, S. C., in place of R. R. McLeod, deceased.

John G. Evans, Six Mile, S. C., in place of B. T. Garrett, retired.

Arace M. Crouch, Wallace, S. C. Office established September 1, 1950.

Martin D. Watkins, Jr., Westminster, S. C., in place of Oscar Tuck, retired.

SOUTH DAKOTA

Helen D. Krebs, Raymond, S. Dak., in place of R. A. Roberts, resigned.

TEXAS

Arthur Bergmann, Comfort, Tex., in place of F. M. Faust, transferred.

Howard A. Hunt, Dodson, Tex., in place of M. V. Rollings, retired.

William R. Bellamy, Lockhart, Tex., in place of H. M. S. Mohle, transferred.

Frances C. Hutson, North Cowden, Tex., in place of A. H. Dyer, resigned.

Fred G. Howard, Pearsall, Tex., in place of C. H. Sewell, retired.

James A. Lewis, Rio Hondo, Tex., in place of F. P. McCabe, retired.

Montie A. Moss, Sanford, Tex., in place of I. L. Mullins, resigned.

VERMONT

Frederick H. Grout, East Arlington, Vt., in place of D. C. Montgomery, retired.

VIRGINIA

John C. Tomko, Disputanta, Va., in place of J. D. Webb, retired.

Barbara C. S. Gentry, Flint Hill, Va., in place of A. R. Ricketts, retired.

Angier S. Conkin, Gordonsville, Va., in place of R. A. Smith, retired.

William R. Berry, Jr., Meherrin, Va., in place of H. H. Gee, resigned.

Robert H. Stallard, Norton, Va., in place of C. T. Braswell, resigned.

Jordan E. Wood, Prince George, Va., in place of K. B. Munt, resigned.

Ruby R. North, Tye River, Va., in place of R. T. W. Parr, retired.

Julia P. Tyrrell, Woodbridge, Va., in place of W. P. Clarke, retired.

WASHINGTON

Paul L. Carey, Woodland, Wash., in place of J. O. Mills, retired.

WEST VIRGINIA

Leona E. Miller, Lesage, W. Va., in place of W. W. McFann, deceased.

WISCONSIN

Margaret P. Webb, Barronett, Wis., in place of William Schaller, Jr., declined.

Philip H. Moe, Chetek, Wis., in place of N. D. Strong, transferred.

Oscar F. Paulson, La Crosse, Wis., in place of W. M. Dvorak, retired.

Lucille A. Farness, Morrisonville, Wis., in place of H. J. Dieruf, retired.

Myron T. Schroeder, Oneida, Wis., in place of J. H. Webster, retired.

Ernest Ivan Wilson, Poynette, Wis., in place of E. F. Hadden, transferred.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 18 (legislative day of May 13), 1954:

DEPARTMENT OF COMMERCE

Melvin H. Friedman, of the District of Columbia, to be examiner in chief in the Patent Office.

COMMODITY CREDIT CORPORATION

Robert L. Farrington, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation.

COMMISSIONER OF IMMIGRATION AND NATURALIZATION

Joseph May Swing, of California, to be Commissioner of Immigration and Naturalization.

UNITED STATES DISTRICT JUDGES

William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia.

John W. Lord, Jr., of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania.

John L. Miller, of Pennsylvania, to be United States district judge for the western district of Pennsylvania.

UNITED STATES MARSHALS

Thomas R. Clark, of Hawaii, to be United States marshal for the district of Hawaii.

William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 18, 1954

The House met at 12 o'clock noon.

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

Almighty God, grant that during this day we may give ourselves reverently and devotedly in renewed consecration to our high calling as the servants of the State.

Help us to discover and develop those heroic and noble qualities of character and conduct which will enable us to remain steadfast and serene in the midst of trials and tribulations.

Endow us with the beautiful virtues of our blessed Lord and with a larger measure of faith and hope whereby the moral

and spiritual values are protected and made potent in the life of humanity.

May we be loyal partners with all who are seeking to build our shattered and storm-tossed world on the foundations of righteousness and good will.

Hear us in the name of the Christ, our Saviour. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Tribbe, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On May 11, 1954:

H. R. 8481. An act making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes.

On May 13, 1954:

H. R. 6896. An act to extend the period for the filing of certain claims under the War Claims Act of 1948 by World War II prisoners of war.

On May 17, 1954:

H. R. 666. An act for the relief of Michele Paccione;

H. R. 858. An act for the relief of Kim Mi Hae;

H. R. 1689. An act for the relief of the Frank M. Hill Machine Co., Inc.;

H. R. 1755. An act for the relief of Theresa Mire Piantoni;

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

H. R. 2385. An act for the relief of Giuseppe Fruscione;

H. R. 2505. An act for the relief of Lajos Schmidt and his wife, Magda;

H. R. 2634. An act for the relief of Charles T. Doubs;

H. R. 2666. An act for the relief of Martin G. Scott and Hanna von Gusmann;

H. R. 4799. An act for the relief of Otho F. Hipkins;

H. R. 6251. An act to authorize the abolishment of the Shoshone Cavern National Monument and the transfer of the land therein to the city of Cody, Wyo., for public recreational use, and for other purposes;

H. R. 6549. An act to provide for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Mo., in general accordance with the plan approved by the United States Territorial Expansion Memorial Commission, and for other purposes;

H. R. 6988. An act to amend an act approved December 15, 1944, authorizing the Secretary of the Interior to convey certain land in Powell township, Wyoming, Shoshone reclamation project, Wyoming, to the University of Wyoming;

H. R. 7559. An act for the relief of Mrs. Madeleine Alice Aquarone; and

H. R. 8377. An act authorizing the appropriation of funds to provide for the prosecution of projects in the Columbia River Basin for flood control and other purposes.

On May 18, 1954:

H. R. 8097. An act to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amend-

ment bills of the House of the following titles:

H. R. 1167. An act for the relief of W. A. Sampsel;

H. R. 1433. An act to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status;

H. R. 2274. An act to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

H. R. 2696. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 2913. An act to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson;

H. R. 3349. An act for the relief of Mrs. Margaret Burdo;

H. R. 3598. An act to consolidate the Parker Dam power project and the Davis Dam project;

H. R. 4135. An act for the relief of George Telegdy and Julia Peyer Telegdy;

H. R. 4475. An act for the relief of Curtis W. McPhail;

H. R. 4816. An act authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi;

H. R. 4864. An act for the relief of Mrs. Hildegard Noel;

H. R. 5090. An act for the relief of Mrs. Magdalene Zarnovski Austin;

H. R. 5862. An act to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy;

H. R. 5961. An act for the relief of Marianne Schuster Dawes;

H. R. 6186. An act to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal;

H. R. 6563. An act for the relief of Zdzislaw (Jerzy) Jazwinski;

H. R. 6647. An act for the relief of Yoko Kagawa;

H. R. 6754. An act for the relief of Mrs. Hooey Shee Eng;

H. R. 6870. An act to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batters in front of the Public Health Service hospital property in New Orleans, La.;

H. R. 7057. An act to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes;

H. R. 7328. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7329. An act to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men; and

H. R. 7452. An act for the relief of Therese Boehner Soisson.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H. R. 2225. An act to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes;

H. R. 2974. An act to extend the time for enrollment of the Indians of California, and for other purposes;

H. R. 3191. An act conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California;

H. R. 3725. An act for the relief of Curtis W. Strong;

H. R. 4231. An act to authorize appointments to the United States Military Academy and United States Naval Academy of sons of certain individuals who were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by the President or the Congress;

H. R. 6374. An act to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps, and Coast Guard, and for other purposes;

H. R. 7308. An act to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended; and

H. R. 7541. An act to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 66. An act for the relief of Guillermo Pedraza;

S. 118. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma;

S. 602. An act to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for loading, stowage, and securing of grain and other similar bulk cargoes;

S. 884. An act for the relief of Arthur Sroka;

S. 1129. An act for the relief of Jozo Mandic;

S. 1702. An act for the relief of Emilia Pavan;

S. 1794. An act to reimburse the South Dakota State Hospital for the insane for the care of Indian patients;

S. 1807. An act for the relief of William Jeffrey Jonas;

S. 1841. An act for the relief of Carlo (Adiutore) D'Amico;

S. 1860. An act for the relief of Amalia Sandrovic;

S. 1882. An act for the relief of Antonio Jacoe;

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended;

S. 2450. An act for the relief of Lt. Hayden R. Ford;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes;

S. 2746. An act to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes;

S. 2761. An act to approve repayment contracts negotiated with the Hermiston and West Extension irrigation districts, Oregon, and to authorize their execution, and for other purposes;

S. 3270. An act to provide that leave accrued by members of the Armed Forces while held as prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they may accumulate or have to their credit;

S. 3364. An act to amend the act of October 31, 1949 (63 Stat. 1049);

S. 3378. An act to revise the Organic Act of the Virgin Islands of the United States;

S. 3379. An act to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable;

S. 3401. An act to authorize the furnishing of information, radio and television entertainment, and civilian education for personnel in the Armed Forces, and for other purposes; and

S. 3446. An act to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy.

COUGAR DAM AND RESERVOIR ON THE SOUTH FORK, MCKENZIE RIVER, OREG.

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 551, Rept. No. 1612), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7815) to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork, McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

PRIEST RAPIDS SITE ON COLUMBIA RIVER, WASH.

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 552, Rept. No. 1613), which was referred to the House Calendar and ordered to be printed:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 7664) to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act. After general debate, which shall be confined to the bill, and shall continue not to exceed 1 hour, to be equally divided and controlled by the chairman and

ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

OSCAR F. BROWN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was read:

To the House of Representatives:

In compliance with the request contained in the resolution of the House of Representatives (the Senate concurring therein), I return herewith H. R. 1769, entitled "An act for the relief of Oscar F. Brown."

DWIGHT D. EISENHOWER.
THE WHITE HOUSE, May 18, 1954.

SPECIAL ORDER GRANTED

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

MISS ANNE KIRK, ESSAY CONTEST WINNER

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

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

There was no objection.

Mr. CHENOWETH. Mr. Speaker, those of you who attended the dinner last evening given by the National Association of Home Builders, I am sure were very much impressed with the young lady from Colorado who read her prize-winning essay on the subject Why Homeownership Builds Good Citizenship. This contest was sponsored by this association, and some 20,000 essays were submitted. The essay of Miss Anne Kirk, of Pueblo, Colo., was selected as the winner.

Miss Kirk lives in my district. She is a senior at Central High School in Pueblo and is the valedictorian of her class. Her father is assistant superintendent of schools in Pueblo. Miss Kirk was received by President Eisenhower this morning, and we are happy to have her as our guest in the gallery today. For the benefit of those who did not have the pleasure of hearing Miss Kirk, I am including her essay as part of my remarks. I am indeed proud of her achievements and am happy to have her in Washington.

WHY HOMEOWNERSHIP BUILDS GOOD CITIZENSHIP

To own a home has been the dream of thousands of Americans. Many of these people have realized that dream. Each year

more of them will realize it. We frequently see that these homeowners are better citizens of their communities, States, and of their Nation, and we often wonder why this is true. To answer the question, let us examine the American citizen in the home that he owns.

Most homeowners feel pride of ownership and express it in the loving care, effort, time, and money that they spend on their homes. Painting the back porch and building a breezeway become little manifestations of this pride. We find out, at an early age, that the things we buy ourselves—the things that we work for—are the things that we treasure. The repairing and remodeling that the owner does himself become other points of pride. The creative urge comes out often in an original barbecue pit or a knotty pine snack bar.

The homeowner thinks of his surroundings, too. His yard is landscaped to show off the house to best advantage. By beautifying his yard to make his house look better, he beautifies his city, too.

A homeowner owns a share in the community. A man who feels that he owns a part of something will take better care of it. He will obey the sanitation laws, help to keep the parks clean, and see that the city's water supply is good. The home encourages pride in the community and this very pride makes a city desirable. Owning a home encourages hospitality, congeniality, and friendliness.

Homeowners usually have more space to entertain friends. They welcome a chance to show their homes and landscaping. Friendliness and hospitality make contented citizens. The happy, contented citizen is a valuable asset. He is eager and anxious to enter into community charities and public works.

A home encourages industry and decency. A homeowner is seldom idle. This activity makes him more responsible and dependable. He knows that if the job is to be done, he must do it, and he sets about getting it done. No building superintendent will be standing at his beck and call to do it for him. This independence is good for a city, state, or nation when the citizen votes. An independent man will usually try to vote for the man who he believes can do the work, rather than for a straight party ticket.

How does homeownership affect the junior members of society? Are the children in homes owned by the parents actually better citizens? It would be hard to answer this question. However, we do know several facts about this idea. It is common knowledge that juvenile delinquency originates in slum areas and is much less prevalent in home-owned neighborhoods. Perhaps part of this theory stems from the fact that owning and maintaining a home is a big job.

Parents need help in running their homes and they call upon their youngsters for this help. Sweeping the walks, raking leaves, and hanging out washing are jobs that do not occur in apartment living. This work teaches children responsibility and leaves little time for idle troublemaking. Also, these children are better adjusted socially because of the congeniality and friendliness of their parents. If their homes are open to their friends, they are much less apt to be out causing trouble.

As the modern American buys and maintains his home and opens its doors to his friends and his children's friends, he becomes a civic-minded citizen. He is wise, for the civic-minded of today will rear the children who will be the leaders of tomorrow. These homeowners are the builders of the future.

PORT OF BOSTON AND PEABODY, MASS.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to ad-

dress the House for 1 minute and to revise and extend my remarks.

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

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I rejoiced this morning when the bill presented by the gentleman from Massachusetts [Mr. McCORMACK] was reported unanimously from the Armed Services Committee authorizing the Secretary of the Army to lease to the Commonwealth of Massachusetts a portion of the Army base to the port of Boston. It is a very necessary piece of legislation. It would be dangerous not to pass this bill in both the House and Senate. I remind the House that in Massachusetts on Sunday last there was a very bad flood in Peabody, Mass., because a dam there was not strong enough to hold back high water. You can well imagine what would happen if the Boston pier at the Army base, which is in extremely and dangerously bad need of repair at the present time, went to pieces. Much damage to valuable property and many lives would be lost. This morning Army engineers told me it would be very difficult and costly to dredge the channel.

My statement before the Armed Services Committee on Congressman McCORMACK's bill appears in today's RECORD. I have an especial interest because I have the honor to represent part of Greater Boston.

COMMUNIST AGGRESSION IN GUATEMALA

Mr. HILLINGS. 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 California?

There was no objection.

Mr. HILLINGS. Mr. Speaker, the State Department announcement yesterday that an important shipment of arms has been sent to left-winged Guatemala from Soviet-controlled territories means that America is faced with Communist aggression on its own doorstep.

The delivery of these weapons by Soviet sources is undoubtedly aimed at the Panama Canal. This Communist action is part of the same pattern we see today in Indochina and southeast Asia. The Reds apparently wish to gain a foothold in Central America so that they can sabotage the Panama Canal if the United States intervention should become necessary in southeast Asia. We have already seen how Guatemala has been taken over by the Communists. Our Government has received new information that there has been a steady migration of skilled Communist agitators from Guatemala to Costa Rica in recent months. These Red agitators are currently organizing labor unions among Costa Rican workers.

These developments call for bold action. I suggest the following steps be taken immediately by our Government:

First, The United States should protest the apparent action of the Soviet Union and demand a full explanation.

Second, The delivery of these arms at the Guatemala port of Puerto Barrios appears to be a clear-cut violation of the Monroe Doctrine. Therefore, we should reaffirm our faith in the Monroe Doctrine and take any necessary action to uphold it.

Third, Steps should be taken to bolster the anti-Communist governments in Central America, particularly in the countries of Nicaragua and Panama. We should give particular thought to assisting them in strengthening their national defense and in the construction of an inter-American highway.

REGULATIONS TO STRENGTHEN THE FHA

Mr. BOLLING. 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 Missouri?

There was no objection.

Mr. BOLLING. Mr. Speaker, there can be no argument that the scandalous practices which have taken place in connection with the FHA rental housing insurance program—section 608—and the title I home-repair loan program require prompt corrective action. I support legislation which will prevent a repetition of these abuses and I favor improved regulations to strengthen the administrative practice of the FHA.

However, the problem we confront is a difficult one. The FHA has the task of setting standards for and supervising a number of programs which involve lending institutions, the building and real-estate industries. Much of the work of FHA is highly technical and professional in character and can only be carried on by personnel who have had technical training and experience. As a rule such personnel can only be recruited by FHA from the very business groups which the Government agency then in turn must supervise.

Frankly, under these circumstances, I do not believe that stronger legislation and stronger regulations alone can do the whole job. Major reliance, in my opinion, must be placed upon the self-regulation, the self-policing of this great industry. The vast majority of lenders, builders, and realtors are honest businessmen and women who do not engage in the sharp practices which have cost the public so much in money and trouble. But these fine individuals must realize that the reputation of their industry as a whole suffers from the methods of a comparatively small number of sharp operators. Hence, they should recognize that it is in their own interest to assume more fully a responsibility which in the public mind they cannot escape.

It, therefore, seems obvious to me that the various groups involved should immediately move to establish an effective agency or agencies within their own industries to keep their house in order.

What I have in mind would amount to a separate better business bureau in this special field.

FOREIGN TRADE POLICY

Mr. SMITH of Mississippi. 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 Mississippi?

There was no objection.

Mr. SMITH of Mississippi. Mr. Speaker, on March 30, 7 weeks ago, President Eisenhower submitted to the Congress specific recommendations in regard to legislation affecting our foreign trade policy. This is National Foreign Trade Week and I think it is appropriate to call attention to the Congress of the lack of progress that has been made toward the enactment of the President's recommendations since that time.

I would like especially to call attention to the failure to do anything in regard to the President's recommendations in respect to the Buy-American Act. I have taken a special interest in legislation in this field since it was referred to the Committee on Public Works, of which I am a member. I introduced a bill carrying out the President's recommendations on March 11, 1954. As yet, however, no member of the majority party on the committee or any other Member representing the majority in the House has introduced any legislation on the subject. If this Congress is to meet the challenge presented to it by the President in enacting his program, certainly something needs to be done.

In the meantime, the executive department can take action itself to improve the existing situation. A clear-cut administrative ruling can do much to dispel the confusion and bad feelings as well as high costs to American taxpayers that the Buy-American Act brings today. I would like to suggest the following remedies which might be taken entirely by Executive order:

First. A general directive is required to assure that departmental officials—not just contracting officials in the field—decide Buy-American cases after considering fully what is in the public interest. At present only one agency, the Department of Defense, has issued such a directive applicable to low foreign bids above a specified amount—\$25,000—or involving a savings of \$5,000 or more. The "public interest" should be broadly construed fully reflecting these matters: Savings to the taxpayer; harmonizing relations with friendly allies; assuring maintenances of competition in domestic markets; the psychological and propaganda impact abroad of rejecting low foreign bids; developing the defense production base abroad; protection of the domestic defense base; relief of substantial domestic unemployment; and protection for small domestic business.

Second. The price preference of 25 percent should be lowered to 5 percent. The present preference is very great, particularly considering that foreign firms incur heavy-duty costs, freight rates, and other costs, many of which are encountered in the American market at United States prices and wages. The present preference results in an annual loss of millions of dollars to tax-

payers. A differential of 5 percent would still offer ample protection to efficient domestic suppliers already protected by duties.

Third. There should be uniform practice on how the price preference is applied.

A. The Defense Department should amend its procedure and cease to be the only agency which applies the preference to duty.

B. There should be a uniform rule requiring that the differential be applied only to the costs incurred abroad, the f. o. b. foreign value. At present, the differential is applied even to costs incurred in the United States for local manufacture, assembly, transportation, insurance, and so forth.

Fourth. There should be a uniform rule as to what makes a product foreign. The Defense Department considers a product to be foreign if 25 percent or more of bid value is of foreign origin. Other agencies follow no such general rule, but might consider each bid case by case. The coordinated policy should provide that an item is of foreign manufacture only if more than 50 percent of the bid price is composed of foreign goods and services.

Fifth. Defense base considerations should be anticipated. Bid specifications should cover all matters essential for protection of the defense base, such matters as servicing, spare parts, interchangeability, and so forth. Foreign firms not meeting these specifications would thus be saved the expense and effort of bidding. Defense base considerations can easily be considered before as after a bid.

Last year, the Defense Department assured me that administrative action to clarify the policy in regard to the Buy-American Act would be taken upon the issuing of the Randall Commission report. This report has been with us for 4 months now, but, as yet, there is no indication that administrative action has been taken.

REMOVAL OF QUARTERMASTER PURCHASING AGENCY FROM NEW YORK TO PHILADELPHIA

Mr. CELLER. 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. CELLER. Mr. Speaker, the Department of Defense has made its decision to remove the New York Quartermaster Purchasing Agency from its present quarters at 111 East 16th Street, New York City, to Philadelphia. This removal has been vigorously opposed by the entire New York Democratic delegation, and the decision flouts their firm efforts.

The Defense Department has announced that savings would accrue from such a move. But the delegation is not impressed with the "paper" savings offered. Scores of employees and their families will be uprooted in this transfer. Many of the present employees will not

be economically or physically able to make the move. Hiring and training new recruits to take the place of those who cannot take advantage of the move will have to be accomplished. Most of the suppliers of the Quartermaster Purchasing Agency, despite the assertions to the contrary, are in New York or in hailing distance therefrom, and the consequent burden of this move to the suppliers will be heavy indeed. These are only some of the highly expensive aspects of this proposal.

At a time when there is great unemployment in New York, this is a bad time to make this transfer. This removal will only exacerbate a very difficult situation.

COMMITTEE ON PUBLIC WORKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may be permitted to sit this afternoon during the session of the House during general debate.

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

There was no objection.

SPECIAL ORDERS GRANTED

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

Mr. WHEELER asked and was given permission to address the House for 15 minutes today, following any special orders heretofore granted.

Mr. BAILEY asked and was given permission to address the House for 15 minutes on tomorrow, following the legislative program of the day and any special orders heretofore entered.

Mr. MEADER asked and was given permission to address the House for 10 minutes today, following any special orders heretofore entered, and to revise and extend his remarks and include extraneous matter.

ANNIVERSARY OF BATTLE OF MONTE CASSINO

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. MACHROWICZ] may extend his remarks at this point in the RECORD.

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

There was no objection.

Mr. MACHROWICZ. Mr. Speaker, this 18th day of May marks the 10th anniversary of one of the most important and momentous battles of the Second World War.

On May 18, 1944, Monte Cassino, that rugged and seemingly impregnable citadel in Italy, fell to a stubborn, gallant, and undaunted Polish Army, after unsuccessful previous attempts by the Americans and British had failed.

Since the free world seems to have forgotten and overlooked this great contribution of the Poles to the cause of freedom, I take this occasion to relate again

those historic facts which need recording in the archives of this country.

The initiative in the battle came from the Americans. When the United States Fifth Army was blocked by the Germans at the Anzio beachhead, a joint American-French frontal attack was staged on January 20, 1944, to capture the Monte Cassino and open the way to Rome. The attack was preceded by a heavy artillery fire during which 31,000 shells were dropped in half an hour on the German positions. The attack failed. The United States 34th and 36th divisions suffered heavy losses, while the French lost 1,300 men.

On February 11 a British unsuccessful attack took place. The Royal Sussex, Rajputana Rifles, and New Zealand tank unit were smashed to bits.

On March 11 a third general attack was undertaken with a total of 12 brigades of the best English, Hindu, and New Zealand troops. During the 3 hours 578 cannons hurled 1,200 tons of ammunition and 514 planes dropped 1,100 bombs at the fortified Abbey of Monte Cassino. It was the most concentrated bombardment in the war. The attacking troops entered the ruins of Cassino. After 10 days the offensive failed because of the heavy losses of the attacking force, with the Hindu division alone losing 3,000 men.

Another offensive started on May 11, with the American, British, French, New Zealand, and Polish troops participating. The Poles were given assignment to capture the Monte Cassino in frontal assault where three previous bloody offensives have failed.

On May 12, at 1 a. m., the Poles commenced the attack with 6 battalions as there was no room for more troops on the 1½ mile wide sector. The attack failed. The Poles suffered terrific losses. Only 20 men from the 18th and 31 from the 2d battalion survived.

On May 17 the Poles tried again. The Polish fighters were being killed like flies by the murderous German fire. In the last phase of the battle, after using all reserves and even technicians from the engineer corps and antiaircraft units, the Polish command mobilized three half-battalions composed of cooks, orderlies, drivers, telephone operators, supply men, and everyone else who could bear arms, and threw them into the battle which finally brought victory as the Polish unit captured the Abbey of Monte Cassino on May 18, 1944, at 10 a. m.

The road to Rome and ultimate victory for the Allies was opened. The Fifth American Army under Gen. Mark Clark entered Rome and continued the offensive onward.

The total losses suffered by the Second Polish Army Corps in this epic struggle were: 860 killed in action, 2,812 wounded, and 102 missing in action, making total casualties of 3,784.

Immediately after the battle, General Leese, commander of the Eighth British Army, told the press correspondents:

I want to tell you that the capture of Monte Cassino was entirely an achievement of the Poles. I am glad that you are here on this historic day for Poland, when Monte Cassino has been taken by the soldiers of the Second Polish Army Corps.

Today there are some who would minimize or completely conceal the facts about the role of the Poles in this struggle, and to deny the Poles their God-given right to freedom and liberty. And so I take this opportunity of restating the true facts for posterity.

The soldiers who made the victory possible were Poles under the gallant leadership of Gen. Wladyslaw Anders. Most of them were former prisoners in Soviet Communist prisons and forced labor camps in Siberia, who escaped and were fortunate enough to be saved from the fate of their comrades killed by the Communists in the forests of Katyn.

When these brave soldiers fought against the Nazis in 1939, Stalin thrust a knife into their backs by joining with Hitler to exterminate them. The end of the war brought no freedom and liberty for them. Most of them are now scattered throughout the world, unwilling to return to their motherland suffering under Communist domination and oppression. They did not have the privilege of seeing the triumph of their cause. Poland still suffers under the most brutal tyranny known to mankind.

I hope and pray that the day may soon come when justice will again prevail in the world, and when the brave Polish heroes of Monte Cassino may return to a resurrected, free, and independent Poland.

CONGRESSIONAL SECRETARIES CLUB

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

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I have been asked by the Congressional Secretaries Club to announce that the bloodmobile will be in the caucus room of the Old House Office Building on May 26. This action is sponsored by the Congressional Secretaries Club, who are trying to set up a blood bank of their own.

CITY OF PEABODY, MASS.

Mr. LANE. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 553.

The Clerk read the resolution, as follows:

Resolved—

Whereas a great portion of the city of Peabody, Mass., has been visited by a devastating flood because of disintegration of a protective dam; and

Whereas from all current reports the floodwaters to this point have enveloped and inundated several miles of business and residential areas, in some cases isolating women and children from all normal escape avenues; and

Whereas from all current reports the area has become one necessitating immediate emergency relief for the victims of the flood, and for immediate aid in the rehabilitation and restoration of the stricken area: Therefore be it

Resolved, That it is the sense of the House of Representatives that the flood which devastated Peabody, Mass., should be declared a major disaster within the meaning of the act entitled "An act to authorize Federal

assistance to States and local governments in major disasters, and for other purposes," approved September 30, 1950 (64 Stat. 110), and at the earliest opportunity all possible Federal aid for which such act provides should be given to such area.

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

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

Mr. LANE. Mr. Speaker, I rise at this time to support this resolution and to request approval of this proposed bill which seeks to alleviate the suffering and damage caused by a flash flood which inundated a 2-mile stretch of the business district of Peabody, Mass., last Sunday evening.

The dam, constructed of wood and granite 17 feet high and 14 feet in width retaining 10 acres of water built up by weeks of the recent heavy rainfall, broke, pouring the water down on this manufacturing city. This caused the evacuation of hundreds of persons and damage estimated in the millions. The buildings and homes were flooded by this raging torrent which burst forth from the flume water basin in South Peabody. I am advised that this Massachusetts catastrophe was the worst since the tornado that struck the city of Worcester in July of 1953.

The mayor of that city, Hon. Philip C. O'Donnell, termed the flood as the worst nonfatal disaster in the city's history, and it is indicated that thousands of tannery employees will face indefinite unemployment because of the serious damage to the various factories consisting mostly of leather tanneries.

As a result of this flood the 9 schools in the city of Peabody with 3,500 children have been closed, and all of the restaurants and food stores were scheduled for close inspection due to the water pollution. Over the weekend several surrounding communities have aided the officials in the city of Peabody with auxiliary police, firefighters, civil-defense personnel, and 150 United States Coast Guard men, and all worked overtime in rescue and evacuation operations. Fifty families have been evacuated from their homes by the police and Coast Guard and others using amphibious "duck" and smaller craft in their efforts.

The officials already have estimated that at least 10 factories which bore the brunt of the flood damage estimated their loss as more than \$1 million.

The health menace has increased due to the mixture of chemicals from leather tanneries and other industries with the flood waters, and all have been advised that it is mandatory that water to be used for drinking purposes should be thoroughly boiled.

Up to the present time the local officials have been working zealously to cope with this situation, and I am satisfied that the Commonwealth of Massachusetts is in turn doing its utmost to alleviate the suffering and damage.

The purpose of my resolution, Mr. Speaker, is to obtain the sense of the House that the flood which devastated the city of Peabody, Mass., be declared a major disaster within the meaning of

the 1950 statute authorizing Federal assistance to State and local governments in major disasters and that at the earliest opportunity all possible Federal aid be given to that area.

I am hopeful that passage of this resolution, Mr. Speaker, will afford an opportunity to all of the various Federal agencies, including Federal Civil Defense Administration, Small Business Administration, and so forth, to furnish aid and relief and financial assistance to all persons affected by this unforeseen disaster.

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

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

There was no objection.

Mr. PHILBIN. Mr. Speaker, I am highly privileged to join with my esteemed colleague, Congressman LANE, in supporting this resolution for the proposed relief of the stricken city of Peabody, Mass.

It is gratifying to know that our distinguished Speaker and majority leader have so willingly joined with our distinguished minority leader and minority whip in making it possible to call this resolution before the House at this time. To these esteemed colleagues and all others who have taken an interest in the matter, I express sincere appreciation.

Up to the present, I have not received detailed reports concerning the extent of the disaster. From information I have at hand, however, it would appear that the damage is as widespread as it was unexpected. A torrent of water released from a nearby pond, by the breaking of a dam or retaining wall, poured, I understand, into the very center of the city, covering the area to a depth of from 4 to 6 feet or more of water, entering stores, business places, factories, dwellings, and leaving a trail of damage and destruction.

Fortunately, as I understand it, there were no casualties and that is something to be very thankful for.

The property damage is believed to be extensive although I have seen no formal estimates up to the moment. If it should appear that the need is great, and I am sure that my colleague [Mr. LANE] has full information on this point for presentation to the House, then clearly the assistance of the Federal Government would be feasible and necessary.

If this measure is passed and the President proclaims Peabody as a disaster area, certain definite benefits may flow to the city and its inhabitants in the form of material aid and loans, if necessary, and other help as it appears appropriate.

I am sure that the action of the House will be an indication to the Executive of the present needs in this beautiful city and that all the people of Peabody will be thankful for it.

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

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

There was no objection.

Mr. BATES. Mr. Speaker, it is on rare occasions that a major disaster strikes in Massachusetts. A year ago, the Worcester tornado unexpectedly demolished a large area of that community and took many lives. Last Sunday evening a 40-foot break developed in a dam in Peabody, Mass., and inundated the entire business section of that city. Fortunately no lives were lost.

Peabody, like Worcester, has lost no time in taking immediate action to give necessary relief and plan for the future. I have been advised by Mayor Philip O'Donnell, of Peabody, that the situation was grim, but is now well under control and the waters have receded. The flood struck quickly but the city found an immediate response from the Civil Defense, Civil Air Patrol, the Red Cross, and Coast Guard as well as the Salvation Army, Boy Scouts, and others. The food and drug division of the State department of public health is now lending advice and assistance. Their work, according to the mayor, was simply wonderful and touching.

The officials of the Small Business Administration in Washington inform me that the regional office in Boston is already engaged in appraising the damage in order to determine whether or not Peabody should be classified as a disaster area, and if so classified, the various firms will be eligible for financial help in the form of loans. It is expected that this determination will be made very shortly. I am hopeful that necessary assistance will be forthcoming, thereby providing continuing work and payrolls and enabling one of the great tanning cities of the Nation to maintain its position in the industrial field.

Peabodyites can be depended upon to do their share. They have the strength and courage to carry on in such emergencies.

Mrs. ROGERS of Massachusetts. Mr. Speaker, my deepest sympathy goes to the people of Peabody, Mass., and the surrounding area on account of the flood disaster which has just occurred in that community with the bursting of the protective dam following heavy rains in the area. Over the weekend damages of hundreds of thousands or millions of dollars was caused by the torrential rains and the Boston weather bureau recorded the heaviest 24-hour rainfall in its history. I wish to join with my colleague, Congressman THOMAS J. LANE, of the Seventh Massachusetts District, in asking for the adoption of his resolution to grant emergency relief to the people of the city of Peabody and the flood-disaster area. The flood is of major proportions covering a very large area. The bursting of the rain swollen mill pond and flume at Peabody was a ravaging flood causing great suffering and financial damage. We hope that the much needed Federal relief may be granted immediately.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first bill on the calendar.

AUTHORIZING ADMINISTRATOR OF VETERANS' AFFAIRS TO GRANT EASEMENT TO SYRACUSE UNIVERSITY

The Clerk called the bill (H. R. 9089) authorizing the Administrator of Veterans' Affairs to grant an easement to Syracuse University, Syracuse, N. Y.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to grant an easement, for purposes of installing, repairing, and maintaining, and from time to time enlarging or substituting conduits for the transmission underground of electricity and steam and returns therefrom, to Syracuse University, Syracuse, N. Y., for its own use and the use of persons, firms, or corporations to whom Syracuse University may sell steam or electricity, across certain land of the Veterans' Administration hospital reservation at Syracuse, N. Y., under which lands the said University has already caused to be located steam conduits. The exact legal description of the lands across which the easement is granted shall be determined by the Administrator of Veterans' Affairs, and the easement shall be subject to such terms and conditions as the Administrator may deem to be in the interests of the United States.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TO AUTHORIZE APPOINTMENT AS UNITED STATES COMMISSIONER, INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO, OF COL. LELAND HAZELTON HEWITT, UNITED STATES ARMY, RETIRED

The Clerk called the bill (H. R. 9004) to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 2 of the act of July 31, 1894 (28 Stat. 205), as amended (5 U. S. C. 62), Col. Leland Hazelton Hewitt, United States Army, retired, may be appointed as the United States Commissioner, International Boundary and Water Commission, United States and Mexico, designated by article 2 of a treaty between the United States of America and Mexico regarding the utilization of waters of the Colorado and Tijuana River and of the Rio Grande River, signed in Washington on February 3, 1944.

Sec. 2. Col. Leland Hazelton Hewitt's appointment to and acceptance of this commissionership shall in no way affect any status, office, rank, or grade he may occupy or hold as a retired officer of the United States Army, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade. He shall, however, receive the compensation provided for the office of United States Commissioner of said International Boundary and Water Commission, in lieu of retired pay to which he would be entitled as a retired officer of the United States Army.

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

time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the bills on the Private Calendar.

COMMITTEE ON WAYS AND MEANS

Mr. REED of New York. Mr. Speaker, I offer a resolution (H. Res. 554) providing for additional employees for the Committee on Ways and Means, and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Committee on Ways and Means is authorized, until otherwise provided by law, to employ two additional employees to be paid from the contingent fund of the House at the rate of compensation to be fixed by the chairman in accordance with section 202 (c) of the Legislative Reorganization Act of 1946.

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

There was no objection.

The resolution was agreed to, and a motion to reconsider was laid on the table.

PENSIONS FOR VETERANS

Mr. BAKER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point.

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

There was no objection.

Mr. BAKER. Mr. Speaker, I rise in support of H. R. 3548, introduced by my colleague the gentleman from Tennessee [Mr. REECE].

The bill is entitled "A bill to provide pensions for veterans of World War I and World War II based on nonservice-connected disability and attained age, and for other purposes."

The bill provides that any person who served in the active military or naval service, for a period of 90 days or more, during either World War I or World War II, as now or hereafter defined, who has an honorable discharge from such service or who, having served less than 90 days, was discharged for disability incurred in the service in line of duty or is receiving or entitled to receive compensation for service-connected disability, who is shown to have been in active service therein before the cessation of hostilities and who is or may hereafter be suffering from a total and permanent non-service-connected disability, or has attained the age of 65 years or over and whose annual income is less than \$2,000 if single, and \$3,000 if married, or has dependent child or children, except that money expended for medicine, surgical, hospital, and nursing expenses for the veteran and his wife shall be excluded in determining income, shall be entitled to receive pension at the rate specified in section 2 of this act.

The bill further provides that the amount of pension payable under the first section of the act shall be (a) \$72 per month at age 65; and (b) \$120 per month for any person otherwise entitled to pension under section 1 of this act who

has, or hereafter may become, on account of age or physical or mental disabilities, helpless or blind or so nearly helpless or blind as to need or require the regular aid and attendance of another person.

Section 4 of the act provides that the pension or increase of pension provided for in this bill shall commence effective the first day of the second month following the date of the approval of this act.

Section 5 provides that nothing contained in this act shall be held to affect entitlement to or reduce the amount of any pension heretofore granted under any existing act, public or private, or veterans regulation.

Section 6 provides that the surviving widow, child, or children of a veteran who served in World War II whose death is not due to service therein, but who was discharged or released from active service under conditions other than dishonorable after having served 90 days or more or for disability incurred in wartime service in line of duty, or who at time of death was receiving or entitled to receive compensation or retirement pay for wartime service-connected disability, shall be entitled to pension in the amounts and otherwise subject to the conditions of Public Law No. 484, 73d Congress, as amended.

I am glad that this bill applies to both World War I and World War II veterans. In many respects the veterans of World War I are the forgotten men. They had no GI bill of rights; no social-security coverage; whereas Congress properly extended to World War II veterans social-security coverage with credit up to \$160 per month on social security and extended social-security benefits to widows of World War II veterans. The veterans of World War I are rapidly becoming old men unable to work. Very few of them can obtain pensions or compensation under present legislation. A high percentage of the veterans of World War I suffer from extreme arthritis and many physical weaknesses attributable to exposure and hardship which they underwent on the battlefields of Europe. I understand that World War I veterans are dying at the rate of about 65,000 per year. Surely the United States, the most powerful and wealthy Nation in the world, owes to the veterans of World War I the benefits provided by H. R. 3548.

I am glad also that the bill grants additional benefits to the veterans of World War II and to the widows and dependents of the veterans of World War I and World War II. The veterans of World War II literally faced hell on earth. I have seen many, many instances of the veterans of both World War I and World War II who have no way now of proving that their disability is service connected. The benefits granted by H. R. 3548 are small compared to the debt which we in America, who were either too young or too old to be with the veterans of World War I and World War II, owe to them and to their dependents. This bill is in keeping with the long cherished traditions of America to see to it that the men who preserved this great Nation in time of

war should be adequately and properly remembered and rewarded in the declining days of their lives. Let us pay honor to whom honor is due and credit to whom credit is due, and pass this bill without further delay.

MONEY POLICIES—IS THERE ANOTHER HARD-MONEY, HIGH-INTEREST POLICY FACING OUR COUNTRY?

The SPEAKER. Under previous order of the House, the gentleman from Texas [Mr. PATMAN] is recognized for 15 minutes.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain additional matter.

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

There was no objection.

Mr. PATMAN. Mr. Speaker, I desire to invite the attention of the Members of the House to the fact that we are starting out again, evidently, on a hard-money, high-interest policy. Up until the month of May 1953, the policy was effective. It caused Government bonds to go down as low as 89 and interest rates to go up in proportion. The policy was reversed, and then by April 2 Government bonds, all of them, went back above par, 100 cents on the dollar on April 2 of this year 1954. For over a month they remained there, but for the last few days they have been going down in price which, of course, means interest rates are going up. That is a bad trend.

DICE GAME

It looks too much as if the Government bond market is becoming a dice game, and that they are using it just as an ordinary crap shooter would use it to make money gambling on the Government bond market. The number of banks reporting their earnings last year show that they bought these bonds low and then sold them high. It would not be harmful to the public interest if the speculation was confined to bonds above par, but the public is greatly harmed when this Open Market Committee plays the game with the speculators and helps to force Government bonds below par.

It is a deliberate action on the part of the Open Market Committee. They could prevent these bonds going 1 cent below par if they wanted to. They have the power to support them at par. It is in the public interest for the price to be held at par or above. It helps the speculators when they are permitted to go below par. I wonder if the bond market is going down again, to enable more people to buy them and then bring it up again as they did before so that they can sell high. The people who are in the know, of course, can do that. The private banking interests control the Federal Reserve System.

PRIVATE BANKS DO NOT OWN FEDERAL RESERVE BANKS

One of the worst misrepresentations that has been made in the recent past is that the Federal Reserve System belongs

to the banks anyway, and they can do anything they want to with it. It happens that we had a study of the Federal Reserve System not so long ago through a subcommittee of the Joint Committee on Economic Report, of which I was chairman, and certain fallacies were made known, and the truth was made known. One of the fallacies was that the Federal Reserve banks' stock is all owned by private banks, and therefore the private banks own the Federal Reserve System. The truth is all stock in Federal Reserve banks that has been sold has been sold to private commercial banks, and to that extent the statement appears to be true. But this study showed it was not stock at all. They call it stock, but it is not stock. A stock certificate enables a person or a corporation holding that certificate to vote that stock. He can sell it; he can hypothecate it; he can do anything with it he wants to, but that is not true as to the so-called stock held by private banks in the Federal Reserve System. The truth is that private banks just invest a certain percent of their resources in the local Federal Reserve bank, and on that they get 6 percent return every year. That is all they get. They have no benefits or privileges outside of that. They have no voting rights. It is not stock in the true sense of the word. It gives the bank no ownership, control, or influence over the Federal Reserve System. The fact that it is called stock does not any more make it stock than to say that a dog has five legs just by calling his tail a leg. The Federal Reserve System operates on the Government's credit solely and does not rely upon any investment made by member banks.

FEDERAL RESERVE BANKS DO NOT USE RESERVES OF MEMBER BANKS

One other important statement that is made that is a misrepresentation is that the member private commercial banks deposit their reserves with the Federal Reserve bank in the district in which they are located, and the Federal Reserve bank uses those reserves to invest in Government bonds. That is a fallacy too. The Federal Reserve bank does not use those reserves. It is a violation of the law for the Federal Reserve bank to use those reserves. They do not use them for any purpose whatsoever except to keep them there for the benefit of the banks depositing those reserves. The Federal Reserve System simply conveniences the local bank by keeping the reserves for safekeeping and to have them available as a basis for money that is created or manufactured by the local bank under our fractional reserve system. They cannot be invested by the Federal Reserve bank at all. The American Bankers Association is responsible for this misrepresentation. One of its representatives testified before the House Committee on Banking and Currency that the Federal Reserve banks bought Government bonds with these reserves. I demanded that the association correct or repudiate the statement. No answer yet. However, the statement has not been repeated by any representative of the American Bankers Association as it is obviously false. A small

amount of so-called stock that the banks buy does not amount to anything. It is not used. It is not needed. The Federal Reserve System does not operate on capital. The Federal Reserve System operates on the credit of the entire Nation. These Federal Reserve banks operate on Federal Reserve notes. You look at one of those notes and it reads, "United States of America promises to pay upon demand" so many dollars. It does not say "The Federal Reserve bank will pay on demand" et cetera. That is creating money. That is what the Federal Reserve System operates on. It does not operate on any money that is paid in in the form of stock. It does not operate on the reserves of the local bank. It operates as a central bank always operates in any country in the world; that is, upon the credit of the Nation. This is how our capitalistic system works. They manufacture money. That is what the Federal Reserve System operates on.

MOST POWERFUL GROUP IN UNITED STATES

The Open Market Committee is the most powerful group in the United States. It is a group to which the Congress has delegated the power to fix interest rates, fix the price of Government bonds, to determine whether we have hard money or easy money, good times or bad times. I will venture to say there are not many Members of this House who can name the members of that Open Market Committee of 12, with all of that power delegated to them by the United States Congress. Yet they have that power. It is dominated by representatives of private bankers.

The people—160 million—under the United States Constitution delegated this power to Congress—435 Representatives and 96 United States Senators. The Congress delegated these enormous powers to the Open Market Committee of 12 of the Federal Reserve System. The 12 members of the Open Market Committee delegated the powers to 5 members of that committee. The 5 have delegated it to 1, the president of the Federal Reserve bank of New York. He runs it. He was selected by the private bankers or he would not hold the place as president of the New York Federal Reserve bank and would not be the one having all these tremendous powers.

In the recent book, *The Hard Money Crusade*, by Gross and Lumer, on page 49, it is stated:

Furthermore, the commercial banks have a powerful voice on the 12-man Open Market Committee, which makes the extremely important decisions concerning Federal Reserve support of the Government security market. The seven members of the Board of Governors serve in ex officio capacity. The remaining 5 are presidents of regional Federal Reserve banks, each of whom is elected by the 9-man regional board of directors dominated by the member commercial banks.

"When a Reserve bank president sits as a member of the Federal Open Market Committee," Marriner Eccles, former Chairman of the Board of Governors, has stated, "he participates in vital policy decisions * * * which affect all banking. So far as I know, there is no other major governmental power entrusted to a Federal agency composed in part of representatives of the organizations which are the subject of regulation by that agency."

I could not name all the 12 members of the Open Market Committee myself. I knew all their names up until a recent change; but they change every year; that is, they change the presidents of the Federal Reserve banks, all except New York, on the Open Market Committee; he stays on all the time; he is the one who runs the show. He is selected by the private banks, and he has the power to run not only the committee, but he is doing it. So that is the reason I say it is being operated as a crap game, a dice game. Run the price of Government bonds down, and certain people buy them; they go up, they sell them. Run up and run down again; run down and run up again. Who makes the profits? Who is helped? Not the people. They are helped by bonds being kept at par and above, not below par.

CHAIRMAN MARTIN A CAPTIVE

The action of Chairman William Martin, of the Federal Reserve Board, in the first 5 months of 1953, in causing hard money and high interest during that period, is not understood. The only reason given for such hard-money, high-interest policy was the danger of inflation. However, Mr. Martin, in December 1952, in a speech before the Investment Bankers Association, stated that the danger of inflation had passed. Furthermore, in February 1953, he caused the margin requirement on stock exchange transactions to be reduced to 50 percent, which could only be for one purpose, and that was to fight deflation. The mystery is, why should he in his actions and statements try to convince the people that there was no danger of inflation and at the same time carry out Dr. Burgess' policy of hard money and high interest?

The mystery is cleared up when it is realized that Mr. Martin is holding the chairmanship as a captive of Dr. Burgess, the architect of the administration's money policy. If he did not carry out the Burgess hard-money, high-interest policy, the President could fill one of the Board vacancies and make the person so appointed the Chairman instead of Mr. Martin.

You would think they would never again attempt the hard money, high interest policy like they did in 1953, after experiencing the devastating results that were experienced during that half year; but they tell us, though, they are turning back, they are changing, they are not through, they still believe in the flexible money policy.

In the book, *The Hard Money Crusade*, by Gross and Lumer, just published, on page 34 it is stated:

The hard-money program has been temporarily reversed but its ultimate objectives have not been abandoned. Indeed the Treasury itself has categorically denied that any policy reversal has taken place or that any of the new monetary and debt management objectives have been abandoned.

On November 18, 1953, Under Secretary of the Treasury Marion Folsom told the American Chemical Association:

"Our policy is fixed and determined. It is flexible only in its execution. While our objective is definite, our progress toward it realistically recognizes and adjusts to the changing conditions in which we operate."

We have made no change in either policy or objective."

Notice the statement that no change in policy has been made.

They are coming back right now, it appears, with hard money and high interest. They must be stopped.

Now, that word "flexible" in money means high interest; to the farmer the word "flexible" means low prices. "Flexible" means different things to different people in different lines of business. To the moneylender it means he can get more interest; to the farmer it means he will get lower prices.

So I want to suggest to the Members of the House that they give serious consideration to what is going on right now. The new dice game, the new crap game is opening up in New York. They are putting the bond market down again. They are causing higher interest. High interest unbalances all budgets.

A few people, banks, and other corporations will profit just as happened in 1953. Millions of dollars will be made overnight by the speculators in the Government-bond market. It affects our whole economy. The farmers are still suffering from past sprees of speculation like this. Congress should do something about it.

QUESTIONS OF SUPPLY AND MANAGEMENT IN THE DEPARTMENT OF DEFENSE

The SPEAKER pro tempore (Mr. CANFIELD). Under the previous order of the House, the gentleman from North Carolina [Mr. BONNER] is recognized for 15 minutes.

Mr. BONNER. Mr. Speaker, while the Department of Defense appropriation bill, H. R. 8873, was under consideration on April 28, 1954, I raised two questions with respect to supply management in the Department of Defense. The first concerned the cataloging program of that agency. The second concerned medical-supply management in the three military departments.

Incident to the cataloging program which has been under way for the past 10 years and on which we have probably expended \$75 to \$100 million, the gentleman from Massachusetts [Mr. WIGGLESWORTH] was asked if there has been any integration of supply systems or categories of supply in the Department of Defense to date. The gentleman indicated that I could probably obtain better information when a discussion of the individual armed services was taken up.

I then asked what had happened as to integration in the medical-supply field and specifically about the Alameda medical supply test which has been under way since March 1952. The gentleman from Michigan [Mr. FORB] stated that the testimony before the Army panel indicated that the Alameda test was most successful. He stated that the Surgeon General of the Army informed the appropriation panel that it was expected that the Alameda program would be implemented all over the United States within, he thought, the next fiscal year. I asked: "You are going to con-

solidate this supply system?" He stated: "That is right." I then said: "And have one service to serve all the branches." The gentleman from Michigan [Mr. FORB] stated: "That is correct."

On returning to my office I checked the Army hearings and found that the Surgeon General of the Army, General Armstrong, had stated that the Alameda test had been highly successful and that he understood that studies were under way by an ad hoc committee of the Army, Navy, and Air Force and the Department of Defense to see what recommendations will be made as to the continuation of this test or a broadening of the program. General Armstrong indicated that he thought one service could store and issue medical supplies for the other services and it did not matter whether it was the Army, Navy, or Air Force which did the depot operation.

I do not, however, find anything in the hearings, the appropriation bill, in the information I have received from time to time, nor in the history of this matter to warrant the optimism of the gentleman from Michigan that next fiscal year will see an integration of medical supply in the Department of Defense. I wish sincerely that it were so.

I find, as a matter of fact, that the opposite seems to be true. I have received information from the former Assistant Secretary of Defense for Supply and Logistics, Mr. C. S. Thomas, which indicates that each service is going to have a separate stock fund for its medical supplies and equipment. It was my information from testimony of the Controller of the Department of Defense that a better operation would be possible if one stock fund were established for the operation of one medical supply system for the Department of Defense. The excellent study on Joint Procurement of Medical Equipment and Supplies by the Business and Economic Research Center of Syracuse University indicated the same thing. A report, No. 2330, 82d Congress, 2d session, entitled "Alameda Medical Supply Test" issued by the House Committee on Government Operations indicates the same. In view of the apparent misunderstanding, therefore, that exists regarding this matter, I am asking your indulgence while I briefly review the history of the Alameda medical supply test.

In 1951 the so-called Bonner committee held hearings on Federal supply management at Atlanta, Ga., and in the New York area. At that time we found to our surprise that there was a tremendous duplication of effort on the part of the military services in storing and distributing medical supplies and equipment. On June 27, 1951, we issued House Report 658, and called to the attention of the House the unnecessary duplication and cost, particularly in the distribution phase of medical supply management. We pointed out, for example, that the Navy depot at Edgewater, N. J., was shipping medical supplies to Pensacola, Fla., when the same supplies, procured by the same joint agency, were available at the Army depot, Atlanta, Ga. We also pointed out that the Army installation at Fort Dix, N. J., drew its medical supplies

from the Army depot, Schenectady, N. Y., though Navy facilities at Edgewater, N. J., close at hand, had the identical supplies. These two examples were duplicated a hundred times or more. We reported that the Army and the Navy each had a medical supply depot at Oakland, Calif., virtually across the street from each other.

We asked the Acting Secretary of Defense, the Honorable Robert A. Lovett, to appear before the committee and indicate his reactions to our report. Mr. Lovett, a fine and high-minded individual, appeared before the committee on July 19, 1951, and brought with him a new directive dated July 17, 1951, on the subject of Specific Policies Governing the Department of Defense Supply System.

Paragraph 5C of the new directive reads as follows:

Priority study shall be given to the feasibility of assigning to a single military department the responsibility for procurement, distribution, including depot storage and issue for classes of common items of supply and equipment, and depot maintenance of such equipment. Medical supply items shall be the first category to be studied.

Pursuant to that directive, the Secretary ordered the Munitions Board supply system people to determine if one department could not procure, store, and distribute medical supplies for the three departments. Mind you, the Army has always furnished medical supplies, and so forth, to the Air Force.

For many months a battle raged in the Pentagon as to who would conduct the test, how it would be conducted and evaluated, where it would be conducted, and so forth. On two or three occasions the Secretary needed to intervene to get the matter on the track. Finally, the ground rules were laid and the much-heralded test was started at the Army Depot, Alameda, Calif., on March 15, 1952. The test was to last for 6 months and be finished on August 31, 1952.

The committee was well aware of the opposition of one of the services to the test so we made a special trip to Alameda and on August 21, 1952, we held hearings to find out the results of the test of the previous 6 months. We found that the Army wholeheartedly favored it and had staffed the operation with personnel of zeal and ability. We found that the Air Force was enthusiastic about the results of the test. We found that the Navy was not enthusiastic about the results of the test though they indicated that it had been successful and that their operations in the Pacific and the Korean theater had been well supported from Alameda. I should mention at this point that one of the fortunate things about the test was that it was conducted during the so-called Korean affair and was, therefore, more than a mere peacetime operation.

Our committee was convinced that the test had been very successful though operated under extremely difficult conditions. For example, each service had a part ownership of the stock thus requiring triple accounting. The Navy used its depot at Oakland, Calif., as a wholesale distributing point and regularly sent a 3 months' supply to the Alameda test point. Meantime, the Navy depot

at Oakland with 479,000 square feet of space has been in a standby status.

I might add at this point that the services have used a joint medical supply catalog for several years though it has lately been improved. Further, a joint agency has been buying all the medical supplies for the 10 Army and Navy depots for a number of years. After viewing the operation at Alameda our committee wanted to know how and when the successful test would be applied "across the board." In other words, when could we expect to have an integrated medical supply system in the East and Middle West on the same basis as the one operating in Alameda? At that point, difficulties began to arise. We were told by representatives of the Secretary of Defense in December 1952 that there would not be an integrated medical supply system but that it was being planned to have one service operate the west coast, another the Middle West, and another the east coast. Such a plan would have put the Air Force into the medical depot business for the first time. Since August 1952 there have been a number of analyses, evaluations, and reports with respect to the application of the Alameda test. To date, however, there has been no concrete progress. Why not? Because one of the services insists on being autonomous or independent in this matter. It can see that the application of the Alameda medical test may lead to other similar tests.

Now, I want to ask the membership of this House how much patience should the taxpayers have? We all paid our taxes on March 15. Two-thirds of what we paid went to support the military establishments. Certainly no good American objects to necessary military expenditures. We want and we need the strongest military organization we can have. We have no foreign policy without the force to back it up. But why should we waste our substance to humor those who insist on being completely independent in this dependent age?

Mr. Speaker, the former head of the Military Cataloging Agency, Adm. J. W. Fowler, stated that we could save 4 billion dollars annually by putting the catalog into effect. I am positive that this is a minimum figure when we note that the services have stores' inventories of some 70 to 80 billion dollars and much of it is duplicated or triplicated.

Mr. Speaker, a catalog is only a catalog if it is not used for all the purposes intended. A catalog should be a thread that runs through every single facet of supply management. It is not an end in itself but a management tool needed to achieve necessary ends. It is needed in research and development work to make sure that new, unnecessary items are not created. It is needed in developing specifications and standardizing items. It is needed in buying, storing, issuing and cross-servicing. It is necessary for an efficient disposal program.

Mr. Speaker, "By their deeds shall ye know them." Why should we expend millions of dollars developing a catalog if it is not put to full use to give maximum economy, efficiency and effectiveness? Lip service to a catalog is not enough. The Alameda medical supply

test has been more than a test of medical supply. It has been a test of the good will and good intentions of the military departments toward the American public. Two years after a successful test has been completed it has not been applied across the board because of bureaucratic resistance. Evaluations, analyses and reports on the test have been collecting dust in the Pentagon during the past two years. More are under way. Those who opposed the test have been seeking ways to prevent its application across the board.

Unfortunately, the House failed to place an amendment in the Department of Defense appropriation bill of 1955 to speak the will of Congress on this matter. I fervently hope that the Senate will take action where we have failed and we may later have a chance to redeem ourselves.

I can assure you that the full application of the Alameda test to the 10 military depots will save millions of dollars annually; it will show the way to much greater savings in larger areas; it will bring a breath of fresh air and a hope to the beleaguered American taxpayer; and it will not hurt, but help, military operations.

I want to state again that I consider this matter to be wholly nonpartisan, and that I am convinced beyond all doubt of the sincerity of the gentleman who indicated that he thought plans were under way in the Pentagon to insure an integrated medical supply program in the Department of Defense during the next fiscal year.

Mr. Speaker, I want to mention another matter briefly. In the summer of 1952 we held hearings at the Army Medical Supply Depot, St. Louis, Mo. This is a large multiple-story building of 20 or 22 stories in the heart of St. Louis. The building contains more than 1 million square feet of space, and is, by the admission of responsible Army officials, inefficient as a medical depot. It costs the Government unnecessary money to move supplies into this multiple-story building and then ship them out to several hundred places in the Middle West. At the same time that this uneconomical operation is under way, the Government rents in many places in St. Louis in excess of 1 million square feet of space. We endeavored to learn why this depot was not converted to an office building, and were assured that it can be providing the Army were given additional space somewhere for its medical supply operation.

I would like to know from the gentleman in charge of the military appropriation what has been done to correct this sorry waste of the taxpayers' money.

In conclusion, let us not be deluded about the cataloging program, great as the prospects for its use may be. If the services are not forced to use it in the relatively simple medical supply area, with only eight or ten thousand items, with an annual consumption of a few hundred million dollars, and using 7 million feet of depot space, they will not use it for two or three million items worth billions of dollars and occupying two or three hundred million square feet of depot space.

TODAY'S FARM PROBLEMS

Mr. McINTIRE. Mr. Speaker, I ask unanimous consent to address the House for 1 hour and to revise and extend my remarks and include a catalog of today's agricultural accomplishments.

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

There was no objection.

Mr. McINTIRE. Mr. Speaker, I take this time to refer to the constructive efforts of the present administration in coping with some of today's farm problems.

This administration has, ever since it took office, recognized that the heart of today's farm problems is agricultural surpluses. It has not been unmindful, however, of the disasters and misfortunes that are the unwanted and undesirable companions of the farmer.

Today's farm problems have been faced with courage and resolved with a dispatch consistent with prevailing laws and circumstances. The light of publicity has not often been flashed on these rather superb accomplishments, for more time has been spent in solving the problem than in advertising the solution. It is with an attempt to bring the light of the present administration's accomplishments in the farm area out from behind the bushel that I include at this point in the RECORD a catalog of today's agricultural accomplishments:

MAY 17, 1954.

AGRICULTURAL ACCOMPLISHMENTS

I. REPUBLICAN AIMS FOR AGRICULTURE

The aim of the Republican administration is to serve the best interests of agriculture—all of agriculture—and thus serve the welfare of the American people. The President has consulted with farmers, their organization representatives, their educational leaders, the administrative officials of the Department of Agriculture, and the Nation's legislators to work out a decent farm program.

We must help American farmers achieve full parity in the marketplace.

The domestic consumption of farm products in 1953 was the greatest in history and should continue near this level in 1954. However, we must not only increase our domestic markets but place emphasis upon the rebuilding and expansion of exports.

The following résumé of accomplishments clearly indicates that the Republican administration not only has kept its campaign pledges but also will never let the American farmer down.

II. REPUBLICAN ADMINISTRATION'S CATTLE PROGRAM

1. President Eisenhower issued an order removing price controls from all meat products.

2. President Eisenhower ordered that military procurement of beef be stepped up.

3. The Department of Agriculture initiated a program to buy 200 million pounds of beef for the school lunch and foreign aid programs.

4. The importation of New Zealand beef into United States markets through Canada was stopped.

5. The Department of Agriculture launched a program of advertising and special inducements to increase beef consumption. This resulted in a one-third increase in the amount of beef consumed in the United States last year.

6. President Eisenhower made \$8 million available to stockmen in drought areas.

7. Congress enacted legislation to furnish feed for livestock and seeds for planting to farmers in localities designated as disaster areas, and made direct loans to established farmers who were temporarily unable to get immediate credit.

8. The Secretary of Agriculture induced railroads to cut freight rates in half to permit cattlemen to ship their herds out of drought areas.

9. Secretary Benson arranged with governors of 12 States to distribute hay to farmers at Federal expense.

III. PROGRAM FOR GRAIN FARMERS

1. The Republican administration is breaking all records in providing farmers with grain storage—1,044,000,000 bushels of grain storage: (a) Built 100 million bushel capacity 1953, (b) built 100 million bushel capacity through April 1954, (c) CCC extended its program of loans to farmers to build or buy 35 million bushel capacity farm-storage units, (d) occupancy storage 201 million bushel capacity, (e) ship storage 69 million bushel capacity, (f) the farmer farm storage facility tax amortization program initiated by the Republican administration will also add several millions in storage capacity.

2. A million tons of Government-owned surplus wheat was made available to Pakistan and other friendly countries.

3. Congress authorized the CCC to make \$100 million worth of surplus agricultural commodities available to the President for use in meeting famine or other relief requirements of peoples friendly to the United States.

4. Congress authorized the President to dispose of some \$250 million worth of Government-owned surplus farm products to friendly foreign nations in exchange for foreign currencies, the latter to be used for United States expenditures in those foreign countries.

5. A new International Wheat Agreement was entered into for the purpose of extending the disposal of Government-owned surplus wheat.

6. Congress increased national acreage allotments on wheat to 62 million acres.

7. Congress extended Federal crop-insurance program for 2 years.

8. Secretary Benson recommended that imports of oats be restricted.

IV. COTTON

1. Cotton exports have increased over last year 101,000 bales, by March 31. Estimate that they will increase 500,000 bales by July. (USDA predicts we will export between 4,500,000 and 5,000,000 bales of cotton next year.)

2. Congress passed Public Law 290 to increase cotton-acreage allotments from 17,910,448 acres to 21,379,358 acres.

3. Cotton loan program extension.

V. ACTIONS TAKEN TO IMPROVE DAIRY SITUATION

1. A promotion campaign to push the consumption of dairy products, especially during June dairy month, and the high-production period.

2. A nationwide educational program to increase the culling of low-producing dairy cattle.

3. Offers to sell CCC stocks of cheese and dried milk for exports at world market prices.

4. A special program to facilitate the use of United States-produced butter and nonfat dried milk solids, as reconstitution fluid milk for sale in friendly foreign countries.

5. Nonfat dried-milk solids held by CCC will be sold for a limited period at reduced prices for use as animal and poultry feeds. Two hundred seventeen and one-half million pounds were sold in the 1st week of May.

6. Butter was added to list of CCC commodities available for commercial export sale during May. It is offered for sale on the basis of competitive bidding. Acceptances will be at prices comparable to those prevailing in world markets.

VI. EMERGENCY DROUGHT PROGRAM

1. More than 1,200,000 tons of feed supplies have been made available to farmers in drought areas at reduced prices.

2. At the request of the Agriculture Department, western railroads reduced freight rates 50 percent to ranchers moving Government-owned feeds into drought areas as well as a rate reduction on movement of livestock.

3. Government made available emergency livestock loans.

4. Under the hay-distribution plan, the Agriculture Department will set aside a definite sum of money for each State in the drought area.

VII. WATERSHED PROTECTION

Congress appropriated \$5 million for 50 watershed projects. This is a start on an expanded soil-conservation and watershed program.

VIII. MEXICAN LABOR

Congress extended for 2 more years the program under which Mexican nationals may come into the United States for employment on farms in areas where an acute labor shortage exists.

IX. FARM CREDIT

The administration has fulfilled its campaign pledge to make the Farm Credit Administration a separate agency and to decentralize the administration of its credit programs by shifting more control over credit policies from Washington and vesting it largely in local production credit associations.

X. COMMODITY CREDIT

Congress increased CCC borrowing authority from \$6.75 billion to \$8.50 billion for the purpose of continuing price supports through 1954.

XI. TRADE MISSIONS

The administration has sent several trade missions to foreign countries to investigate the possibilities of expanding our foreign markets.

XII. IMPORT CONTROLS

Import controls under section 22 are in effect for eight groups of commodities: cotton, wheat, dairy products, oats, flaxseed,

peanuts, rye, and shelled almonds. This administration has made greater use of this authority in 16 months than the previous administration did since its passage.

XIII. SOIL CONSERVATION SERVICE

The Agriculture Department has streamlined the soil-conservation setup to improve the service and create greater efficiency. The farmers will now receive a large proportion of each conservation dollar in the way of technical service on his farm.

XIV. FOREIGN RELIEF

We have assisted the starving peoples abroad and created goodwill toward peace.

One hundred and eighty million pounds of dairy products were given to 17 United States private welfare organizations for overseas relief in 36 foreign countries.

Six hundred thousand tons of wheat went to Pakistan.

Eighty-four thousand tons of wheat went to Bolivia, Jordan, and Libya.

Five million six hundred thousand packages of food went to East Berlin and East Germany.

Four million five hundred thousand packages of food went to 20 friendly countries in Europe.

Commodities furnished to institutions, welfare, Indians, and school-lunch programs

	Pounds
Butter	63,838,368
Beef and gravy	124,091,100
Dried milk	23,563,160
Cheese	40,874,460
Potatoes	32,218,100
Shortening	17,945,964
Dried beans	5,049,900
Cranberry sauce	4,689,344
Frozen hamburger	47,537,500
Frozen beef	1,250,000
Honey	6,149,670
Pecans	591,000
	Gallons
Cottonseed oil	840,891
Olive oil	141,996
	Cars
Pears	168

Dairy situation

[In pounds]

	Butter	Cheddar cheese	Nonfat dry milk solids
Purchases:			
1952-53 (Apr. 1, 1952-Mar. 31, 1953)	143,348,182	75,236,130	210,410,097
1953-54 (Apr. 1, 1953-Mar. 31, 1954)	380,383,620	455,864,174	667,195,301
1954-55 (Apr. 1-30, 1954)	14,834,214	9,818,054	41,601,764
Total	538,566,016	540,918,358	919,207,162
Uses:			
Commercial sales	9,760,333	101,914,885	64,970
Sec. 32 outlets	92,286,825	27,065,986	20,420,708
Sec. 416 donations	46,887,500	26,119,300	105,965,880
Noncommercial export sales		465,000	193,696,760
U. S. Army sales	22,887,967		6,830,765
Other	1,918,410		1,694,355
Total	173,741,085	155,565,171	328,803,438
Estimated supplies, as of Apr. 30, 1954	364,824,931	385,353,187	590,503,724

Agriculture Department disposed of one-third of the dairy surplus during month of April.

DON'T MOVE THE NEW YORK QUARTERMASTER PURCHASING AGENCY

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

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

There was no objection.

Mr. MULTER. Mr. Speaker, ever since the Department of Defense has indicated the possibility of removing the New York Quartermaster Purchasing Agency from New York City to Philadelphia, the entire New York City Democratic delegation, acting as a unit, has been protesting against such action. We have pointed out that it is false economy and destructive to the morale of the Department.

Despite our protests the Department has now officially announced that this agency will be moved to Philadelphia.

I am very happy to note that the two distinguished gentlemen from Massachusetts, Senators KENNEDY and SALTONSTALL, have now joined us in objecting to that decision. As pointed out by them this move will be disadvantageous to New England textile and other industries.

I do hope that the Department will pay heed to our objections and rescind the decision to move this agency out of New York City. Not only will the move inconvenience industry, and make it more expensive for them to do business with the Government, which expense must necessarily be added into Government contracts, but thousands of employees will either be uprooted and required to move from New York to Philadelphia, or required to give up their jobs. In the latter cases that, too, means added expense to the Government in re-recruiting and training new personnel.

I suggest that the policymakers in the executive departments get together and stop working at cross purposes. On the one hand we hear them urging dispersal and decentralization, and on the other hand we hear them pretending that economy requires centralization.

UNITED STATES SUPREME COURT RULING ON SEGREGATION IN PUBLIC SCHOOLS

The SPEAKER pro tempore. Under special order heretofore entered, the gentleman from Georgia [Mr. FORRESTER] is recognized for 30 minutes.

Mr. FORRESTER. Mr. Speaker, for some time I have contended that the greatest threats to our Republic and the American way of life come not from overseas, but are in our midst at home. While the internationalists are riding over the world trying to sell their plans to the world, at taxpayers' expense, the same crowd is destroying everything in America that made us great and everything that can be expected to sustain us in our hour of peril, which hour may be closer than many of us think.

It is completely apparent to me that the aim of the leftwingers and the un-American groups in this country is the destruction of the Anglo-Saxon race. We, in the South, recognized that danger long ago and we have tried to alert our people, only to be hooted at and condemned. My people cannot understand an individual who has no pride in race; in fact, we cannot understand anyone who has no pride in his or her heart.

Yesterday, Mr. Speaker, the United States Supreme Court shed all pretense of construing the law and took upon itself the right to change our law, even our Constitution, and was brusque enough to virtually say they were so doing. The Chief Justice went out of his way to say that the defendants in the case decided yesterday were asking that Court to turn back the clock. The Chief Justice and that Court were completely mistaken. What the defendants were asking was that the Court keep its hands off the clock. The Supreme Court has never been charged with the duty of keeping time for the citizens of America, nor to construe the seasons, nor to legislate—these powers being expressly reserved to the Congress and the people.

It is completely amazing that nine men should be so intoxicated with power that they should rule that they are to set the clock, yet that is exactly what the Court said. Other than that observation, which is completely without basis in law, these decisions were purely political and completely sterile so far as law was concerned, for that Court had no law whatever to ground its decisions upon. No country can be greater than its Judiciary. The people were entitled to a higher court that would eliminate political considerations and construe the law and Constitution as they were written. I agree that more care should have been exercised in the appointment of the Judges to that Court, and I agree that both parties, Democratic and Republican, have been guided by political philosophies rather than legal qualifications for membership upon that Court. We sowed to the wind and we have reaped the whirlwind.

Yesterday, the Supreme Court by edict, but completely without legal basis, wiped out every vestige of States rights. It is disgusting now to hear so many claim they believe in the rights of the States. It is apparent that our President approves these terrible decisions, for his Attorney General demonstrated his partisanship by filing a brief asking that our previous adjudications be set aside, demonstrating that his thoughts were purely political, and after demonstrating partisanship in an outstanding degree had the gall to ask Congress to give him complete control of wiretapping in this country. I am sure that Mr. Truman approves the decisions of yesterday, and his former Secretary of State, Dean Acheson, was quoted in the Evening Star last night as saying it was a great and statesmanlike decision. Adlai Stevenson will greet this judicial murder with open arms; yes, both major political parties are kowtowing to the minority groups to such an extent that our country itself is in jeopardy.

Mr. Speaker, the Evening Star of last night quotes one in the present Republican administration as saying that these decisions of yesterday would alleviate Russia's criticisms toward us. He did not discuss the law, nor the basis of those decisions, but rendered an opinion purely on a political basis. I am tired of hearing the argument that we have appeased Russia. If that is our object, then why not dismantle our Armed Forces and let our boys come back home. If it is appeasement and not victory that we seek, appeasement can be done without bloodshed.

The decisions of yesterday mean only this: The old-fashioned Yankee and the old-fashioned southerner whose ancestors won this country and preserved this country are without rights. The object is nothing less than the mongrelizing of the races. Mongrelization has always produced people without stamina and without conviction. Under these decisions of yesterday a man can claim that he is entitled to go to a girls' school by simply contending that the girls' school offers some subject that men's schools do not offer. These decisions mean that all laws prohibiting mixed marriages will be annulled as fast as these matters can

be brought before that Court. These decisions mean that there can be no exclusive residential section in the United States. These decisions mean that no hotel, boarding house, or public place can be the judge of whom they will take as a paying guest.

Mr. Speaker, I understand that an FEPC provision has been offered in a committee of this Congress, which would provide an FEPC in interstate commerce.

Mr. Speaker, these decisions of yesterday have created an intolerable condition upon my people. In my own State we have pledged our future credit, over many years, and have spent millions of dollars trying to bring schools to the Negroes in the South. These moneys naturally will be almost entirely paid by the white people of my State. We did this because for 88 years the Supreme Court of the United States has held equal but separate facilities completely constitutional. The South has done more for the Negro in 200 years than all the rest of the world has done for the Negro in 5,000 years. The whites and the Negroes in my State have been, and are, happy together. The Negroes in Georgia know they have lost much for they know that the South has been honest with them. The Negroes in Georgia know that we have been better to them than any northern or eastern State has ever tried to be. The Negro teachers in Georgia are alarmed over this miscarriage of the law and the Constitution.

Mr. Speaker, my people are awake to the dangers within our gates. Mr. Speaker, my people believe that in this country there are checks and balances upon every portion of this Government. My people do not believe that the President, or any public servant can withhold information from the Congress they have elected, or from the people because it is the people who must do the dying in time of war. My people are against czars. My people repudiate the theory that any person whosoever is above the law of this country. My people see the grave danger hidden in such philosophy and in behalf of my people I tell it now, we spew it out of our mouths. This statement is not to be construed as applying to any individual case, for it is a statement that permeates our thinking, and bless God it is America. We are confirmed in that view although the President, by written order, demonstrates he thinks otherwise.

SPECIAL ORDERS VACATED

Mr. ARENDS. Mr. Speaker, I ask unanimous consent that the special orders granted to the gentleman from Ohio [Mrs. FRANCIS P. BOLTON] for today and Wednesday be vacated.

The SPEAKER pro tempore (Mr. CANFIELD). Is there objection to the request of the gentleman from Illinois?

There was no objection.

SEGREGATION IN THE PUBLIC SCHOOLS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Georgia [Mr. WHEELER] is recognized for 15 minutes.

Mr. WHEELER. Mr. Speaker, is it little wonder that utter confusion is the most prominent hallmark of our modern American when the Chief Justice of the Supreme Court, in an adolescent attempt to give excuse for having perverted the Constitution to serve the purpose of partisan politics, states, in effect, that even words of the English language no longer mean the same thing they meant a few years ago?

Training and experience does not qualify me to argue strained and fine points of legalistic niceties of the law. Nevertheless, I do claim ability to read and interpret the English language whether it be found in a classroom textbook or in the Constitution of the United States. Applying the most definitive powers of which I am capable to the reading of the Constitution, I am unable to find any substantial basis for interpreting the 14th amendment in such way as to find any logical reason for a judicial decision which holds that the Federal Government can assume any jurisdiction relative to the subject of public education.

Neither specifically nor by implication does the Constitution make any reference to public education as being either a State or Federal function. Since no such reference is made in the Constitution, then the most basic of all principles of constitutional law must be relied on for answer as to whether public education and its functions can properly be brought within the purview of Federal jurisdiction. This most fundamental and basic of all constitutional principles is, and I quote directly the language which the Court now asserts no longer means the same as it did a few years ago:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

This is an exact quotation of the 10th amendment to the Constitution which was patently completely ignored by the Court in reaching its decision relative to segregation in public schools. It is passing strange that the Court should be so concerned with its own politically prejudiced interpretation of the 14th amendment as to completely ignore the plain and unmistakable language contained in the 10th amendment.

In the absence of logical reason as basis for a decision based so obviously on the political predilection of the crusaders on the Court, resort is made to excuse for the decision. Danger to human freedom lurks hungrily in a situation where logic and reason is replaced by excuse of any type but potential danger becomes militantly kinetic when excuse is based on such weak premise as ascertain that the dictionary must be amended in order to amend the Constitution. The Court has obviously amended the dictionary in order to give excuse for its decision relative to segregation in public schools when the opinion holds that the English language no longer has the same meaning it had when members of the Court made decision as to what the law was instead of what the Court thought it should be.

Precedent has come to be a sound basis for law in the making of our system of jurisprudence largely because precedent is that which man has found from experience to be good practice in man's relationship with man. Veritable giants within the field of jurisprudence, having attained their impressive stature while the Court was still a judicial tribunal instead of a crusading arm of the executive department, have held repeatedly that the practice of segregation of the races in the public schools is not violative of the 14th amendment or any other amendment to the Constitution. The instant decision, in effect, throws all precedent out the judicial window, and, in the true spirit of crusaders, the Court proceeds to usurp legislative prerogatives expressly designated to the Congress by article I, section 1, of the Constitution.

To hold that language embodied in the 14th amendment no longer retains definitive meaning of a few years ago is, by application of the same strange logic, to hold that meaning of all language in the Constitution can lose its established meaning and lend itself to attainment of ends sought by whatever crusaders fate might mistakenly place upon the bench of the Supreme Court. If the simple and concise language of the 14th amendment to the Constitution no longer has the same meaning it had a few years ago or that which it had nearly 100 years ago when it was adopted, then wherein can solace be found in any constitutional language? It is true that many individuals, in recent years, have perverted the fifth amendment to suit their purpose of subversion. In this perversion of the fifth amendment is also found a gross manipulation of words in such way as to suit the expediency of the pleaders. However, the Court itself has not yet given broad judicial sanction to the perversion of the fifth amendment, but if that given in instant case is prophetic of future action by this Court of crusaders, then the supreme law of the land will henceforth be based on whatever new meaning the Court might give to simple words of the English language. In other words, future students of constitutional law should discard precedent and busy themselves with study of the new dictionary as edited by Chief Justice Warren and his fellow latter-day etymologists.

The goal sought by the American people in their efforts to preserve their liberty is well stated, in simple English, in the preamble to the Constitution. The preamble and the Constitution itself recognizes the unlimited power of the people of the Republic. But the Constitution imposes severe limitations upon the Government. The National Government is granted only such powers as are necessary for the proper discharge of purely national functions, such as could not be discharged by the States, acting either separately or through interstate compacts.

Justice Story in *Wheat v. Hunter* (1 Wheat. 326) stated:

The Constitution unavoidably deals in general language. It did not suit the purposes of the people, in framing this great

charter of our liberties, to provide for minute specifications of its powers or to declare the means by which those powers should be carried into execution. It was foreseen that this would be a perilous and difficult, if not an impracticable, task. The instrument was not intended to provide merely for the exigencies of a few years, but was to endure through long lapse of ages, the events of which were locked in the inscrutable purposes of providence.

Does this language presuppose the assumption that the words within which the provisions of the Constitution are couched can logically have their meaning changed to suit the purpose of some later-day interpreters of a supposedly deathless document? Negative answer is so obvious as to make the question purely rhetorical.

Though it is completely apparent that the current Court despises and rejects all precedent when it negates their professionally liberal purpose, record of the instant controversy should note a statement of a prior Court in *Livingston v. Van Ingen* (9 Johns (N. Y.) 574), and I quote:

When the people create a single, entire government, they grant at once all the rights of sovereignty. The powers granted are indefinite and incapable of enumeration. Everything is granted that is not expressly reserved in the constitutional charter, or necessarily as inherent in the people. But when a Federal Government is erected with only a portion of the sovereign power, the rule of construction is directly the reverse, and every power is reserved to the members that is not, either in express terms or by necessary implication, taken away from them, and vested exclusively in the Federal head. This rule has not only been acknowledged by the most intelligent friends of the Constitution, but is plainly declared by the instrument itself.

Although the powers of the National Government are limited in number, they are not limited in degree. Whenever the people have granted a power to the Government, it is a complete power, and that which is implied is as much a part of the Constitution as that which is expressed. Therefore, if Federal jurisdiction in the field of public education were in any way implied in the Constitution as having been granted by the States or the people, there would be no question as to the validity of the segregation decision. In the absence of jurisdiction being granted in express terms or by remote implication, the present Court has embarked into the field of word definition and attenuated their meaning to embrace its concept of what the law should be relative to segregation in the public schools.

HOUSE RESOLUTION 550, TO AMEND THE RULES OF THE HOUSE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Michigan [Mr. MEADER] is recognized for 15 minutes.

Mr. MEADER. Mr. Speaker, yesterday I introduced House Resolution 550, to amend the rules of the House relating to committee procedure.

This resolution is brief and simple but incorporates all provisions which

are proper to add at this time to the rules of the House on committee procedure.

Briefly, my resolution would authorize committees to create subcommittees, adopt rules, fix a quorum of less than a majority, and permit broadcasting and telecasting of hearings. It would also prohibit leaks of executive material and committee reports.

It is accurate to say that, with the exception of the proposed rule with respect to a quorum of committees, the remaining provisions are simply a clear and express statement of existing practice. For instance, committees have created subcommittees and assumed that they had the right to do so. However, nothing can be found in the rules of the House expressly authorizing that action. The same is true with respect to the adoption of rules. Many committees and subcommittees of both Houses of the Congress have adopted rules governing their activities.

It is my understanding that the Honorable JOSEPH W. MARTIN, Speaker of the House of Representatives, has indicated that if the problem were presented to him for a ruling, he would hold that committees, within their own discretion, have the power to permit broadcasting and telecasting on such terms as they choose. It should be noted, however, that in the 82d Congress, in response to a parliamentary inquiry by then Minority Leader MARTIN, Speaker RAYBURN indicated that in his opinion committees did not have the power to authorize broadcasting and telecasting of their proceedings (CONGRESSIONAL RECORD, vol. 98, pt. 1, pages 1334-1335). This uncertainty and difference of opinion should be resolved by an express rule of the House.

The term "executive," meanwhile, implies a ban on premature divulgence without committee approval of secret or confidential material. The practice of leaking is reprehensible. Legitimate information concerning committee activities or information in the possession of committees should be made available to those outside the committee without discrimination. Such legitimate material should be available simultaneously to all news agencies and upon equal terms. By a rule expressly prohibiting "leaks" provisions of the parliamentary rules of the House governing the conduct of members can more easily be enforced.

A new provision permitting committees to fix a quorum for the purpose of taking sworn testimony of less than a majority but not less than two members is badly needed. It will facilitate and expedite the work of congressional committees. In our complex and intricate modern society specialization through the committee system is more essential than at any previous period in our Nation's history. The exploration of detailed facts and considerations in any field of national policy must precede a full and accurate understanding which alone can provide sound foundation for formulation and expression of legislative policy. Demands on the time of individual members are great; the need for information gathering activities of com-

mittees and subcommittees is extensive, thus it is all but impossible to obtain the attendance of a majority of the members of a committee or subcommittee throughout legislative or investigative hearings.

The Supreme Court has held, however, in *Christoffel v. United States* (338 U. S. 84 (1949)), that unless a quorum of a committee or subcommittee is present, there is no legal tribunal. Witnesses, therefore, may commit contempt or perjure themselves with impunity. To permit a committee to fix a quorum of less than a majority will enable the Congress to get on with its fact-finding activities more efficiently and more effectively and is in the public interest. My proposal, however, by requiring the presence of a minimum of two members seeks to guard against the evils of one-man hearings.

The Christoffel doctrine, which has not been overruled, has asserted the power of the judiciary to review the application and observance of parliamentary rules. Thus, extreme care should be exercised by the House of Representatives not only in the substance of its rules but in the language in which they are written. It is for that reason that it is desirable to write expressly into the rules of the House such powers of committees expressed in my resolution heretofore exercised only as a matter of practice and tradition. This will forestall those who for their own purposes may seek to thwart, obstruct, or defy committees in their legitimate investigative and legislative activities.

Other proposals have been made from time to time designed to write a code of fair procedure governing committee action and the conduct of committee hearings. With those objectives I have no quarrel. The provisions and phraseology of those I have studied, however, are inappropriate to be incorporated in the parliamentary rules of the House.

I do not propose to burden the House at this time with a repetition of my views previously expressed in law review articles, in testimony before committees of the Congress and in statements on the floor of the House. I incorporate, however, in these remarks a list of references to such previous expressions.

Mr. Speaker, I desire only to make a few general observations about proposals to amend the rules of the House governing committee procedure. It will be a sorry day when the Congress, by adopting superficially appealing propositions as parliamentary rules, finds that it has lost control over its proceedings. Permitting witnesses, counsel, or persons considering themselves aggrieved by defamatory testimony to take over and usurp the conduct of committee hearings soon will bring the Congress into disrepute and demonstrate the fallacy and unworkability of this method of attempting to insure fairness in committee proceedings.

I have long been one of the foremost advocates of reforms designed to strengthen and to elevate the Congress and its committees. When the Congress so equips itself as to discharge effectively its policymaking function, it can recapitulate the policymaking authority it has lost to the executive in recent decades.

Those reforms do not lie in the direction of hamstringing committees by rigid and unworkable procedural rules. They lie rather in the improvement of the capacity to get beneath superficial, emotional generalities to the bed rock of fact through adequate investigative instruments. The practical and logical step toward this end is to expand and improve the investigative staffs of the committees. That is a reform which is long overdue. It cannot be accomplished, however, through the writing of parliamentary rules. There must be a willingness in the committees themselves and particularly their chairman to recruit able and loyal persons for their committee staffs; to make such positions attractive to well qualified persons and to utilize their services for the public good.

Mr. Speaker, I trust the Rules Committee will give very careful scrutiny to the proposals I have described. In the event the Rules Committee should report any such proposal to the House, I sincerely hope the leadership of the House and its Members will look beyond superficial generalities and study the possible effect of proposals which might hamper if not destroy the very necessary and salutary functioning of congressional committees.

Under leave granted I here insert a copy of House Resolution 550 and a list of references to statements I have made on this subject:

House Resolution 550

Resolved, That rule XI 25 (a) of the Rules of the House of Representatives is hereby amended to read as follows:

"(a) The rules of the House are hereby made the rules of its committees so far as applicable, with the following exceptions:

"(1) A motion to recess from day to day is hereby made a motion of high privilege in such committees.

"(2) Each committee is authorized to create subcommittees, with such powers and duties and subject to such limitations as it deems advisable.

"(3) Each committee is authorized to adopt rules in addition to, but not inconsistent with, the rules of the House.

"(4) Each committee is authorized to fix a lesser number than a majority of its entire membership, but not less than two members, which shall constitute a quorum thereof for the purpose of taking sworn testimony.

"(5) Each committee is authorized, in its discretion, upon such terms and conditions as it deems advisable, to permit the broadcasting and telecasting of its proceedings by radio and television, and the dissemination of news of such proceedings by other methods and media of communication."

Sec. 2. Rule XI 25 (c) of the Rules of the House of Representatives is hereby amended to read as follows:

"(c) All committee hearings, records, data, charts, and files shall be kept separate and distinct from the congressional office records of the Member serving as chairman of the committee; and such records shall be the property of the House. Each committee is authorized to have printed and bound testimony and other data presented at hearings held by the committee. No evidence received in executive hearings, or material received by the committee upon a confidential basis, shall be published, released, or divulged except by order of the committee."

Sec. 3. Rule XI 25 (e) of the Rules of the House of Representatives is hereby amended by adding at the end thereof the following sentence: "Until so reported, no findings,

conclusions, or recommendations of the committee shall be published, released, or divulged except by order of the committee."

LIST OF REFERENCES BY HON. GEORGE MEADER, OF MICHIGAN, TO AMENDMENT OF HOUSE RULES RELATING TO COMMITTEE PROCEDURE

BILLS INTRODUCED

House Resolution 386, 82d Congress.
House Resolution 540, 82d Congress.
House Resolution 381, 83d Congress.

STATEMENTS TO THE HOUSE OF REPRESENTATIVES

CONGRESSIONAL RECORD, volume 97, part 7, pages 9898-9899, re House Resolution 386.
CONGRESSIONAL RECORD, volume 97, part 9, pages 11394-11398, re House Resolution 386.
CONGRESSIONAL RECORD, volume 98, part 2, pages 1567-1570, re House Resolution 540.
CONGRESSIONAL RECORD, volume 98, part 8, page A1336, re House Resolution 540.
CONGRESSIONAL RECORD, volume 98, part 2, pages 1949-1951, re telecasting committee hearings.

CONGRESSIONAL RECORD, volume 98, part 9, page A1519, re House Resolution 540.
CONGRESSIONAL RECORD, volume 98, part 9, pages A1873-A1874, re telecasting committee hearings.

CONGRESSIONAL RECORD, volume 98, part 10, pages A2836-A2837, re House Resolution 540.
CONGRESSIONAL RECORD, volume 99, part 8, pages 10952-10955, re House Resolution 381.

TESTIMONY BEFORE CONGRESSIONAL COMMITTEES
Senate Committee on Rules and Administration, 81st Congress (July 1949), Hearings on Reform in Procedure Before Congressional Committees, pages 97-106.

Senate Committee on Expenditures in the Executive Departments, 82d Congress (June 1951), Hearings on Organization and Operation of Congress, pages 90-111.

House Committee on Rules, 83d Congress (July 1953-March 1954), Hearings on Legislative Procedure, pages 65-88 re House Resolution 29; pages 242-245 re House Resolution 447; pages 254-269 re House Resolution 447.

LAW REVIEW ARTICLES

Congressional investigations: Importance of the Factfinding Process, Chicago Law Review, volume 18, No. 3, spring 1951 (reprinted, pp. 66-69, hearings of House Committee on Rules, 83d Cong., entitled "Legislative Procedure").

Limitations on Congressional Investigation, Michigan Law Review, volume 47, No. 6, April 1949 (reprinted, pp. 69-75, hearings of House Committee on Rules, 83d Cong., entitled "Legislative Procedure").

PROGRAM FOR MAY 19

Mr. ARENDS. Mr. Speaker, I ask unanimous consent to proceed for 1 minute.

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

There was no objection.

Mr. ARENDS. Mr. Speaker, I take this time for the purpose of announcing to the House the program for tomorrow.

Two rules were granted this morning, and on tomorrow we will consider H. R. 7664, to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act; and H. R. 7815, to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg; with participation for power by the city of Eugene, Oreg. They will be up for consideration on tomorrow, Wednesday.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. REED of New York and to include an article entitled "Section by Section Analysis, H. R. 7199," which is estimated by the Public Printer to cost \$821.70.

Mrs. ROGERS of Massachusetts in two instances; to include in one a description of a little girl in Lowell, Mass., who won a national spelling bee.

Mr. WICKERSHAM (at the request of Mr. PRIEST).

Mr. CELLER.

Mr. LANDRUM and to include an editorial from the Gainesville Daily Times with regard to the late B. Frank Welch, a former Member of the House.

Mr. ROBINO (at the request of Mr. CELLER) in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 66. An act for the relief of Guillermo Pedraza; to the Committee on the Judiciary.

S. 118. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma; to the Committee on Interior and Insular Affairs.

S. 602. An act to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for loading, storage, and securing of grain and other similar bulk cargoes; to the Committee on Merchant Marine and Fisheries.

S. 884. An act for the relief of Arthur Sroka; to the Committee on the Judiciary.

S. 1129. An act for the relief of Jozo Mandic; to the Committee on the Judiciary.

S. 1702. An act for the relief of Emilia Pavan; to the Committee on the Judiciary.

S. 1794. An act to reimburse the South Dakota State Hospital for the insane for the care of Indian patients; to the Committee on the Judiciary.

S. 1807. An act for the relief of William Jeffrey Jonas; to the Committee on the Judiciary.

S. 1841. An act for the relief of Carlo (Adiutore) D'Amico; to the Committee on the Judiciary.

S. 1860. An act for the relief of Amalia Sandrovic; to the Committee on the Judiciary.

S. 1882. An act for the relief of Antonio Jacoe; to the Committee on the Judiciary.

S. 2420. An act to amend section 32 of the Trading With the Enemy Act, as amended; to the Committee on Interstate and Foreign Commerce.

S. 2450. An act for the relief of Lt. Hayden R. Ford; to the Committee on the Judiciary.

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2748. An act to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes; to the Committee on Interior and Insular Affairs.

S. 2761. An act to approve repayment contracts negotiated with the Hermiston and West Extension irrigation districts, Oregon, and to authorize their execution, and

for other purposes; to the Committee on Interior and Insular Affairs.

S. 3270. An act to provide that leave accrued by members of the Armed Forces while held as prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they may accumulate or have to their credit; to the Committee on Armed Services.

S. 3364. An act to amend the act of October 31, 1949 (63 Stat. 1049); to the Committee on Interior and Insular Affairs.

S. 3379. An act to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable; to the Committee on Interstate and Foreign Commerce.

S. 3401. An act to authorize the furnishing of information, radio and television entertainment, and civilian education for personnel in the Armed Forces, and for other purposes; to the Committee on Armed Services.

S. 3446. An act to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy; to the Committee on Armed Services.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 1167. An act for the relief of W. A. Sampson;

H. R. 1433. An act to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status.

H. R. 2274. An act to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes";

H. R. 2696. An act to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy;

H. R. 2913. An act to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson;

H. R. 3349. An act for the relief of Mrs. Margaret Burdo;

H. R. 3598. An act to consolidate the Parker Dam power project and the Davis Dam project;

H. R. 4135. An act for the relief of George Telegdy and Julia Peyer Telegdy;

H. R. 4475. An act for the relief of Curtis W. McPhail;

H. R. 4816. An act authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi;

H. R. 4864. An act for the relief of Mrs. Hildegard Noel;

H. R. 5059. An act for the relief of Mrs. Magdalene Zarnovski Austin;

H. R. 5862. An act to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy;

H. R. 5961. An act for the relief of Marianne Schuster Dawes;

H. R. 6186. An act to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal;

H. R. 6563. An act for the relief of Zdzislaw (Jerzy) Jazwinski;

H. R. 6647. An act for the relief of Yoko Kagawa;

H. R. 6754. An act for the relief of Mrs. Hooley Shee Eng;

H. R. 6870. An act to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the battery in front of the Public Health Service hospital property in New Orleans, La.;

H. R. 7057. An act to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes;

H. R. 7328. An act to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research;

H. R. 7329. An act to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men; and

H. R. 7452. An act for the relief of Therese Bohner Soisson.

ADJOURNMENT

Mr. ARENDS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 5 minutes p. m.) the House adjourned until tomorrow, Wednesday, May 19, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

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

1550. A communication from the President of the United States, transmitting proposed supplemental appropriations for the fiscal year 1955 in the amount of \$34,100,000 for the Department of Health, Education, and Welfare (H. Doc. No. 393); to the Committee on Appropriations and ordered to be printed.

1551. A letter from the Acting Comptroller General of the United States, transmitting a report on audit of the Federal Crop Insurance Corporation, Department of Agriculture, for the fiscal year ended June 30, 1953, pursuant to the Government Corporation Control Act (31 U. S. C. 841) (H. Doc. No. 390); to the Committee on Government Operations and ordered to be printed.

1552. A letter from the Administrator, Federal Civil Defense Administration, transmitting the quarterly report of contributions for the quarter ending March 31, 1954, pursuant to subsection 201 (i) of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

1553. A letter from the Assistant Secretary of State, transmitting under instructions of the Japanese Government, a translation of a resolution passed by the House of Representatives of Japan on April 17, 1954, with respect to the Flammable Fabrics Act of the United States; to the Committee on Interstate and Foreign Commerce.

1554. A letter from the Assistant Secretary of the Interior, transmitting the report of the Department of the Interior on the potential Balmorhea project, Texas, together with related documents and letters of comments

on the report; to the Committee on Interior and Insular Affairs.

1555. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting copies of orders granting the applications for permanent residence filed by the subjects, pursuant to section 4 of the Displaced Persons Act of 1948, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 551. Resolution for consideration of H. R. 7815, a bill to provide for the construction, operation, and maintenance of the Cougar Dam and Reservoir on the South Fork McKenzie River, Oreg., with participation for power by the city of Eugene, Oreg.; without amendment (Rept. No. 1612). Referred to the House Calendar.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 552. Resolution for consideration of H. R. 7664, a bill to provide for the development of the Priest Rapids site on the Columbia River, Wash., under a license issued pursuant to the Federal Power Act; without amendment (Rept. No. 1613). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BAILEY:

H. R. 9185. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. BYRD:

H. R. 9186. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. CELLER:

H. R. 9187. A bill to amend the Refugee Relief Act of 1953; to the Committee on the Judiciary.

By Mr. COON:

H. R. 9188. A bill to make certain per capita payments out of the capital reserve fund of the Klamath Indians, Oregon; to the Committee on Interior and Insular Affairs.

By Mr. FOGARTY:

H. R. 9189. A bill to amend the Tariff Act of 1930 so as to provide a permanent procedure for adjustment of tariff rates on a selective basis, to regulate the flow of imported articles on a basis of fair competition with domestic articles, and for other purposes; to the Committee on Ways and Means.

By Mr. HAGEN of Minnesota:

H. R. 9190. A bill to extend rural mail delivery service; to the Committee on Post Office and Civil Service.

By Mr. MACHROWICZ:

H. R. 9191. A bill to amend the Refugee Relief Act of 1953; to the Committee on the Judiciary.

By Mr. McCULLOCH:

H. R. 9192. A bill to revise, codify, and enact into law, title 13 of the United States Code, entitled "Census"; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 9193. A bill to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable; to the Committee on Interstate and Foreign Commerce.

By Mr. WILLIAMS of Mississippi:

H. R. 9194. A bill to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.; to the Committee on Interior and Insular Affairs.

By Mr. YOUNG:

H. R. 9195. A bill to protect the essential security interests of the United States by stimulating the domestic production of lead and zinc, and for other purposes; to the committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. DONOHUE:

H. R. 9196. A bill for the relief of Venanzio Girardi; to the Committee on the Judiciary.

By Mr. KING of California:

H. R. 9197. A bill for the relief of Mrs. Pilar Garcia; to the Committee on the Judiciary.

By Mrs. ST. GEORGE:

H. R. 9198. A bill for the relief of David W. S. Ahn and Margaret Y. A. Ahn; to the Committee on the Judiciary.

By Mr. TRIMBLE:

H. R. 9199. A bill for the relief of N. F. Tsang; to the Committee on the Judiciary.

By Mr. WICKERSHAM:

H. R. 9200. A bill to authorize the President of the United States to present the Distinguished Flying Cross to Col. Bennett Hill Griffin; to the Committee on Armed Services.

By Mr. WIER:

H. R. 9201. A bill for the relief of Mrs. Rosa Georges Yacoub (Jacob); to the Committee on the Judiciary.

By Mr. YOUNGER:

H. R. 9202. A bill for the relief of Rolf Hugo Neuman; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

750. By Mr. GRAHAM: Petition of 41 residents of Butler, Pa., realizing the effect of beverage alcohol on home and family and the increase in the consumption of same due to the misleading advertisements by beverage alcohol interests, do respectfully petition the Committee on Interstate and Foreign Commerce to favorably report the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

751. Also, petition of 11 members of the Missionary Society, West Sunbury United Presbyterian Church, West Sunbury, Pa., deploring the advertising on radio and television, in magazines, and daily papers, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

752. Also, petition of 35 residents of Lawrence County, Pa., deploring the advertising of alcoholic beverages on radio and TV where it can be heard and seen by children, and in magazines and daily papers where it is read by children, urging passage of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

753. Also, petition of 58 members of the several churches of the community of Zellenople, Pa., urging passage of the Bryson

bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

754. Also, petition of 14 members of Holy Name Society of St. James Church, New Bedford, Pa., urging the inclusion of "Under God" to the pledge of allegiance to the flag; to the Committee on the Judiciary.

755. By Mr. HAGEN of Minnesota: Petition of Mrs. Garfield Nicholls, secretary of the Women's Christian Temperance Union at Warren, Minn., in behalf of about 240 residents of Marshall County, Minn., favoring the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

756. Also, petition of Mrs. R. E. Denny, president, WCTU, Roseau, Minn., and 382 residents of Roseau County, Minn., urging favorable support of the Bryson bill, H. R. 1227, to prohibit the transportation in interstate commerce of alcoholic beverage advertising in newspapers, periodicals, etc., and its broadcasting over radio and television; to the Committee on Interstate and Foreign Commerce.

757. By Mr. HALE: Petition of 49 residents of First Maine District in support of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

758. By Mr. SMITH of Virginia: Petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

759. Also, petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

760. Also, petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

761. Also, petition signed by several residents of the Eighth Congressional District of Virginia supporting H. R. 1227; to the Committee on Interstate and Foreign Commerce.

762. By Mr. WIGGLESWORTH: Petition of residents of the 13th Congressional District of Massachusetts urging enactment of the Bryson bill, H. R. 1227; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

B. Frank Whelchel

EXTENSION OF REMARKS OF HON. PHIL M. LANDRUM

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. LANDRUM. Mr. Speaker, last Tuesday morning I was saddened to learn of the sudden and unexpected death of a friend, and a former Member of this House from the Ninth District of Georgia, the Honorable B. Frank Whelchel. Many of the present Members of this Congress have expressed to me their own personal grief at the untimely passing of this warm-hearted friend.

Mr. Whelchel represented Georgia's Ninth District, the district I am presently honored to serve, for five consecutive terms from 1935 until his retirement at the close of the 78th Congress in 1944. During his tenure of service he established himself as one with a keen and sympathetic understanding of all people everywhere and endeared himself to those with whom he served as a warm and kindly friend of all humanity.

Probably no one has come to the Congress from Georgia who possessed a more intimate knowledge of his constituency than did Frank Whelchel. His naturally cheerful and friendly attitude made him well and favorably known to people from all walks of life. No man received more intense loyalty from his friends than did Frank.

He was better known in legal circles of Georgia as the defender of the underprivileged and his skill at defending those charged with criminal violations was known throughout Georgia.

A young and industrious editor of the Gainesville (Ga.) Daily Times in an editorial of Thursday, May 13, 1954, has captured the real feeling all people had for this distinguished Georgian, and by unanimous consent I include that splendid tribute with my remarks:

B. FRANK WHELCHER

A colorful, well-known and respected member of the northeast Georgia bar is dead. His warm manner, his always dapper appearance, and especially his skill at defense

in criminal law will be missed in the courtrooms of this circuit.

B. Frank Whelchel served as Congressman, Judge, and businessman. But his greatest service was rendered to unfortunate people innocently or inadvertently involved with the law. Under American rules of justice, accused persons in our courts are entitled to every doubt and every consideration. In Mr. Whelchel they had a champion to present their case and to obtain for them the full protection which is their due.

When word got out that he was to appear in court, spectators filled every seat in the chamber to hear him exercise his powers of oratory and persuasion on a jury. It was seldom that he failed to achieve at least a partial victory for his client.

In the courtrooms his reputation as a judge of human nature and a striker of juries made him a formidable legal opponent. For a man who studied law in Pullman cars, as the Washington Post reported when he went to Washington as a freshman Congressman, he saved many a man from long years in prison or even worse punishment.

We knew him as an always friendly, interested person sympathetic and helpful toward young reporters trying to get a complicated story. In his passing, something bright and very much alive leaves the daily scene in this already all too humdrum world.

Mr. Speaker, I am glad to have had the privilege of knowing Frank Whelchel and I am happy that I was able to observe the many fine qualities which endeared him to his thousands of friends. I join with them and with you in expressing sympathy to his widow and to his family.

Jeannie Sargent, Winner of Greater Lowell Spelling Bee

EXTENSION OF REMARKS OF

HON. EDITH NOURSE ROGERS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mrs. ROGERS of Massachusetts. Mr. Speaker, in the gallery at this time is 13-year-old Jeannie Sargent, of St. Margaret's School in Lowell, Mass., who topped 7,600 contestants in the Greater Lowell spelling bee and is here for the national finals on Thursday.

Jeannie is president of her class, valedictorian of the graduates, and already has won a scholarship for her high-school education.

Speaking for all the people of Greater Lowell and, personally, with highest praise, I am extremely proud of her and congratulate her on her great accomplishments, retentive mind and her becoming modesty.

The Social Security Act Amendments

EXTENSION OF REMARKS OF

HON. DANIEL A. REED

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. REED of New York. Mr. Speaker, there has been considerable interest on the part of the Members of Congress in H. R. 7199, a bill to amend the Social Security Act and the Internal Revenue Code. As stated in the title of H. R. 7199, the purpose of the amendments is to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes. The bill contains 76 pages. The Committee on Ways and Means held extensive public hearings, and now the committee is considering the bill, H. R. 7199, in executive session.

It will require morning, afternoon, and some evening sessions of the Ways and Means Committee to bring this legislation to the floor of the House for action this month. The importance of H. R. 7199 as a part of the President's legislative program places a responsibility on each Member of Congress to be informed on this bill. To that end I place in the Record at this point a preliminary section-by-section analysis of H. R. 7199 as introduced. I have received notification from the Public Printer that the estimated cost of printing this material in the CONGRESSIONAL RECORD will be \$821.70. In my opinion, the benefit to the Mem-

bers of Congress and to the public will more than justify the expense.

The analysis follows:

SECTION-BY-SECTION ANALYSIS—H. R. 7199, MR. REED OF NEW YORK, JANUARY 14, 1954

The first section of the bill contains a short title; "Social Security Amendments of 1954." The remainder of the bill is divided into three titles: Title I, which amends title II of the Social Security Act; title II, which amends the Internal Revenue Code; and title III, which makes a conforming amendment in the Railroad Retirement Act and other laws.

TITLE I. AMENDMENTS TO TITLE II OF THE SOCIAL SECURITY ACT EXTENSION OF COVERAGE

Section 101 of the bill amends sections 205, 209, 210, 211, and 218 of the Social Security Act so as to extend coverage to additional groups.

Domestic service, service not in course of employer's business, and agricultural labor
Domestic Service

Section 101 (a) (1) of the bill amends paragraph (2) of section 209 (g) of the Social Security Act, which relates to domestic service. This paragraph now provides for the exclusion from wages, for purposes of old-age and survivors insurance, of cash remuneration paid in a quarter for domestic service in a private home unless such remuneration paid in such quarter for the service is \$50 or more and the employee is regularly employed by the employer in the quarter—i. e., he performs such service for that employer on at least 24 days in the same or preceding quarter. The amendment would eliminate the requirement of regular employment, thus making coverage of domestic service depend solely on receipt of \$50 in cash wages in a quarter by an employee from an employer for domestic service.

As under existing law, domestic service will not include service described in section 210 (f) (5) (service not in the course of the employer's trade or business, or domestic service in the employer's private home, if such service is performed on a farm operated for profit).

Service Not in Course of Employer's Business

Section 101 (a) (2) of the bill amends section 209 (g) of the Social Security Act by adding a new paragraph (3). This paragraph relates to cash remuneration received for service not in the course of the employer's trade or business and should be considered together with repeal of section 210 (a) (3) of the Social Security Act which would be accomplished by section 101 (a) (5) of the bill.

Section 210 (a) (3) of the act now excludes, from employment covered by it, service not in the course of the employer's trade or business performed by an employee in a calendar quarter unless the cash remuneration paid by an employer for such service is \$50 or more and the service is performed by an individual regularly employed in that quarter by such employer to perform such service. The test of regular employment for this purpose is the same as the test used under existing law for domestic service in a private home (described above). The effect of the new paragraph (3) of section 209 (g) plus the repeal of paragraph (3) of section 210 (a) is to eliminate the requirement of regular employment and to make coverage under old-age and survivors insurance of service not in the course of the employer's trade or business depend solely on receipt of \$50 or more for the service.

The \$50 test is also changed slightly. Under the existing law the \$50 must be paid for service performed in a quarter during which the employee is regularly employed by the employer to perform the service, and the time of payment is unimportant. Under the new section 209 (g) (3), the test is pay-

ment of \$50 in a quarter for the service and the time of performance of the service is unimportant. This change (which parallels a change made in the Internal Revenue Code by the bill) should ease the burden on the employer for reporting purposes.

Agricultural Labor

Paragraph (3) of section 101 (a) of the bill would amend section 209 (h) of the Social Security Act by inserting a new paragraph (2) (the existing provisions of section 209 (h) would be made paragraph (1) thereof). The new paragraph would exclude from wages, for purposes of old-age and survivors insurance, cash remuneration paid by an employer to an employee in any calendar quarter for agricultural labor, unless such remuneration paid in such quarter by that employer to the employee for such service is \$50 or more. This amendment should be considered with the amendment to paragraph (1) of section 210 (a) of the Social Security Act which would be effected by section 101 (a) (4) of the bill.

Under the existing provisions of section 210 (a) (1) of the Social Security Act agricultural labor performed in a calendar quarter is excluded from employment covered by old-age and survivors insurance unless the cash remuneration paid for such labor is \$50 or more and such labor is performed for the employer by an individual regularly employed by him to perform such labor. The "regularly employed" test for this purpose is both more substantial and more complex than the "regularly employed" test now applicable to domestic service and service not in the course of the employer's trade or business. For purposes of section 210 (a) (1), "an individual is deemed to be regularly employed by an employer during a calendar quarter * * * only if (i) such individual performs agricultural labor * * * for such employer on a full-time basis on 60 days * * * during the quarter, and (ii) the quarter was immediately preceded by a qualifying quarter. A qualifying quarter is defined as (I) any quarter during all of which the individual was continuously employed by the employer, or (II) any subsequent quarter meeting the test of clause (i) above if, after the last quarter during all of which the individual was continuously employed by the employer, each intervening quarter met the test of clause (i). An individual is also deemed to be regularly employed by an employer during a calendar quarter if he was regularly employed (upon application of clauses (i) and (ii)) by the employer during the preceding calendar quarter." (H. Rept. 2771, 81st Cong., 2d sess. (Conference Rept. on H. R. 6000), p. 95.)

The main effect of the amendments made by paragraphs (3) and (4) of section 101 (a) of the bill is to eliminate the requirement of regular employment for purposes of determining whether an individual's agricultural labor is covered under old-age and survivors insurance and to make coverage depend solely on payment of \$50 or more in the quarter by the same employer to the employee for such labor. As in the case of the amendments relating to service not in the course of the employer's trade or business, the \$50 test is to be applied in terms of when the remuneration is received rather than when the agricultural labor, for which it is paid, is performed.

At the present time, services performed in connection with the ginning of cotton and services performed in connection with the production or harvesting of crude gum (oleo-resin) from a living tree or the processing of such crude gum into gum spirits of turpentine and gum resin, if such processing is carried on by the original producer of the crude gum, are excluded from coverage under old-age and survivors insurance (sec. 210 (a) (1) (B) of the Social Security Act). Also, these services may not

be counted in determining whether an individual meets the \$50 60-day test in connection with other agricultural labor, discussed above, although it may be counted for purposes of a qualifying quarter. The amendment to section 210 (a) (1) of the Social Security Act would also remove the exclusion of these services.

The exclusion of services performed by foreign agricultural workers under contracts entered into in accordance with title V of the Agricultural Act of 1949, as amended (Public Law 78, 82d Cong.), would, however, be continued in section 210 (a) (1) of the Social Security Act, as amended by the bill. Title V of the Agricultural Act now provides that no workers may be made available under it for employment after December 31, 1955. The exclusion in section 210 (a) (1) of the Social Security Act would be inoperative when title V of the Agricultural Act ceases to have any effect.

Redesignation of Paragraphs of Section 210 (a)

As indicated above, paragraph (5) of section 101 (a) of the bill repeals paragraph (3) (exclusion of service not in the course of the employer's business) of section 210 (a) of the Social Security Act. This paragraph of the bill would also make the necessary technical change of redesignating paragraphs (4) through (14) of that section, and references in the rest of the Social Security Act to the redesignated paragraphs. This paragraph of the bill does not redesignate paragraphs (15), (16), and (17) of section 210 (a) of the Social Security Act since they are dealt with by later provisions of the bill.

American citizens employed by American employers on foreign vessels

Under section 210 (a) (5) of the Social Security Act (redesignated by the bill as sec. 210 (a) (4)), seamen employed on foreign-flag vessels and airmen employed on foreign-flag aircraft are excluded from employment covered by old-age and survivors insurance both with respect to services performed on or in connection with the vessel or aircraft outside the United States and services performed in port in this country. Section 101 (b) of the bill would amend this section of the act so as to make the exclusion apply only if the seaman or airman is not an American citizen or the employer is not an American employer. Consequently, if the seaman or airman is an American citizen and the employer is an American employer the services of such seaman or airman on foreign-flag vessels or foreign aircraft will be covered whether performed here or abroad. This change would have the effect of treating services performed by these individuals the same as other services performed by American citizens as employees for American employers, which are now covered whether performed here or abroad.

Certain Federal employees

Section 101 (c) of the bill amends section 210 (a) of the Social Security Act to extend the coverage of old-age and survivors insurance to certain services performed for the Federal Government.

Employees of Federal Home Loan Banks

At the present time, service performed by employees of the district Federal home loan banks is excluded, pursuant to section 210 (a) (7) (B) of the Social Security Act (redesignated as section 210 (a) (6) (B) of the bill). This provision excludes service performed in the employ of any Federal instrumentality which was exempt on December 31, 1950, from the old-age and survivors insurance employer tax imposed by section 1410 of the Internal Revenue Code.

There are a number of instrumentalities (listed in clauses (i) through (iv) of the

present sec. 210 (a) (7) (B)) which are excepted from this exclusion and section 101 (c) (1) of the bill would add Federal Home Loan banks to the list of exceptions (in clause (ii)), thereby covering under old-age and survivors insurance service performed for such banks.

Civilian Employees of Coast Guard Exchanges

Among the exceptions to the exclusion of service for Federal instrumentalities exempt from the old-age and survivors insurance employer's tax on December 31, 1950, mentioned above, are the Army and Navy exchanges and similar activities conducted by Federal instrumentalities subject to the jurisdiction of the Defense Department. Service performed by civilians for these instrumentalities, not compensated for from funds appropriated by the Congress, is covered under old-age and survivors insurance. Section 101 (c) (2) of the bill would amend the redesignated section 210 (a) (6) (B) of the Social Security Act (now sec. 210 (a) (7) (B)) by the addition of a new clause (v), which would except similar service performed for Coast Guard exchanges and similar activities conducted by instrumentalities subject to the jurisdiction of the Secretary of the Treasury from the exclusion, thereby covering such service under old-age and survivors insurance.

Paragraph (4) of section 101 (c) of the bill would make a complementary amendment to paragraph (3) of section 205 (p) of the Social Security Act. This section of the act deals with determinations of employment and wages in the case of Federal employees. Paragraph (3) of the section makes these administrative provisions applicable to the exchanges and related activities conducted by Federal instrumentalities under the jurisdiction of the Defense Department. The amendment to section 205 (p) (3) of the act would make such administrative provisions applicable also in the case of the Coast Guard exchanges and similar activities conducted by Federal instrumentalities subject to the jurisdiction of the Secretary of the Treasury.

Employees in the Postal Field Service Not Covered by Any Federal Retirement System

At the present time employees in the field service of the Post Office Department who are excluded from the civil service retirement system by Executive order because they are serving under temporary appointments pending final determination of eligibility for permanent or indefinite appointments are covered under old-age and survivors insurance. The services of employees in the postal field service covered by the civil service retirement system are excluded from coverage under old-age and survivors insurance as are the services of all other Federal employees covered by that system. The bill would not make any changes as to these excluded services. However, also excluded, by reason of clause (iii) of section 210 (a) (7) (C) of the Social Security Act (redesignated as sec. 210 (a) (6) (C) by the bill), from old-age and survivors insurance are services performed by employees in the postal field service who are not covered by the civil service retirement system and who are not excluded from that system because they are serving under temporary appointments pending determination of their eligibility for permanent or indefinite appointments. Some of these employees are employed for short periods of time, e. g., during the holiday rushes; others may be employed for relatively substantial periods. Section 101 (c) (3) of the bill would repeal clause (iii) of the present section 210 (a) (7) (C) of the Social Security Act, thereby covering under old-age and survivors insurance the services of these postal employees not covered by the civil service retirement system and not awaiting a determination of their eligibility for permanent or indefinite appointments.

This repeal necessitates a renumbering of the succeeding clauses of the section, and section 101 (c) (3) of the bill would also effect this renumbering.

Ministers

Section 101 (d) of the bill amends the present paragraph (9) of section 210 (a) of the Social Security Act (redesignated as paragraph (8) by the bill) to permit coverage of certain ministers and members of religious orders employed by nonprofit religious, charitable, educational, or other organizations exempt from income tax under section 101 (6) of the Internal Revenue Code, if the organization has filed a certificate under section 1426 (1) of the Internal Revenue Code waiving its exemption from the taxes imposed pursuant to the Federal Insurance Contributions Act (concurrence of two-thirds of the clergymen employees is required).

The present subparagraph (B) of section 210 (a) (9) of the Social Security Act excludes lay employees of these organizations unless the organization files a certificate of waiver under section 1426 (1) of the Internal Revenue Code. This provision would be retained without any substantive change and would be redesignated as subparagraph (A). The present subparagraph (A) excludes services performed by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order. This would be eliminated and in its place would be substituted a new subparagraph (B) excluding such services if performed in the employ of an organization exempt from income tax under section 101 (6) of the Internal Revenue Code. The new subparagraph (B) would, however, permit coverage under old-age and survivors insurance of ministers and members of religious orders (not including any member of a religious order who has taken a vow of poverty as a member of such order) employed by such organizations if the organization has filed with the Bureau of Internal Revenue a certificate indicating its desire to cover its ministers and members of religious orders. (The conditions governing the filing of such a certificate are contained in the Internal Revenue Code, and are explained in the portions of this statement applying to amendments in the code.) The clergymen who concur in the filing of the certificate, and those employed after the certificate became effective (or after the certificate was filed, if the certificate was made effective retroactively) would be covered.

The new subparagraph (B) would also have the effect of covering under old-age and survivors insurance, without any option on the part of the employing organization or the employees, any services performed by a minister or member of a religious order as an employee of an organization other than an organization exempt from income tax under section 101 (6) of the Internal Revenue Code. Services performed under such circumstances were covered prior to the 1950 amendments to the Social Security Act, and this change merely restores the situation which existed prior to 1951.

Interns

Section 101 (e) of the bill amends the paragraph redesignated by the bill as paragraph (13) of section 210 (a) of the Social Security Act (the present sec. 210 (a) (14)). This section now excludes from employment covered under old-age and survivors insurance, service performed by a student nurse or by an intern. The amendment which would be made by the bill would repeal this exclusion insofar as it relates to interns.

Fishing and related service

Section 210 (a) (15) of the Social Security Act now excludes from employment covered by old-age and survivors insurance, services performed by employees in fishing and similar activities unless performed in connec-

tion with commercial salmon or halibut fishing or on a vessel of more than 10 net tons. Section 101 (f) of the bill would repeal this exclusion and renumber, the succeeding paragraphs of section 210 (a) accordingly.

Homeworkers

Section 210 (k) (3) (C) of the Social Security Act includes as an employee, for purposes of employment covered by old-age and survivors insurance, any individual performing services for remuneration for any person as a homeworker, according to specifications and on materials furnished by such person, which materials are to be returned to him or his designee, but only if the performance of such services is subject to State licensing laws. (Under section 209 (j), which would not be changed by the bill, the remuneration for homework in any quarter is not counted unless the employee received \$50 or more in cash in the quarter from the same employer for such work.) Section 101 (g) of the bill would amend section 210 (k) (3) (C) of the act so as to eliminate the requirement that the services be subject to State licensing laws.

Farmers and professional self-employed

Section 101 (h) of the bill amends section 211 of the Social Security Act to provide coverage for farm operators and professional self-employed people with net earnings from self-employment of at least \$400 annually.

At the present time, paragraph (2) of section 211 (a) of the Social Security Act excludes from the definition of "net earnings from self-employment," for purposes of coverage under old-age and survivors insurance, income from any trade or business in which, if it was carried on exclusively by employees, the major portion of their services would constitute agricultural labor. Section 101 (h) (1) of the bill would repeal this paragraph (thereby covering such income under old-age and survivors insurance to the same extent as other income from self-employment), would renumber the succeeding paragraphs accordingly, and would add a new sentence at the end of section 211 (a). The new sentence provides that in the case of any such trade or business carried on by an individual the net earnings from self-employment may, at his option be presumed to be computed by deducting 50 percent of the gross income therefrom instead of the amount as otherwise computed under the section. This option will be available, however, only if the gross income (as computed under the section) from the trade or business is \$1,800 or less. If such gross income is more than \$1,800 and the net earnings therefrom, as computed under the section, are less than \$900, the farmer may at his option presume such net earnings to be \$900 for purposes of old-age and survivors insurance.

Section 101 (h) (2) of the bill would amend the present section 211 (a) (4) of the Social Security Act (redesignated as sec. 211 (a) (3) by the bill) so as to exclude from "net earnings from self-employment" the gain or loss derived from coal royalties under certain conditions. This is a technical amendment needed to bring this definition in title II of the Social Security Act into line with the definition of the term in the Internal Revenue Code. Section 325 (d) of the Revenue Act of 1951 amended section 481 (a) (4) of the Internal Revenue Code (relating to the old-age and survivors insurance tax on self-employment income) but failed to amend the corresponding provision in the present section 211 (a) (4) of the Social Security Act.

Section 211 (c) (5) of the Social Security Act now excludes, for purposes of net earnings from self-employment and self-employment income on which old-age and survivors insurance coverage is based, income from the performance of service by an individual in the exercise of designated professions. These are physicians, lawyers, dentists, osteopaths,

veterinarians, chiropractors, naturopaths, optometrists, Christian Science practitioners, architects, registered, licensed, or certified public accountants, funeral directors, or professional engineers. Section 101 (h) (3) of the bill would repeal this exclusion, thereby covering the self-employment income from the practice of these professions by self-employed individuals.

Employees covered by State or local retirement systems

Subsection (i) of section 101 of the bill amends section 218 (d) of the Social Security Act to permit service performed in positions covered by a State or local retirement system to be included, under prescribed conditions, under an agreement between a State and the Secretary of Health, Education, and Welfare covering State and local government employees for old-age and survivors insurance purposes.

Paragraph (1) of subsection (i) would amend the heading of section 218 (d) (which now reads "Exclusion of Positions Covered by Retirement Systems") by striking out "Exclusion of." It retains the present provisions of the section, but adds it to provisions which would permit the coverage of individuals performing service on the date of enactment in positions covered by a State or local retirement system under certain conditions. These provisions do not apply, however, to those in policemen's or firemen's positions. With respect to services in such positions existing law continues to apply. This change would have the general effect of providing that after enactment of the bill individuals in positions subject to a State or local retirement system after the effective date of enactment of the bill could be covered only if the members of the system vote in favor of coverage. Paragraph (1) would also add five new paragraphs to section 218 (d).

The new paragraph (2) of section 218 (d) contains a statement that it is the policy of the Congress in enacting provisions permitting the coverage under old-age and survivors insurance of employees under a State or local retirement system that the protection afforded employees in positions covered under a retirement system on the date a coverage agreement is made applicable to service in such positions, or receiving periodic benefits under the retirement system at that time, will not be impaired as a result of their coverage under old-age and survivors insurance or as a result of legislative enactment in anticipation of coverage.

The new paragraph (3) permits coverage under an agreement of service performed by employees in positions covered by a retirement system (other than policemen's and firemen's positions and certain positions in police and fire departments specified in paragraph (5)) if the governor of the State certifies that the following conditions have been met:

A. A referendum by secret written ballot was held on the question whether service in positions covered by the retirement system should be included under an agreement;

B. An opportunity to vote in the referendum was given (and was limited) to the employees who, at the time the referendum was held, were in positions then covered by such retirement system and were members of such system (other than employees who were not in such positions at the time notice of the referendum was given, employees who would not be affected by the referendum because they are in positions already covered under the agreement, and employees in the police and fire department positions referred to in paragraph (5));¹

C. Ninety days' notice of the referendum was given to all such employees;

D. The referendum was conducted under the supervision of the governor or an agency or individual designated by him; and

E. Two-thirds or more of the employees who voted in the referendum voted in favor of including such positions under an agreement under section 218.

No referendum would be valid for the purposes of paragraph (3) unless held within the 2-year period which ends on the date of execution of the agreement or modification which extends coverage to the retirement system involved, nor would any referendum be valid if held less than 1 year after any prior referendum with respect to the same retirement system.

The new paragraph (4) establishes, for the purposes of the existing section 218 (c), a separate coverage group consisting of all three of the following categories of employees:

A. All employees in positions covered by the same retirement system on the date when an agreement (or modification) entered into in compliance with the conditions in paragraph (3) was made applicable to such system. The employees in this category are those to whose services an agreement cannot be made applicable under existing law because the services are performed in positions covered by a retirement system.

B. All employees in positions which were covered by that retirement system at any time after the date an agreement was made applicable to the system. The employees in this category are those in positions which are brought under the retirement system after the agreement is made applicable to the system.

The bill, therefore, needs clarification in these respects:

C. All employees in positions which were covered by the same retirement system at any time prior to the date when an agreement was made applicable to the system and to which the old-age and survivors insurance system was not extended because of the existing provisions of section 218 (d) (which, under the bill, are contained in section 218 (d) (1)). The employees in this category are those in positions which were covered by the retirement system at the time an agreement or modification was made applicable to the coverage group of which they were members, but which were later removed from coverage under the retirement system.

The new paragraph (5) provides that the referendum procedures in paragraph (3) for extension of old-age and survivors insurance coverage entered into under section 218 are not applicable to cover under an agreement service performed in any policeman's or fireman's position covered by a retirement system or service in any position covered by a retirement system applicable exclusively to positions in one or more law-enforcement or fire-fighting units, agencies, or departments. By nature of the provisions of existing law which continue to be applicable to such policeman's and fireman's positions, services in such positions cannot be covered under an agreement if the positions are covered under a State or local retirement system.

The new paragraph (6) provides that a retirement system which covers positions of employees of the State and positions of employees of 1 or more political subdivisions thereof, or covers positions of employees of 2 or more political subdivisions of the State, may be deemed, at the option of the State, to

constitute a separate retirement system with respect to each such political subdivision, and, where applicable, a separate retirement system with respect to the State. If the State determines that the retirement system shall not be deemed to constitute separate retirement systems, then any referendum must apply to the entire retirement system and any agreement or modification entered into must be made applicable to service performed by all employees in positions covered by the system.

Paragraph (2) of section 101 (1) of the bill amends section 218 (f) of the Social Security Act, which relates to effective dates of agreements and modifications thereof. Under the existing provision agreements or modifications executed prior to January 1, 1954, may be made retroactive to January 1, 1951, thus enabling the States to negotiate agreements in the early days of the provisions relating to coverage of State and local employees without unduly penalizing the employees under the eligibility and benefit-computation provisions of old-age and survivors insurance because of unavoidable delay in this process. In the case of agreements or modifications executed after December 31, 1953, the coverage provided thereby may be made retroactive only to the beginning of the calendar year in which the agreement or modification is consummated. This provision would be modified by the bill to permit agreements or modifications entered into during 1955 and 1956 to be made retroactive to January 1, 1955. This will give the States 2 years within which to enact any legislation necessary to enable them to enter into agreements or modifications of agreements designed to take advantage of the new provisions of section 218 (d) of the Social Security Act which have been added by the bill.

An agreement or modification retroactive to a date prior to its execution, either under existing law or by reason of the provisions of section 101 (1) of the bill, may not be made applicable with respect to service in the retroactive period performed by any individual who is not a member of a coverage group to which the agreement or modification applies on the date of execution of the agreement or modification. Thus, service performed by individuals who die, retire, or otherwise leave the employ of the State or political subdivision prior to the date of execution of an agreement or modification would not be covered for retroactive periods.

Section 101 (1) (2) of the bill also provides that deductions under section 203 of the Social Security Act (on account of earnings in excess of the permitted amount) shall not be made from any benefits certified and paid before an agreement or modification is agreed to on account of service covered retroactively by the agreement or modification. This section of the bill also provides that in such cases the deductions which would have been made under section 203 had the agreement or modification been agreed to on the date it became effective, shall be deemed to have been made for purposes of section 215 (f) of the act (relating to recomputation of benefits).

The amendment made by section 101 (i) (1) of the bill is made effective as of January 1, 1955.

Paragraph (3) of section 101 (1) of the bill amends section 218 (m) of the act (relating to coverage of employees under the Wisconsin retirement fund) by changing the reference to "subsection (d)" to "paragraph (1) of subsection (d)."

Effective dates

Subsection (j) provides effective dates for the amendments made by section 101 of the bill. The exclusion of coal royalties from "net earnings from self-employment" (sec. 101 (h) (2) of the bill) would be effective for taxable years beginning after 1950. The extension of coverage to farm operators and the self-employed professional groups (sec.

¹ As set forth in the bill, employees in positions covered by a retirement system but who, because of personal disqualification are not members of such system have no voice in the referendum. Likewise, since membership in an existing retirement system is a

condition of voting, those who were under such a system and were excluded from coverage because they were subject to the system when their coverage group was brought under old-age and survivors insurance, would have no opportunity to come in at all if the entire system had been repealed prior to the effective date of the bill.

101 (h) (1) and (3) of the bill) would be effective for taxable years beginning after 1954. The provisions relating to the coverage of the agricultural labor and service not in the course of the employer's trade or business (section 101 (a) (2), (3), (4), and (5) of the bill) would be effective with respect to remuneration paid after 1954 (in the case of the amendments to the definition of "wages") and with respect to service for which the remuneration is paid after 1954 (in the case of the amendments to the definition of "employment"). The provisions relating to coverage of domestic service (sec. 101 (a) (1) of the bill) would be effective with respect to remuneration paid after 1954. The amendment making applicable to Coast Guard exchanges the administrative provisions of section 205 (p) of the Social Security Act (sec. 101 (c) (4) of the bill), which are now applicable in the case of other service for the Federal Government covered under old-age and survivors insurance, would become effective January 1, 1955. The amendments made by the rest of section 101 of the bill (other than subsection (i), relating to employees covered by State or local retirement systems, which permits retroactive coverage) would be effective with respect to services performed after 1954.

Increase in benefit amounts

Primary Insurance Amount

Section 102 (a) of the bill amends section 215 (a) of the Social Security Act to provide increases in benefit amount, both for individuals already on the benefit rolls and those who will come on the rolls after the effective date.

Paragraph (1) of section 215 (a) as amended by the bill sets forth a new benefit formula to be used in computation of the primary insurance amount of individuals who: (1) Have acquired at least 6 quarters of coverage after 1950 and become eligible for old-age insurance benefits no earlier than the first day of the second month following the month of enactment of these amendments or who die no earlier than that day and prior to becoming eligible for an old-age insurance benefit, or (2) acquire at least 6 quarters of coverage after June 30, 1953. The new benefit formula would be used only if it resulted in a higher primary insurance amount than would result for such individual if his benefit amount were computed under the new conversion table provided in section 215 (c) as amended by the bill.

The benefit formula provided by the bill would replace 55 percent of the first \$110 of average monthly wage plus 20 percent of the next \$240 of such wage. Under present law, the formula replaces 55 percent of the first \$100 of average monthly wage plus 15 percent of the next \$200.

Paragraph (2) of the subsection as amended by the bill provides that any other individual shall have his primary insurance amount computed through the conversion table in subsection 215 (c) as amended by the bill.

Average Monthly Wage

Section 102 (b) amends section 215 (b) of the Social Security Act to provide that, in determining an individual's average monthly wage, up to 4 calendar years in which earnings were lowest (or nonexistent) be dropped from the computation. The exclusion of such low years is of special significance to individuals newly covered by the bill, since they can drop from the computation the years 1951-54, during which they had no covered earnings. Persons already covered could drop any 4 or fewer years, past or future, in which their earnings were lowest.

Paragraph (1) of the subsection amends subsection 215 (b) (1) of present law to provide that the minimum divisor used in computing the average monthly wage would be 24 in cases where one or more low years are dropped from the computation. The purpose of this change is to assure that the

minimum period used in the computation is substantial enough to cover a fairly representative portion of the individual's wage history. The minimum divisor of 18 would still be used in cases where no low years are dropped. In the future, this minimum divisor of 18 would be used only in cases where individuals died prior to attainment of age 22, or prior to attainment of age 24 with a starting date of the first day of the quarter in which age 22 was attained, or where an individual was first eligible for benefits in 1952, and that date is used in the computation.

Paragraph (2) of the subsection directs the Secretary to determine, and to exclude from the computation of an individual's average monthly wage, the 4 or fewer calendar years which, if the months thereof elapsing after the individual's starting date and prior to his divisor closing date, and the wages and self-employment income for such years, were excluded from the computation, would produce the highest primary insurance amount.

Determinations Made by Use of the Conversion Table

Section 102 (c) of the bill amends section 215 (c) of present law to provide a new conversion table to be used to increase the benefits of individuals already on the rolls and to compute the primary insurance amount of certain individuals who come on the rolls after the effective date of the bill.

Paragraph (1) of the subsection sets forth the new conversion table. Column I of the table contains amounts of primary insurance benefits computed on the basis of average earnings from January 1, 1936, on and using the benefit formula provided by the social-security amendments of 1939. Column II contains primary insurance amounts computed under the Social Security Act Amendments of 1952, either through the conversion table in the act, or through the benefit formula provided therein in cases where average earnings after 1950 are used in the computation. Column III sets forth the new primary insurance amounts to which the amounts on corresponding lines in columns I and II are to be increased. Column IV sets forth the average monthly wage to be used in setting the maximum amount of benefits payable to the family.

The table is designed to provide an increase of at least \$5 in primary insurance amounts. The amounts in column III of the table for which there is in column I a corresponding primary insurance benefit were computed by applying the new benefit formula in the bill to the amounts of assumed average monthly wage in column III of the conversion table in present law, and further increasing any of the resultant primary insurance amounts so that they were at least \$5 more than the primary insurance amounts in the present conversion table corresponding to such assumed average monthly wage. Thus, except at average monthly wage levels below \$130, where the guaranteed \$5 increase applies, benefit amounts for individuals having the same average monthly wage will be identical, regardless of whether the benefit is computed through the conversion table or the new formula. Where the individual's average monthly wage, even after a dropout of low years, is less than \$130, the conversion table may give a more favorable result. The amounts in column III for which there are no corresponding primary insurance benefits are, in general, derived from actual average monthly wages derived on the basis of earnings after 1950.

The amounts in column IV are derived partly from actual average monthly wages on the basis of earnings after 1950 and partly from assumed amounts which would yield the primary insurance amount on the corresponding line in column III by applying the revised benefit formula in the bill. Such

amount in column IV will determine the maximum amounts of benefit payable under section 203 of the act, as amended by the bill.

Paragraph (2) sets forth the methods to be used for computation of the new primary insurance amount for values that fall between the amounts on any two consecutive lines of column I or II of the table. Subparagraph (A) of the paragraph provides that when the primary insurance benefit falls between the amounts on any two consecutive lines in column I, the new primary insurance amount would be determined by applying the new benefit formula to the average monthly wage which would be determined for the individual under regulations in effect on January 1, 1954, for determination of intermediate benefit amounts under the conversion table in present law. The primary insurance amount thus obtained, if not already a multiple of 10 cents, would be rounded upward to the next higher multiple of 10 cents and further increased, if necessary, to the extent that is less than \$5 greater than the primary insurance amount that would be derived from the individual's primary insurance benefit under the provisions of present law.

Subparagraph (B) of the paragraph provides that when an individual's primary insurance amount (computed under the benefit formula in present law) falls between any two consecutive lines in column II of the table, the new primary insurance amount shall be computed as in subparagraph (A) in those cases where the primary insurance amount under present law can be related to a primary insurance benefit under regulations now in effect. Where no such relationship exists, or where the primary insurance amount derived under present law is more than \$77.10, the new primary insurance amount would be derived by applying the new benefit formula in the bill to the average monthly wage from which the present primary insurance amount was determined. The resultant amount would be rounded to the next higher multiple of 10 cents if it is not already a multiple of 10 cents and further increased to the extent, if any, that it is less than \$5 greater than the primary insurance amount computed under present law.

Subparagraph (c) of the paragraph provides that in cases where the individual's primary insurance amount can be computed under the provisions of both subparagraph (A) and subparagraph (B), the subparagraph that yields the larger primary insurance amount shall be used.

Section 215 (c) (3) of the Social Security Act as amended by the bill designed to facilitate the mechanical processing of the increases provided by section 102 (c) by providing for an assumed primary insurance benefit 1 or 2 cents more or less than the actual primary insurance benefit from which a benefit under section 202 had been computed.

Section 215 (c) (4) of the Social Security Act as amended by the bill provides that, for purposes of section 203 (a) (setting the maximum monthly amount of benefits payable on a single wage record), the average monthly wage of an individual whose primary insurance amount is determined under paragraph (2) of the amended subsection (providing a method for computing the new primary insurance amount for persons whose primary insurance benefits or present-law primary insurance amounts fall between the amounts on any two consecutive lines in columns I or II of the conversion table) shall be a sum equal to the average monthly wage which would result in such new primary insurance amount if the new benefit formula provided in the amended section 215 (a) (1) (A) were applied to such average monthly wage, except that such average monthly wage (if not already a multiple of \$1) in lieu of being rounded to the next lower multiple of

\$1 would be rounded to the nearest multiple of \$1 (or to the next multiple of \$1 if it was a multiple of \$0.50).

Primary Insurance Benefit and Primary Insurance Amount for Purposes of Conversion Table

Section 102 (d) of the bill amends section 215 (d) of present law to add provisions for computation of a primary insurance amount for purposes of the conversion table to the present provision for computation of a primary insurance benefit for such purposes.

Paragraph (1) of the subsection changes the heading of subsection 215 (d) to read "Primary Insurance Benefit and Primary Insurance Amount for Purposes of Conversion Table."

Paragraph (2) changes the introductory sentence of subsection (d) of section 215 to provide that primary insurance amounts required by the conversion table procedures would be computed under the provisions of the subsection.

Paragraph (3) amends paragraph (4) of subsection 215 (d) of the Social Security Act to provide that a primary insurance benefit would not be computed in the case of any individual who attained age 22 after 1950 and with respect to whom not less than 6 of the quarters elapsing after 1950 are quarters of coverage. Such an individual is precluded from a primary insurance benefit computation under present law. He could still have a primary insurance amount computed for purposes of the conversion table.

Paragraph (4) adds a new paragraph (6) to section 215 (d) of the Social Security Act, to provide that an individual's primary insurance amount for purposes of the conversion table be computed under the provisions of present law except that provisions of the bill relating to increase in earnings counted after 1954, elimination of periods of disability from the computation, and establishment of closing dates for computations in 1955, 1956, and the first half of 1957 would be applicable. The provisions for dropping up to 4 lowest years, however, would not be applicable to computations made under this paragraph, although they would be applicable to computations of primary insurance benefits for purposes of the conversion table.

Maximum Benefits

Section 102 (e) of the bill amends section 203 (a) of the Social Security Act to provide that the maximum amount of benefits payable on the basis of a single wage record be raised from the present \$168.75 to \$190. Where the total of family benefits computed under the bill on the basis of a single wage record exceeded \$50 and was more than 80 percent of the insured individual's average monthly wage, that total could not be reduced to less than \$50. The comparable amount in present law is \$45. The amendment made by this subsection would permit increases in benefit amounts for dependents and survivors in cases where such benefits are now reduced by the maximum provisions of present law, and would permit the payment of larger total amounts than under present law to dependents and survivors who come on the rolls in the future.

Effective Date

Section 102 (f) of the bill sets forth the effective date of the provisions of sections 102 (a), (b), (c), (d), and (e) of the bill.

Subsection (f) (1) provides that, except with respect to the provision in subsection (b) (2) for dropping up to 4 years of lowest earnings from the computation of average monthly wage, and regardless of the restrictions on recomputation of benefits in section 215 (f) (1) of the act, the provisions for the increase of benefits under sections 102 (a), (b), (c), (d), and (e) of the bill shall apply in the case of lump-sum payments with respect to deaths occurring after, and in the case of monthly benefits, for months after, the effective date of the bill. For the

purpose of subsection (f) and succeeding subsections of section 102 of the bill, the effective date is the last day of the month following the month in which the bill is enacted.

Under the provisions of subsection (f) (2) (A), subsection (b) (2) (providing for a drop-out of up to 4 years of lowest earnings in computing benefits) becomes applicable to a worker only in the following cases:

(1) he becomes eligible for old-age insurance benefits (i. e., attains age 65 and is fully insured) after the effective date; or

(2) he dies after the effective date without becoming eligible for old-age insurance benefits; or

(3) after the effective date he files an application for recomputation of his primary insurance amount under section 215 (f) (2) of the act relating to recomputations to take account of earnings after entitlement to old-age insurance benefits to which he is entitled (or would be entitled except for the requirement that the recomputation result in a higher primary insurance amount); or

(4) he acquires 6 quarters of coverage after June 1953 (subject to the provisions of subparagraph (b) regarding a recomputation of benefits for workers having such 6 quarters); or

(5) after the effective date he files an application for a disability determination under the provisions of section 106 (d) of the bill; or

(6) he dies after the effective date and his survivors are entitled (or would be entitled except for the requirement that the recomputation result in a higher primary insurance amount) to a recomputation of his primary insurance amount under section 215 (f) (4) (A) of the act.

Subsection (f) (2) (B) of the bill provides that the primary insurance amount of an individual who was entitled to old-age insurance benefits or who was 65 or over and fully insured in the month in which the effective date occurs and who has 6 quarters of coverage after June 1953 shall be recomputed upon his application, or if he dies without applying, upon the application of any person entitled on his record to monthly survivors benefits. This recomputation is to be made under section 215 of the act (but without regard to the recomputation provisions in subsection (f) or the restrictions on recomputation in subsection (f) (1) except that in computing his average monthly wage his closing dates shall be the same as if he became entitled to an old-age insurance benefit in the month in which he filed his application for such recomputation or in which he died. This recomputation is made effective beginning with the month in which he filed such application, or if he had died, beginning with the first month for which his survivor was entitled to survivors monthly benefits. It would not be effective unless it increased the primary insurance amount or if there had been a previous recomputation under subsection 102 (f) of the bill.

Subsection (f) (2) (C) of the bill provides that no increase in the benefits by reason of section 102 of the bill (or the recomputation provided in subparagraph (B)) shall be regarded as a recomputation for purposes of section 215 (f) of the act (except for the amendments made by sec. 102 (i) of the bill, described below).

Section 102 (g) of the bill amends section 2 (c) (2) (B) of the Social Security Act Amendments of 1952 (designed to facilitate the computation of benefit increases under that act for dependents and survivors on the benefit rolls), to provide that that section would become inapplicable after the effective date of the bill. The section has served its purpose and is no longer needed.

Saving Provisions

Section 102 (h) of the bill sets up saving provisions to prevent the reduction of benefits in certain cases.

Subsection (h) (1) provides that where an old-age insurance beneficiary and two or more dependents are receiving benefits on the basis of his wage record, in the month in which the effective date occurs, and the total family benefits would otherwise be reduced by reason of the maximum limitation on total family benefits provided by the bill, the family shall be guaranteed the largest of the following total amounts: (a) The maximum amount permitted by the bill; or (b) the maximum amount permitted under present law plus the increase provided by the bill for the old-age insurance beneficiary; or (c) the amount being paid to the family under the saving provisions of the Social Security Act Amendments of 1952 plus the increase provided by the bill for the old-age insurance beneficiary. Thus, even though the increase made in the retired worker's old-age insurance benefit exceeded the maximum allowable increase for the entire family, the benefits paid to his dependents would not be reduced for months subsequent to enactment of the bill.

Subsection (h) (2) provides that where two or more individuals are receiving survivors benefits on the basis of a deceased individual's wage record for the month in which the effective date occurs, and the total of their benefits would otherwise be reduced, under the provisions of the bill, to 80 percent of the deceased individual's average monthly wage, that average monthly wage shall be the larger of his average monthly wage as determined under the bill, or the average monthly wage as determined under present law, plus \$7. The provisions of this subsection will permit the total of survivors benefits, in cases where the maximum limitation of 80 percent of average monthly wage applies, to be raised by about \$5.

Recomputations of Benefits

Section 102 (i) of the bill amends section 215 (f) (2) of present law, relating to recomputation of benefits in certain cases, and sets up an effective date for the new provisions.

Subsection 102 (i) (1) makes the following changes in section 215 (f) (2) of the Social Security Act:

Subparagraph (B) of section 215 (f) (2) is amended to provide a recomputation for a worker who (1) attained 75 in or before the month of applying for recomputation, (2) had become entitled to benefits without having 6 quarters of coverage after 1950, (3) had not previously had a recomputation under section 215 (f), and (4) prior to the quarter of applying for recomputation had 6 quarters of coverage after 1950.

Subparagraph (C) of such section, as amended, provides that the recomputations under subparagraph (A) and the amended subparagraph (B) shall be made according to the new formula and computed as if the month of applying for recomputation was the month in which the worker became entitled to benefits. The subparagraph also provides that the recomputation would be effective for and after the month in which the application for recomputation is filed.

Subsection 102 (i) (2) provides that the amended provisions shall be applicable in the case of applications for recomputations filed after the effective date.

Amendments relating to deductions from benefits

Section 103 (a) of the bill amends section 203 (b) of the act to put into effect an annual retirement test for beneficiaries whether they have wage or self-employment earnings, or both, and a provision for making deductions on account of noncovered remunerative activity outside the United States.

Paragraph (1) of section 103 (a) strikes out paragraphs (1) and (2) of section 203 (b) (relating to deductions from benefits on account of wages and net earnings from self-employment, respectively) and replaces them with a new paragraph (1) to provide for

deductions for any month in which an individual under age 75 is charged with any earnings under the provisions of subsection (e) of section 203 as revised by the bill.

Paragraph (2) of section 103 (a) of the bill inserts a new paragraph (2) in section 203 (b) of the law to provide that deductions from benefits shall be made for any month in which an individual is under age 75 and on 7 or more calendar days of which he is engaged in noncovered remunerative activity outside the United States.

Section 103 (b) of the bill amends section 203 (c) of the act by striking out paragraphs (1) and (2) and replacing them with paragraphs that provide that deductions would be made from the benefits of a wife, husband, or child for any month in which the old-age beneficiary on whose record of earning the wife's, husband's, or child's benefit was payable—

(1) was under the age of 75, and for which month he was charged with any earnings under the provisions of section 215 (e) as amended by the bill; or

(2) was under the age of 75 and on 7 or more different calendar days of which he was engaged in noncovered remunerative activity outside the United States.

Section 103 (c) of the bill amends section 203 (d) of the Social Security Act to provide that the charging of any earnings (rather than net earnings from self-employment only, as in present law) shall be treated as an event occurring in the month to which such earnings are charged.

Months to Which Earnings are Charged

Section 103 (d) of the bill amends section 203 (e) of the law to provide a method for charging earnings to particular months of the year for the purposes of determining the deductions required under the provisions of sections 203 (b) and 203 (c) of the act as amended by the bill.

Paragraph (1) of section 103 (d) of the bill changes the heading of section 203 (e) of the law to read: "Months to Which Earnings Are Charged," to indicate that all earnings, whether from employment or self-employment, are to be treated alike.

Paragraph (2) of such section 103 (d) amends paragraphs (1) and (2) of section 203 (e) of the law to provide that:

(1) If an individual's earnings for a taxable year of 12 months are not more than \$1,000, or if his earnings for a taxable year of less than 12 months are not more than the product of one-twelfth of \$1,000 times the number of months in such year, no month in the year shall be charged with any earnings.

(2) If an individual's earnings for a taxable year exceed the amounts stated in the preceding paragraph, the first \$80 of excess earnings would be charged to the last month of the taxable year and the balance, if any, of such excess would be charged at the rate of \$80 per month to each preceding month of the taxable year until the entire balance has been applied. No part of the excess earnings would be charged to any month:

(1) in which the individual whose earnings are involved was not entitled to a benefit under title II of the Social Security Act; (2) in which his benefit was suspended because of noncovered remunerative activity outside the United States; (3) in which the beneficiary, if a wife or widow under retirement age or a former wife divorced, had her benefit suspended because of failure to have a child beneficiary in her care; (4) in which the beneficiary was age 75 or over; or (5) in which the individual did not engage in self-employment and did not render services for wages (determined as provided in section 203 (e) (4) (c) of the act as amended) of more than \$80.

Section 103 (d) (3) amends paragraph (3) (B) of section 203 (e) to provide, in addition to the present authority given the Secretary to presume, with respect to any

month, that an individual has engaged in self-employment in such month, a presumption (for purposes of charging earnings to calendar months) that an individual rendered services for wages of more than \$80 in any month. In the case of self-employment such presumption will apply until it is shown to the satisfaction of the Secretary that the individual rendered no substantial services in such month with respect to any trade or business the net income or loss from which is includable in computing his net earnings or net loss for the taxable year as provided in paragraph (4) of section 203 (e) as amended. The presumption with respect to the rendering of services in a month for wages of more than \$80 (determined as provided in paragraph (4) of sec. 203 (e), as amended) will apply until it is shown to the satisfaction of the Secretary that such individual did not render such services in such month for more than such amount.

The paragraph continues the authority of the Secretary to prescribe by regulations the methods and criteria for determining whether or not an individual has rendered substantial services with respect to any trade or business.

Paragraph (4) of section 103 adds 2 new paragraphs (4) and (5) to section 203 (e) of the act.

Subparagraph (A) of the new paragraph (4) defines an individual's earnings for a taxable year as the sum of his wages for services rendered in such year and his net earnings from self-employment for such year, minus any net loss from self-employment for such year.

Subparagraph (B) of the new paragraph (4) provides that in determining the amount of an individual's net earnings and net loss from self-employment, for purposes of charging deductions because of earnings, the provisions of section 211 (which define net earnings for coverage purposes) shall apply, except for the exclusion from the definition of trade or business of the performance of the functions of a public office, and the performance of service by a duly ordained, commissioned, or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order. Net loss from self-employment is defined as the excess of income over deductions resulting from the computations applicable in determining net earnings for the purpose of charging deductions.

Subparagraph (C) of the new paragraph (4) provides that an individual's wages for the purposes of charging deductions shall be computed without regard to certain limitations on amount of remuneration stated in section 209, and, if for services as an employee performed within the United States without regard to whether the services constitute covered employment under title II of the Social Security Act. The limitations on amounts of remuneration referred to in the preceding sentence are those relating to the \$4,200 limit on wages in any calendar year, and the exclusions from wages of remuneration paid by an employer to an employee in any calendar quarter for domestic service in a private home, service not in the course of the employer's trade or business, agricultural labor, or service as an industrial homemaker, if the cash remuneration paid in such quarter by the employer to the employee for such service is less than \$50.

The new paragraph (5) provides that, for purposes of the subsection, wages (determined as provided in sec. 203 (e) (4) (C) of the act, as amended) which, according to reports received by the Secretary, are paid to an individual during a taxable year shall be presumed to have been paid for services performed in that year, unless it is shown to the satisfaction of the Secretary that they were paid for services performed in another taxable year. The paragraph also provides that, if such reports show the individual's

wages for a calendar year, his taxable year will be presumed to be a calendar year until the contrary is shown to the satisfaction of the Secretary.

Penalty for Failure To Report Certain Events

Section 103 (e) of the bill amends section 203 (f) of the Social Security Act to provide that any individual who is receiving benefits (whether for himself or on behalf of another individual) subject to deduction because of the occurrence of an event other than earnings in excess of the permitted amount, who fails to report such event to the Secretary prior to the receipt and acceptance of a benefit for the second month following the month in which the event occurred, would suffer a penalty of an additional deduction of 1 month's benefit for each month for which deductions are required because of the occurrence of the deduction event, and in an amount equal to the deduction imposed because of the occurrence of the event. For the first failure to report, however, only 1 penalty deduction is to be imposed, even though the failure to report is with respect to more than 1 month.

Report of Earnings to Secretary

Section 103 (f) (1) changes the heading of section 203 (g) to read: "Report of Earnings to Secretary."

Section 103 (f) (2) of the bill amends section 203 (g) (1) of the act to provide that if an individual entitled to any monthly benefits in a taxable year has earnings (or wages) in the taxable year in excess of the amounts permitted under the provisions of subsection (b) (1) of section 203, he (or the individual who is in receipt of benefits on his behalf) must make a report to the Secretary of his earnings (or wages) for such taxable year. As under the present provision for reports of net earnings from self-employment, the report must be filed on or before the 15th day of the third month following the close of the taxable year, and must contain such information and be made in such manner as the Secretary may by regulation require. A report would not be required for any taxable year during all of which the individual was 75 years of age or over.

Section 103 (f) (3) amends section 203 (g) (2) to provide a schedule of penalty deductions for failure to make required reports within the time prescribed by paragraph (1) of section 203 (g) if any deduction is imposed because of earnings in such year. For the first failure to file a timely report with respect to which a deduction is imposed the penalty would be an additional deduction equal to the individual's benefit (or benefits) for the last month (for which he was entitled to a benefit) of the year for which the report was required. For the second such failure, the penalty would be an additional deduction equal to twice the benefit for the last month of such year, and for the third or subsequent failures, to three times such benefit. In no case would the number of additional deductions with respect to a failure to report earnings for a taxable year exceed the number of months in that year for which the individual received and accepted monthly benefits and for which deductions are imposed by reason of his earnings. The amended paragraph also provides that in determining whether a failure to report earnings is the first failure for any individual, the Secretary shall disregard all taxable years ending prior to the imposition of the first penalty deduction imposed under the amended paragraph, except the latest such year. Thus, even though the failure to file timely returns had persisted over a period of years, only one additional deduction would be imposed and that for the latest such year.

Paragraph (4) of section 103 (f) of the bill amends paragraph (3) of section 203 (g) of the act to make the provisions of such paragraph (3) applicable to earnings from employment and self-employment as defined in section 203 (e) (4) of the act

as amended, rather than to net earnings from self-employment only, and to relate the paragraph to the provisions under which deductions are made because of earnings. A new sentence is added at the end of such paragraph (3) to provide that if, after the close of a taxable year, an individual fails to comply with a request of the Secretary for a report of his earnings for the taxable year or for any other information with respect to such earnings, the failure to comply would in itself constitute justification for a determination that the individual's benefits are subject to deduction because of earnings for each month in such taxable year, or for such months thereof as the Secretary may specify.

Noncovered Remunerative Activity Outside the United States

Section 103 (g) of the bill amends section 203 of the Social Security Act to add a new subsection (k). The new subsection provides that an individual shall be considered to be engaged in noncovered remunerative activity outside the United States if he performs services as an employee outside the United States that are not covered employment as defined in section 210 of the Social Security Act, or if he carries on a trade or business outside the United States, the net income or loss of which cannot be included in computing his net earnings from self-employment for a taxable year, but which would be includible if the trade or business were carried on within the United States. The term "United States" when used with respect to self-employment in a trade or business would exclude Puerto Rico and the Virgin Islands in the case of an alien who is not a resident of the United States (including Puerto Rico and the Virgin Islands).

Good Cause for Failure To Make Reports Required

Section 103 (h) of the bill adds a new subsection (l) to section 203 to provide that the failure of an individual to make any report within the time required by subsections (f) or (g) of section 203, as amended by the bill, would not be regarded as a failure to file if it is shown to the satisfaction of the Secretary that the individual had good cause for failing to make the report. The Secretary would have authority to determine by regulation what constitutes good cause in such situations.

Section 103 (i) provides effective dates for the various amendments made by the bill in section 203 of the Social Security Act.

Paragraph (1) of the section provides that the amendments made with respect to deductions from an individual's benefits because of his own earnings would be applicable in the case of monthly benefits for months in any taxable year (of the entitled individual) beginning after December 1954. With respect to dependents from whose benefits deductions are made because of earnings by the insured individual on the basis of whose earnings the dependent's benefits are payable, the amended provisions would be applicable in the case of months in any taxable year (of such insured individual) beginning after December 1954. With respect to failure to file timely reports of the events causing deductions other than the charging of earnings, the new provisions would be applicable in the case of monthly benefits for months after 1954. The remaining amendments made by section 103 of the bill (other than subsec. (h), which would become effective on enactment of the bill) would be applicable with respect to old-age insurance benefits, in the case of monthly benefits for months in any taxable year (of the individual) beginning after December 1954, and with respect to secondary benefits, in the case of monthly benefits for months in any taxable year (of the

insured individual on whose earnings those benefits are based) beginning after December 1954.

Paragraph (2) of the section provides that, after enactment of the bill, no additional (penalty) deductions would be imposed under the provisions of present law for failure to file a report of an event which would give rise to deductions because of work under present law, and no deductions for such reasons imposed prior to enactment would be collected after enactment. Taxable years beginning prior to January 1955 would be disregarded in determining whether a failure to file a timely report occurred under section 203 (g) (2) as amended by the bill.

Increase in Earnings Counted

Section 104 of the bill amends various sections of the Social Security Act to provide that, after 1954, earnings of up to \$4,200 a year be counted in the computation of benefits under the old-age and survivors insurance program.

Section 104 (a) of the bill amends section 209 (a) of the act (relating to the definition of wages) to provide that, for years prior to 1955, the term "wages" would exclude any remuneration in excess of \$3,600 paid to an individual with respect to employment in any calendar year, and for years after 1954, would exclude any remuneration in excess of \$4,200 paid to an individual with respect to employment during a calendar year.

Section 104 (b) of the bill amends section 211 (b) (1) of the act (relating to the definition of self-employment income) to exclude from that definition, for taxable years beginning after 1954, any amount in excess of \$4,200 minus the amount of the wages paid to an individual during the taxable year.

Section 104 (c) amends clauses (ii) and (iii) of section 213 (a) (2) (B) of the act to provide that for calendar years after 1954, an individual shall be credited with a quarter of coverage for each quarter of the year if his wages for that year equal \$4,200. He would be credited with a quarter of coverage for each quarter of a taxable year beginning after 1954 in which the sum of his wages and self-employment income equal \$4,200. The crediting of quarters of coverage under these amended provisions would remain subject to the provision, contained in present law, that no quarter occurring after the quarter in which an individual dies shall be a quarter of coverage.

Section 104 (d) amends section 215 (e) (1) of the act to provide that earnings up to \$4,200, in any calendar year after 1954, be used in the computation of an individual's average monthly wage.

Retroactive Applications for Benefits

Section 105 (a) of the bill amends section 202 (j) (1) of the Social Security Act to increase from 6 to 12 the number of months for which benefits may be paid retroactively to individuals who failed to file their applications as soon as they were otherwise eligible.

Section 105 (b) (1) of the bill provides that the liberalized provisions with regard to retroactivity of benefit payments should become effective only in the case of applications filed after the effective date of the bill for monthly benefits for months after such effective date.

Section 105 (b) (2) provides that where an individual files an application for monthly benefits after the effective date of the bill, and would (but for the provisions of the bill) be entitled to such benefits for any prior month, he shall be deemed entitled to benefits for such month to the same extent and in the same amounts as though the bill had not been enacted.

Section 105 (b) (3) defines the "effective date," for purposes of section 105 (b), as the last day of the month following the month in which the bill is enacted.

Preservation of insurance rights of individuals with extended total disability

Section 106 would preserve the insured status and benefit amount of disabled insured individuals for the duration of their disability. Upon the individual's subsequent death or attainment of retirement age his period of disability would be excluded in determining the benefits payable at that time to him and his dependents, or to his survivors, if it is to their advantage to do so.

Quarter of Coverage

Section 106 (a) amends section 213 (a) (2) of the Social Security Act, which defines "quarter of coverage."

Paragraph (1) of this subsection amends subparagraph (A) of section 213 (a) (2) of the Social Security Act by redefining "quarter of coverage," for quarters occurring before 1951, to exclude any quarter in a period of disability, other than the initial quarter of such period; in addition, any quarter any part of which was included in a period of disability (other than the first quarter of such period) could not be counted as a quarter of coverage in a calendar year in which wages of \$3,000 were paid. Existing law, as applied to calendar years before 1951, provides that each quarter of such year following the first quarter of coverage shall be deemed a quarter of coverage, except any quarter in such year in which the individual died or became entitled to a primary insurance benefit and any quarter following such quarter in which he died or became entitled.

Paragraph (2) amends subparagraph (B), clause (i) of section 213 (a) (2) of the Social Security Act by redefining "quarter of coverage," for quarters occurring after 1950, to exclude any quarter any part of which was in a period of disability, other than the first and last quarters of such period. Since an individual's period of disability will not necessarily consist of full calendar quarters, a substantial amount of wages may have been paid to him in the early part of the calendar quarter in which his period of disability began or in the latter part of the calendar quarter in which his period of disability ended. This provision, while preventing the crediting of quarters of coverage for calendar quarters in a period of disability, recognizes that the first and last calendar quarters in such a period may help the individual in meeting the insured status requirements.

Freeze of Fully and Currently Insured Status

Section 106 (b) (1) amends section 214 (a) (2) of the Social Security Act to "freeze" the insured status of a qualified disabled individual. Fully insured status is redefined to eliminate from the count of elapsed quarters used in that determination any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage.

Paragraph (2) of this subsection amends section 214 (b) of the Social Security Act to similarly "freeze" the currently insured status of a qualified disabled individual. This is accomplished by redefining currently insured status to eliminate from the count of elapsed quarters used in that determination any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage.

Freeze of Average Monthly Wage

Section 106 (c) "freezes" the average monthly wage of a qualified disabled individual during a period of disability.

Paragraph (1) of this subsection amends section 215 (b) (1) of the Social Security Act to exclude from the divisor of the average monthly wage computation all months in any quarter any part of which was included in a period of disability, unless such quarter was a quarter of coverage.

Paragraph (2) of this subsection amends section 215 (b) (4) of the Social Security Act to exclude from the dividend of the average monthly wage computation all wages paid in any quarter any part of which was included in a period of disability unless such quarter was a quarter of coverage. This subsection also excludes from the average monthly wage dividend all self-employment income for any taxable year all of which was included in a period of disability.

Paragraph (3) of this subsection adds a new paragraph (5) to section 215 (d) of the Social Security Act to exclude from the computation of the primary insurance benefit for use with the conversion table all wages and divisor months in any quarter before 1951 any part of which was in a period of disability, unless such quarter was a quarter of coverage.

Disability: Period of disability

Section 106 (d) adds a new subsection (i) to section 216 of the Social Security Act, defining "disability" and "period of disability," setting forth the requirements necessary to qualify for a period of disability, and establishing certain time limitations for the filing of applications for the disability "freeze."

Disability

Paragraph (1) of subsection (i) defines disability as "(A) Inability to engage in any substantially gainful activity by reason of any medically determinable physical or mental impairment which can be expected to result in death or to be of long continued and indefinite duration, or (B) blindness." The term "blindness" is defined as central visual acuity of 5/200 or less in the better eye with the use of a correcting lens. An eye in which the visual field is reduced to 5 degrees or less concentric contraction shall be considered for the purpose of this paragraph as having a central visual acuity of 5/200 or less.

Period of Disability

Paragraph (2) of subsection (i) defines "period of disability" as a continuous period of not less than 6 full calendar months during which the individual was under a disability (as defined). It further provides that a period of disability cannot begin unless the individual, while under a disability, files an application for disability determination. A period of disability will be considered to begin if the individual satisfies the insured status requirements of paragraph (3) on such day, on the day the disability actually begins, or on the first day of the 1-year period which ends with the day before the day on which the individual files his application, whichever occurs later. However, if the individual does not satisfy the insured status requirements of paragraph (3) on such day, his period of disability is considered to begin on the first day of the first quarter in which he satisfies such requirements. An application for a period of disability would remain effective for 3 months after its filing; if the individual has not in that time met the remaining conditions of eligibility a new application would be required. The earliest date on which an application can be filed is April 1, 1955. A period of disability would end at the close of the month in which the disability ceased.

Work Requirements

Paragraph (3) of subsection (i) sets forth additional requirements for a period of disability. An individual, to meet these requirements with respect to any quarter, must have at least 20 quarters of coverage out of the 40 calendar quarters ending with such quarter and 6 quarters of coverage out of the 13 calendar quarters ending with such quarter. Any quarter any part of which was included in an earlier period of disability would not be counted as part of the 40-quarter period or as part of the 13-quarter period

used in this determination, unless such quarter was a quarter of coverage.

Retroactivity

Paragraph (4) of subsection (i) provides that, for applications filed before July 1957, an individual's period of disability could begin on the earliest day he was disabled and met the requirements set forth in paragraph (3), provided his disability continued without interruption from that day to the time he filed his application. Under this provision, a period of disability could be established beginning in October 1941, the earliest time he could have met the work requirement of 20 quarters of coverage.

Section 106 (e) adds three new sections to the Social Security Act, namely, 220, 221, and 222.

Disability provisions inapplicable if benefit rights impaired

Under the new section 220, which is a "saving" provision, a period of disability need not be used where the exclusion of earnings in such period would destroy an individual's insured status or reduce any benefit payable on his account.

Disability determinations

The new section 221 sets forth the conditions under which disability determinations will be made for individuals qualified under the provisions of this bill.

Subsection (a) provides that determinations of whether or not an individual is under disability and of the day such disability began and determination of the day on which such disability ceases shall, except as provided in subsection (g), be made by State agencies pursuant to agreements with the Secretary of Health, Education, and Welfare. These determinations shall be considered as the determinations of the Secretary, except as provided in subsections (c) and (d).

Subsection (b) of section 221 provides that the Secretary shall enter into agreements with States for the making of disability determinations by the vocational rehabilitation agencies or any other appropriate State agencies of such States. An agreement may cover all persons in the State or only certain groups of persons in the State.

Subsection (c) of section 221 gives the Secretary the authority to review, on his own motion, any determination made by a State agency, that a disability exists but limits the Secretary's action, as a result of such review, to a finding that no disability exists or that the disability began later than determined by the State agency.

Subsection (d) of section 221 gives any dissatisfied individual the right to a hearing by the Secretary and to judicial review of a determination of the Secretary, to the same extent as provided in section 205 (b) and section 205 (g) of present law.

Subsection (e) of section 221 authorizes the Secretary to pay the cost to the State of carrying out the terms of an agreement under this section. These payments may be made in advance or by way of reimbursement, and prior to audit or settlement by the General Accounting Office.

Subsection (f) of section 221 requires that all money paid to a State under this section be used solely for the purposes for which it is paid and that any money not used for such purposes shall be returned for deposit in the trust fund.

Subsection (g) of section 221 authorizes the Secretary to make disability determinations for individuals in any State which has no agreement under subsection (b), for any group of persons not included in an agreement with the State, and for persons outside the United States.

Referral for rehabilitation services

The new section 222 declares it to be the policy of the Congress that disabled individ-

uals applying for determinations of disability be promptly referred to vocational rehabilitation agencies for necessary rehabilitation services.

Effective Date

Section 106 (f) provides that the foregoing disability provisions will take effect with respect to monthly benefits payable for months after June 1955, and with respect to lump-sum death payments in the case of deaths after June 1955. Increases resulting from recalculation of benefits to exclude periods of disability will be excepted from the limitations placed on benefit recomputations by section 215 (f) of present law.

Technical provisions

Section 107 of the bill contains certain technical provisions designed to alleviate handicaps that would otherwise be suffered by individuals who retire or die shortly after enactment of the bill, and to remove certain anomalies in present law.

Death or Entitlement in 1955 or 1956

Section 107 (a) amends section 215 (f) of the Social Security Act by redesignating paragraph (6) as paragraph (7) and inserting a new paragraph (6). The new paragraph provides for a recomputation of benefits to take into account certain self-employment income which was omitted from the initial computation of the benefit amounts.

Under existing law (sec. 215 (b) (4)) an individual's self-employment income for the taxable year ending in or after the month in which he first became entitled to benefits or died, whichever first occurred, cannot be taken into account in a computation of his average monthly wage. Under section 215 (b) (1) of the Social Security Act as amended by this bill, a minimum divisor of 24 is required in computing the average monthly wage if any low years are dropped from the computation. As a result, for example, an individual whose self-employment was newly covered as of January 1, 1955, and died or became entitled to benefits in 1956, could in the computation of his average monthly wage have at most 1 year of self-employment income divided by 24. A self-employed individual who was first covered in 1951, and who died or retired in 1955 or 1956, could make only limited use of the provision for dropping low years from the computation of his average monthly wage, since 24 months of earnings would have to be left in the dividend for the computation.

Under the new paragraph (6) in the case of any individual who becomes entitled (without the application of the provisions for retroactivity in section 202 (j) (1)) to an old-age insurance benefit, or who files a valid application for a work recomputation under section 215 (f) (2) of the law, in 1955 or 1956, or in 1957 in a taxable year which began in 1956, and who had self-employment income in the taxable year in which he became entitled or in which he filed an application for a work recomputation, whichever is applicable, such individual would have his benefit recomputed if he filed an application for such recomputation after the close of such taxable year. In recomputing his benefit the Secretary would take into account the self-employment income during such taxable year. Any increase in the amount of such benefit would be payable retroactively, in the case of entitlements to old-age insurance benefits, to the first month in which he became entitled to such benefits. In the case of work recomputations, the recomputation would be effective beginning with the month in which application for the recomputation was filed.

Similarly, where an individual, on the basis of whose wages and self-employment income survivors monthly benefits are payable, dies in 1955 or 1956, or in 1957 in a taxable year which began in 1956, or where an individual

entitled to old-age insurance benefits for any month prior to 1955 dies in 1955 or 1956, or in 1957 in a taxable year beginning in 1956 and would have been entitled to a work recomputation under section 215 (f) (2) of the law had he filed application therefor in the month in which he died, the survivors could have the primary insurance amount of the deceased individual recomputed to take account of his self-employment income derived in the taxable year ending with his death. Any increase resulting from such a recomputation would be payable retroactively to the month in which the survivors became entitled to survivors monthly benefits.

No recomputation under these provisions would affect the amount of the lump-sum death payment under section 202 (i), and no such recomputation would render erroneous any such payment certified by the Secretary prior to the effective date of the recomputation.

Section 107 (b) of the bill provides that in the case of an individual who died or became (without the application of sec. 202 (j) (1) of the Social Security Act) entitled to benefits after 1954 and prior to July 1, 1957, the wage closing date for computation of his average monthly wage shall be whichever of the following yields the highest primary insurance amount: (1) The first day of the quarter in which he died or became entitled to benefits, whichever first occurred; (2) if death or entitlement occurred in the second quarter of the year, the first day of the preceding quarter; or (3) the first day of the second quarter preceding the quarter of death or entitlement.

Section 107 (c) of the bill amends section 215 (b) (3) (A) of the law to provide that an individual's divisor closing date for purposes of computing his average monthly wage would be the better of his wage closing date or his self-employment income closing date, in cases where the wage closing date is the first day of the quarter following the self-employment income closing date. Under present law, where the later of the two dates must be used, an individual who has only self-employment income in the year of death or entitlement will have 3 months added to his divisor.

The amendment made by section 107 (c) would be applicable only in the case of applications for monthly benefits under section 202 of the Social Security Act and for recomputations under section 215 (f) (2) of that act filed after the effective date, and for applications for lump-sum death payments filed with respect to the death, after the effective date, of an individual who was not entitled (without the application of the retroactive provisions of sec. 202 (j) (1)) to old-age insurance benefits prior to the day following the effective date. The "effective date," for purposes of the subsection, would be the last day of the month following the month in which the bill is enacted.

Section 107 (d) provides that, in the Social Security Act as amended by title I of the bill, the term "Secretary," except when the context otherwise requires, means the Secretary of Health, Education, and Welfare.

TITLE II. AMENDMENTS TO INTERNAL REVENUE CODE

With one important exception, the amendments to the Internal Revenue Code made by title II of the bill parallel amendments made by title I to the old-age and survivors insurance provisions of the Social Security Act. In such cases the effective dates of the amendments are the same. Consequently, the explanations above in connection with title I of the bill are applicable here and will be referred to in lieu of repetition of those explanations. The exception is the amendments to section 1426 (i) of the Internal Revenue Code, relating to the filing of certificates waiving the tax exemption of non-profit organizations. The bill also provides

for an increase after 1969 in both the employer and employee tax rate and the self-employment tax rate.

Amendments to definitions of self-employment income and related definitions

Farmers

Section 201 (a) of the bill repeals section 481 (a) (2) of the Internal Revenue Code relating to income from farming, and adds a new sentence at the end of section 481 (a). See explanation above of amendment to section 211 (a) of the Social Security Act made by section 101 (h) (1) of the bill.

Increase in Amount of Self-Employment Income Counted

Section 201 (b) of the bill amends section 481 (b) (1) of the Internal Revenue Code (relating to the definition of "self-employment income"), to provide that, for any taxable year beginning after 1954, the term "self-employment income" would not include that part of the net earnings from self-employment in excess of \$4,200 (rather than \$3,600 as under present law) minus the amount of wages paid to the individual during the taxable year.

Professional Self-Employed

Section 201 (c) of the bill amends section 481 (c) of the Internal Revenue Code by eliminating paragraph (5), relating to income from the practice of certain professions derived by self-employed individuals. See explanation above of amendment to section 211 (c) of the Social Security Act made by section 101 (h) (3) of the bill.

Effective Date

Section 201 (d) provides that the changes made by subsections (a), (b), and (c) shall be effective for taxable years beginning after 1954.

Refund of certain taxes deducted from wages

Section 202 (a) of the bill amends section 1401 (d) (3) of the Internal Revenue Code (relating to special refunds of employee taxes to employees who, in any calendar year after 1950, receive wages in excess of the maximum taxable amount and who pay taxes on such excess amount, by reason of work for more than one employer). The amended paragraph provides that the tax refund, in such cases, would apply, for the years 1951-54, inclusive, to taxes deducted from the employee's wages on amounts of wages in excess of \$3,600 in a calendar year whether or not paid to the collector. For calendar years after 1954, the tax refunds would apply to the tax on such wages in excess of \$4,200.

Section 202 (b) of the bill amends section 1401 (d) (4) (A) of the Internal Revenue Code (relating to special rules for determining tax refunds due to Federal employees who receive wages in excess of the maximum taxable amount by reason of work for more than one Federal agency) to provide that after calendar year 1954, the rules would apply to wages in excess of \$4,200, rather than \$3,600.

Subsection (c) of section 202 of the bill amends section 1420 (e) of the Internal Revenue Code (relating to taxes imposed with respect to service performed in the employ of a Federal agency or instrumentality) to permit such agencies or instrumentalities, for administrative convenience, to report, and make payments of employer taxes with respect to, such services and to provide that such agencies shall not be required to obtain a refund of the excess taxes, without regard to the \$4,200 limitation for years after 1954. The provision of present law, permitting payment of such taxes and not requiring refund, without regard to the \$3,600 limitation, is retained for 1951, 1952, 1953, and 1954.

Subsection (d) of the section provides that the amendments made by the preceding

subsections of the section would be applicable only with respect to remuneration paid after 1954.

Collection and payment of taxes with respect to Coast Guard exchanges

Section 203 of the bill amends section 1420 (e) of the Internal Revenue Code which contains the provisions relating to the collection and payment of taxes on Federal employment covered by old-age and survivors insurance. It would make those provisions applicable to Coast Guard exchanges and similar activities conducted by instrumentalities subject to the jurisdiction of the Secretary of the Treasury. A similar provision has been added to section 205 (p) (3) of the Social Security Act by section 101 (c) (4) of the bill, explained above. The amendment would become effective January 1, 1955.

Amendments to definition of wages

Section 204 (a) of the bill amends section 1426 (a) (1) of the Internal Revenue Code to provide that the term "wages" shall apply to payments of remuneration for employment of up to \$4,200 in any calendar year, rather than to amounts up to \$3,000 as in present law.

Domestic Service

Section 204 (b) (1) of the bill amends section 1426 (a) (7) (B) of the Internal Revenue Code, relating to cash remuneration for domestic service. See explanation above of amendment to section 209 (g) (2) of the Social Security Act made by section 101 (a) (1) of the bill.

Service Not in Course of Employer's Business

Section 204 (b) (2) of the bill amends section 1426 (a) (7) of the Internal Revenue Code by the addition of a new subparagraph (C), relating to cash remuneration for services not in the course of the employer's trade or business. See explanation above of the new paragraph (3) added to section 209 (g) of the Social Security Act by section 101 (a) (2) of the bill.

Agricultural Labor

Section 204 (b) (3) of the bill amends section 1426 (a) (8) by the addition of a new subparagraph (B), relating to cash remuneration for agricultural labor. See explanation of the new paragraph (2) added to section 209 (h) of the Social Security Act by section 101 (a) (3) of the bill.

Section 204 (c) provides that the changes made by subsections (a) and (b) shall be effective with respect to remuneration paid after 1954.

Amendments to definition of employment

Agricultural Labor

Section 205 (a) of the bill amends section 1426 (b) (1) of the Internal Revenue Code, relating to agricultural labor. This amendment complements the amendment to the definition of wages made by section 203 (a) (3) of the bill. See explanation above of amendments to section 209 (h) and section 210 (a) (1) of the Social Security Act made by paragraphs (3) and (4), respectively, of section 101 (a) of the bill.

Service Not in Course of Employer's Business

Section 205 (b) of the bill amends section 1426 (b) of the Internal Revenue Code by deleting paragraph (3), relating to service not in the course of the employer's trade or business. This amendment complements the amendment to the definition of wages made by section 204 (b) (2) of the bill. See explanation above of amendments to section 209 (g) and section 210 (a) of the Social Security Act made by paragraphs (2) and (5), respectively, of section 101 (a) of the bill.

American Citizens Employed by American Employers on Foreign-Flag Vessels

Section 205 (c) of the bill amends the redesignated section 1426 (b) (4) of the Internal Revenue Code (now sec. 1426 (b) (5)), relating to service performed by seamen or airmen on foreign-flag vessels or aircraft so as to permit their coverage under old-age and survivors insurance if they are American citizens and the employer is an American employer. See explanation above of the amendment to the redesignated section 210 (a) (4) of the Social Security Act (now section 210 (a) (5)) made by section 101 (b) of the bill.

Certain Federal Employees

Section 205 (d) of the bill amends section 1426 (b) of the Internal Revenue Code so as to permit coverage under old-age and survivors insurance of service performed by certain employees of Federal home loan banks, civilian employees of Coast Guard exchanges and similar activities of instrumentalities under the Secretary of the Treasury, and certain employees in the field service of the Post Office Department not under the Civil Service Retirement Act. See explanations of the amendments to section 210 (a) of the Social Security Act made by section 101 (c) of the bill.

Ministers

Section 205 (e) of the bill amends the redesignated section 1426 (b) (8) of the Internal Revenue Code (now sec. 1426 (b) (9)), relating to service performed in the employ of nonprofit organizations exempt from income tax under section 101 (6) of the code, so as to permit coverage under old-age and survivors insurance of certain ministers and members of religious orders employed by such organizations. See explanation above of amendments to the redesignated section 210 (a) (8) of the Social Security Act (now sec. 210 (a) (9)) made by section 101 (d) of the bill.

Interns

Section 205 (f) of the bill amends the redesignated section 1426 (b) (13) of the Internal Revenue Code (now sec. 1426 (b) (14)) so as to delete the exclusion from old-age and survivors insurance coverage of services performed by interns. See explanation above of the amendment to the redesignated section 210 (a) (13) of the Social Security Act (now sec. 210 (a) (14)) made by section 101 (e) of the bill.

Fishing and Related Service

Section 205 (g) of the bill would repeal section 1426 (b) (15) of the Internal Revenue Code, relating to certain services in connection with fishing. See explanation above of the repeal of section 210 (a) (15) of the Social Security Act effected by section 101 (f) of the bill.

Amendment to definition of employee

Section 206 of the bill amends section 1426 (d) (3) (C) of the Internal Revenue Code, relating to individuals performing services as homeworkers. See explanation above of the amendment to section 210 (k) (3) (C) of the Social Security Act made by section 101 (g) of the bill. The change is effective with respect to services performed after 1954.

Waiver of tax exemption by nonprofit organizations with respect to ministers in their employ

Section 207 of the bill amends section 1426 (1) of the Internal Revenue Code, which now provides for the filing of a waiver of tax exemption by nonprofit organizations with respect to their lay employees, so as to provide for the filing of waivers under substantially the same conditions with respect to certain ministers and members of religious orders in the employ of such organizations.

Subsection (a) of section 207 of the bill revises paragraph (1) of section 1426 (1) by

limiting its application to employees other than ministers and members of religious orders. The subsection also deletes the provisions regarding the list to accompany the certificate, the effective date of the certificate, and termination by the organization of the waiver of tax exemption. These provisions are incorporated in new paragraphs applicable both to certificates for lay employees and to certificates for ministers and members of religious orders.

Subsection (b) of section 207 of the bill redesignates paragraphs (2) and (3) of section 1426 (1) as paragraphs (6) and (7), respectively, and adds four new paragraphs after paragraph (1).

The new paragraph (2) of section 1426 (1) provides that a nonprofit organization may file a certificate certifying that it desires to have the old-age and survivors insurance system extended to services performed by its employees who are ministers or members of religious orders (other than a member of a religious order who has taken a vow of poverty as a member of such order) and that at least two-thirds of such ministers and members of religious orders concur in the filing of the certificate. However, such a certificate may be filed by an organization with any lay employees only if a certificate has already been filed by it with respect to its lay employees (actually, the filing could be almost simultaneous).

The new paragraph (3) of section 1426 (1) provides that a certificate with respect to either lay employees or ministers and members of religious orders must be accompanied by a list containing the signature, address, and social-security account number (if any) of each employee who concurs in the filing of the certificate. The names of additional employees may be added to the list at any time by filing a supplemental list (but see explanation of new paragraph (4) for limitations on retroactive effect for supplemental lists). This constitutes a change with respect to lay employees. Under existing law supplemental lists may be filed only up to the end of the first month following the first calendar quarter for which the certificate is in effect. Any individual employed at that time who fails to concur in the filing of the certificate may not have his service for the nonprofit organization covered if he later changes his mind unless he resigns and is reemployed by the organization. Such resignations and reemployment would be unnecessary under the amendments to section 1426 (1) made by the bill.

The new paragraph (4) of section 1426 (1) provides that a certificate for covering lay employees shall be effective for the period beginning with the first day of the calendar quarter in which the certificate is filed or the first day of the succeeding calendar quarter, as may be specified in the certificate. This is a change from the present law, which makes all certificates effective with the beginning of the quarter following the quarter in which the certificate is filed.

The above provisions also apply to a certificate for covering ministers and members of religious orders. In addition, however, such a certificate filed during the calendar year 1955 may be made effective beginning with the first day of any prior quarter in 1955.

In case any individuals are added to the list accompanying a certificate of waiver, by the filing of a supplemental list after the first month following the calendar quarter in which the certificate was filed or following the first calendar quarter for which the certificate was in effect, whichever is later, the certificate will be effective insofar as service performed by such individuals is concerned only with respect to service performed by them after the calendar quarter in which the supplemental list is filed.

The new paragraph (5) of section 1426 (1) provides that an organization may terminate the effective period of a certificate filed

pursuant to paragraph (1) (waiving its tax exemption with respect to lay employees) upon giving 2 years' advance notice in writing, but only if the certificate has been in effect for not less than 8 years, and only if it, at the same time, gives notice of termination of the effective period for the certificate filed with respect to its employees who are ministers or members of religious orders (if it has filed such a certificate). The effective period of a certificate covering ministers and members of religious orders may also be terminated by giving 2 years' advance notice in writing after the certificate has been in effect for 8 years. The notice termination may be revoked by the organization by giving a written notice of such revocation before the close of the calendar quarter in which the effective period was to have been terminated.

Section 207 (c) of the bill amends the present section 1426 (1) (2) of the Internal Revenue Code (redesignated as section 1426 (1) (6) by the bill) to provide that if the Secretary terminates the period covered by a certificate of waiver filed pursuant to paragraph (1) of section 1426 (1) the period covered by a certificate, if any, filed by the same organization pursuant to paragraph (2) thereof shall be terminated at the same time.

Section 207 (d) of the bill amends the present paragraph (3) of section 1426 (1) of the Internal Revenue Code (redesignated as paragraph (7) by the bill) to make it applicable both to certificates for covering ministers and members of religious orders and to certificates for covering lay employees. The paragraph provides that once an organization has terminated a waiver of tax exemption it may not again file a certificate of waiver under the same paragraph.

Subsection (e) of section 207 of the bill provides that the amendments made by the section shall become effective January 1, 1955, but shall not affect the validity of any certificate of waiver with respect to lay employees previously filed under section 1426 (1). It also contains special provisions relating to the cases in which the certificate may be accorded effect prior to the calendar quarter in which it is filed. In such cases, if the return is filed not later than the due date for the return for the quarter in which the certificate of waiver is filed, the return will be deemed (so far as the newly covered services are concerned) to have been timely filed. Similarly, if the taxes for the earlier quarters are paid not later than the due date for taxes for the quarter in which the certificate is filed, they will be deemed to have been timely paid (so far as the newly covered services are concerned).

Subsection (e) of section 207 of the bill also provides that deductions under section 203 of the Social Security Act (on account of receipt of earnings in excess of the amount permitted) shall not be made from any benefits certified and paid prior to the date on which the certificate is filed, on account of services covered retroactively by the certificate. However, in order to permit an individual in receipt of old-age insurance benefits to obtain a recomputation under section 215 (f) of the Social Security Act on the basis of his earnings prior to the filing of the certificate—earnings which are covered retroactively as a result of the filing of the certificate—deductions would be presumed to have been imposed under section 203 of that act as a result of such earnings in excess of the amount permitted by that section.

Changes in tax schedules

Section 208 (a) of the bill amends paragraph (5) of section 480 of the Internal Revenue Code to provide that the rate of tax on self-employment income for taxable years beginning after December 31, 1969, would be at the rate of 5½ percent, rather than 4½ percent as in present law.

Section 208 (b) amends paragraph (6) of section 1400 of the code (relating to the rate of tax on employees) and paragraph (6) of section 1410 of the code (relating to the rate of tax on employers) to provide that the rate of tax with respect to wages, both for employees and employers, for years after 1969, would be at the rate of 3½ percent, rather than 3¼ percent as in present law.

TITLE III. MISCELLANEOUS PROVISIONS

Amendment preserving relationship between railroad retirement and old-age and survivors' insurance

Section 301 of the bill amends the Railroad Retirement Act so as to maintain the relationship between the old-age and survivors' insurance system and the railroad retirement system that was established by the amendments made in 1951 to the Railroad Retirement Act by Public Law 234, 82d Congress.

Cross-references to redesignated provisions

Section 302 of the bill provides that references in any other law to sections or subdivisions of sections of the Social Security Act or the Internal Revenue Code redesignated by the bill shall be deemed to be references to the redesignated sections or subdivisions.

The Independence of the State of Israel

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. RODINO. Mr. Speaker, as one of the earliest peoples of the ancient Middle East, Jews have a long recorded history. That history, running back more than 3,000 years, shows that the unfortunate Jews have, during most of their known history, been forced to live in dispersion because despotic conquerors who overran Israel expelled the Jews from their historic homeland. During all those years of dispersion they suffered much, but they never gave up the ideal of regaining their lost national independence. On the contrary, in the course of years, as their suffering seemed to have no end, this idea became permanently fixed in their minds. Jewish leaders clung to the idea as their creed and pursued its realization with religious fervor. Finally, they had their reward in the declaration of the independence of the State of Israel 6 years ago, on May 15, 1948.

That date is an historic landmark in the recent history of the Jews.

Wherever independence, liberty, and freedom are held as sacred and priceless human possessions, Israel's independence day is an event of importance. It is especially significant for us in this country because we had a great deal to do with the creation of Israel. Israeli leaders had not only our sympathy and support but they also had material and financial aid from this country.

However one may view the birth and the growth of that youthful, vigorous, and dynamic new state in the Middle East, one cannot but admire the way all Jews, both in and out of Israel, have joined hands in the realization of their cherished national dream. In the terms

of sheer accomplishments their record is extraordinary. What they have done is almost miraculous. A few years ago the State of Israel comprised about 5,000 square miles and its population was just 600,000; today, only 6 years later, its area is more than 8,000 miles square and its teeming population has more than doubled, totaling more than 1,500,000. In the task of settling some 750,000 immigrants Israeli leaders have worked diligently and conscientiously, and have remarkable results to show. In a short time they have made Israel a new and decisive factor to be reckoned with in Middle Eastern affairs. Socially, culturally, ideologically, and politically, this progressive and dynamic land stands today where the ancient kingdom of the Jewish people stood in all its glory some 3,000 years ago. Today we gladly join in the celebration of the sixth anniversary of the independence of the modern State of Israel and pray that it will continue to advance and will become a positive factor for peace and prosperity in the Middle East.

Mr. Speaker, the following editorial which appeared in the May 8 issue of the Newark Star Ledger tells very succinctly the story of Israel:

A BIBLICAL SAGA

The story of Israel, which celebrates its sixth year of independence this week reads like a chapter out of the Bible.

There is the same quality of epic achievement, of monumental labor, of bitter strife, of enduring faith.

It is a story of striking contrasts. The newest nation was born out of age-old aspirations. Centuries of waiting and hoping suddenly whirled into 6 swift years of breathtaking activity. The hopeless pleader suddenly became the warrior.

And as in all great changes, there has been much suffering. The gas chambers of Europe, the exodus to the Promised Land, and the struggle with the Arabs, and now the tension of border clashes.

The struggle is still intense.

But the achievements are heroic.

And hope is bright that soon there will be no pillboxes in the olive groves.

Scholarships for Worthy American Youth

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. RODINO. Mr. Speaker, although education is an institution of every civilized society, its role varies widely in different societies. Under totalitarian government education is an instrument of the state. Dictatorship deliberately plans and utilizes education for the purpose of regimenting the minds of men and molding them into conformity and servitude.

In a democracy, on the other hand, education is an instrument of freemen. The citizens utilize education to prepare themselves to defend and preserve their individual liberties and to promote the welfare and happiness of all the people.

Organizations such as the Herbert J. Pascoe Educational Scholarship Foundation of New Jersey are peculiar to our democratic society. An organization such as this would have no place under totalitarian government. In America, however, foundations such as this play an important role in our social order. Educational foundations especially are making an important contribution to the perpetuation of our democratic society and to the promotion of the cause of freedom at home and abroad.

Recently within our country there has been a dangerous growth of anti-intellectualism and pressure toward conformity of thought. Leaders of Protestant and Roman Catholic faiths have strongly denounced this trend. Several weeks ago, 12,000 delegates to the National Catholic Educational Association meeting in Chicago adopted a resolution attacking conformity in thinking, which they considered would standardize our attitudes, reduce the critical judgment, and abdicate reason.

At the 1954 meeting of the board of education of the Methodist Church the executive secretary of the board's division of educational institutions deplored the fact that—

The right of free inquiry and free discussion, upon which all sound education is dependent, is being openly challenged in many places.

Other prominent American leaders, not only in the field of religion but in political, educational, and other fields, have warned against the danger that in our country the individual may become fearful of dissenting from majority opinion. Regimentation of thought is inimical to the basic principles of democracy.

In America our educational task is primarily that of providing more and better educational opportunities for all our youth. The Herbert J. Pascoe Educational Scholarship Foundation is working together with many other private as well as governmental agencies for the accomplishment of this task.

Economic difficulties constitute the greatest barrier to the post-secondary education of many of our worthy and capable young people. If a low-income family sets a sufficiently high value upon a college education the family may make economic sacrifices in basic needs and comforts so that the children can receive a better education. Also if young people are ambitious and have a driving thirst for knowledge they may sometimes overcome serious financial difficulties by working their way through college. However, even such heroic individual efforts may not result in the attainment of a college diploma; and sometimes the cost to the student or to the family in the nature of injury to health or other losses is very great.

The city of Newark has its share of low-income families. The price of post-secondary education, like the cost of everything else, has markedly risen within recent years. I know of no more commendable expenditure which a Newark citizen could make than that to help provide worthy young people better educational opportunities.

We must extend the educational opportunities of the greatest possible number of the youth of America, in order that they may be prepared to provide the free world with the intelligent leadership it so greatly needs. The educational needs of our young people are urgent; provisions for meeting them cannot be postponed. Investment in the education of American youth is investment in the future of America and in the future of all mankind.

Mr. Speaker, I wish to commend Mr. Gerald La Torracco, the founder of the Herbert J. Pascoe Educational Scholarship Foundation of New Jersey, for his great contribution to our community.

Celler Introduces Bill To Amend Federal Communications Act Which Would Prohibit Commercial Sponsorship of Television or Radio Coverage of the McCarthy Hearings

EXTENSION OF REMARKS OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. CELLER. Mr. Speaker, two television networks have indicated that they will seek commercial sponsorship for the televised coverage of the McCarthy-Army hearings. It is the general rule to preclude the use of the profit motive in broadcasting or televising official investigatory proceedings. I am amazed that Senator MUNDT, the acting chairman of the Senate Permanent Subcommittee on Investigations, would permit such a relaxation of the rule against commercial sponsorship. It will certainly not enhance the dignity that should attend congressional hearings. This show in particular is sufficiently grotesque. Adding the profit motive would not only increase its absurdity, but might well cause further injury to legislative prestige in the eyes of the American people.

The networks will be permitted to announce at the beginning and the end of the sessions and even during the recesses, that the hearings are being brought to the public as a public service, under the sponsorship of whatever outfit it may be. The next move will be the interruption of the proceedings to advertise the sponsor. I suppose the more circuslike the atmosphere becomes, the higher the charges will be to the sponsor. Imagine this vaudeville performance with its present considerable ham acting, being used to advertise dog biscuits, mouth wash, toothpaste, refrigerators, and so forth. Future recorders of present history may well be astounded at the abyssal depths to which our standards and values have sunk, at this highly critical juncture in a menaced world.

I am this day offering a bill to amend the Federal Communications Act to prohibit commercial sponsorship of television and radio coverage of congress-

sional investigative hearings and proceedings. Let us keep vaudeville where it belongs. Congressional activities are, and should be, seriously deliberative and should not be substitutions for the Show of Shows.

The text of the bill follows:

COMMERCIAL SPONSORSHIP OF CONGRESSIONAL PROCEEDINGS

SEC. 605a. It shall be unlawful for any person or corporation to sponsor commercially the telecast, broadcast, or transmission, whether directly or through such devices as wire recording, tape, moving pictures, or other mechanical means, of any of the official meetings, hearings, or other proceedings of any committee or subcommittee of either House of Congress.

This section shall not prohibit the telecast, broadcast, or transmission of excerpts of any official congressional meeting, hearing, or other proceeding on a regularly scheduled news program, or the full or partial telecast, broadcast, or transmission, by a telecast or broadcast company or by a common carrier, engaged in interstate or foreign communication by wire or radio, when such communication service is furnished without commercial sponsorship as a public service.

Boston Army Base in the Port of Boston

EXTENSION OF REMARKS

OF

HON. EDITH NOURSE ROGERS

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mrs. ROGERS of Massachusetts. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following statement which I made this morning before the Armed Services Committee in support of H. R. 9099 concerning the Boston Army Base in the port of Boston:

I have been informed that the Department of the Army has no current requirement for the pier facilities at the Boston Army Base but would require such facilities for mobilization purposes. Accordingly, the Department requested no funds for the repair of the facilities at the Boston Army Base in the fiscal year 1955 public works bill and the fiscal year 1955 military construction appropriation bill.

The foregoing action can best be described as a hands-off policy. It neglects to consider the real state of deterioration of the pier facilities, and invites disaster and the inordinate expense which could conceivably result from further deterioration. The catastrophe which would result from collapse of the pier would not only be primarily expensive in the avoidable loss of life and property, but would be doubly expensive in the loss of the facilities to the port of Boston and in the cost of removing the debris from and reopening the channel.

The other alternative lines of action available to the Congress are as follows:

(a) Authorize funds to dismantle certain portions of the wharf structures to reduce the existing danger of collapse. I understand that various estimates of the costs of this work vary from \$1.3 million to \$4.3 million depending on the degree of relative permanency and safety to be obtained. This alternative is manifestly unsatisfactory by reason of the fact that it would render unusable the piers themselves, and deprives the facilities of any real economic value either to the Army for mobilization purposes

or to the port of Boston for commercial purposes. This alternative would, likewise, be expensive from the viewpoints of the initial cost with no prospect of a return on the investment, and from the continuing long-term annual costs for maintenance of the hulk.

(b) Authorize funds for the rehabilitation of the pier. The estimated costs of this work range from \$9.37 million to \$13.28 million depending on the serviceability, anticipated service life, and estimated future costs of maintenance. Certainly, this alternative is much more preferable and advantageous than the other alternatives providing for inactivity and removal which I have previously discussed.

H. R. 9099 authorizes and provides for satisfactory rehabilitation of these pier facilities at nominal cost. In addition to providing for rehabilitation with an estimated service life of 60 years, the construction plan is practical and economical from the viewpoints of safety, both during and after construction, and subsequent maintenance charges.

Under this bill the work necessary to rehabilitate the pier facilities and put them in workable condition would be done by the United States. Thereafter upon execution of the lease to the Commonwealth of Massachusetts, the obligation of maintenance would rest on the Commonwealth which would be authorized to sublease. In the event of a national emergency and a determination by the Secretary of the Army that the pier is necessary for military purposes, the Army would have a right to reoccupy it. The Commonwealth would thus most properly contribute to the repair cost of the facility, and will, in turn, be able to utilize the revenue derived from operation to recover the funds contributed for repairs and to further develop commercial use by the port of Boston.

The Boston Army Base is an asset in which the Federal taxpayers have already invested a substantial amount of money, which is valuable to the Nation in peacetime as an aid to international trade and to our general economy, and which in time of war or national emergency is of vital importance to our national defense. Failure to restore these facilities now would mean that our future mobilization efforts would be delayed while the base was reconstructed or reconverted, a delay which could well be crucial. The Boston Army Base pier is the only pier in Boston suitable for use as a port of embarkation in time of war. It has a direct, spacious, and uncongested approach from the city and provides for both railway cars and trucks. It has ample office and warehouse space. During World War II, the facilities were activated by the Army in 2 months and handled millions of tons of military cargo and was in constant use as a port of embarkation. The remaining facilities in Boston Harbor are insufficient for purposes of such magnitude.

Similarly, the pier facilities of the Boston Army Base are an integral part of Boston's shipping industry. In 1953, it was used by more than 300 general cargo ships, about 25 percent of Boston's total. It is estimated that if the 326 ships which berthed at the Army base in 1953 had not come to Boston, the revenue loss to the port area would have been more than \$3.5 million. This commerce provided jobs for thousands of railroad workers, truckers, and longshoremen. The necessity to properly restore and maintain these superior facilities appears self-evident in view of the objectives of the administration to expand international trade; the Army pier provides approximately 30 percent of the berthing piers available in Boston.

Mr. Chairman, I urge that the Congress recognize the responsibility of the Federal Government to undertake the rehabilitation of this valuable national asset which, as I have pointed out, is valuable to the Nation

in peacetime as an aid to international trade and to the general economy, and in time of war is of critical importance to our national defense. The Congress has an obligation to the taxpayers in this matter to insure the security of our Nation, to maintain the local economy, and to preclude those greater expenditures which would be incurred in the future through failure to authorize rehabilitation at this time.

A Distinguished Oklahoman

EXTENSION OF REMARKS

OF

HON. VICTOR WICKERSHAM

OF OKLAHOMA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 18, 1954

Mr. WICKERSHAM. Mr. Speaker, in the development of every great movement, of every great industry, of every great service to mankind, there must be pioneers—men who are first to take the epochal steps that must mark the way for progress.

It is my desire to do honor to one of Oklahoma's sons for his thrilling and splendid accomplishments for aviation for more than 35 years.

He is Bennett H. Griffin, director of the Washington National Airport and operator for the United States Government of one of the largest business enterprises in the Nation's Capital. An outstanding man of affairs by the dual appraisal of aviation experts and businessmen, Colonel Griffin combines deep knowledge and experience in the air and

in the business world. He has throughout his career been a businessman of the air, combining factual flight skill and experience with the practical aspects of aircraft manufacture, sales, and airport and airlines management.

He was born in Barton, Miss., and after early schooling in Oklahoma graduated from the University of Oklahoma with a bachelor of arts degree. He entered the Army immediately, was commissioned a pilot and served in Europe until the end of World War I. He remained in aviation following the war, serving as test pilot, salesman, executive, and owner and operator of the Bennett H. Griffin Flying Service of Oklahoma City. He was among the first to blaze the air trail across the Atlantic Ocean, establishing a flight record from America to Berlin, Germany, in 1932. The pilot exploits of this pioneer airman will always be part of the record of American aviation achievement.

He became an aeronautical inspector for the Bureau of Air Commerce in 1933 and in 1942 his services as an aviation expert were transferred to the United States Army Air Forces where he was commissioned a major and rose to the rank of colonel.

He commanded the Second Operational Training Unit, ATC, at Homestead, Fla., from its outset until 1943, when it became the main source of flight crews for the Air Transport Command. Thousands of safe oceanic flights were attributable to Griffin-trained crews. Along with this mission he organized and operated a cargo service for the ATC between Miami, Fla., and Natal, Brazil—some 4,000 miles in length.

In 1943 he was ordered to duty at Washington headquarters of the ATC and drafted the air-inspection system for the Air Transport Command. From this post he traveled to all theaters of war, flying approximately 200,000 miles on emergency war missions over every route of the Air Transport Command. Half of the mileage flown was over ocean waters. He received, among other awards, the Presidential Unit Citation, Air Medal, and the Legion of Merit for outstanding service. Currently Griffin is a colonel in the Air Force Reserve and holds a command-pilot rating, and in civil aviation he holds an airline-transport rating.

After the war he returned to the Civil Aeronautics Administration. Soon after establishing the large Aeronautical Center at Oklahoma City for the CAA, he became the Washington National Airport Administrator. A large portion of his duties here consists of negotiations with the airlines and various concessionaires, from whom the airport derives revenue, on all phases of their operation.

The National Airport is considered one of the best managed in the world, a pattern almost daily for inquiries as to management from world authorities. It is a distinct tribute to the aviation knowledge and business acumen of the man who operates it.

It gives me great pleasure to introduce a bill to authorize the President of the United States to present the Distinguished Flying Cross to Col. Bennett Hill Griffin, of Oklahoma.

SENATE

WEDNESDAY, MAY 19, 1954

(Legislative day of Thursday, May 13, 1954)

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

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

God over all, blessed for evermore: Amid the seething strife which mars the earth and still sadly separates the sun-drenched peoples of the world, this white altar of prayer, reared at the threshold of this forum of a people's hopes, speaks to us ever, whatever vexatious problems may be faced, of our final reliance on those supreme spiritual factors which alone abide and on which our salvation and the salvation of all men in the end depends. On the strong strings of these eternal verities trembles the music on the harp of life. O Divine Musician, in spite of all discords the strands of Thy hope have not snapped; Thy fingers still sweep over the chords of destiny. Only Thou canst make our days a melody of redemption and our lives a hymn of praise.

So tune our hearts this day to the infinite that all perplexed meanings may be linked into one perfect peace. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, May 18, 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. Tribbe, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the amendments of the Senate to the bill (H. R. 7893) making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes.

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

H. R. 9004. An act to authorize the appointment as United States Commissioner, International Boundary and Water Commission, United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, and for other purposes; and

H. R. 9089. An act authorizing the Administrator of Veterans' Affairs to grant an easement to Syracuse University, Syracuse, N. Y.

ENROLLED BILL AND JOINT RESOLUTION SIGNED

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

S. 2120. An act to authorize the Maine-New Hampshire Interstate Bridge Authority to reconstruct and improve the toll bridge, and the approaches, across the Piscataqua River at Portsmouth, N. H.; and

S. J. Res. 69. Joint resolution requiring the preparation of an estimate of the cost of reconstructing Ford's Theater in Washington, D. C.

COMMITTEE SERVICE

Mr. JOHNSON of Texas. Mr. President, I send to the desk an order and ask for its immediate consideration.

The VICE PRESIDENT. The clerk will read the order for the information of the Senate.

The legislative clerk read as follows:

Ordered, That the Senator from Ohio [Mr. BURKE] be, and he is hereby, excused from further service as a member of the Committee on the District of Columbia, and that he be assigned to service on the Committee on Government Operations.