the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4889. Also, petition of Charles E. Cain, of Duncannon, Pa., opposing the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4890. Also, petition of Harry E. Brownawell, of Newport, Pa., opposing the Bryson bill (H. R. 2082); to the Committee on the Judiciary.

4891. By Mr. JOSEPH M. PRATT: Petitions of sundry citizens of Philadelphia, opposing the Bryson prohibition bill; to the Committee on the Judiciary.

4892. By Mrs. SMITH of Maine: Resolution of the Maine Dairymen's Association, Inc., representing 980 dairy farmers in Maine, urging that the market price of milk be raised in proportion to the cost of production; to the Committee on Agriculture.

4893. By Mr. TOWE: Petition of Emil Karsten and 18 residents of the Ninth Congressional District of New Jersey, protesting against the enactment of any and all prohibition legislation; also petition of R. T. Corbett and 7 residents of the Ninth Congressional District of New Jersey, protesting against the enactment of any and all prohibition legislation; and a petition of Sol Richman and 22 residents of the Ninth Congressional District of New Jersey, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4894. Also, petition of Irving S. Goodwin and 10 residents of the Ninth Congressional District of New Jersey, protesting against the enactment of any and all prohibition legislation; and a petition of H. J. Datson and 12 residents of the Ninth Congressional District of New Jersey, protesting against the enactment of any and all prohibition legislation; to the Committee on the Judiciary.

4895. By Mr. WHITTINGTON: Petition of the Mississippi Legislature, session 1944, asking Congress to enact legislation to give the original owners of lands acquired by the United States for war purposes, and their heirs, preference to purchase said lands, after the war, when the Government disposes of said lands; to the Committee on Public Buildings and Grounds.

4896. By Mr. WILLEY: Petition of sundry citizens of the State of Delaware, opposing House bill 2082; to the Committee on the Judiciary.

4897. Also, petition of sundry citizens of the State of Delaware, opposing any prohibition legislation; to the Committee on the Judiciary.

SENATE

WEDNESDAY, FEBRUARY 16, 1944

(Legislative day of Monday, February 7, 1944)

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:

O Thou God of our salvation whose ear is always open to the cry of contrite hearts, our voice shalt Thou hear in the morning, O Lord; in the morning will we direct our prayer unto Thee and will look up. Grant to our groping hearts the grace of receptivity, of reverence and humility, and a will to take in our hands, for the redemption of human life, the red cup of suffering and of sacrifice, knowing that only thus can be found the climbing road to truth and goodness. Consecrate with Thy presence the way our feet may go, and the humblest work will shine and the roughest places be made plain.

Touch with live coals from off the altar of devotion the lips of these Thy servants who speak for so many and whose words are freighted with the power of love or of hate, of life or of death. May the healing winds of heaven blow across all the areas of their minds and hearts, cleansing their ruling passions and ambitions and desires of the dross of narrow partisanship and making them prophets of the new dawn of righteousness which even now reddens the eastern sky, when the severed kingdoms of man's allegiance shall become the one and radiant kingdom of Thine all-embracing love. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Tuesday, February 15, 1944, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS

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, and he announced that the President had approved and signed the following acts:

On February 12, 1944:

S. 1255. An act to revive and reenact the act entitled "An act creating the Arkansas-Mississippi Bridge Commission; defining the authority, power, and duties of said Commission; and authorizing said Commission and its successors and assigns to construct, maintain, and operate a bridge across the Mississippi River at or near Friar Point, Miss., and Helena, Ark., and for other purposes," approved May 17, 1939; and

S. 1504. An act to extend the time for completing the construction of a railroad bridge across the Missouri River at or near Randolph, Mo.

On February 14, 1944:

S. 1447. An act to remit claims of the United States on account of overpayments to part-time charwomen in the Bureau of Engraving and Printing, and for other purposes.

CALL OF THE ROLL

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

The VICE PRESIDENT. The clerk will call the roll.

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

Aiken	George	Pepper
Andrews	Gerry	Radcliffe
Austin	Gillette	Reynolds
Bailey	Green	Shipstead
Ball	Guffey	Smith
Bankhead	Gurney	Stewart
Barkley	Hatch	Taft
Bilbo	Hayden	Thomas, Idaho
Bone	Holman	Thomas, Okla.
Brewster	Jackson	Thomas, Utah
Burton	Johnson, Colo.	Tunnell
Bushfield	La Follette	Tydings
Butler	McClellan	Vandenberg
Byrd	McFarland	Wagner
Capper	McKellar	Wallgren
Caraway	Maloney	Walsh, Mass.
Clark, Idaho	Maybank	Walsh, N. J.
Clark, Mo.	Mead	Weeks
Connally	Moore	Wheeler
Danaher	Murdock	Wherry
Davis	Murray	White
Downey	Nye	Wiley
Eastland	O'Daniel	Willis
Ellender	O'Mahoney	Wilson
Ferguson	Overton	

Mr. BARKLEY. I announce that the Senator from Kentucky [Mr. CHANDLER], the Senator from Alabama [Mr. HILL], the Senator from West Virginia [Mr. KILGORE], the Senator from Illinois [Mr. LUCAS], the Senator from Georgia [Mr. RUSSELL], and the Senator from Missouri [Mr. TRUMAN] are absent on public business.

The Senators from Nevada [Mr. McCARRAN and Mr. SCRUGHAM] are absent on official business.

The Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from New Mexico [Mr. CHAVEZ] is absent in the performance of duty as a member of the committee to attend the funeral of the late Representative Schuetz, of Illinois.

Mr. WHITE. The Senator from Oregon [Mr. McNARY] is absent because of illness.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Illinois [Mr. BROOKS], the Senator from Delaware [Mr. BUCK], the Senator from New Jersey [Mr. HAWKES], the Senator from Colorado [Mr. MILLIKIN], the Senator from Kansas [Mr. REED], and the Senator from Wyoming [Mr. ROBERTSON] are necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent because of serious illness in his family.

The Senator from North Dakota [Mr. LANGER] is unavoidably absent on business of the Senate.

The VICE PRESIDENT. Seventy-four Senators have answered to their names. A quorum is present.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed without amendment the following bills of the Senate:

S. 199. An act for the relief of Robert Norheim;

S. 255. An act for the relief of Josephine M. Melchior;

S. 817. An act for the relief of George A. Rogers;

S. 921. An act for the relief of Mrs. Neola Cecile Tucker;

S. 933. An act for the relief of Lee S. Bradshaw;

S. 949. An act for the relief of Mrs. Anna Runnebaum;

S. 1077. An act for the relief of William A. Haag;

S. 1164. An act for the relief of Lucille Sleet;

S. 1288. An act for the relief of Luther Thomas Edens;

S. 1324. An act for the relief of the Wisconsin Electric Power Co.;

S. 1325. An act for the relief of Joseph Moret;

S. 1391. An act for the relief of W. R. Jordan and Mabel Jordan;

S. 1417. An act to authorize the Secretary of the Interior to donate and convey on behalf of the United States, to Jack Henry Post, No. 1, of the American Legion, Anchorage, Alaska, the wood-frame building, known as the Telephone and Telegraph Building, located on lots 7 and 8 in block 17, Anchorage town site; and

S. 1494. An act for the relief of the William J. Burns International Detective Agency.

The message also announced that the House had passed the following bills of

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the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 375. An act for the relief of the Phoenix-Tempe Stone Co.;

S. 1140. An act to provide for the appointment of an additional Assistant Secretary of the Interior; and

S. 1528. An act for the relief of Col. Anderson F. Pitts.

The message further announced that the House had passed the bill (S. 872) to authorize the President to appoint Frank T. Hines a brigadier general in the Army of the United States, with amendments, in which it requested the concurrence of the Senate.

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

H. R. 202. An act for the relief of the alien Michael Soldo;

H. R. 439. An act for the relief of Jack Scarton or John Skarton, formerly Simon Jan Skarzenski;

H. R. 442. An act for the relief of John Damascus;

H. R. 768. An act to authorize the cancelation of deportation proceedings in the case of Frank Durante and wife, Maria Durante, and five children, namely: Paul Durante, Alfred Durante, Anthony Durante, Henry Durante, and Patsy Durante;

H. R. 1216. An act for the relief of Walter Ervin and Cora Ervin;

H. R. 1269. An act for the relief of Frank E. Wilmot;

H. R. 1411. An act for the relief of Eddie T. Stewart;

H. R. 1421. An act for the relief of Paul B. Lingle;

H. R. 1628. An act for the relief of John Hirsch;

H. R. 1963. An act for the relief of G. H. Garner;

H. R. 2147. An act for the relief of Perique Gomez and Mrs. Perique Gomez;

H. R. 2212. An act for the relief of Clarence Waverly Morgan;

H. R. 2234. An act for the relief of Mrs. Christine Hansen;

H. R. 2273. An act for the relief of E. C. Fudge;

H. R. 2332. An act for the relief of Christian Wenz;

H. R. 2390. An act for the relief of Joseph Scarpella and Dorothy Scarpella;

H. R. 2438. An act for the relief of Bernadine Salmons;

H. R. 2472. An act for the relief of the estate of Gertrude Mullins;

H. R. 2625. An act for the relief of Edward E. Held and Mary Jane Held;

H. R. 2711. An act for the relief of Mrs. Mildred Maag;

H. R. 2743. An act for the relief of Mrs. Marie Geiler;

H. R. 2757. An act for the relief of Margaret Hamilton, Mrs. Catherine Higgins, Mrs. Rebecca Sallop, and Mrs. Dora Projansky;

H. R. 2787. An act for the relief of Phyllis Lee;

H. R. 2789. An act to permit the naturalization of Peter Henry Buck;

H. R. 2925. An act for the relief of Charles J. Goff;

H. R. 2993. An act for the relief of John W. Booth III;

H. R. 3075. An act for the relief of Mrs. Isabella Tucker;

H. R. 3125. An act for the relief of Paul H. White;

H. R. 3137. An act for the relief of Ruth L. Clapp;

H. R. 3139. An act for the relief of Henry Grossi;

H. R. 3193. An act for the relief of J. C. Davidson and Vassie Lee Davidson;

H. R. 3298. An act for the relief of Nels J. Pedersen;

H. R. 3324. An act for the relief of the Postal Telegraph-Cable Co.;

H. R. 3351. An act for the relief of Howard L. Pemberton;

H. R. 3387. An act for the relief of Lt. Col. Jason McVay Austin;

H. R. 3390. An act for the relief of Mavis Norrine Cothron and the legal guardian of Norma Lee Cothron, Florence Janet Cothron, and Nina Faye Cothron;

H. R. 3466. An act for the relief of the Mauger Construction Co;

H. R. 3538. An act for the relief of the Reverend James T. Denigan;

H. R. 3547. An act for the relief of Carl F. R. Wilson;

H. R. 3618. An act to authorize the War Food Administrator to sell and convey to Mrs. Andrew J. Frey, and her heirs, a certain tract of land, situated in the county of San Joaquin, State of California, and for other purposes;

H. R. 3649. An act for the relief of Mae Ekvall;

H. R. 3654. An act for the relief of Byron Ennis;

H. R. 3701. An act for the relief of Clinton A. Clauson;

H. R. 3720. An act to authorize the Commissioners of the District of Columbia to appoint notaries public;

H. R. 3781. An act for the relief of Hall Farris;

H. R. 3840. An act for the relief of Albert Barrett;

H. R. 3997. An act to amend the Code of the District of Columbia providing for the sale of fish of the shad or herring species, and for other purposes;

H. R. 4059. An act to amend an act entitled "An act to empower the Commissioners of the District of Columbia to convey land" (approved April 28, 1922);

H. R. 4074. An act for the relief of the estate of William Sandlass; and

H. J. Res. 230. Joint resolution to limit the operation of sections 109 and 113 of the Criminal Code, and sections 361, 365, and 366 of the Revised Statutes, and certain other provisions of law.

REGULATION OF CERTAIN INSURANCE RATES IN DISTRICT OF COLUMBIA—MOTION TO RECONSIDER ENTERED

Mr. O'MAHONEY. Mr. President, on the call of the calendar yesterday there was passed by unanimous consent Senate bill 1029, a bill to provide for regulation of certain insurance rates in the District of Columbia, and for other purposes. I desire to enter a motion for the reconsideration of the votes by which the bill was ordered to be engrossed for a third reading and passed.

The VICE PRESIDENT. The motion will be entered.

Mr. BURTON subsequently said: Mr. President, I tried to get the attention of the Chair while the Senator from Wyoming was entering a motion to reconsider the votes by which Senate bill 1029 was ordered to be engrossed for a third reading and passed.

I merely wish to say, on behalf of the Committee on the District of Columbia, that the bill was carefully considered in committee, and the report states the conclusions of the committee. However, I understand the Senator from Wyoming wishes to confer with the Senator from Nevada [Mr. McCARRAN], who was chairman of the Committee on the District of Columbia at the time the bill was reported, and with me, as I made the report. I shall be happy to confer with the Senator, but I am sure he will find that the matter was fully considered, and that the bill does represent the considered judgment of the committee. The bill follows the Virginia statute relating to the subject.

Mr. O'MAHONEY. Mr. President, I have discussed the matter with the Senator from Ohio. I feel that the bill deals with a subject of most far-reaching importance, and, as the Senator from Ohio has stated, I desire very much to discuss it further with him, and with the author of the bill, probably with a view to suggesting an amendment or two.

EXECUTIVE COMMUNICATIONS, ETC.

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

AMENDMENT OF RECLAMATION PROJECT ACT—EXTENSION OF TIME FOR AMENDATORY CONTRACTS

A letter from the Secretary of the Interior, transmitting a draft of proposed legislation to amend sections 4, 7, and 17 of the Reclamation Project Act of 1939 (53 Stat. 1187) for the purpose of extending the time in which amendatory contracts may be made, and for other related purposes (with an accompanying paper); to the Committee on Irrigation and Reclamation.

SCHOOL LUNCH PROGRAMS

A letter from the Administrator of the Federal Security Agency, transmitting a draft of proposed legislation to assist the States to establish and maintain school lunch programs (with an accompanying paper); to the Committee on Agriculture and Forestry.

GOVERNMENTAL EMPLOYEE HEALTH PROGRAMS

A letter from the President of the United States Civil Service Commission, transmitting a draft of proposed legislation for employee health programs in the various agencies and independent establishments of the United States Government (with an accompanying paper); to the Committee on Expenditures in the Executive Departments.

STATISTICS OF NATURAL GAS COMPANIES, 1942

A letter from the Chairman of the Federal Power Commission, transmitting copy of a newly issued report of the Commission, entitled "Statistics of Natural Gas Companies, 1942," presenting detailed financial and operating information on a majority of the Nation's principal natural gas pipe-line companies (with an accompanying document); to the Committee on Interstate Commerce.

PAYEES UNDER THE AGRICULTURAL ADJUSTMENT ACT AND OTHER AGRICULTURAL PROGRAMS

A letter from the First Assistant Administrator of the War Food Administration, transmitting, pursuant to law, a report containing the names and addresses of payees who received $1,000 or more and showing the amount of payment to each for participation in the 1942 programs administered under the provisions of the Soil Conservation and Domestic Allotment Act, as amended, and section 303 of the Agricultural Adjustment Act of 1938, as amended; also a supplemental list of payees who received $1,000 or more under such programs for 1941 (with an accompanying report); to the Committee on Agriculture and Forestry.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

A joint resolution of the Legislature of Wisconsin memorializing Congress and the Office of Price Administration to relax the stringent rationing of butter; to the Committee on Banking and Currency.

(See joint resolution printed in full when presented by Mr. WILEY on the 15th instant, p. 1633, CONGRESSIONAL RECORD.)

A joint resolution of the Legislature of Wisconsin memorializing Congress to enact legislation to reimburse municipalities for loss of personal property tax upon federally owned personal property used in war production and exempt from taxation; to the Committee on Finance.

(See joint resolution printed in full when presented by Mr. WILEY on the 15th instant, p. 1633, CONGRESSIONAL RECORD.)

A joint memorial of the Legislature of Colorado; to the Committee on Foreign Relations:

"House Joint Memorial 1

"Whereas the persecution and attempted extermination of the Jews in occupied Europe by Nazi Germany have outraged the conscience of the civilized world; and

"Whereas, on the basis of authentic information in the hands of the United States Department of State, at least 2,000,000 Jews have been ruthlessly annihilated, and the remainder of the Jewish communities in Europe stand in immediate danger of similar extermination unless prompt action is taken by the United Nations to provide havens of refuge for them; and

"Whereas tens of thousands of Jews are stranded in European ports desperately seeking rescue; and

"Whereas the Balfour Declaration of November 2, 1917, guaranteeing the establishment of a Jewish National Homeland in Palestine was approved by 52 nations, including the United States, and incorporated into the treaties of peace terminating the First World War; and

"Whereas this policy was concurred in by a joint resolution adopted by both Houses of the Congress of the United States on June 30, 1922, and approved by the President on September 21, 1922, and implemented by the Anglo-American treaty of December 3, 1924: Now, therefore, be it

"*Resolved by the house of representatives of the thirty-fourth general assembly, in first extraordinary session convened (the senate concurring herein)*, That we express our most profound sympathy toward the victims of Nazi religious persecution and racial hatred; and be it further

"*Resolved*, That the United Nations be urged to take steps to find even temporary havens of refuge, through an international rescue agency, for those homeless and hounded Jews who can be rescued immediately; and be it further

"*Resolved*, That we urge that all barriers on Jewish immigration into Palestine be now removed so that those Jews who can find escape from Axis-dominated Europe have permanent haven in the Land of Israel in their urgent need; and we view with favor the absorption of all Jews into Palestine after the war who need or desire to go there, not only as an act of justice to the Jewish people, but as an integral part of a new democratic world order in which every people shall have the right of self-government and self-determination in accordance with the principles for which we now fight; and be it further

"*Resolved*, That copies of this memorial be forwarded to the President of the United States; to Mr. Cordell Hull, Secretary of State; to the President of the Senate, the Speaker of the House of Representatives, and the Senators and Representatives of the State of Colorado in the Congress of the United States; and to the British Embassy in Washington, D. C., for transmission to the proper authorities in London."

Resolutions adopted by a meeting of the national board of the Women's International League for Peace and Freedom, at Detroit, Mich., referring to discrimination in employment practices on account of race, creed, national origin or ancestry, and favoring the enactment of House bill 3986, prohibiting such discrimination and establishing a fair employment practice commission; protesting against the enactment of the so-called Austin-Wadsworth national war service bill, or similar proposed legislation, and endorsing the principles embodied in House Joint Resolution 192, to enable the United States to participate in the work of the United Nations relief and rehabilitation organization; to the Committee on Military Affairs.

By Mr. GREEN:

An act of the General Assembly of Rhode Island; to the Committee on Finance:

"H. 624

"An act authorizing the Governor to offer to convey State property to the United States Government for the purpose of erecting a veterans' hospital

"Whereas the erection of a United States veterans' hospital in the State of Rhode Island would be a logical move in the proper direction for the development of such a hospital, since the huge expanse of Narragansett Bay provides ample facility for a large part of the Naval Fleet and the many Army and Navy installations in this State have now brought to Rhode Island an Army and Navy population of great impact in this area; and

"Whereas the increasing casualties in all theaters of operation and the inevitable injury in training pursuits and field maneuvers are taxing resources of the present hospital accommodations and the number of disabled veterans from World War No. 2, added to those of previous wars in which the United States has been engaged, is a fact which should be faced in anticipation with entirely adequate plan for development of proper facilities: Now, therefore,

"It is enacted by the general assembly as follows:

"SECTION 1. The Governor is hereby authorized and empowered to offer to convey to the United States Government, or any department or agency thereof, without payment therefor, title to unimproved land now belonging to the State of Rhode Island, for the purpose of constructing thereon a veterans' hospital, provided that the United States Government, or any of its departments or agencies would agree to accept such land and to use the same for the establishment and building upon said property of a modern veterans' hospital.

"In the event that the United States Government, or any of its departments or agencies, advises the Governor of the unsuitability or unadaptability of any available land for the purposes aforesaid, the Governor is hereby authorized and empowered to offer to pay to the United States Government, or any department or agency thereof, out of the funds appropriated for the payment of contingencies, such sum as may be required, not exceeding the sum of $50,000, for the purchase by the United States Government, or any department or agency thereof, of land within the State of Rhode Island, provided that the United States Government, or any of its departments or agencies, would agree to purchase such land and to use the same for the establishment and building upon said property of a modern veterans' hospital.

"SEC. 2. This act shall take effect upon its passage."

RESOLUTIONS BY MEETING OF KANSAS OILMEN'S ASSOCIATION

Mr. CAPPER. Mr. President, I ask unanimous consent to have printed in the RECORD and appropriately referred the resolutions adopted by the Kansas Oil Men's Association, at its annual meeting in Wichita, Kans., January 24, 1944. These resolutions state the position of men actually engaged in business, as affected by regulations under which they are working, and I suggest that their recommendations are entitled to careful consideration at the hands of their Government and its agencies.

The VICE PRESIDENT. Without objection, the resolutions presented by the Senator from Kansas will be received, appropriately referred, and printed in the RECORD.

To the Committee on Interstate Commerce:

Whereas there is a shortage in district 2 amounting to approximately 200,000 barrels per day of crude oil, arising principally from the diversion of crude to other areas to meet war demands; and

Whereas the only feasible immediate method of making up this deficiency is to move crude oil into district 2 from Texas, Wyoming, and other areas; and

Whereas the only practical accomplishment of this is by tank car until adequate pipe-line facilities can be completed, and since hauling by tank car is more expensive than by pipe line, some practical means of compensation for the excess cost must be worked out: Be it

Resolved, That the Kansas Oil Men's Association go on record as favoring a plan which will compensate all refiners finding it necessary to import crude oil from various areas outside district 2.

Whereas it appears that some form of allocation of refined-petroleum products may become necessary in the territory covered by district 2 of the Petroleum Administration for War, including the State of Kansas; and

Whereas the products distribution subcommittee in district 2 is studying plans for an equitable basis to be used in the distribution of the available supplies to the petroleum jobber, dealer, and consumer; and

Whereas 1941 is generally considered to be the last normal year in petroleum marketing, 1942 is considered to be the first year in the full transition from peacetime operations to the emergencies of war, and 1943 is considered to reflect peacetime-wartime shifts in population with the consequent fluctuation in demand for refined petroleum products; and

Whereas it is recognized in the State of Kansas that an adequate supply of petroleum products for farm operations must be maintained in order to assure the production of essential food products: Be it therefore

Resolved, That the Kansas Oil Men's Association go on record with the products distribution subcommittee favoring allocation based on the averaged purchases of the jobber, dealer, or consumer for the years 1941, 1942, and 1943, with a horizontal cut affecting all alike if such a cut becomes necessary.

To the Committee on Banking and Currency:

Whereas a substantial part of the off-the-highway gasoline sold in Kansas is sold through service stations; and

Whereas many dealers and jobbers of petroleum products in the State of Kansas have predicted their business and have made investments in their businesses on the theory that the farmer and other off-the-highway users of motor fuels will come to their service stations to purchase them; and

Whereas a change in the rationing of gasoline regulations providing that service stations may not take R. off-the-highway, coupons in exchange for gasoline is unjust and discriminatory; and

Whereas a system wherein the off-the-highway user of gasoline would be given a check book to cover his rationed needs, providing his ration is 100 gallons or more in any rationed period; and

Whereas a ration holder whose ration requirements are less than 100 gallons of gasoline in any one rationed period would be furnished with E coupons; and

Whereas a method has been proposed that the checks issued by the nonhighway consumer of gasoline would flow from the consumer to the dealer, to the primary supplier, to the bank, and in turn to the district office of the O. P. A., that they might then be checked against the tax-exemption records of the State of Kansas, thus giving an adequate check as to the purchases and use of any nonhighway gasoline by any consumer in the State of Kansas, and also removing the possibility of illegal traffic in R, off-the-highway gasoline coupons, for the simple reason that they would no longer exist: Be it

Resolved, That the Kansas Oil Men's Association go on record as opposing the plan which will be tried in Georgia and Florida after February 1, for the reason that it would be discriminatory and unfair should it be instituted in Kansas, and go on record as favoring the check-book plan, outlined above, for the reason that it would be workable and practical in Kansas.

Whereas due to the necessity of producing additional quantities of higher grade octane gasoline which may create such a shortage of tetraethyl lead that we will no longer be able to produce premium gasoline for civilian consumption; and

Whereas premium gasoline has always been sold by the dealer and jobber at a higher margin than other grades of gasoline; and

Whereas should the manufacture of premium gasoline be discontinued because of the shortage of tetraethyl lead fluid, the marketer will lose his longer margin item of merchandise: Be it

Resolved, That the Kansas Oil Men's Association request the Office of Price Administration and the Petroleum Administration for War to arrange adequate and suitable marginal spread on the gasoline that the dealers and jobbers have left to sell, should the manufacture of the premium gasoline be discontinued to compensate the dealer and jobber for the loss of the higher margin item.

Whereas gasoline, fuel oil, and tire rationing has been necessary due to the critical shortage of these materials; and

Whereas rationing of these items has worked an extreme hardship on all those engaged in marketing of these rationed products; and

Whereas there is a normal desire in the heart of every businessman to return to the days of normal unregimented business: Be it

Resolved, That immediately when the cause and need for the rationing of these items is removed, that gasoline, fuel oil, and tires be removed from rationing.

Whereas the fifth amendment of the Constitution of the United States reads in part, "Nor (shall he) be deprived of life, liberty, or property without due process of law"; and

Whereas the rules and regulations under which the Office of Price Administration is now operating wherein a hearing commissioner, a paid employee of such Office, sits as both judge and jury at the trial of alleged violators of rationing regulations, does not constitute due process of law; and

Whereas gasoline rationing regulations as they now exist are impossible for the dealer and jobber to comply with for the simple reason that adequate and competent manpower is not available; and

Whereas a careless or dishonest employee can violate the gasoline rationing regulations against the instructions of his employer and without the knowledge of his employer; and

Whereas it has been the policy and contention of the O. P. A. that the employer is responsible for the acts of his employee even though he is not in a position to exercise control over them, and even though the employee acts against the instructions of his employer; and

Whereas such conditions place the property and the right to do business of the petroleum dealer and jobber in a position of dire jeopardy, in which the property and the right to do business of the individual is subject to the whim and caprice of one paid employee of the agency charging the violation: Be it

Resolved, That the Office of Price Administration take cognizance of the peculiar position in which the petroleum jobber and dealer today finds himself in respect to his potential right to property and the free use thereof, and cease the unconstitutional holding that the employee, contrary to specific instructions of his employer, and despite the due diligence of his employer, binds said employer by the employee's personal illegal acts in violation of rationing regulations, and that the Office abide by the wording of the congressional action which spawned its creation, which enjoins the Office of Price Administration to call upon the duly organized and institutionalized law enforcing agencies and the regular courts of the land for the policing and enforcing of its regulations.

Whereas the Office of Price Administration has started to issue serially numbered T gasoline coupons and plans in the future to issue all A, B, C, and T gasoline coupons with serial numbers, with an identification card showing the serially numbered coupons which each coupon holder is entitled to hold and use, thus identifying each serially numbered coupon to be a part of the ration of the person to whom it is issued; and

Whereas the procedure for the sale of gasoline as set out by the Office of Price Administration entailing the following procedures:

1. Checking license number of the car.

2. Canceling the coupon if it is not already canceled. (Well over 50 percent of the coupons now presented at the stations are not now canceled.)

3. Detaching the coupon from the holder's book and checking the license number on the coupon identification slip.

These are so cumbersome and time consuming that they are impossible and impractical for the operator to be able to follow and comply with, and as a result, the procedure as outlined is not being followed in a great majority of cases where gasoline is sold, for the simple reason that adequate and competent manpower is not available; and

Whereas the issuing of serially numbered coupons removes the necessity for identification purposes of canceling coupons with license numbers, and State of registration of vehicle, and the requirement that the seller of gasoline take only canceled coupons: It is

Resolved, That when A, B, C, and T gasoline coupons have been issued on a serially numbered basis that rationing regulations be changed so that coupon holders no longer have the responsibility to cancel their coupons, and that the person accepting coupons in exchange for gasoline no longer be charged with the responsibility of seeing that such coupons are canceled.

Whereas district 2 of the P. A. W. (the Middle West area) faces a shortage of crude oil now amounting to 200,000 barrels per day, to meet the military and rationed civilian demand for petroleum products; and

Whereas the only tried and proved method of increasing crude oil production is the price incentive; and

Whereas an increase in the price of crude oil and refined products is minute and inconsequential to the consumer and not inflationary; and

Whereas all branches of the industry have had to meet wage and salary increases, increased cost of material, pyramiding of taxes, shortages of manpower, with no increase in the price of crude oil or refined products to this time; and

Whereas, because of the increasing demand for petroleum products, it is necessary that every refinery run to its maximum capacity, and more crude oil can be run to refinery stills in this area than is now available; and

Whereas an adequate supply of petroleum products for the military and essential civilian activities is necessary to a successful prosecution of the war effort; and

Whereas, unless immediate steps are taken to secure additional crude production, it appears that we, as a Nation, will find ourselves in a position of "too little, too late" as respects our supply of petroleum products: Be it

Resolved, That the price of crude oil be substantially advanced with an equivalent and concurrent advance in the price of refined products. This increase in the price of products to be in effect all down the line, from the refinery, through the marketer to the consumer.

REPORT OF COMMITTEE ON NAVAL AFFAIRS

The following report of a committee was submitted:

By Mr. WALSH of Massachusetts, from the Committee on Naval Affairs:

S. 1682. A bill to provide for the payment of compensation to certain claimants for the taking by the United States of private fishery rights in Pearl Harbor, Island of Oahu, T. H., without amendment (Rept. No. 689).

HEARINGS BEFORE INTERSTATE COMMERCE COMMITTEE—REGULATION OF RATE BUREAUS

Mr. HAYDEN. Mr. President, by direction of the Committee on Printing I report two resolutions which I should like to have considered and acted upon. First, I report Senate Concurrent Resolution 34 and ask unanimous consent for its present consideration.

There being no objection, the concurrent resolution (S. Con. Res. 34) submitted by Mr. WHEELER on February 10, 1944, was considered and agreed to as follows:

Resolved by the Senate (the House of Representatives concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Interstate Commerce of the Senate be, and is hereby, authorized and empowered to have printed for its use a consolidated edition of 1,000 copies of the hearings held before said committee during the first session of the Seventy-eighth Congress on the bill (S. 942) to amend the Interstate Commerce Act, to provide for agreements between common carriers by railroad, between common carriers by pipe line, between common carriers by motor vehicle, between common carriers by water, and between freight forwarders, for the making and filing of rates, fares, charges, or classifications for transportation of passengers and property, and for other purposes.

MANUAL EXPLANATORY OF THE PRIVILEGES, RIGHTS, AND BENEFITS OF AND FOR MEMBERS OF THE ARMED FORCES AND THEIR DEPENDENTS

Mr. HAYDEN. From the Committee on Printing I also report Senate Resolution 251, and ask unanimous consent for its immediate consideration.

There being no objection, the resolution (S. Res. 251) submitted by Mr. BONE on February 7, 1944, was considered and agreed to as follows:

Resolved, That the manuscript entitled "Manual Explanatory of the Privileges, Rights, and Benefits Provided for All Persons Who Are or Have Been Members of the Armed Forces of the United States, and of Those Dependent Upon Them" be printed as a Senate document; and that 5,000 additional copies be printed for the use of the Senate.

REPORT ON DISPOSITION OF EXECUTIVE PAPERS

Mr. BARKLEY, from the Joint Select Committee on the Disposition of Executive Papers, to which were referred for examination and recommendation a list of records transmitted to the Senate by the Archivist of the United States that appeared to have no permanent value or historical interest, submitted a report thereon pursuant to law.

EDUCATION AND TRAINING OF MEMBERS OF THE ARMED FORCES—MINORITY VIEWS (PT 2 OF REPT. NO. 687)

Mr. PEPPER, as a member of the Committee on Education and Labor, submitted the views of the minority of that committee on the bill (S. 1509) to provide for the education and training of members of the armed forces and the merchant marine after their discharge or conclusion of service, and for other purposes (reported from the Committee on Education and Labor on the 9th instant, with an amendment), which views were ordered to be printed.

BILL AND JOINT RESOLUTION INTRODUCED

A bill and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. THOMAS of Oklahoma:

S. 1724. A bill proposing that no reduction be made in service-connected permanent and total disability compensation and/or insurance ratings, and for other purposes; to the Committee on Finance.

By Mr. THOMAS of Utah:

S. J. Res. 115. Joint resolution requesting the President to issue a proclamation designating Sunday, March 12, 1914, as Sun Yat-sen Day; to the Committee on the Judiciary.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

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

H. R. 202. An act for the relief of the alien Michael Soldo;

H. R. 439. An act for the relief of Jack Scarton or John Skarton, formerly Simon Jan Skarzenski;

H. R. 442. An act for the relief of John Damascus;

H. R. 768. An act to authorize the cancelation of deportation proceedings in the case of Frank Durante and wife, Maria Durante, and five children, namely: Paul Durante, Alfred Durante, Anthony Durante, Henry Durante, and Patsy Durante;

H. R. 2787. An act for the relief of Phyllis Lee;

H. R. 2789. An act to permit the naturalization of Peter Henry Buck; and

H. R. 3840. An act for the relief of Albert Barrett; to the Committee on Immigration.

H. R. 1216. An act for the relief of Walter Ervin and Cora Ervin;

H. R. 1269. An act for the relief of Frank E Wilmot;

H. R. 1411. An act for the relief of Eddie T. Stewart;

H. R. 1421. An act for the relief of Paul B. Lingle;

H. R. 1628. An act for the relief of John Hirsch;

H. R. 1963. An act for the relief of G. H. Garner;

H. R. 2212. An act for the relief of Clarence Waverly Morgan;

H. R. 2234. An act for the relief of Mrs. Christine Hansen;

H. R. 2273. An act for the relief of E. C. Fudge;

H. R. 2332. An act for the relief of Christian Wenz;

H. R. 2390. An act for the relief of Joseph Scarpella and Dorothy Scarpella;

H. R. 2438. An act for the relief of Bernadine Salmons;

H. R. 2472. An act for the relief of the estate of Gertrude Mullins;

H. R. 2625. An act for the relief of Edward E. Held and Mary Jane Held;

H. R. 2711. An act for the relief of Mrs. Mildred Maag;

H. R. 2743. An act for the relief of Mrs. Marie Geiler;

H. R. 2757. An act for the relief of Margaret Hamilton, Mrs. Catherine Higgins, Mrs. Rebecca Sallop, and Mrs. Dora Projansky;

H. R. 2925. An act for the relief of Charles J. Goff;

H. R. 2993. An act for the relief of John W. Booth III;

H. R. 3125. An act for the relief of Paul H. White;

H. R. 3137. An act for the relief of Ruth L. Clapp;

H. R. 3139. An act for the relief of Henry Grossi;

H. R. 3324. An act for the relief of the Postal Telegraph-Cable Co.;

H. R. 3387. An act for the relief of Lt. Col. Jason McVay Austin;

H. R. 3390. An act for the relief of Mavis Norrine Cothron and the legal guardian of Norma Lee Cothron, Florence Janet Cothron, and Nina Faye Cothron;

H. R. 3466. An act for the relief of the Mauger Construction Co.;

H. R. 3538. An act for the relief of the Reverend James T. Denigan;

H. R. 3547. An act for the relief of Carl F. R. Wilson;

H. R. 3649. An act for the relief of Mae Ekvall;

H. R. 3654. An act for the relief of Byron Ennis;

H. R. 3701. An act for the relief of Clinton A. Clauson;

H. R. 3781. An act for the relief of Hall Farris; and

H. R. 4074. An act for the relief of the estate of William Sandlass; to the Committee on Claims.

H. R. 2147. An act for the relief of Perique Gomez and Mrs. Perique Gomez; to the Committee on Finance.

H. R. 3075. An act for the relief of Mrs. Isabella Tucker; to the Committee on Territories and Insular Affairs.

H. R. 3618. An act to authorize the War Food Administrator to sell and convey to Mrs. Andrew J. Frey, and her heirs, a certain tract of land, situated in the county of San Joaquin, State of California, and for other purposes; to the Committee on Public Lands and Surveys.

H. R. 3720. An act to authorize the Commissioners of the District of Columbia to appoint notaries public; to the Committee on the District of Columbia.

H. J. Res. 230. Joint resolution to limit the operation of sections 109 and 113 of the Criminal Code, and sections 361, 365, and 366 of the Revised Statutes, and certain other provisions of law; to the Committee on the Judiciary.

DIVISION OF FLORIDA INTO TWO JUDICIAL DISTRICTS—AMENDMENT

Mr. PEPPER (for himself and Mr. ANDREWS) submitted an amendment intended to be proposed by them, jointly, to the bill (S. 454) dividing the State of Florida into two judicial districts, defining the territory embraced in each, and fixing the time of holding terms of court therein, which was referred to the Committee on the Judiciary and ordered to be printed.

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION — AMENDMENTS

Mr. TAFT and Mr. O'MAHONEY each submitted an amendment, and Mr. McKELLAR submitted four amendments intended to be proposed by them, respectively, to the joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization, which were severally ordered to lie on the table and to be printed.

TWENTY-SIXTH MONTHLY MESSAGE TO JAPAN BY SENATOR THOMAS OF UTAH

[Mr. THOMAS of Utah asked and obtained leave to have printed in the RECORD the twenty-sixth monthly message broadcast by him to the people of Japan, which appears in the Appendix.]

IN POST-WAR AMERICA—ADDRESSES BY SENATORS MEAD AND MURRAY

[Mr. ELLENDER asked and obtained leave to have printed in the RECORD the introductory remarks and addresses on the subject of post-war America delivered by the Senator from New York [Mr. MEAD] and the Senator from Montana [Mr. MURRAY] at the National Radio Forum on February 8, 1944, which appear in the Appendix.]

BENEFITS OF OPERATIONS OF HOME OWNERS' LOAN CORPORATION

[Mr. WAGNER asked and obtained leave to have printed in the RECORD an editorial relating to the operations of the Home Owners' Loan Corporation, published in the Washington Post of February 16, 1944, which appears in the Appendix.]

POLITICS IN CONGRESS—ADDRESS BY FRANK KINGDON

[Mr. GUFFEY asked and obtained leave to have printed in the RECORD a radio address by Frank Kingdon on February 3, 1944, which appears in the Appendix.]

LABOR FOR VICTORY—ADDRESS BY JOHN P. FREY

[Mr. TAFT asked and obtained leave to have printed in the RECORD a radio address entitled "Labor for Victory," delivered by John P. Frey, president of the metal-trades department of the American Federation of Labor, on February 6, 1944, which appears in the Appendix.]

BLOT ON HISTORY—EDITORIAL FROM SAN ANTONIO LIGHT

[Mr. O'DANIEL asked and obtained leave to have printed in the RECORD an editorial

entitled "Blot on History," published in the San Antonio Light of February 11, 1944, which appears in the Appendix.]

IRRIGATION, RECLAMATION, AND POWER PROGRAM IN THE MISSOURI RIVER BASIN AREA

Mr. MURRAY. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a statement I made before the House Committee on Flood Control relative to the development of an irrigation, reclamation, and power program in the Missouri River Basin area.

The VICE PRESIDENT. Is there objection?

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

Mr. Chairman, the development of the Missouri River Basin is a program of the most vital importance to the people of the West. What is done in the next few months with respect to three important reports dealing with this matter will set patterns in that basin that will govern for all time the growth and development of a very considerable and important part of the United States.

One of these reports is that of the corps of engineers known as the Pick Report, setting up a flood-control project from Sioux City to the mouth of the Missouri River. This is the subject of your meeting today.

Another report relating to the development program recommends a navigation project calling for a nine-foot channel in the lower Missouri. This project is proposed in H. R. 3961, recently reported by the House Rivers and Harbors Committee.

The third report is now in process of completion by the Bureau of Reclamation. This latter report will deal particularly with the development through irrigation, the restoration of surface and ground water levels, and the production of hydroelectric power of that vast and relatively undeveloped empire comprised in the upper Missouri Basin.

The Missouri River rising in the Rocky Mountain flows through the semiarid high plains, through the subhumid zone that lies roughly parallel with and along the 100th meridian and continues well into the humid agricultural Midwest before it joins the Mississippi River.

In the semiarid and subhumid zones, the Mississippi River drains large parts of the States of Montana, North Dakota, Wyoming, South Dakota, Nebraska, Colorado and Kansas. Except for the watershed of the Platte River, which is a tributary of the Missouri River, agricultural development by irrigation of lands in the semiarid and subhumid sections of the basin is still in its infancy. The importance, therefore, to the western region of the planned use of the waters of the Missouri River cannot be overemphasized. I am sure it is not necessary at this late date to dwell on the catastrophic droughts of 1934 and 1936 and their economic consequences, in order to convey to this committee the importance of an intelligently planned expansion of irrigation through the utilization of the waters of the Missouri and its tributaries. This program is essential to the future welfare of the Plains and the Nation as a whole.

I understand that preliminary figures obtained by the Bureau of Reclamation indicate that perhaps as much as 4,400,000 acres of good, arable land that is now dry can be irrigated and made useful in the Missouri River Basin.

To give you an impression of the importance of 4,400,000 acres of irrigated land to the Western States and to the Nation, I should say that this is more than one-fifth of the total of all irrigated lands in the 17 Western States today. There are roughly 20,000,000 acres of land now being irrigated in the West, and these 20,000,000 acres provide the sustaining agricultural base of one-third of the area of the entire United States. The irrigation of 4,400,000 acres of dry land means stable homes on good farms for hundreds of thousands of people. It will mean stability on that scale for our States. It will mean a great increase in population of these sparsely settled States and stabilization of the economy of vital importance to the whole country.

These 4,400,000 acres that can be watered from the Missouri River and its tributaries have a special significance in our States. As you know, the high plains are in that zone which sometime gets enough rain to make crops, but which often does not. Settlement has been unstable there. Great droughts, less than 10 years ago, drove 300,000 people from their homes in the Plains forcing them to make jalopy migrations farther west. These droughts required expenditures by the Federal Government of $600,000,000 for simple relief in the Missouri River Basin in the States affected. Those expenditures, large as they were, did little to correct the conditions which made the droughts catastrophic in their consequences. They simply alleviated some of the misery that followed in the wake of the weather. The economic loss sustained by the region because of these droughts cannot be calculated. Farmers were driven from their homes and into bankruptcy and the damages in dollars and cents suffered in the affected areas greatly exceeded the relief expenditures of the Government. Now again a serious drought menaces the same region. Snowfall reports as of February 1, 1944, by the Department of Agriculture reveal an alarming scarcity of moisture in the Missouri, Platte, and Arkansas River watersheds. This entire area has received approximately from one-half to one-fourth less snowfall this winter than the average for the past 9 years, which included the severe droughts I have described. Compared with last year, precipitation is from one-fourth to two-thirds short.

The stabilization of the areas in my State of Montana, and in Wyoming, South Dakota, North Dakota, and other States of the Plains that are subjected periodically to these droughts is one of the great problems before this Nation. Irrigation of accessible bodies of good farm lands with waters taken from the Missouri and its tributary streams must form the basis of any permanent solution to drought problems in the Northern Plains States.

Please keep in mind, if you will, what I have said about the importance of irrigation to the future of this area, while I discuss other phases of the development of the river itself. I am fully cognizant of the need of flood control, especially to protect the area along the Missouri River below Sioux City. I am sympathetic with attempts to gain such control of this river as will provide the protection desired. I am interested, as well, in the control of floods and in alleviating flood conditions in other sections of the basin. A sound flood control program must be a part of our basin developments.

As I said earlier, the Missouri River is relatively undeveloped. By proper planning now I am convinced we can obtain for the Nation and for the States of the Missouri River Basin the navigable channel needed in the lower river, the protection from floods needed in the lower basin and at the points that are threatened elsewhere, and we can also have the development by irrigation that is essential to the welfare of the vast plains and valleys of the upper reaches of the Missouri River and its tributaries. I base my statement that I believe it is possible, by proper planning, to obtain all of these ends on facts gained from those who are making the plans. It will be necessary, however, to coordinate the work and the plans of the Bureau of Reclamation for irrigation, and surface and ground water restoration, and for power, with plans of the Corps of Engineers for flood control and navigation, in order to achieve this desired end. The use of waters beneficially in the upper basin States for irrigation must be clearly protected against the perfection of rights of riparian character. Any program that would repudiate a proper reclamation program and cause this water to flow wastefully forever in the future downstream to float barges would be a major national mistake. The channels needed for the waterway effectively can be maintained in the future as development proceeds upstream through additional protective works and locks in the lower river. We, therefore, must guard against the pledging forever of the full flow of the Missouri River to the negative use of maintenance of a channel depth, because the channel can be maintained in other ways when that time is reached in which the water will be needed for consumptive uses upstream.

That is why, as I understand it, the President has recommended an amendment to the rivers and harbors bill, H. R. 3961, as follows:

"Page 21, line 13. After the word 'Congress' substitute a colon for the semicolon and insert the words: '*Provided*, That the use of waters of the Missouri River for municipal, domestic, and livestock water supply, for irrigation of arid and semiarid lands, and for mining and industrial purposes shall not be adversely affected thereby.'"

I believe all the advocates of the navigation project contend that the 9-foot channel will not interfere with future irrigation upstream. I am sure, then, that they can have no legitimate objection to such a statement in the bill as that worded by the President.

If proper principles are applied in the design, construction, and operation of the flood-control project, I am also sure that it too can be made a coordinated part with irrigation and navigation of the logical ultimate development of the basin. I understand that a great deal of thought has been given to this matter by the Bureau of Reclamation, as well as by others. I am sorry that the Reclamation report and that the comment of the Reclamation Service on the Corps of Engineers' report is not before the Congress at this time. I do not believe it would be safe to dispose of the flood-control project on the Missouri River until, at least, these comments have been received and considered.

The Bureau of Reclamation, like the Corps of Engineers, is an agency with a deserved, fine reputation and a long history of constructive, useful public work. The views of this agency and of the Department of the Interior, of which it is a part, will be relied upon by the representatives of the States in the arid and semiarid zones for a large measure of guidance.

Just as we of the underdeveloped upper basin are interested in irrigation, so we are interested as well in the development and use of the low-cost hydroelectric power that will be a byproduct of the improvement of the river. The Corps of Engineers is not a power-marketing agency. For the most part, that function has been made the responsibility of the Department of the Interior, which has developed and applied the policies that assist in western growth. Bonneville and Fort Peck Dams are examples of Army construction and operation for the major purposes and of marketing power by the Department of the Interior. The arrangement works to the satisfaction of the Western States. The President took cognizance of these facts and of the dominant interest of the Bureau of Reclamation in irrigation when he proposed to the Rivers and Harbors Committee the following amendment to its bill:

I quote: "Page 29, line 12. Add the following new paragraphs at the end of section 1:

"'Electric power and energy generated at projects authorized by this act and not re-

quired in the operation of such projects shall be delivered to the Secretary of the Interior, who shall transmit and dispose of such power and energy in such manner as to encourage the most widespread use thereof at the lowest possible rates to consumers, and preference in the sale of such power and energy shall be given to public bodies and cooperatives. At dams or works authorized by this act which are suitable for the production of electric power and energy, the Secretary of War shall provide, construct, operate, maintain, and improve such structures, machinery, equipment, facilities, and supplies as the Secretary of the Interior may deem necessary to develop power and energy for existing and potential markets and for the proper reception, handling, and dispatch of electric power and energy; and operations of all such machinery and facilities shall be scheduled in accordance with the requirements of the Secretary of the Interior so far as consistent with requirements for the use of water for the other purposes of said projects. The Secretary of the Interior is authorized to construct and acquire such transmission lines and facilities and to enter into such contracts, agreements, and arrangements as he deems necessary to carry out the duties and responsibilities herein conferred upon him.

"'In connection with dams or works authorized by this act which the Secretary of the Interior determines, with the concurrence of the Secretary of War, may be utilized for irrigation purposes, the Secretary of the Interior is authorized to construct, operate, and maintain, under the provisions of the Federal reclamation laws (act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto), such additional works as he may deem necessary for irrigation purposes. Such irrigation works may be undertaken only after a report and findings thereon have been made by the Secretary of the Interior as provided in said Federal reclamation laws; and, within the limits of the water users' repayment ability, such report may be predicated on the allocation to irrigation of an appropriate portion of the cost of structures and facilities used for irrigation and other purposes. Dam and works authorized by this act may be utilized for irrigation purposes only in conformity with the provisions of said Federal reclamation laws and this paragraph.'"

This amendment is equally pertinent to the bill you are preparing. I recommend it to you.

The interests of the West demand that conflicts between Federal agencies be avoided in the development of our western streams. Irrigation and power marketing are recognized functions of the Department of the Interior. Flood control and navigation are recognized responsibilities of the Corps of Engineers.

The rule of the thumb laid down by the President in a recent letter to your chairman that the agency with the dominant interest in the project should build that project strikes me as very sensible. But beyond that construction, we must have single administration of benefits. The functions of a multiple-purpose dam should be administered, no matter which agency builds the dam, by that agency with the principal responsibility for the function.

You will recall that the President said in his letter of February 7, 1944, to your chairman:

"In my letter of May 5, 1941, I suggested that a sound policy in connection with these water projects would consist of selecting the construction agency by determining the dominant interest. Projects in which navigation or flood control clearly dominate are those in which the interest of the Corps of Engineers is superior and should be so recognized. On the other hand, projects in which irrigation and related conservation dominate are those in which the interest of the Bureau of Reclamation in the Department of the Interior is paramount and should be so recognized. No matter which agency builds a multiple-purpose structure involving in even a minor way the interests of the other, the agency with the responsibility for that particular interest should administer it in accordance with its authorizing legislation and general policies. For example, the Bureau of Reclamation in the Department of the Interior should administer, under the reclamation laws and its general policies, those irrigation benefits and phases of projects built by the Corps of Engineers. These suggestions are, to my mind, even more pertinent today. For today we gird for peace. Confusion over jurisdiction ought not to be allowed to disrupt the great preparations now being made for post-war construction of vital public works."

I am of the opinion that we need three things with respect to the development of the Missouri River: First, we need a coordination of the plans. The Congress cannot escape its responsibility in connection with this coordination. We have provided no agency to do it for us. The President has asked the Bureau of the Budget to attempt the task, but the Budget is imperfectly equipped for the arduous job and, furthermore, in our impatience we, in the Congress, do not give the Budget time to get the work done. The Congress, therefore, has the major responsibility for coordinating the plans That is why I have talked to this Flood Control Committee about irrigation, power, and navigation as well as about flood control.

The second thing we need in the development of the Missouri River is the adoption of a proper standard by which we can determine which Federal agency shall build each particular project of the grand plan. The President has proposed a good method, the dominant interest standard.

The third thing we need is a clear enunciation of basic policy that will assure everyone that the benefits of multiple-purpose projects will be administered by the agency with the responsibility for the particular benefit under consideration—irrigation by Reclamation, power by the Department of the Interior, flood control by the Corps of Engineers, and navigation by the Army. In connection with this program, we need a clear protection of the rights of the upper basin States for irrigation and domestic water.

Let me say again, the Missouri River Basin today is relatively undeveloped. The Great Plains section of the basin is subject to catastrophic, recurring droughts with one now in the offing. Intelligent and well-planned use through irrigation of the waters of the Missouri River and its tributaries hold the basic promise for the ultimate stabilization of this region. Navigation improvement, the control of floods and irrigation and hydroelectric power development in the basin are all desirable. With proper coordination of the work of the Corps of Engineers and the Bureau of Reclamation, there is no reason why the development of the Missouri River Basin cannot go forward now without injury to any part of the basin in the future. The report of the Bureau of Reclamation has not yet been completed. I will not feel safe in acting upon any of the reports and plans now before the Congress until the comments of the Bureau of Reclamation have been received and considered, and until the future development of the semiarid and subhumid zones of the basin is adequately protected and safeguarded.

These western arid and semiarid areas wisely developed can be made a great national asset but neglected can become a dangerous national liability.

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

The Senate resumed the consideration of the joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations Relief and Rehabilitation organization.

The VICE PRESIDENT. The clerk will state the amendment of the committee.

The CHIEF CLERK. In section 5, page 16, line 2, after the word "expire", it is proposed to strike out "at the conclusion of 2 years following the termination of hostilities on all fronts unless specifically extended by an act of Congress," and to insert "on June 30, 1946", so as to make the section read:

SEC. 5. The authorization contained in this joint resolution shall expire on June 30, 1946.

Mr. CONNALLY. Mr. President, I wish briefly to explain to the Members of the Senate the nature and purpose of the joint resolution now pending. It is commonly referred to as U. N. R. R. A. I dislike very much the initial abbreviation, but it means United Nations Relief and Rehabilitation Administration.

In the main, the joint resolution authorizes cooperation by the United States Government with the other nations of the United Nations in an international relief organization having for its purpose the extension of temporary relief in the liberated areas, after our armed forces shall move on and out, or after the conquerors who may occupy these lands are thrown out, or may voluntarily retreat from the areas.

The joint resolution is not, according to our conception, a treaty. When it was first advanced it was proposed that it take the form of an executive agreement, an agreement by the executive department with other nations, without any reference whatever to congressional or senatorial action. When the matter came to the Senate Committee on Foreign Relations that conception was combatted, and the committee appointed a subcommittee to take up with the State Department the consideration of the proposal in an effort to work out some common ground upon which the Congress and the State Department could cooperate. The Senator from Texas, as chairman of the committee, was chairman of the subcommittee. On that committee were the Senator from Utah [Mr. THOMAS], the Senator from Rhode Island [Mr. GREEN], the Senator from Michigan [Mr. VANDENBERG], and the Senator from Wisconsin [Mr. LA FOLLETTE].

I do not wish to claim any great share of the credit for what was accomplished. Some of us were out of the city at the time. But I desire especially to thank the Senator from Rhode Island [Mr. GREEN] and the Senator from Michigan [Mr. VANDENBERG], members of the subcommittee, who devoted a great deal of time and secured very valuable results with the State Department. The agreement subsequently entered into by the 41 nations was materially altered as a result of the conferences between the subcommittee and the State Department, and in consequence the joint resolution in nowise assumes any obligation on the part of the United States, unless the obligation is indicated through the action of the constitutional authorities, in this case the Senate of the United States and the House of Representatives

through their appropriate power. In other words, under the terms of the joint resolution the United States does not obligate itself to pay any amounts except such amounts as the Congress may from time to time hereafter authorize by appropriation.

The amounts tentatively allocated under the agreements were based upon a formula providing that the contributing nations would contribute 1 percent of their national income, not annually, but for the entire period. In the case of the United States our national income, as Senators know, has been very greatly enhanced by war expenditures, until it is extremely high, whereas in many of the other countries, because of exchange conditions and disruption of their economy, their incomes are relatively low. So it may appear to some Senators that the proportion of the total expenditures which the United States may provide, if Congress so wills, is a very large percentage of the entire amount. That is true; there can be no dispute about it. The contributing share of the United States, if it is ultimately provided by the Congress, would total about two-thirds of the entire amount to be expended.

The organization of this international body consists of the membership, of course, of each nation. Then there is provision made for the establishment of an executive council, and when the executive council is not in session or available, a special select executive committee is in charge of operations as to policy and matters of that kind. It is headed by a Director General, and the recent conference held at Atlantic City elected Governor Lehman, theretofore the American relief representative, as the Executive Director of the organization known as the United Nations Relief and Rehabilitation Administration.

Mr. President, I am glad the word "rehabilitation" was introduced into the discussion. So far as the United States is concerned, as we have tried to make plain in the joint resolution, in the report of the committee, and in the hearings, our purpose is to assure that our activities, and whatever contributions the Congress may make and appropriate, shall be limited to relief and such rehabilitation only as is tied in with and connected with the necessity for extending temporary relief. As a rough illustration of what I mean, I may say that if relief were being extended to a particular area, and there was lack of transportation because a roadway had been destroyed, and therefore the transportation of relief supplies could not be accomplished without the rebuilding of the road, such work would probably be held to be within the terms of the joint resolution, because it would be tied in with the relief which could be extended; but it is not contemplated, it is not provided, and it is not authorized by the joint resolution, that any extensive rehabilitation of devastated areas shall be undertaken. It does not authorize anywhere any reconstruction of utilities, or public activities, or private property, except, as I have indicated, that which is incidental to and necessary to carry on the temporary relief which the joint resolution does authorize.

Mr. President, we had before the committee the representatives of the War Department. We did not want any conflict between the military and the relief organization under Governor Lehman. It was there developed that of course when the Army is in charge of an area, when it moves in and takes possession, nothing must interfere with the authority of the commanding general over the military operations in the area occupied. To interfere with them would, of course, provoke chaos and disruption of military activities. But it is proposed that when the necessity arises for the extension of such temporary relief as may be necessary from a military standpoint, when military activities cease and the Army moves on, the organization is then authorized to move in and take up where the Army left off. It was made clear in the hearings held by the committee that we expected—and Governor Lehman was before the committee and testified—that there must be the utmost cooperation between the Army and the authorities acting under the joint resolution.

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

Mr. CONNALLY. I yield.

Mr. BREWSTER. In what way would the allied military governments be related to the relief activities and how would this particular operation be affected thereby?

Mr. CONNALLY. There would be really only the incidental relationship that might exist between the military and the government that might be in control of the particular territory occupied. Allow me to say to the Senator from Maine that as I understand, when the Army goes in and takes charge of territory, either of enemy or of liberated areas, and establishes a military government, the military government which is established wherever possible utilizes the existing government of the country if it is cooperative. If it is not, it will be removed, and in its stead will be placed some functionary who will cooperate. The functions are to be limited in the main to the normal and general authority exercised by the particular governmental authorities or functionaries. In such a case, when the necessity for relief arose, this organization would be supposed, of course, to cooperate insofar as possible with the military government which was set up, and through the subordinates, on down, through the channels which might carry the proper amount of relief.

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

Mr. CONNALLY. I yield.

Mr. BREWSTER. I do not wish to interrupt the Senator's statement, unless it will be helpful to do so.

Mr. CONNALLY. I am very glad to have the interruption.

Mr. BREWSTER. The New York Times carried what apparently was a rather authoritative report from the London Times this last week, saying there was 6 months' supply of grains in Italy, but that it could not be made available for use for relief, so we had to ship food there. Apparently both the British and the Americans were rather dubious about that procedure. My question is addressed to exactly how, if that statement be correct, the local government in that territory could be required to make supplies such as those available.

Mr. CONNALLY. Let me say to the Senator that it is made clear in the pending joint resolution, in the reports, and in the hearings, that wherever it is possible for the local authorities or the local population to purchase supplies from their own resources or from their own gold reserves, or from whatever sources may be available to them, this agency will not extend relief to them, but will aid in the allocation and distribution and the funneling out to the proper areas of such relief supplies. Furthermore, it is contemplated by this measure that while those administering it will not have any facilities for wholesale buying and selling, in every instance the feeding out of even the relief supplies will be encouraged through normal commercial and other channels, so as not to become an international Santa Claus or an international W. P. A. I think it is highly important that in the operations and administration of this measure the people whom we aid and to whom we extend relief should be made to know and to feel that we expect them to exert themselves to the utmost to rehabilitate themselves and to revive their drooping agriculture and commerce and industry to the limit of their ability.

Mr. President, the justification for this proposed legislation in the main is that it is one of the war costs. The committee took that view in relation to the long-range picture of the great enterprise upon which we have embarked. Some may say we should not have embarked upon it; but, be that as it may, we have embarked upon it; we have in our hands the sword, and we must go on until the issue is determined in victory, and then, after victory, in a peace that I hope will be just and equitable, and in the establishment of machinery which will assure that never again shall the mad malaise of aggression and conquest plunge the whole world into seas of blood. The committee also took the view that after the Army moves on, leaving the liberated areas without proper leadership, perhaps swept by epidemics of illness, perhaps short of food and clothing and all the other necessities of life, such fields would be fruitful ones for the development of bolshevism and chaos and disease which might spread all over the areas, multiplying many times the necessities for relief, and bringing about an intolerable situation in our modern world. We regarded the measure as a part not only of the winning of the war but of undertaking to do something for the conservation of the forces of law and order and humanitarianism in a world lacerated and torn and bleeding from the outrageous injustices of military despots.

Mr. McKELLAR rose.

Mr. CONNALLY. Mr. President, does the Senator from Tennessee desire that I yield to him?

Mr. McKELLAR. I should be glad to have the Senator yield to me, provided I do not interrupt the development of his presentation.

Mr. CONNALLY. No; not at all.

Mr. McKELLAR. I wondered what proportion of the entire costs the United States will bear. I suppose the Senator has already stated that, but I have just entered the Chamber.

Mr. CONNALLY. I have already adverted to that, but I am glad to repeat. I explained that our contributions, if allowed by the Appropriations Committee, would constitute a very large proportion, approximately two-thirds of the entire cost, as it is now projected in the resolution.

Mr. McKELLAR. What proportion will Great Britain and Russia bear?

Mr. CONNALLY. Russia is not a party to the agreement; because under its terms the agreement does not apply to countries which have themselves been invaded. Great Britain has already appropriated, through the House of Commons, £80,000,000.

Mr. McKELLAR. The equivalent of $300,000,000, in round numbers?

Mr. CONNALLY. Yes, approximately.

Mr. VANDENBERG. Mr. President, will the Senator yield to me? I happen to have those figures available.

Mr. CONNALLY. I am glad to yield to the Senator from Michigan, and shall be very glad to have the information.

Mr. VANDENBERG. The British Parliament has already acted to the extent of £80,000,000, which is $320,000,000 at present rates of exchange. Australia's share is $40,000,000; Canada's, $75,000,000; New Zealand's $15,000,000. In other words, the total British contribution, other than the contribution from India, which is still undetermined, is between $450,000,000 and $500,000,000.

Mr. McKELLAR. Mr. President, will the Senator permit me to ask another question?

Mr. CONNALLY. I am glad to have the Senator ask a further question.

Mr. McKELLAR. Are we to contribute our share in money, or will we furnish food, such as flour or wheat or meal or corn or other articles of food, and also clothing? Are we to furnish relief in money, or is the money to be turned over to the Commission and used by it in buying whatever it wishes to purchase? Are there to be any rules, for instance, about the expenditure of certain proportions of the money in our own country, or will the Commission be able to buy the supplies whenever and wherever it wishes to do so?

Mr. CONNALLY. Let me say to the Senator that, of course, so far as the Treasury is concerned, it will mean a cash outlay. But under the joint resolution and under the policies which were developed through the hearings, it will be the duty and function of the Director General and his associates on the council to endeavor to keep in mind the whole picture and to procure supplies where they are most readily available at the best prices. Our own representatives could, if approved by the Director General, furnish from our own sources here at home the supplies to which the Senator has adverted. Let me say a further word. For example, Mr. Leo Crowley, who is now in charge of all the foreign economic agencies of the Government, who took over the functions formerly exercised by the Vice President and the Board of Economic Warfare, and who has assumed all the functions of those various organizations, will be the American Administrator or representative dealing with this organization. Mr. Crowley came before the committee and gave assurance that in the administration of the act he would exercise his best judgment in the procurement of supplies in areas where they are most available at the most attractive prices, and that wherever they could be procured in the United States they would be so procured. Some other countries might have a surplus of certain supplies and a shortage of others. We should require countries with surpluses of supplies beyond their own needs to furnish such surpluses for employment in other areas where they might be needed.

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

Mr. CONNALLY. I yield.

Mr. McKELLAR. Generally speaking, if we are to contribute two-thirds of the entire sum, manifestly it would seem fair, just, and proper that, in the same general way, two-thirds of the supplies should be bought in America. According to my way of thinking, that would be only fair and just.

Mr. CONNALLY. While there is no requirement in the joint resolution that it shall be done in that proportion, I have no doubt that the preponderant volume of supplies will inevitably have to come from this country. Let me say to the Senator, who is an eminent and distinguished member of the Appropriations Committee, and acting chairman of that committee, that if the joint resolution shall be enacted into law, it will be squarely up to the Appropriations Committee as to whether or not a dime shall be appropriated. I realize the pressure which will be upon the Senator. I am not minimizing that. It was in an endeavor to protect the authority of the Congress that certain provisions were inserted in the agreement. We speak of congressional power, and we speak of executive power; but if the Congress has any power, it is chiefly in the appropriating power. We wish to preserve that power. The appropriating power includes the control of the purse and of the sword. We felt that Congress should reserve the control of the fund. That is about the only way by which we can control any executive branch of the Government. If we do not give it the money to carry on its activities it cannot operate.

Furthermore, the committee adopted an amendment to the House joint resolution limiting the authority to act under it to the 30th of June 1946. That does not necessarily mean that we might not continue it, as we frequently continue such organizations; but that provision would give the Congress another opportunity to examine into the activities of the administration, interrogate Mr. Lehman and others, and review its operations. If the administration does something which we do not want done, we can put provisions in a future act eliminating such activities and delimiting the power under the joint resolution.

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

Mr. CONNALLY. I yield.

Mr. McKELLAR. In accordance with the figures of the able Senator from Michigan, the various other nations have appropriated about $450,000,000.

Mr. CONNALLY. There are some others in addition to the ones he mentioned.

Mr. McKELLAR. The joint resolution authorizes an appropriation of $1,350,000,000. I should like to have the Senator's idea as to how much the Appropriations Committees of the two Houses should recommend at this time. In line with the suggestion which I made a few moments ago, it seems to me that at this time we certainly ought not to appropriate more than our proportion. In other words, if we are to bear two-thirds of the entire expense, and the other nations have appropriated, or will have appropriated, say, $450,000,000, manifestly it seems that we ought not to appropriate more than $900,000,000. I should like to have the view of the distinguished Senator from Texas, who is chairman of the committee, and of the able Senator from Michigan [Mr. VANDENBERG], who is the ranking minority member of the committee. They are both present, and I should like to have an expression of their views.

Mr. CONNALLY. I may say to the Senator that it is contemplated by the committee and those having to do with this matter that if the joint resolution is enacted, it will then be the duty of those in charge of the administration to come before the committee of the Senator from Tennessee and make their presentation.

Mr. McKELLAR. I understand that; and I have no doubt they will do so. But what I should like to have is the view of the Senator——

Mr. CONNALLY. I will give the Senator the view of one Senator.

Mr. McKELLAR. I should like to have the view of the Senator as to how much should be appropriated at this time, when our associates have appropriated $450,000,000.

Mr. CONNALLY. I do not know that they have made that much available. Let me say to the Senator that it is not contemplated by the joint resolution that we shall dump out all the money at one time.

Mr. McKELLAR. I understand that. The joint resolution so provides.

Mr. CONNALLY. It is up to the Committee on Appropriations to say how much of this activity will be necessary between now and the 1st of July and how much will be necessary for the ensuing fiscal year.

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

Mr. CONNALLY. I yield.

Mr. VANDENBERG. To begin with, the Senator from Tennessee should not be misled by the figures which I cited. The figure of $450,000,000 is the share of the British Empire only. In addition,

all the other signatories to the compact are facing their assessments. For example, Brazil's assessment is $35,000,000. Little Iceland sent in her check for $50,000 the other day. There is a total budgetary contemplation of about $2,000,000,000. That is the over-all estimate, respecting the entire enterprise, until it is finished. The appropriations to be sought from time to time will be based on accurate estimates submitted to the committee over which the able Senator from Tennessee presides. The estimate which I have heard as to the probable requirement for the remainder of this fiscal year is between $250,000,000 and $400,000,000.

Mr. McKELLAR. I am glad to have that information. I should like to ask another question, if the Senator from Texas will yield.

Mr. CONNALLY. I yield.

Mr. McKELLAR. How much have the other nations actually appropriated at this time? I think we should have that information, and I have no doubt it will be given when the time comes; but I should like to know, if the Senator can give the figures, how much has been actually appropriated by other nations.

Mr. VANDENBERG. Mr. President, will the Senator from Texas yield to me to reply to the question of the Senator from Tennessee?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. In practically all instances the same time element is involved in the legislative process elsewhere as is involved here. We have not as yet completed the legislative process to establish our contribution. I very much doubt whether the process has been concluded in very many other countries, although it has been concluded in the British Parliament, and a commitment of £80,000,000 has been made.

Mr. McKELLAR. That is about $325,000,000.

Mr. VANDENBERG. That is correct.

Mr. McKELLAR. Has that amount been appropriated, or does it represent only a commitment, such as we would make if the joint resolution were to be enacted? The joint resolution would commit us to a contribution of $1,350,000,000.

Mr. VANDENBERG. My impression is that it is much more of a commitment than we make when we merely enact an authorization.

Mr. McKELLAR. It is more of a commitment than that.

Mr. VANDENBERG. Yes.

Mr. McKELLAR. I thank the Senator.

Mr. VANDENBERG. I intend later to discuss this matter at some length because I feel a very deep responsibility in connection with it.

Mr. McKELLAR. Mr. President, as to the authorized appropriation of $1,350,000,000, over what period is that amount to be expended?

Mr. VANDENBERG. Over the total period of the enterprise, whatever it may happen to be.

Mr. McKELLAR. Until the cessation of the war?

Mr. VANDENBERG. That is correct.

Mr. CONNALLY. However, under the committee amendment it would be limited to June 30, 1946.

Mr. VANDENBERG. Absolutely.

Mr. CONNALLY. I have in my hand an article from the Christian Science Monitor, dated at London, January 28, 1944, relating to the action of the House of Commons with regard to this particular matter. It reads as follows:

> The House of Commons has made a good start in grasping the significance of the enormous task of relief and rehabilitation which lies ahead of the United Nations Relief and Rehabilitation Administration.
>
> In voting two new votes of credit for war purposes of £750,000,000 and £1,000,000,000, Commons also agreed to the British contribution to U. N. R. R. A. of £80,000,000.
>
> Britain today claims to be first country specifically to vote its U. N. R. R. A. contribution. But this contribution is seen as a solemn duty and not occasion for any particular expressions of gratitude from outside Britain.

It would seem from this report that the appropriation has already been made by the House of Commons.

Mr. McKELLAR. We can ascertain that later.

Mr. VANDENBERG. I wish to make sure that I am perfectly frank with the Senator from Tennessee about this matter. I do not desire to anticipate, on the time of the Senator from Texas, what I expect to say later. Unless the limitations which we have scrupulously sought to write into the proposed legislation were emphatically observed, this adventure might run into an expenditure of uncounted billions of dollars. There is no doubt in the world about that.

Mr. McKELLAR. There is no doubt whatever.

Mr. VANDENBERG. The sole objective to which the subcommittee referred to by the Senator from Texas addressed itself for 6 months in dealing with the State Department on this problem was to make sure that limitations, insofar as it is possible to write limitations into the legislation, should absolutely confine this enterprise to specific war relief, only such rehabilitation as is inherent in relief and essential to it.

Mr. McKELLAR. And as a result of the war.

Mr. VANDENBERG. Exclusively as a result of the war, and absolutely divorced from the problem of post-war reconstruction. Except as those limitations are effective, the answer to the Senator's question would be that the sky is the limit. However, I am supporting the joint resolution on the theory, as I shall subsequently detail from the record, that we have tied down Dean Acheson, who speaks for us in U. N. R. R. A., and that we have tied down Director General Lehman. Both have frankly conceded that they are tied down, and have accepted their obligations within the limits which we have sought to provide.

Mr. McKELLAR. Mr. President, may I ask the Senator from Texas if that is his understanding of the situation?

Mr. CONNALLY. That is exactly my understanding.

Mr. VANDENBERG. I shall prove that from the record. There can be no question about it.

Mr. CLARK of Missouri. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from Missouri?

Mr. CONNALLY. I yield.

Mr. CLARK of Missouri. On the very point referred to by the Senator from Michigan, I should like to ask the Senator from Texas whether it is not a fact that even with the limitations imposed by the subcommittee the United States will still get an awful trimming in the matter of its contributions to this enterprise. I understand that the formula which has been adopted is, roughly, 1 percent of the national income. Our national income has been figured on a basis on which our people have been taxed to the point of inflation to supply lend-lease and to supply our armed forces to an extent never dreamed of before in the history of the world. Of course, that made our cash position and, in turn, our exchange position very excellent. So it seems to me that a formula of a flat percentage of the national income puts the United States in a very unfortunate position when it comes to making contributions for U. N. R.R. A. I believe that both the Senator from Texas and the Senator from Michigan will be forced to agree with that statement.

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

Mr. CONNALLY. I yield.

Mr. VANDENBERG. The Senator from Missouri does not need to try to force me to agree with the statement which he has made.

Mr. CLARK of Missouri. I am not trying to force the Senator to do anything. I merely thought that that statement should be added to what the Senator has already said.

Mr. VANDENBERG. The accuracy of the statement is perfectly obvious on its face. If this were to be taken as a precedent——

Mr. CLARK of Missouri. We would all have to vote against it.

Mr. VANDENBERG. If this were to be taken as a precedent for America's general contributions in the post-war reconstruction period it would be equivalent to committing hara-kiri in public, on the floor of the Senate. It would be impossible.

Mr. President, I respectfully submit to the able Senator from Missouri that, since this project has been tied down exclusively to war relief, and since it will expire within what is unfortunately probably still the life of the war itself, we must choose between two alternatives. I rather suspect that if we did not have U. N. R. R. A., even though it costs us, say, 65 percent of the total expenditure to sustain it, we probably would find ourselves paying 100 percent of the bill. I think this is a bargain under existing circumstances.

Mr. CLARK of Missouri. Mr. President, the Senator from Michigan has stated the only ground on which I can find it possible in my own mind to vote for the joint resolution. I am still not in entire agreement with the Senator's suggestion that it is a bargain.

Mr. VANDENBERG. Relatively speaking, it is a bargain.

Mr. McKELLAR. Very relatively.

Mr. CLARK of Missouri. I am daily, almost hourly in receipt of communications asking for the relief of some particular part of some particular country, some of which I never before heard, asking me to serve on committees, to attend banquets, or send a check. It may be that the over-all picture presented by the Senator's statement is correct, but I think it should be very clear that this is not to be a precedent, and that no Member of the Senate who votes for this resolution is to consider it in any degree as a precedent.

Mr. VANDENBERG. Mr. President, if the Senator from Texas will indulge me for a further remark, the only reason in the world why I intend to intrude on the time of the Senate for perhaps half an hour a little later is to present for the RECORD the factual proof that what I am saying is true so far as it is humanly possible for Congress to put it into words and to commit the officials of this Government.

Mr. McKELLAR. Mr. President, will the Senator from Texas yield for a moment in order that I may propound a question to the Senator from Michigan?

Mr. CONNALLY. I yield.

Mr. McKELLAR. I am wondering if the Senator from Texas and the Senator from Michigan could not advise the Appropriations Committee that in their judgment, as the sponsors of the proposed legislation, our general rule should be to ascertain the actual appropriations made by other countries and then double them, in accordance with the rule suggested.

Mr. VANDENBERG. Is the Senator asking me?

Mr. McKELLAR. I should like first to ask the Senator from Texas.

Mr. CONNALLY. Mr. President, the Senator from Texas and, I presume, also the Senator from Michigan, will be available, and we shall be very glad to be consulted by the Appropriations Committee.

Mr. McKELLAR. I know they will come before the committee, but I wanted to have the Senator's opinion.

Mr. CONNALLY. I do not think it is quite fair for the Senator from Tennessee to press us now as to what we will do when the matter is later considered by the Appropriations Committee.

Mr. McKELLAR. The Senator from Texas is asking us to vote for this joint resolution.

Mr. CONNALLY. No; I am not asking the Senator to do anything unless his judgment approves of it. However, I may say to the Senator that the members of our committee will be here, and I personally shall not shirk any responsibility.

Mr. McKELLAR. I am sure of that.

Mr. CONNALLY. I thank the Senator. I did not mean to throw any bouquets at myself; but in presenting such a serious matter, I shall not hesitate. Let me say to the Senator that in the hearings the Senator from Michigan asked this question—and I want the attention of the Senator from Tennessee as I expect to have his attention when I go before the Appropriations Committee.

Mr. McKELLAR. The Senator will have it.

Mr. CONNALLY. I am flattered to be invited, but I do not want to be brushed off in advance. I want the matter to be considered as, if, and when we appear, with the facts and circumstances then surrounding it.

In the hearings the Senator from Michigan asked Assistant Secretary Acheson the following question:

> What immediate appropriations will be requested?

That is what the Senator from Tennessee has been talking about.

> Mr. ACHESON. That is a matter which does not fall immediately under me. Mr. Crowley, at the hearings before the House, stated that he believed that the immediate request that would be made would be for $500,000,000, to go until the end of this fiscal year. I think that that view has got to be revised. That statement was made in December—

And so on. I merely cite that to show that the committee had before it and that the State Department knows that we do not expect the Appropriations Committee to make the whole appropriation in a lump sum. We expect the Appropriations Committee and the Congress to hold the reins as it were, over this whole operation, and if it does not function in the way we have set it up, if it does not perform the high duties and responsibilities with which we have invested it I should be willing to stop it tomorrow. Does that answer the Senator?

Mr. McKELLAR. That answers me to that extent, anyway. I thank the Senator very much. Now I should like to hear from the Senator from Michigan as to his judgment about it.

Mr. VANDENBERG. Mr. President, in the first place, I hope that the Appropriations Committee of which the Senator is acting chairman will use a microscope on every penny that is sought under this operation. If there is the slightest disposition in the subsequent administration of this instrumentality to depart in any degree from the prospectus which was presented today by the able Senator from Texas and which I shall presently supplement, I hope he will pull the string.

Mr. McKELLAR. That does not quite cover my question if the Senator will permit me.

Mr. VANDENBERG. Perhaps the Senator wants to know where the string is.

Mr. McKELLAR. As a general rule, the Appropriations Committees of the Congress and the Congress itself should not go beyond doubling the combined appropriations of other countries.

Mr. VANDENBERG. I would agree to that as a general proposition, but I want to say something else to the Senator from Tennessee if the Senator from Texas will permit me.

Mr. CONNALLY. I yield.

Mr. VANDENBERG. The Senator from Tennessee, as Acting Chairman of the Appropriations Committee, has had a great deal of experience with the rather loose license which the administrative agencies of the Government give to themselves in the use of blank check appropriations, and the Senator knows that there are a good many blank check war appropriations which are available for almost any purpose for which the executive agencies of the Government wish to draw upon them. I think perhaps one of the finest proofs of the good faith with which the State Department has approached this particular undertaking is the fact that it has not put 1 penny of American money into the original administrative budget of U. N. R. R. A. even though there are in the control of executive agencies funds which probably could be drawn upon for that purpose. The administrative section of the U. N. R. R. A. has been set up so far solely on contributions made by other governments, because the State Department has set for itself a precedent, in this particular regard at least, that it will not proceed 1 inch without congressional approval. I should like to repeat that if that attitude continues on the part of the State Department and the administrators of this fund, I think we shall have a rather refreshing experience and I do not believe we have much to worry about.

Mr. McCLELLAN. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I thank the Senator from Michigan and the Senator from Tennessee, and I now yield to the Senator from Arkansas.

Mr. McCLELLAN. I inquire who compose the council as provided for in the pending legislation?

Mr. CONNALLY. If the Senator will turn to the terms of the agreement itself, which is contained in the joint resolution, that matter will be easily apparent.

Mr. McCLELLAN. I find here provision for the composition of the council.

Mr. CONNALLY. It is on page 5.

Mr. McCLELLAN. Section 3, article III, provides that—

> The central committee of the Council shall consist of the representatives of China, the Union of Soviet Socialist Republics, the United Kingdom, and the United States.

That is four. It is my understanding from a statement made a few moments ago by the Senator from Michigan, as I recall, that Russia is to make no contribution, is not a signatory to this agreement, and is not expected to make a contribution under the U. N. R. R. A. agreement.

Mr. CONNALLY. I made that statement, but I did not go quite so far as the Senator indicates. I did not say Russia was not expected to contribute, but I said that since the organization does not apply to countries which themselves have been invaded Russia was thereby excluded. It is true as the Senator suggests that in article III, section 3, the central committee of the Council shall consist of the representatives indicated. The Council itself, though, is a wider body; it represents all the countries; but when it is not in session, when it is not able to perform or function, the central committee does act in its stead.

Mr. McCLELLAN. And it has the power, when the Council is not in ses-

sion, to promulgate and formulate any policies.

Mr. CONNALLY. That is correct.

Mr. VANDENBERG. Mr. President, will the Senator from Texas permit me?

Mr. CONNALLY. Certainly.

Mr. VANDENBERG. But it cannot increase the obligations of any signatory government without the consent of that government.

Mr. CONNALLY. That is true.

Mr. McCLELLAN. I understand; and that is the point I am coming to. While the authorization does not necessarily and absolutely bind the Congress to follow through with appropriations to the limit of the authorization, still it does carry with it, and will in this instance and all others, a moral obligation to provide every dollar authorized if in the judgment and wisdom of the governing body of U. N. R. R. A. it is found necessary to make the expenditure.

Mr. VANDENBERG. Mr. President, will the Senator from Texas permit me to interrupt at that point?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. I want to disagree completely with that interpretation. I think it is important that we should lay down today the fundamental rule to which we propose to adhere; and the chief contribution that I want subsequently to make to this debate is to prove that the record justifies me in saying that every dollar of subsequent appropriation under this authorization can be tested by the limitations which we have written into the joint resolution itself, and any time there is any failure on the part of the administration of U. N. R. R. A., any time there is any possibility of it overstepping the general lines of policy to which we are clearly committing ourselves, then Congress is an absolutely free agent to stop appropriating one single cent. That is my conception of the situation.

Mr. CONNALLY. May I suggest to the Senator that, aside from the joint resolution, in the agreement establishing the organization it is provided in article V, section 2:

> The supplies and resources made available for the member governments shall be kept in review in relation to prospective requirements by the Director General, who shall initiate action with the member governments with a view to assuring such additional supplies and resources as may be required.

I now call the attention of the Senator from Michigan to the fact that I am about to quote from article 5, section 1, of the agreement itself, which provides:

> The amount and character of the contributions of each member Government under this provision will be determined from time to time by its appropriate constitutional bodies.

That is in the agreement setting up this organization. In the proposed act itself it is made clear that that is our purpose.

I realize, as I indicated a moment ago to the Senator from Tennessee, that of course when there is an authorization there is always pressure to go the limit, but we have committees capable of standing up under pressure when there is proposed something which is not right.

Mr. McCLELLAN. Mr. President, I agree with the Senator that the Congress still will have control of the purse strings, but in the authorization we are proposing to take action on an over-all job, undertaking to contemplate the full amount necessary to do the entire job, and we are making all the authorization at one time. In the course of the operation and administration of the U. N. R. R. A., the Council, as the governing body, will have the authority, as I interpret the language, to make such committals from time to time as in its judgment may be wise, expedient, and advisable. Having that authority, and having made a committal that would require us to make our part of the contribution to meet the over-all plan and objective, I think we would be under heavy moral obligation to make the appropriation, if we vested the council with the authority I have indicated.

Mr. VANDENBERG. Mr. President——

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

Mr. CONNALLY. I yield.

Mr. VANDENBERG. I should be the last to assert that we were entering upon this dreadfully important experiment in anything except good faith and a purpose to carry it out, and I should want nothing I have said to indicate any lack of good faith. On the other hand, there is just as much good faith required on the part of those to whom we are applying our limitations, and I want to read one question and one answer from the hearing bearing specifically upon the proposition which the able Senator has submitted.

Governor Lehman is testifying. He is the Director General. He is the man who has had all the contacts in the creation of the original instrumentality. I asked him this question:

> I assume that the implications of article V of the agreement—

Which is the one the able Senator from Texas just read—

> I assume that the implications of article V of the agreement are clearly understood by all the signatory powers to indicate that there is no commitment of this Government except as measured by subsequent appropriations of the Congress of the United States, and if they understand that they will avoid some of their misunderstandings.
>
> Governor LEHMAN. I think there is a full realization of that on the part of the governments.

Mr. McCLELLAN. May I ask the Senator one other question in this connection? Either Senator may answer.

Mr. CONNALLY. I yield.

Mr. McCLELLAN. I am seeking information and enlightenment in regard to the pending measure.

Mr. VANDENBERG. I suggest to the Senator that that is about as far as we in the Senate can go.

Mr. McCLELLAN. The point I wish to have made clear in my mind is this, Does the Council, the governing body, or the Director General, have authority to make committals beyond the appropriations already made? Can they make committals within the authorization, or must they make their committals from time to time within the appropriations made by the different governments?

Mr. CONNALLY. It depends on what the Senator means by "committal." Anyone can make a tentative decision that when and if we get the money we will do so and so, but it does not bind anyone. It does not bind this Government, it does not bind anybody.

Mr. McCLELLAN. That is the very point I am trying to determine. If we make this authorization to the full limit of the amount that is regarded as our equitable part of the contribution, as determined by the Council, if we are actually going to hold the purse strings, and hold control of them, then certainly the governing body of U. N. R. R. A. should not be vested with authority to make committals or incur obligations beyond the amount of the appropriations available.

Mr. CONNALLY. I do not think there is any question that that is not the case.

Mr. McCLELLAN. I wish to ask one other question. I do not want to take too much time.

Mr. CONNALLY. I think it is perfectly clear that, so far as it is legislatively possible, we have prevented what the Senator apprehends, by covering it in the agreement all the nations sign, and then putting it in the act itself. How we could go further, I do not know.

So far as committals are concerned, I may make a committal to give someone a deed to the White House, but that would not bind anyone; the President would not move out, and the Government would continue on its course. I have not authority to make such a committal, and I do not think the council to be set up would have authority to make a committal that would be binding. Of course, they might tell someone what they would like to do when and if they obtained the funds, but they will not secure funds, under the proposed action, except within the limitations of the authorization.

Mr. McCLELLAN. Just one other point, and I shall be through. According to my calculations—and the Senator has suggested it in general terms—our proportionate part of the entire obligation will be 67½ percent. In article 3, section 1, of the agreement, I find the statement "unless otherwise provided by the agreement or by action of the Council, the Council shall vote by simple majority."

What I am trying to determine is, if we have but one representative on the Council, Great Britain has one representative, and every other country has one representative, will they have equal voting authority, individually, in their representative capacity?

Mr. CONNALLY. I assume, under the clause cited by the Senator, that would be true.

Mr. McCLELLAN. That is my interpretation of it. While we are providing 67½ percent of the money in this enter-

prise, other governments providing much less will have equal authority in the direction of the expenditure of the money after it is once appropriated.

Mr. CONNALLY. I assume the Senator is correct about that.

Mr. McCLELLAN. I thank the Senator.

Mr. VANDENBERG. May I make just one comment?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. I should say that if this were a peacetime adventure, if the authority under the act were anything except exclusively war authority, the point raised by the able Senator from Arkansas would be completely fatal. I think it must always be borne in mind that this thing we are now doing is definitely, indispensably, a part of the war, and, so far as the conclusion of war obligations, the winning of the war, is concerned, we cannot apply percentages and we cannot talk about how many votes who's got where. It is a common enterprise, to which we have to make a common dedication of our resources and our purposes, and when we come to the question of permanent relationships under a peace—and I assert this again and again and again—there must be absolutely nothing in the action we take today which will be a precedent of any sort or character.

Mr. McCLELLAN. Will the Senator from Texas yield to me for a brief statement?

Mr. CONNALLY. I yield.

Mr. McCLELLAN. I wish to say, both to the Senator from Texas, who has been kind in yielding to me, and also to the Senator from Michigan, that my purpose in making these interrogations is not with a view of being critical. I am endeavoring to satisfy myself that what is being done here and being authorized I can support within my conscience and under my duty to my constituents. I have observed some things in connection with expenditures of the Government which are not at all pleasing or gratifying to me, and I am trying to determine from those of my colleagues who have given the matter close study and are in a position to know what the facts are and what the consequences will be, so that I can satisfy myself in supporting the pending proposal.

Mr. CONNALLY. Mr. President, I will say to the Senator from Arkansas that I think I voice the sentiments of most members of the committee when I say this is no "joy ride" to us. None of us are anxious to spend the money of the people of the United States, and if this were not, according to our view, really an essential part of the war we would not be for it at all. But in this war, of course, we are generous. Of course we are spending probably more than all the other nations combined. Of course we are generous with lend-lease. But I would rather send dollars abroad than to have to send more soldiers abroad. We are making contributions in our blood and in our sacrifices larger than those of any other nation. We are pouring out our treasure in larger measure than any other nation. The proposed enterprise, as I see it, is not only a military adjunct and necessity to follow up the armies after countries have been liberated, but it provides some assurance with respect to the post-war period. We do not want bolshevism in the countries affected; we do not want chaos; we do not want epidemics and pestilence sweeping through them.

Some may say, "Oh, well, it is simply a gratuity." Well, it is a gratuity. But the leadership of the United States, not only in the war but in the peace, is of the highest importance not alone to the rest of the world but to us. We do not want another war. If there is another war, or if any post-war arrangements are made, we want to feel that we are going to have influence among the nations of the earth, that our leadership will be respected.

Mr. President, it seems to be the fate of America in this tragic hour of the world's history, either to step out and be a leader to help mold the future of the world, or else to take a cold and selfish attitude I do not relish the idea of providing two-thirds of the amount of money necessary for the entire enterprise, but when we contemplate the possible reactions, even if some of this money is spent foolishly, which I hope will not be the case, we cannot afford to wreck a great enterprise through the timidity and the fear that we may improvidently spend some of this money.

I now yield to the Senator from Connecticut, and thank him for his indulgence and patience.

Mr. DANAHER. Mr. President, I appreciate the courtesy of the Senator from Texas. We are adopting a most interesting device in the accomplishment of objectives which I think all of us wish to see attained. It will be helpful for the record if the Senator will bear with me while I ask him a question or two. As I examine the joint resolution, commencing at the top of page 2 and running down through page 14 in line 23, there is embodied an agreement which was entered into by representatives of the United Nations and associated governments on November 9, 1943; is that not so?

Mr. CONNALLY. That is correct.

Mr. DANAHER. So that section 1, insofar as it is printed in lines 1 to 12 on page 1, and sections 2, 3, 4, and 5 actually cover the joint resolution which we are passing upon as a matter of legislation; is that not so?

Mr. CONNALLY. Except insofar as the reproduction in the joint resolution of the agreement has legal effect.

Mr. DANAHER. So that sections 1, 2, 3, 4, and 5 as matters of legislation are open to possible amendment, but the agreement itself is not; is that not correct?

Mr. CONNALLY. I think the Senator is correct in that statement.

Mr. DANAHER. If the Senator will now please turn to the top of page 15, and he will find that reference is made to resolution numbered 12, the reference being in line 8. Has the Senator placed that resolution numbered 12 into the record?

Mr. CONNALLY. No. It is available. I do not think it is in the record, but all the resolutions and the transactions of the conference held at Atlantic City are available, and I hold in my hand resolution numbered 12, which I shall be glad to exhibit to the Senator.

Mr. DANAHER. In what document does it appear, will the Senator please tell me? It is not in the Senate hearings?

Mr. CONNALLY. No; it is in an independent volume. Some of the resolutions were inserted.

Mr. DANAHER. It has been handed to me in a document entitled, "First Session of the Council of the United Nations Relief and Rehabilitation Administration. Selected Documents."

Mr. CONNALLY. That is correct.

Mr. DANAHER. Mr. President, I ask unanimous consent that at this point resolution numbered 12 be inserted in full in the RECORD.

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

Resolution No. 12 is as follows:

Whereas the preamble of the agreement states that preparations and arrangements shall be made for assistance in the resumption of urgently needed industrial production and the restoration of essential services; it is therefore

Resolved, That, subject to the provisions of Resolutions Nos. 1 and 17 of this session, the Council approves the following statement as a guide to activities with respect to the rehabilitation of such industries, transport, and other services as are essential to relief:

1. Rehabilitation supplies are to consist of materials, such as raw materials, machinery, and spare parts needed to enable a recipient country to produce and transport relief supplies for its own and other liberated territories; and, within the scope of the administration, the rehabilitation of public utilities and services, so far as they can be repaired and restored to meet immediate, basic needs, such essentials as light and water, power, transportation, and communication. These needs include rehabilitation of essential relief industries, such as those which provide food, shelter, clothing, medical supplies.

2. Raw materials may be supplied by (a) the liberated country in which the industry is situated and in which the materials are to be used, (b) another liberated country, or (c) any other country. The task of the Administration in cases (a) and (b) should be the rehabilitation of the raw material producing industries such as coal mines, mineral mines, construction-materials industries, etc.

3. If the raw materials required must be imported from overseas, it should be the responsibility of the Administration, through the appropriate national or intergovernmental agencies, to arrange for necessary allocation and procurement of supplies, so that there may be created as promptly as possible, reserves to be available at the request of the Director General when and wherever the need arises.

4. It is recommended that pools be created of materials such as processing materials, machine tools, mobile power units, maintenance equipment, industrial machinery of both standard and special types, and spare parts.

5. It is recommended that in cases where home production exceeds home consumption, the government or recognized national authority concerned should take all steps necessary to enable the excess of production available in a country to be put at the disposal of other liberated areas which may need such supplies to cover their deficits.

6. It should be the policy of the Administration to help those countries whose industries can be rehabilitated for production of relief and rehabilitation goods urgently required in other liberated areas. It is recommended that in attainment of these objectives the following be considered: Special allocations of raw materials, machinery, and spare parts, by placing at the disposal of those countries, at the request of their governments, an experienced staff, and by providing special priorities for the return of skilled personnel awaiting repatriation.

7. It is recommended that the governments or recognized national authorities having administrative authority in a liberated area will keep the Director General and the appropriate regional committee fully informed as to any surplus of supplies from time to time available in such area, to meet, when circumstances permit, relief and rehabilitation import requirements of other liberated areas.

8. It is recommended that the Administration should, in consultation with the governments or recognized national authorities concerned and the appropriate international coordinating authority, assist liberated areas in restoring the transport and communications system to satisfactory working condition; it should also help to restore equipment, repair shops, workshops, shipyards, etc. It is recommended that a pool of transportation equipment both fixed and mobile should be created either from stocks manufactured overseas or in Allied or in neutral countries. Equipment which has been the property of the enemy may also form part of the pool.

9. It should be the task of the Administration to participate in conjunction with military and other appropriate authorities in the organization and coordination of the transportation of relief and rehabilitation supplies during the relief and rehabilitation period.

10. It is recommended that the requirements for raw materials, machinery, spare parts, and processing materials should be established within each country and that a definite order of priority be established taking into consideration: (a) Technical factors, such as, on the one hand, the necessity of restoring the public services (gas, water, electricity), and, on the other, the needs of various types of consumer goods; (b) social factors, such as the necessity of providing reemployment; (c) temporary economic factors, such as scarcity of certain raw materials and shipping.

11. The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief. No new construction or reconstruction work is contemplated, but only rehabilitation as defined in the preamble of the agreement. Problems, such as unemployment, are important, but not determining factors. They are consequences and, at the same time, motives of action. The Administration cannot be called upon to help restore continuous employment in the world.

Mr. DANAHER. Mr. President, I should now like to ask the Senator from Texas further then, if we have not in effect, through the representatives of the United Nations, adopted the device of those who would associate themselves in articles of corporation, the corporation to partake of the character of an international corporation for the accomplishment of the purposes which the agreement itself states; is that not so?

Mr. CONNALLY. I would not necessarily imply it is a corporation. It is an association or a corporate body.

Mr. DANAHER. I say it is of the nature of a corporation, no doubt; and it does in this agreement state the purposes it seeks to attain.

Mr. CONNALLY. That is correct.

Mr. DANAHER. And in section 3 we undertake by legislation to affirm the purposes insofar as Resolution No. 12 states some of them?

Mr. CONNALLY. Section 3 reads:

In the adoption of this joint resolution the Congress expresses its approval of and reliance upon the policy adopted by the United Nations Relief and Rehabilitation Administration at the first session of the Council, summarized in paragraph 11 of Resolution No. 12, and reading as follows—

Then the language is quoted.

Mr. DANAHER. Will the Senator bear with me further?

Mr. CONNALLY. Yes.

Mr. DANAHER. Obviously paragraph 11 of Resolution No. 12 is stated to be summarized, and it is important, it seems to me, that we understand this thoroughly, for in the summary we discover that—

The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief. No new construction or reconstruction work is contemplated, but only rehabilitation as defined in the preamble of the agreement.

Now then, if we wish to know what rehabilitation is, I assume that we turn back to page 2, and read lines 7 to 16 as constituting a part of the preamble of the agreement; is that so?

Mr. CONNALLY. On page 2 or page 1?

Mr. DANAHER. On page 2.

Mr. VANDENBERG. Page 2 of the print.

Mr. DANAHER. Page 2 of the joint resolution as printed. Is that not so?

Mr. CONNALLY. Yes.

Mr. DANAHER. Now, if we read the definition of "rehabilitation" as it there appears, we find in lines 14 to 16, inclusive, that among the items of policy to be accomplished are those necessary—

For assistance in the resumption of urgently needed agricultural and industrial production.

Has there been any testimony offered by representatives of the State Department as to policy, the State Department's policy, on the subject of industrial production?

Mr. CONNALLY. I will say to the Senator that insofar as the hearings went into those matters it was suggested in the case—if the Senator will permit me, before he goes to the matter of industrial production—in the case of agricultural rehabilitation that in many of the stricken areas the cheapest and the best way to afford relief would be to furnish the seed and the fertilizers whereby the local population could reembark upon agriculture and produce needed food.

Mr. DANAHER. A course with which I agree.

Mr. CONNALLY. Certainly. The language is, "urgently needed agricultural and industrial production." Throughout the whole hearings the understanding was made evident that industrial production was to be limited purely to temporary relief and not to the rehabilitation of a factory or an organization, or to the reconstruction of a destroyed one. It is a very difficult thing, I will say to the Senator, who is a lawyer of many years' experience and ability, for us to draw a line and say, "Relief stops right here; this other matter is rehabilitation." But it is the purpose of the committee and the purpose of the joint resolution only to permit that degree of rehabilitation which is necessary to make effective immediate relief.

Mr. DANAHER. Mr. President, that definition of rehabilitation in respect to industrial production is subject, I assume, to possible amendment, in view of article VIII, clause c, on page 14. Please notice that clause a states that—

Amendments involving new obligations for member governments shall require the approval of the council by a two-thirds vote and shall take effect for each member government on acceptance by it.

The same limitation applies with reference to amendments of article III or article IV, as is stated in clause b. But when we come to clause c, we find that whoever drew the agreement has removed the limitation, so that proposed amendments, defined as "other amendments," need not require the approval of a member government. In other words, the Council itself may make such other amendments to the declaration of purposes and policy as the Council may agree upon. Therefore, it becomes important, I submit to the Senator from Texas, that we know for certain whether the evidence discloses any outline of the policy of the State Department with reference to industrial production in the affected countries. That is my question.

Mr. CONNALLY. Let me say to the Senator that the representatives of the State Department agreed heartily with the objectives as we outlined them in the committee. Let me further say that this whole agreement would never have had any congressional action had it not been for the insistence of the Committee on Foreign Relations, last summer, beginning in July and continuing for 6 months. Through our insistence, the agreement was wholly rewritten and revamped, and the limitations and assurances which are now contained in the agreement were inserted in it by the committee. The State Department understands our conception of the matter.

Of course, the only iron-bound guaranty is with respect to our refusal to give them funds. I would not favor the appropriation at the moment of all this money, but I would only allow it from time to time, as the necessities may arise. If this enterprise should deviate in any material respect from the purposes for which we intend the money to be employed, I would say we should cut off the appropriation.

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

Mr. CONNALLY. I yield.

Mr. DANAHER. Let me make plain that the course of inquiry I pursued with the Senator from Texas is not to be taken as an indication of any opposition to the objectives mentioned or as a suggestion for cutting off the appropriations later. Not a bit. But if we pass

the joint resolution, including clause C of article VIII, we shall be giving, through the joint resolution, approval of action by the council with reference to whatever objectives it shall seek to attain, whether now stated in the agreement or later incorporated in it by amendments.

Mr. CONNALLY. I do not agree with the Senator as far as he goes. The statement in the measure itself is that we agree as to the policy and the general objective outlined. We do not swallow it all, entirely.

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

Mr. CONNALLY. I yield.

Mr. WHITE. The Senator from Connecticut has made reference to Resolution No. 12, of which paragraph 11 is stated in the text of the joint resolution. Resolution No. 12 gave me some concern, I recall, in the committee meeting, because it authorizes, in the paragraphs which precede No. 11, various works, such as the restoration of destroyed public utilities, the rebuilding of warehouses, the repairing of ships, and whatnot. I was fearful that it was going beyond the terms of relief and into the field of reconstruction. But Mr. Acheson very definitely stated, in answer to questions, that the things which could be done under Resolution No. 12 were limited to works directly connected with and making direct contribution to relief, and that they were not undertaking things which could be done or continued separate and apart from their relief contributions.

I think I am correct in that statement; am I not?

Mr. CONNALLY. The Senator is entirely correct.

Mr. LA FOLLETTE. Mr. President, will the Senator from Texas yield to me?

Mr. CONNALLY. I yield.

Mr. LA FOLLETTE. I should like to call the attention of the Senator from Maine to the fact that Resolution No. 12 is really tied to Resolution No. 1. The Senator from Maine will note on page 40 of the pamphlet entitled "First Session of the Council of the United Nations' Relief and Rehabilitation Administration," the statement:

> Whereas the preamble of the Agreement states that preparations and arrangements shall be made for assistance in the resumption of urgently needed industrial production and the restoration of essential services: It is therefore
>
> *Resolved*, That, subject to the provisions of Resolutions Nos. 1 and 17 of this session, the Council approves the following statement as a guide to activities with respect to the rehabilitation of such industries, transport and other services as are essential to relief—

Therefore, all the paragraphs numbered from 1 to 11, which appear in Resolution No. 12, are subject to Resolution No. 1, and cannot be interpreted as an enlargement of the declarations contained in Resolution No. 1.

I shared the same feeling which was expressed in the committee by the Senator from Maine [Mr. WHITE], and at first felt that Resolution No. 12 was an extension, an enlargement, and a broadening of the interpretations and declarations contained in Resolution No. 1. But after further study, I think that the fact that it is made subject to the provisions of Resolution No. 1, cannot in any way be considered to be an extension or a broadening of the definitions and mat- Resolution No. 12 by Mr. Acheson,

Mr. WHITE. Mr. President, will the Senator from Texas further yield?

Mr. CONNALLY. I yield.

Mr. WHITE. I take it that the Senator from Wisconsin will agree that that was the final construction placed on resolution No. 12 by Mr. Acheson, speaking for the State Department.

Mr. LA FOLLETTE. It was. If the Senator from Texas will further yield——

Mr. CONNALLY. I yield.

Mr. LA FOLLETTE. I should like to say that I submit that the examination of both Mr. Acheson and Governor Lehman, conducted largely by the Senator from Michigan, with some feeble assistance on my part, will indicate that they definitely, and insofar as any two men could do so, stated emphatically that they had no intention of giving a broad interpretation to these resolutions, and that in making the decisions which must be made as to the relationship between temporary rehabilitation and relief they would give the strictest possible and the most limited possible interpretation to them.

I am sorry the hearings are not available; but I feel certain that the Senator from Michigan, when he takes the floor to discuss this matter, will point out very definitely the specific commitments which were made on behalf of the State Department and the executive branch of the Government by Assistant Secretary of State Acheson and by Governor Lehman, who is now the Administrator of U. N. R. R. A., having been selected at the Atlantic City conference.

Mr. VANDENBERG. Mr. President, will the Senator from Texas yield to me for a moment?

Mr. CONNALLY. I yield.

Mr. VANDENBERG. I should like to supplement the statement made by the Senator from Wisconsin, by saying that I intend to do exactly what has been indicated. I intend to make a part of the RECORD today the seriatim quotations from the statements of the men who will be responsible for the operations of this organization.

Mr. DANAHER. Mr. President, will the Senator from Texas yield?

Mr. CONNALLY. I yield.

Mr. DANAHER. Let me say to the Senator from Texas and to other Senators that I very greatly appreciate the assistance which this colloquy has afforded. So long as they are convinced that by this statement of policy there is not to be afforded an opportunity for enlargement through the amendment provisions of the agreement itself, it is reassuring.

Let me add that I am not by any means to be understood as opposing necessary industrial rehabilitation in countries in which U. N. R. R. A will operate; but my query in the first place stemmed from my desire to know whether or not the State Department had outlined what its policy with reference to industrial rehabilitation will be. I understand that the Senator from Michigan and other Senators will dwell upon that subject in due course.

Mr. CONNALLY. I thank the Senator.

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

Mr. CONNALLY. I yield.

Mr. TAFT. I am interested in the following provision of article VIII, with reference to amendments:

> Amendments involving new obligations for member governments shall require the approval of the Council by a two-thirds vote and shall take effect for each member government on acceptance by it.

My conclusion is that such an amendment might be made, imposing additional obligations on the United States, by agreement of the President of the United States, without further action by Congress. If so, this agreement could be indefinitely enlarged, to include additional obligations, financial or otherwise, without approval by Congress. I wonder whether the Senator feels that the language "shall take effect for each member government on acceptance by it" means acceptance by the Executive or acceptance by the Executive and Congress. In what way is acceptance to be indicated?

Mr. CONNALLY. I will say to the Senator that the whole spirit of this resolution is that the United States is not assuming any compulsory obligations whatever. Its obligations are contingent upon the appropriations which Congress may make. With respect to the Senator's question as to the amendment involving new obligations for member governments requiring the approval of the Council, and so forth, I do not think that under this resolution the President would have constitutional authority to make commitments to foreign governments which the Congress would have to respect.

Mr. TAFT. I do not quite understand why. We are not asked to approve this agreement. In fact, we disown any obligation to approve it by putting it in the joint resolution without approving it. So it seems clear to me that it is an Executive agreement made by the President, and I should suppose that any amendment of it would be made by the President.

Mr. CONNALLY. Let me ask the Senator a question. He has been asking us questions. Does the Senator conceive that the President of the United States could make an Executive agreement obligating the United States to pay certain sums of money, and force the Congress to make appropriations?

Mr. TAFT. No; but I think that if he does not make the reservation which is now made in this agreement, he will impose a moral obligation on Congress under those circumstances to appropriate that amount of money. In other words, if he has power to make an Executive agreement, then it is an agreement by the United States of America, which is binding on the United States. Congress can repudiate it and refuse to appropriate; but in order that that situation might not arise in this particular agreement, it is

now provided that insofar as its appropriate constitutional body shall authorize, it will contribute; but under the amendment section that protection may be entirely removed.

Mr. CONNALLY. I do not think so.

Mr. TAFT. I do not see why not.

Mr. VANDENBERG and Mr. DANAHER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Texas yield, and if so to whom?

Mr. CONNALLY. I yield first to the Senator from Michigan.

Mr. VANDENBERG. Mr. President, I totally dissent from the construction which the able Senator from Ohio places upon what we are doing here in respect to this agreement. When the agreement was originally proposed last June it was intended to be exclusively an Executive agreement. It was at that point that the Senate Foreign Relations Committee intervened, as the result of the resolution which I submitted; and as a further result we had our subsequent conferences with the State Department and produced what we both understand is to be not merely an Executive agreement, but an agreement approved by Congress.

Mr. President, I believe that the agreement embodied in the joint resolution is subject to the same kind of reservations, if Congress desires to attach them, as would be the case if this were a treaty pending for our consideration. I think the Congress can attach any reservations it wishes to attach to this agreement, because the theory upon which the agreement now comes to Congress is that it has ceased to be an Executive agreement alone, which in our opinion would have been a gross violation of the proprieties as well as of the law. It has been submitted to Congress for congressional approval and not merely for congressional information. If the Senator from Ohio wishes any reservations to the agreement, so far as I am concerned he is just as free to offer reservations to this agreement as he would be to offer reservations to a treaty if we were considering it as a treaty.

As to the meaning of the language to which reference has been made, in view of that history of the situation, I submit that when the agreement says that amendments shall take effect for each member government only on acceptances by it, in the face of the clear record, and in the face of the equally clear understanding which exists between the State Department and at least the Senate Foreign Relations Committee, "it" means the same legislative process by which the agreement is approved in the first instance. That is my interpretation of the word "it." If there is any doubt about it, I refer further to the letter which Assistant Secretary of State Sayre wrote to the able Senator from Rhode Island in response to a question which I submitted to him as to what is meant by the escape clause, and whether the President or the Congress could invoke the escape clause. The Assistant Secretary clearly says that the Congress, as well as the President, can invoke the escape clause. I do not believe that in the face of the record there can be any doubt on earth as to what "it" means in this instance.

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

Mr. CONNALLY. I yield.

Mr. TAFT. I am very much interested in the remarks of the Senator from Michigan, because I think he introduces a new suggestion in constitutional law, which I hope may be the fact. The Senator says that the agreement has ceased to be an Executive agreement. Obviously, however, it has not become a treaty, because a treaty would require a two-thirds vote of the Senate. So what is it? Apparently the Senator suggests that it is a new kind of thing, an Executive-congressional agreement, which may be entered into with foreign nations. I think it is a rather good suggestion, but it is a novel suggestion, one which I have never before heard made. I find here no express approval of this agreement.

Mr. VANDENBERG. Mr. President——

Mr. TAFT. There is an implied approval by appropriating the money to carry it out, but I doubt whether there is an express approval.

My suggestion was not that there be a reservation to the agreement——

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

Mr. TAFT. Just a moment. I wish to finish this thought.

I thought an amendment of this sort might be added:

> No amendments involving new obligations for the United States shall be made to the agreement for the United Nations Relief and Rehabilitation Administration without approval by joint resolution of Congress.

Such an amendment would make it perfectly clear that this is an agreement which depends upon the approval of Congress, and that any amendment of it depends upon the approval of Congress. I think the suggestion made by the Senator from Michigan, that this is no longer merely an Executive agreement, but a joint Executive-congressional agreement, would be strengthened by such an amendment. I will submit it later to the chairman of the committee, in the hope that it may be accepted.

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

Mr. CONNALLY. I yield.

Mr. VANDENBERG. The Senator from Ohio says that this is a novel process. I think he is mistaken in that statement. I think there has been a middle course between exclusively Executive agreements upon the one hand and treaties on the other. I think the Senator will find that we have entered into such agreements on several occasions. I have one or two in mind which I shall be very glad to look up. I do not wish to refer to them at this time without assurance; but I think the Senator will find that there are such things, and that this is standard practice.

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

Mr. CONNALLY. I shall yield in a moment. Let me first suggest that I understand that the Pan American Union—I cannot refer at the moment to its exact legislative history—was first established by what might be termed an Executive agreement, and subsequently Congress in effect adopted it by making annual appropriations for our share of its maintenance.

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

Mr. CONNALLY. I yield.

Mr. TAFT. Of course, this document involves something more. It involves the implication that there are certain things which the President cannot do by Executive agreement, but which he can do by executive agreement approved by Congress. I never have seen such a field defined, and I think it will be difficult to define it. It is very difficult to define the field in which the President may operate by Executive agreement as opposed to what he may do only by treaty. But if we are now to have a third field in which he may operate by Executive agreement approved by Congress, the whole matter will be quite confused. I think it is a good idea, but it ought to be defined. I think we should, so far as possible, indicate that is what we mean in this agreement.

Mr. CONNALLY. I may say to the Senator from Ohio that I am, of course, interested in his suggestions. However, as he indicated sometime ago, the line between what is a treaty and what is an Executive agreement is not clear-cut and well defined. I have in mind, when and if we can get around to it, that the Foreign Relations Committee shall have some research work done in connection with the question in order to ascertain if we cannot in a general sort of way mark the boundaries of what are treaties and what are not treaties.

However, what I wish to suggest to the Senator from Ohio is that any government—the United States or any other government—possesses certain powers, and certain authority to act with foreign governments. The allocation of those powers, of course, depends upon our fundamental constitutional law. The law is that a treaty—whatever that may be—must be ratified by the Senate.

That, however, does not exhaust all governmental power. Under the distribution of these powers there might be some functions not necessarily subject to a treaty, and yet require the action of the Congress and the action of the Executive.

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

Mr. CONNALLY. I yield.

Mr. DANAHER. I should like to point out that the Senators who earlier were finding that Congress would impliedly be approving this agreement, because we would authorize an appropriation for it, apparently have overlooked the very definite language in section 4 on page 15, which reads as follows:

> In expressing its approval of this joint resolution it is the recommendation of Congress that, insofar as funds and facilities permit—

And so forth. So it is perfectly clear that the Congress is being asked to express its approval of this joint resolution. I think there need be no mistake about that. There is no guess about it. It is expressly stated. Allow me to ask the Senator from Texas if that is not true.

Mr. CONNALLY. I have not the exact text before me.

Mr. DANAHER. It will be found on page 15, beginning in line 19.

Mr. VANDENBERG. I believe that what the Senator from Connecticut has said is true.

Mr. CONNALLY. Section 4 of the joint resolution states, as quoted by the Senator from Connecticut—

In expressing its approval of this joint resolution—

That means, of course, the resolution——

Mr. DANAHER. Embodying the agreement.

Mr. CONNALLY. When we vote for the resolution we express our approval of it. The language in section 4 reads:

In expressing its approval of this joint resolution it is the recommendation of Congress that, insofar as funds and facilities permit, any area important to the military operations of the United Nations which is stricken by famine or disease may be included in the benefits to be made available through the United Nations Relief and Rehabilitation Administration.

I presume the Senator from Connecticut knows why that language was put into the joint resolution. It was inserted to take care of a certain area on the earth which technically, perhaps, has not been invaded by military forces and yet is quite important from a military standpoint, and in which there might be famine or need for relief. That was the House amendment known as the Mundt amendment.

Mr. DANAHER. It is the first line of section 4 which is important to the present discussion, because it makes it perfectly clear that we are being asked to express approval of the joint resolution.

Mr. CONNALLY. Of course, if we pass the joint resolution we shall be expressing our approval of it.

Mr. DANAHER. There is nothing implied in it.

Mr. CONNALLY. It is the joint resolution which we shall vote on.

Mr. President, I thank the Senators who have contributed so intellectually and informatively to the debate. This matter is one to which not only the full Committee on Foreign Relations but the subcommittee as well, gave a great deal of time and study, during which it was confronted by these intricate questions involving Executive agreements, treaty-making powers, and limitations on all the Government agencies.

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

Mr. CONNALLY. I yield.

Mr. TUNNELL. I do not know whether the Senator has mentioned the subject to which I shall refer, but it was impressed on me. I think it was the military witness who appeared before the committee who made the suggestion that there is an obligation under international law on the part of nations which participate in bringing about what he called an uncovering of civilians. There is an international obligation to look after them to a certain extent. Has the Senator mentioned that matter?

Mr. CONNALLY. No; the Senator from Texas has not mentioned it. I may say that what the Senator from Delaware has referred to was dealt with in the testimony of General Hilldring. Under international law, as well as the Geneva and other conventions, responsibility is placed upon the military authorities in any area which is taken possession of either by conquest or by driving out the enemy. There are certain obligations which rest upon the military with respect to the civilian population. I am not prepared to give all the details concerning the obligations. However, it is certainly very clear that the purpose is to protect the civilian population as much as possible in its possessions, its properties, in its activities, and in the normal functions of life. It is an obligation of the military to respect those matters. General Hilldring suggested that under those provisions the army, after taking possession, would exercise military control because of the obligations to which I have referred, but that when it moved on into a new area the U. N. R. R. A. organization would take over. I thank the Senator.

Mr. TUNNELL. As I understand the situation, a contribution for relief is not entirely a matter of charity, but is something which the United States, for example, is under obligation under international law.

Mr. CONNALLY. I thank the Senator.

I will state further that as to administrative expenses, not only those governments which are named but those which will receive any benefit from the relief, are expected to contribute. In the case of Russia, which is not a member of the organization, her portion of the administrative expenses has already been estimated at a million and a half dollars, which she has agreed to supply.

Mr. VANDENBERG. Will the Senator add at that point, because it is pertinent, that our share of the administrative expense is only 40 percent and not two-thirds?

Mr. CONNALLY. Yes; I am glad the Senator has called attention to that fact. In the matter of administrative expense the proportion of our outlay is very considerably smaller than the proportion with regard to operations. There are in the organization two funds, one, a fund available for operations, and the other, a fund available for administrative expenses.

In the case of administrative expenses all the governments have in fact agreed to make those contributions, whether or not under the technical terms of the agreement they themselves are eligible for relief or operation expenses.

Mr. President, I am anxious to conclude my remarks because the Senator from Michigan [Mr. VANDENBERG], the Senator from Iowa [Mr. GILLETTE], and other Senators will discuss these matters rather fully.

I wish to say that the Committee on Foreign Relations in presenting this joint resolution to the Senate do so in the belief that it is a necessary portion of the far-flung war effort which the United States is making. We feel that it is also a part of the necessary plan looking forward to the post-war period. We cannot be indifferent to the woes of a great civilized world. Our own future is inextricably involved with the peace of all the other nations on the globe. We have seen that, however much we desire to live our own life and to abstain from being embroiled in the controversies and quarrels of other continents and other lands, the trend of events has gradually and inexorably brought us within the scope of world-wide wars, two of them, in less than a generation.

It is to the highest interest of the United States and its people that this present war against the savage and treacherous enemies that confront us shall be brought to a triumphant conclusion by a complete and crushing victory and that the countries that have been overrun and overpowered and devastated shall be preserved in some form, so that when the peacetime comes they can again embrace their activities, reestablish their governments, and join with us and other peace-loving nations in the establishment of peace machinery which shall prevent the bloody monsters who now seek to crush us, and to destroy freedom and liberty in the world from ever again plunging the nations into misery and horror and devastation and ruin. We offer this resolution as a part of the great obligation which we have assumed, an obligation not simply to ourselves, an obligation not conceived in cold and selfish ambition but in an ambition to serve not only ourselves but to serve a torn and stricken and war-broken world in an endeavor to lead it back to ways of peace and to establish assurances that its peace and safety shall not again be ruthlessly overrun and destroyed.

Mr. VANDENBERG. Mr. President, this is a very important matter; in my view it is a matter of major importance, not only because of the obligations we assume under the United Nations Relief and Rehabilitation agreement, but also because of the implications involved in the event that the action we take should hereafter ever be brought up as a precedent for our obligations in the post-war world.

The pending joint resolution is the first of what inevitably will be numerous other acts dealing with international relationships between America and the other members of the United Nations. Therefore, enlarging upon the debate as it has already progressed and emphasizing the things the able Senator from Texas has already said, I think it is vitally important that the RECORD should clearly show precisely what is being undertaken and, of even greater import, what is precisely not being undertaken.

We have already had too many glittering generalities in respect to this war's prospectus. They have too often invited transcendent hopes which may end in disappointment if not in bitter disillusionment. A better and happier world can only be builded upon the basis of candor and realism between the United Nations, particularly in such a matter as now impends for Senate action. Since we must be the chief almoners in this vast international relief responsibility, America must take vigilant care that we leave no groundless implications, that we

invite no unrequited aspirations which will later "Keep the word of promise to the ear, but break it to the hope."

We owe it to our own people as well as to our Allied partners to make wholly clear the limitations which surround this pending congressional action. They do not reflect, Mr. President, limitations upon our national good will, nor upon our American anxiety to do our wholehearted part in every phase of this war and in its triumphant aftermath of ordered peace and organized security and justice; but they do reflect the unavoidable cold, hard fact that there are limitations upon the resources which we can commit to these objectives; that there are limitations upon the obligations which America can and shall assume in the post-war world.

Because I have been a member of the subcommittee of the Foreign Relations Committee that has had this pending agreement under constant scrutiny, in cooperation with the State Department, for the last 8 months, I feel a particular responsibility to make the record completely clear in respect to my interpretation of what I believe we have done and what we now propose to do. Therefore, I shall discuss the limitations in some detail in a moment.

First, I want to speak affirmatively in behalf of the pending joint resolution itself. I believe it offers us the wisest possible course which we can take in respect to international relief in the liberated areas in the wake of this war. Let it be plainly understood that the pending resolution creating and implementing the United Nations Relief and Rehabilitation agreement deals with a situation which is inextricably a part of the war itself. This is not the dreamy launching of a philanthropic spree; this is not boondoggling on a global scale; this is not even a Vice Presidential milk route. That is where the limitations come in. This is not the lengthened shadow of some slap-happy aspiration to support the earth at our expense. This is the inevitable and unavoidable obligation to follow up our victorious armed forces and, in common effort with our allies, to bring indispensable subsistence to the liberated areas behind our lines. That is all it is. Entirely aside from the humane aspects of the case, this is the creation of ways and means to relieve the Army from this responsibility, and release it to its fighting fronts. It is just a part of the war.

The Army necessarily assumes the first and immediate responsibility in this regard, just as it has done, for example, in north Africa, Sicily, and southern Italy. Speaking generally, the Army acts in this capacity for about 6 months. U. N. R. R. A. as the United Nations Relief and Rehabilitation Administration is colloquially known—will move in as the Army moves on.

In no other way can there be safety behind our lines. In no other way can we take care of the elementary human needs of the victims of Axis tyranny as they pass to our control. In no other way can we provide the preliminary proofs of the greater values in our way of life. It is a great adventure in friendliness and helpful aid. It is a preview of better days to come. But, I repeat, it is primarily a task indispensable to and tied in with the successful conduct of the war itself, and it must be so considered.

As a matter of dollars and cents, under U. N. R. R. A. we share this expense with all our uninvaded allies. It is also true at the moment that we bear the major load of the expense—in the proportion of about 65 percent—the allocations being roughly made on the basis of relative 1943 national incomes, but I am inclined to believe that the cost to us is less than it would be without U. N. R. R. A. because, otherwise, an even greater proportion of the load would probably stare us in the face, and there could be no such patterned and coordinated and, therefore, economical action.

So I repeat, Mr. President, I believe that there is no escaping the functions of U. N. R. R. A. as one more incident of war; and I believe that U. N. R. R. A. may well prove to be the most expeditious and the most economical way for America to join in implementing this vital function.

The method of organization and action is self-explanatory in the U. N. R. R. A. agreement and in the supporting documents. It is needless for me to take the time of the Senate in any repetitions upon this score. I hope the limitations are equally clear. I return now to that subject. I put my major emphasis upon it because I think it is so desperately important that there should be no misunderstanding about the scope and purport of this adventure.

An understanding of these limitations is necessary here at home, Mr. President, so that those well-meaning planners who have ambitious schemes in contemplation with respect to the post-war world will not look upon this particular vehicle as an omnibus upon which they can take a ride. It is not that kind of a vehicle, and I think it is very necessary that that be understood. This is a pattern exclusively for relief and not for reform. This limitation is written in the bond. The power to enforce the limitation is also written in the bond. In my judgment, U. N. R. R. A. will be held to strict accountability by Congress in respect to this limitation. I repeat that, first of all, an undestanding of this limitation to which I shall further advert in a moment, is necessary here at home.

Then, too, Mr. President, it is very, very necessary abroad. For the sake of the mutual understandings and good faiths which must be at the base of our post-war relationships with our comrades in arms, if we shall succeed in our hopes and prayers for post-war solidarity in the maintenance of security and justice and peace, we and our allies must be frank with each other. We must say what we mean and mean what we say. By every human means we must strive to avoid even the semblance of broken pledges. International disillusionment is not the road to amity; and there is no telling how far, in its subsequent fatality, the effect of disillusionment may go.

The highly accurate Henry J. Taylor, in his great book Men in Motion—by the way, one of the very great books which has come out of the literature of this war—has this to say:

> The danger to the peace settlements is in the quality of wartime promises. Nations, especially small nations, do not forget promises made to them during wars. They make memorandums. They have the memorandums in their pockets at the first sign of peace.

Mr. President, I feel so keenly about this particular point and the utter necessity that the pending agreement, particularly, shall not be misunderstood in its implications abroad, that I linger upon Mr. Taylor's theme, because in the final analysis it is of such dreadful impact upon what is subsequently to happen. I wish to quote very briefly from him at page 218:

> The tragic failure of the League of Nations did not center in the League as a conciliatory body. It centered in the peace settlements which the League was obligated to enforce. No body, sitting in relation to those settlements and bound to them, could have succeeded. And the settlements originated in wartime promises.
>
> This will be true again.
>
> The danger is already rampant, and an honest recognition of such danger and a mending of our ways are the most productive things that Americans could do at this time toward a better peace in the future.
>
> * * * * *
>
> The problems abroad are astronomical. They are far more confusing than the conditions symbolized by Hitler, Stalin, or the British Empire. They are the sum total of these conditions, and much more. Unless we adjust our actions and moderate our voice to fit the facts, and unless our leaders have modesty enough to admit they may not be reelected and, further, to display to foreign friends that there are limits to both American resources and world wisdom, we shall only meddle. We shall not serve. For a policy of exaggerated internationalism is as dangerous, foolhardy, and destructive as narrow isolationism.

I read one other paragraph, Mr. President. I commend this book most earnestly to anyone who wants a first-hand view of a thoroughly authentic American student's investigation of European conditions on the ground. I read:

> I come fresh from the impact of American words—

"The impact of American words." That is what I am talking about—promises, pledges, just what I want to be sure is not read into the pending U. N. R. R. A. agreement.

> I come fresh from the impact of American words on European and Middle Eastern minds. Therefore I am perplexed by what our leaders are saying. They talk as though the people over there were Americans and lived in America. They are not Americans, and they do not live in America.
>
> In our deep anxiety to be helpful to the world, and to ourselves, we are making promises now and assuming superior attitudes which America and the world will deeply regret.

Mr. President, I want to be sure, at least so far as I am concerned, that in the subsequent development of U. N. R. R. A. there shall be nothing to regret as the result of words which are misunderstood abroad. That is why I repeat and reiterate the importance of

the limitations upon the thing which we are here doing.

The words I have quoted, Mr. President, do not come as the voice of narrow provincialism. This is the warning of the last American permitted in and out of Germany before Hitler declared war on us. This is the opinion of an intimately informed American who is dreadfully anxious that a post-war world of sound international order, justice, and security shall be the full fruit of this cataclysm.

I have lingered on his words, Mr. President, because of their very great importance with respect to every phase of our international contacts, and more particularly because U. N. R. R. A. could so easily be misunderstood in its implications. Therefore it is the course of candor, and hence of wisdom, that the limitations shall be fully understood.

Now I want to talk about these limitations, and I want to make perfectly sure that no one can misunderstand this record when it is read in respect to limitations.

The first limitation, Mr. President, arises as the result of the form in which this legislation comes to the Senate. I remind the Senate that the U. N. R. R. A. agreement originally appeared on June 10, 1943, in the form of a release from the State Department, in which it was announced that the entire enterprise was to be launched exclusively by Executive agreement. I remind the Senate that in the original plan of June 10, 1943, there was never a purpose to consult either the Senate in respect to treaty obligations or the Congress in respect to appropriation responsibility.

When the agreement became public, when that intention became apparent, I submitted a resolution in the Senate calling upon the Senate Foreign Relations Committee to inquire into the pending agreement and to determine whether it did not amount to the dignity of a treaty and require treatment as a treaty. The resolution went to the Senate Foreign Relations Committee, and the committee promptly contacted the State Department. I am very happy to say that the State Department not only immediately conceded that there should be total congressional consultation, but from that point on the State Department worked in closest and most sympathetic cooperation with the subcommittee of the Foreign Relations Committee in rewriting the entire agreement.

I cannot too heartily commend the attitude of the State Department in this aspect. We were given total access to all essential information. We were given sympathetic consideration for the congressional viewpoint, and the net result is that we have an instrument here submitted to the Senate which I can stand and defend and recommend to my colleagues, whereas if the original program of June 10 had been pursued, the dignity of the Senate, the integrity of constitutional process, and the rights of the United States would have recommended total disagreement.

Mr. McKELLAR. Mr. President, would it discommode the Senator if I were to ask him a question?

Mr. VANDENBERG. No, Mr. President, the Senator from Tennessee never discommodes me.

Mr. McKELLAR. I find on page 2 of the joint resolution, in lines 21, 22, and 23 the following:

The Administration—

Meaning the U. N. R. R. A.—

shall have power to acquire, hold, and convey property—

I do not know how broad that provision is, but that is not what I have in mind at the moment. The next words are—

to enter into contracts and undertake obligations.

Apparently that is an unlimited power granted to this organization by Congress. If it had been limited to the appropriations made or even to the appropriations authorized, that might not work a hardship, but it seems to me there ought to be a limitation, so when the Senator was discussing limitations I thought I would ask him what that language meant.

Mr. VANDENBERG. If the Senator will permit me, I shall come specifically to that a little later.

Mr. McKELLAR. Very well.

Mr. VANDENBERG. The Senator was not in the Chamber all the time I was speaking. I was trying to outline at the moment the basic limitations with which we have undertaken to surround this entire adventure, and I should like to conclude that framework before attempting to go into detail. I say to the Senator from Tennessee that I have been asserting to the Senate that the limitations involved in the pending joint resolution, from my point of view, are far more important than the grants contained in the pending legislation, because it is so dreadfully vital that no one in this world, either our do-gooders here at home or our friends abroad, should ever mistake this particular formula as a precedent for anything that we are ever going to undertake in the post-war world.

I repeat, the limitation must be understood, and that is what I am trying to outline at the moment.

The first limitation, then, is the limitation which we built around this action through the change in its procedural character. In the form in which it was originally proposed it was sought to impose this obligation upon America exclusively by Executive agreement. In the form in which it was originally proposed the obligations of the United States were so illimitable that I do not believe a successful argument could be made against the proposition that the original agreement was a treaty in every aspect.

As a result of this interim of cooperative, sympathetic activity between the State Department and the subcommittee of the Foreign Relations Committee, the entire agreement was rewritten in its fundamental character. It was stripped of every general obligation and responsibility. It was brought back to a simple authorization of appropriations for an international purpose, and it was written in a form which textually undertakes to limit our obligation without any question whatsoever to the specific appropriations that are made under the authorization from time to time by the Congress. I repeat, we entirely changed the character of the document, and obviously I think it ceased to be a treaty. That was the first limitation.

In rewriting the agreement we rewrote the preamble. We deleted from the preamble all the words which might have been construed in their generality into a blanket commitment to the welfare of mankind throughout the universe. The preamble therefore in its present impact is to be interpreted in respect to not only what is in it, but what is not in it, and I think the things we deleted are particularly significant.

That is not all we did. As I have said, we tied down literally the nature and extent of our obligation to the appropriations subsequently made.

That is not all. There was no escape clause in the original agreement. We inserted an escape clause, and it is in the pending agreement.

Not only that; the language in those sections of the agreement which deal particularly with appropriations were rewritten to improve, if possible, any last, lingering doubt regarding the appropriate interpretation; and although this language has already been read into the RECORD several times, the language cannot be read too often, Mr. President, because it is the crux of the pledge we are making and it is also the crux of the pledge we are not making. I read from article V on page 12:

Insofar as its appropriate constitutional bodies shall authorize, each member government will contribute—

And so forth—

The amount and character of the contributions of each member government under this provision will be determined from time to time by its appropriate constitutional bodies.

No one can misunderstand what that means in the United States. The only appropriate constitutional body under our system of government which can appropriate one nickel is the Congress of the United States. No one can now or hereafter misread the purpose of article V, which is to say that there is no obligation upon the United States under this agreement unless and until and except as the appropriations committees of the House and the Senate shall make the necessary recommendations and the House and the Senate themselves shall subsequently approve. And that language is repeated in article VI, in respect to the provision for administrative expenses of the instrumentality. Just for the cumulative effect of it, I wish the RECORD again to show the language in article VI, from which I quote:

Upon approval of a budget by the Council the total amount approved shall be allocated to the member governments in proportions to be determined by the Council. Each member government undertakes—

Undertakes what?—

subject to the requirements of its constitutional procedure, to contribute to the Administration promptly its share of the administrative expenses so determined.

There can be no question, here or abroad, as to what the phrase "requirements of its constitutional procedure" means in the United States of America.

Mr. McKELLAR rose.

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. VANDENBERG. I yield.

Mr. McKELLAR. Mr. President, I dislike to interrupt the Senator, because he is making a most excellent presentation of the matter; but I am wondering if the money could not be borrowed from the R. F. C. since under our laws and Constitution that body has been authorized to lend money for a great many purposes, probably including this one. I am merely wondering whether this language is sufficient to confine it to appropriations made by the Congress.

Mr. VANDENBERG. Mr. President, if the Senator is asking me to guarantee to him that this administration cannot find ways to get money and to spend it, regardless of Congress, I cannot give him the assurance, because the administration has been doing it for 10 years, and I suppose it will continue doing it so long as it is in power. But insofar as lies within our poor congressional authority, I submit to the Senator that we have already put down the limits, beyond peradventure, where they cannot be transgressed except in bad faith. The Senator has a right to interrogate us on this subject, because he carries the chief responsibility of the great Senate Appropriations Committee.

I now shall read to him the language of the men in this Government upon whom we have to depend to implement these limitations. First, I quote from the testimony of Dean Acheson. I should say by way of further explanation that Dean Acheson is the official representative of the Government of the United States on the U. N. R. R. A. Council. He speaks for the United States in that aspect. In the course of Dean Acheson's testimony before the Senate Foreign Relations Committee, answering a question of mine, he said:

> Now, that is the agreement, and as I say, that agreement was worked out after thorough discussion with the subcommittee of this committee, which led it to be believe that all commitments on the part of this country are in the hands of Congress, that no one had undertaken to commit the United States to any act, and that therefore the issue as to whether this was a treaty had been removed from discussion.

Is that enough? I read further:

> Senator VANDENBERG. Mr. Acheson, at that point I would like to have the record show the language in article V, because I think it is very important. The only actual obligation which we accept in a financial sense is set out in article V, is it not?
>
> Mr. ACHESON. Article V and article VI, which has to do with the administrative expenses; yes, sir.
>
> Senator VANDENBERG. And, in each instance, quoting from the text—
>
> "The amount and character of the contributions of each member government under this provision will be determined from time to time by its appropriate constitutional bodies."

I am still asking this question of Dean Acheson:

> In other words, we are accepting no fiscal obligation under this agreemnt except as the obligation is specifically accepted by acts of appropriation by the Congress; is that correct?

We certainly could not put it any plainer than that.

> Mr. ACHESON. That is correct, Senator VANDENBERG.

I turn to another point in the record. Now we are come to the question of administrative expense, which might be a very fertile field, as we know by experience, for some experimental nonsense. Again I was interrogating Dean Acheson, the very able Assistant Secretary of State:

> Senator VANDENBERG. If Congress became critical at any time of the administrative setup and thought it was extravagant or improvident, I assume that under the terms of article VI, since each member government undertakes to make its contribution only "subject to the requirements of its constitutional procedure," the administrative problem would also be entirely within congressional control insofar as our share of sustaining it is concerned.

We could not put that down in plainer language.

Here is the reply:

> Mr. ACHESON. That is correct. Congress would have complete power at any time to stop its contributions or to lay down the conditions as to their uses.
>
> Senator VANDENBERG. I constantly emphasize that point, Mr. Chairman, because it was one upon which our subcommittee put major emphasis in indicating the change in the character of the document.
>
> The CHAIRMAN. I think the committee is pretty well advised as to the policy that underlay the action of the subcommittee, and that was to make it clear that at all times it was under the control of the Congress so far as funds were concerned. Is that right?
>
> Mr. ACHESON. Yes, sir.

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

Mr. VANDENBERG. I yield.

Mr. DANAHER. Am I correct in stating that Assistant Secretary of State Acheson testified that, in addition to our being able to control appropriations, we would also have the power to impose conditions and limitations upon their expenditure?

Mr. VANDENBERG. I shall read the language again to the Senator. The words speak for themselves. I do not have the printed hearings, so I cannot give the printed page reference; but the language appears on page 30 in the first volume of the stenographic report:

> Mr. ACHESON. That is correct.

Referring to his agreement with me that Congress had total and plenary control over the funds of U. N. R. R. A.

Continuing the quotation:

> Congress would have complete power at any time to stop its contributions or to lay down the conditions as to their uses.

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

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

Mr. VANDENBERG. I yield.

Mr. DANAHER. That is perhaps as important a piece of testimony as has been contributed in this entire debate.

Mr. VANDENBERG. That is correct.

Mr. DANAHER. Does the Senator understand that we at this time, as we now act on this joint resolution, have the power to amend the agreement itself, without further action by the other signatories to the agreement?

Mr. VANDENBERG. Oh, no. I think the Congress has precisely the same latitude in connection with the U. N. R. R. A. agreement contained in the joint resolution that the Senate would have in respect to a treaty if the matter had been submitted in treaty form. We have a perfect right to attach any reservation we may wish. That would be a totally different thing, of course, from amending the text of the agreement itself.

Mr. DANAHER. But any such reservations, or any counterproposal, or any amendment to the agreement itself as set forth in the joint resolution, would nonetheless require confirmatory action by the other signatories?

Mr. VANDENBERG. I am not clear that I caught the Senator's full question. We require no consent from any other government on earth to exercise our total internal veto power under this legislation upon the granting of appropriations to implement the agreement.

Mr. DANAHER. Up to that point I think I am in complete accord with the Senator; but if we have the power ultimately—say in December 1945—to place such terms and conditions upon the expenditure of an appropriation intended for U. N. R. R. A. as would vary the terms of the agreement which we now undertake to approve, it seems to me that there is a reservation at the outset which would tend to negate the purported agreement.

Mr. VANDENBERG. I disagree with the Senator, for this reason: There is absolutely nothing in the pending agreement which negates—to use his word, which is a good one—the power of Congress to control its own appropriations. Therefore if any subsequent Congress were to attach limitations to an appropriation, it would not be negating the agreement itself.

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

Mr. VANDENBERG. I shall be glad to yield when I have finished my reply to the Senator from Connecticut.

Mr. DANAHER. I invite the attention of the Senator from Michigan to the fact that article X provides that—

> Any member government may give notice of withdrawal from the Administration at any time after the expiration of 6 months from the entry into force of the agreement for that government.

Mr. VANDENBERG. That is correct.

Mr. DANAHER. It also provides that the notice shall take effect 12 months after the date of the communication of the intention to withdraw.

Mr. VANDENBERG. That is correct.

Mr. DANAHER. Is it the Senator's understanding that if we had, in fact, undertaken some commitments through the council of U. N. R. R. A., and under the terms of the agreement had provided our contribution for the execution of that commitment, we could somehow or other, earlier than the date of complete liquidation of that commitment, terminate our participation simply by placing a rider on an appropriation bill?

Mr. VANDENBERG. It is my opinion—and I repeat it for the hundredth time; I do not object to repeating it, because I think it is so important—that under this agreement no fiscal obligation is involved in respect to the United States except as it is identified and validated by subsequent definite and specific acts of appropriation by the Congress itself.

If that answer be read as suggesting any lack of good faith in our commitment to U. N. R. R. A. itself, it is just too bad. I assume that we are signing this agreement in good faith; that we will proceed in good faith; that we will not resort to any fictitious, improper, or inappropriate excuses or reasons for limiting our cooperation; and that we will proceed in the same spirit of international fraternity in respect to this war effort—because it is part of the war effort—that we do in all other aspects. But, as a matter of legislative obligation, I come back to the fact that we have written into this agreement precisely what Dean Acheson says we have written into it, namely, a situation in which Congress has "complete power at any time to stop its contributions or to lay down the conditions as to their uses."

That is not my language. That is the language of the Assistant Secretary of State who helped to draft the agreement. That is the language of the Assistant Secretary of State who sits on U. N. R. R. A.'s Council representing the United States of America. I submit that it is conclusive.

Mr. DANAHER. I very greatly appreciate the views of the Senator from Michigan.

Mr. VANDENBERG. I now yield to the Senator from South Dakota.

Mr. BUSHFIELD. Mr. President, I should like to ask the distinguished Senator from Michigan a question. If the other forty-odd members of the Council should place a different interpretation upon some decision than our own representative or our Congress places upon it——

Mr. VANDENBERG. It would be just too bad. That is the reason I am making this speech today in such extension, because I want, if humanly possible, at the threshold of this great adventure, to have everyone related to it know exactly what the facts are, so that no one can possibly be misled.

Mr. BUSHFIELD. I appreciate that very much; and the Senator has stated his views most clearly. However, as I understand the Senator's explanation, we are in this position: While we have the legalistic right to do thus and so, as the Senator has so clearly pointed out, is there not a moral obligation to go along with the agreement and fulfill all its terms, regardless of what Congress may decide to do in the future?

Mr. VANDENBERG. I do not think so; and when I have concluded my schedule of limitations, I think the Senator will agree with me that the situation is fairly clear. I have only started to outline the limitations.

Mr. BUSHFIELD. Article IV, subparagraph 5 of the agreement, set forth on page 11 of the joint resolution, provides as follows:

> The Director General shall make periodic reports to the central committee and to the Council covering the progress of the Administration's activities. The reports shall be made public except for such portions as the central committee may consider it necessary, in the interest of the United Nations, to keep confidential.

Is the Congress of the United States to have no report made to it?

Mr. VANDENBERG. Oh, yes. The joint resolution itself requires the President to report quarterly to Congress respecting the entire enterprise.

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

Mr. VANDENBERG. I yield.

Mr. McKELLAR. I am going to discommode the Senator to the extent of returning to page 2. I know it is out of place; but a while ago he stated that we had a right to put reservations on this agreement, which statement attracted my attention very much, because there ought to be a reservation to the language in lines 21, 22, and 23 on page 2. This language, in article I, reads as follows:

> The Administration shall have power to acquire, hold, and convey property, to enter into contracts and undertake obligations—

And so forth. If we give the Administration such broad power, in my judgment we shall not be limited to an obligation of $1,350,000,000. Whatever contracts or agreements the Administration might make, we should be obliged to execute. If the Administration should incur obligations for $5,000,000,000, in honor we should be obliged to fulfill such obligations, under the terms of this agreement. I am wondering if the placing of a reservation in the joint resolution limiting the right to make contracts and to undertake obligations to the amount of $1,350,000,000 would not be a very excellent restraint or safeguard.

Mr. VANDENBERG. I will answer the Senator. So far as I am concerned, I would attach no reservations to the agreement. My reasons are as follows: In the first place, it cannot too often be said that the operations of U. N. R. R. A. are just as much a part of the war as the operations of the War Department itself. U. N. R. R. A. is to step in as the Army moves on, and except as U. N. R. R. A. should be available to step in, the Army could not move on, and the entire military strategy would be disrupted.

Mr. McKELLAR. I cannot agree with the Senator that far.

Mr. VANDENBERG. In what particular does the Senator disagree with what I have said?

Mr. McKELLAR. For example, we are now in the act of taking over Italy. I think we will do so. However, I think it is immensely more important at this stage of the game, or at any stage of the game, for us to take over Italy than it is to govern it after we have taken it over.

Mr. VANDENBERG. In the first place, what the Senator says, of course, is literally true. The first step is to win. His subsequent observation suggests that he might have the idea that this instrumentality has something to do with the government of Italy. It has nothing whatever to do with any governmental function whatsoever.

Mr. McKELLAR. It is to feed the people of the occupied territories.

Mr. VANDENBERG. That is something else. The Senator referred to government, and this has nothing to do with the governments of the liberated areas. It has to do solely with the function which the Army itself exercises up to the point where the Army itself asks to be relieved. When the Army itself asks to be relieved it must have somebody to whom to address the appeal, and there must be somebody available. That is U. N. R. R. A., and that is all U. N. R. R. A. is. It cannot be dissociated from the specific activity of the war itself in the war area.

Mr. McKELLAR. I can see the importance of it, but of greater importance is first winning control of the area. However, in this respect I invite the attention of the Senator to section 4, on page 15, in line 19. I wish to read it.

Mr. VANDENBERG. Wait a moment, if the Senator will permit me to interrupt him. Up to this point I have been discussing solely the appropriating power. We are now coming to the subject of relief and rehabilitation, and I suggest that the Senator allow me to deal with the subject and see if I do not cover his point.

Mr. McKELLAR. The section to which I refer applies to the very question we have been discussing, namely, that of unlimited power.

Mr. VANDENBERG. What unlimited power?

Mr. McKELLAR. The unlimited power to make contracts.

Mr. VANDENBERG. There is no unlimited power to make contracts. All the power contained in the joint resolution is related to the remainder of the language of the agreement. That is not an unlimited power.

Mr. McKELLAR. The agreement itself states, "To enter into contracts and undertake obligations," without limitation.

Mr. VANDENBERG. The Senator does not mean that.

Mr. McKELLAR. Yes; I will read it.

Mr. VANDENBERG. The Senator would not say that the language in the limitations of the joint resolution itself

does not restrict the functions to which the instrumentality may address itself.

Mr. McKELLAR. I have a very grave doubt about it. I think it is an unlimited power. However, allow me to invite attention to section 4, which reads as follows:

> In expressing its approval of this joint resolution, it is the recommendation of Congress that insofar as funds and facilities permit, any area important to the military operations of the United Nations, which is stricken by famine or disease may be included in the benefits to be made available through the United Nations Relief and Rehabilitation Administration.

The territory which is more important to the military operations of the United Nations than any other territory in the world is that of Germany. Under section 4 the United Nations Relief and Rehabilitation Administration would have a perfect right to go to the relief of the Germans, or the Austrians, or the people of any nation controlled by Germany, if famine should overtake them at any time during the war.

Mr. VANDENBERG. And if it could reach Mars it would involve the Martians.

Mr. McKELLAR. It would do almost that, because the language is "any area important to the military operations of the United Nations." I think that language goes entirely too far, and that it should be stricken out.

Mr. VANDENBERG. Allow me to say to the Senator, in respect to the particular language to which he just referred, that I have no responsibility whatever for it.

Mr. McKELLAR. However, it is in the joint resolution.

Mr. VANDENBERG. I am telling the Senator where it came from and what it is about.

Mr. McKELLAR. I shall be very happy to know about it.

Mr. VANDENBERG. The language was inserted on the floor of the House of Representatives. It has just one purpose, so far as I know, and that is to include India within the area which, if necessary, can receive consideration from the instrumentality to be set up. However, it can do that only upon the request of the military authorities who consider the relief to be essential to the military effort.

Mr. McKELLAR. Perhaps so. However, if putting India into the pot requires us to put in Germany, Austria, and all the others, the language should be changed.

Mr. VANDENBERG. I think the statement of the Senator is perfectly fantastic.

Mr. McKELLAR. If it is our purpose to include India, we should include India, and not provide for our enemy countries. They are the most important areas in the world so far as the winning of the war is concerned, and they should be excluded from receiving benefits under the proposed legislation.

Mr. VANDENBERG. Mr. President, I hope that the Senator from Tennessee will not misunderstand me if I say that his latest observations are totally fantastic.

Mr. McKELLAR. I am merely interpreting the language contained in the joint resolution.

Mr. VANDENBERG. The idea that any instrumentality of war, such as the one under consideration, will be used by any responsible American administrator to lend aid and comfort of any nature to any of the enemies of the United Nations, I repeat, is fantastic beyond words.

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

Mr. VANDENBERG. I yield.

Mr. AIKEN. The question which I should like to have cleared up in my mind is this: I understand from the Senator from Michigan that U. N. R. R. A. is actually a part of the war effort. After a government has been reestablished in a country which is presently occupied, does U. N. R. R. A. then step out, or does it continue to work in that area in cooperation with the government which has been established and which is in control of the country?

Mr. VANDENBERG. I do not believe there is any testimony bearing on the direct question which the Senator has asked. My assumption is that U. N. R. R. A. would continue to cooperate with the local authorities, whatever they may be, so long as the primary relief requirement continued, and so long as the instrumentality itself was in existence. Of course, the Senator will understand that we have definitely limited our participation in U. N. R. R. A. to June 30, 1946.

Mr. AIKEN. But it would not be continued into the rehabilitation program of the area.

Mr. VANDENBERG. Oh, I am coming to that, because I agree with the Senator that it is extremely important that there shall be no misunderstanding on that point, and I shall reach it as soon as I am allowed to. I think I perhaps could save a little time if I were permitted to conclude my statement of the record which I am trying to make, because I might anticipate many questions which Senators desire to ask, and yet I do not wish to foreclose any questions.

Mr. McKELLAR. I want to beg the Senator's pardon. I know I have imposed on him.

Mr. VANDENBERG. I do not want the Senator from Tennessee ever to apologize to me for anything. The country is indebted sufficiently to him so that he may annoy me the rest of his life, and still be on the credit side of the ledger.

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

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

Mr. VANDENBERG. I yield.

Mr. McCLELLAN. It is very kind of the Senator to yield. I have to leave the Chamber, but there is one point about which I should like to obtain information, and I ask the Senator to refer to article III of the agreement. According to my understanding earlier in the discussion today it was stated that the Soviet Union is not a party to this agreement; that it is not one of the signatories to the agreement. Is that correct?

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

Mr. VANDENBERG. I yield.

Mr. CONNALLY. I think the Senator was out of the Chamber at the time, but it was pointed out that there is a clause in the agreement that invites the governments that are not contributors to the operating expenses to contribute to administrative expenses, and Russia has expressed her agreement to the assessment of a million and a half dollars to help defray administrative expenses.

Mr. REYNOLDS. Does Russia put up any money to run the organization?

Mr. CONNALLY. Russia puts up a million and a half dollars for administrative expenses.

Mr. REYNOLDS. Does Russia put up any money for the relief of those who are in need in the stricken countries?

Mr. CONNALLY. No.

Mr. REYNOLDS. How much does the head of the organization, Governor Lehman, get a year?

Mr. VANDENBERG. I am still yielding to the Senator from Arkansas.

Mr. REYNOLDS. Excuse me. I did not know the Senator was still yielding to the Senator from Arkansas.

Mr. VANDENBERG. But I will say to the Senator from North Carolina that I have not the slightest idea what Governor Lehman gets, and I care less.

Mr. McCLELLAN. As I understand Russia, the Soviet Government, is not a member of the U. N. R. R. A.?

Mr. VANDENBERG. I should be able to answer the question authoritatively, but I cannot do so. My own impression is that Russia is a member, but I have not the papers with me.

Mr. McCLELLAN. This morning when I was interrogating either the Senator from Michigan or the Senator from Texas I was advised, as I recall, that Russia is not one of the signers of the agreement.

Mr. VANDENBERG. If the Senator will permit me to reserve an answer to the question, I will find the answer.

Mr. McCLELLAN. I will follow it through because I want to get the information. Assuming that Russia is not a member of the U. N. R. R. A., then I want to ask whether U. N. R. R. A. funds, a part of which, indeed the major part of which, we are obligating ourselves to provide, may be used by the Council or the governing agency, or authority of the U. N. R. R. A. for relief in that part of Russia which has been devastated by war?

Mr. VANDENBERG. I am not an authority on this subject, but my own answer would be that the funds could not be so used, because the purpose is to use the funds exclusively in liberated areas from which the military authorities of the United Nations have moved on and have invited U. N. R. R. A. to move in. I do not see how that could happen in Russia, though perhaps it could.

Mr. McCLELLAN. Of course, the area of Russia that has been invaded and occupied by Germany is like the area of any other country that has been invaded and occupied. I find nothing in the agreement or in the joint resolution that

would not permit the use of the relief money in Russia.

Mr. VANDENBERG. Mr. President, the Senator is entitled to a conclusive answer to his question. I cannot give it. I do not know what the answer is, but I will say to him that if, under the rigid necessity which must exist before relief is extended under U. N. R. R. A., if the Russian Soviets in any portion of their domain could qualify for relief, in spite of my well-known feeling about communism for the past 40 years, I should hope Russia would get the relief, because of all the countries on this globe for which I have complete reverential respect as regards the sacrifices they are willing to make in their own national defense, my hat is off to Russia.

Mr. McCLELLAN. If the Senator will permit a further observation, I can agree with him with respect to the heroic and sacrificial efforts Russia has made in her own defense, but in the matter of making these appropriations and spending our money the point I am making is that if Russia is not a signatory to this agreement and is not a part of the U. N. R. R. A., then I do not think Russia ought to have membership either on the Council or on the central committee and be able to tell us how we shall spend our money.

Mr. VANDENBERG. I think the Senator will find that Russia is a member. I do not see how she could be a member of the Council without being a member of the U. N. R. R. A.

Mr. McCLELLAN. That is the very reason I asked the question.

Mr. VANDENBERG. The Senator from Connecticut [Mr. DANAHER] has found the reference I was looking for. The Union of Soviet Socialist Republics is a member. It is not a contributing member in respect to the relief fund, because, under the rule, only uninvaded countries are required to make contributions, but it is a contributor to the administrative expense.

Mr. McCLELLAN. Russia contributes only to to the administrative expense, but could be a beneficiary of relief under this agreement.

Mr. VANDENBERG. And could ultimately become a contributor to the general fund.

Mr. McCLELLAN. I thank the Senator.

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

Mr. VANDENBERG. I yield.

Mr. CONNALLY. May I suggest to the Senator from Arkansas that, with all the care the committee has expended on this resolution which the Senator from Michigan is now explaining, it is possible for anybody to chart in detail every contingency and every conceivable situation which may arise. We must, after all, trust to the good sense, the patriotism, and the wisdom of those who are to administer it, having in mind the over-all checks which the Congress is going to exercise over them. If they do not do what is required of them, Congress will refuse to appropriate any more money for their activities. I say it is inevitable that we cannot look out and see every little angle and every side issue and every little fellow who is hungry and every little fellow who is cold, and where he is, to what country he belongs, what his religion is, and what governmental theories he upholds. We cannot do those things. We have got to trust to the good sense and wisdom of the administrators.

Mr. McCLELLAN. Mr. President, will the Senator from Michigan yield for one further observation?

Mr. VANDENBERG. If the Senator will permit me, of course, I agree with the observations of the Senator from Texas. I think, if Members of the Senate had sat with the subcommittee during the hot summer and the early fall when they were busy taking the "bugs" out of this agreement, they would consider that a substantially effective job had been done upon the original document. I have no doubt that the completed document can be attacked in some particulars in respect to its structure and its net result, but I do not know of anything in connection with this war effort which is quizproof, and I submit to the Senate, in view of the over-all limitations which we have succeeded in putting into this measure—and the over-all limitations are far more important than any specific detail of text that could possibly be involved in any part of this agreement—in view of the over-all limitations that we have written into this agreement, unless there is total lack of faith in American administrators, our share in this engagement will proceed on a basis which will be wholly in keeping with the best welfare of the United States of America and the United Nations' war effort.

I now yield to the Senator from Arkansas.

Mr. McCLELLAN. I thank the Senator. I want to make an observation. It is not my purpose to appear to pick flaws in the agreement, but I do not regard it as a small or indifferent matter. If we are to spend 67½ percent of the money, and have a country such as Russia help administer it, yet make no contribution to the general purpose itself, I do not think that is a small matter, or one of such insignificance that we should be entirely indifferent to it. Now is the time to determine what course we are charting, and try to understand it. That is my only purpose in asking these questions.

Mr. VANDENBERG. I welcome the opportunity to discuss the matter with the able Senator.

Mr. DANAHER. Mr. President——

The PRESIDING OFFICER. Does the Senator from Michigan yield to the Senator from Connecticut?

Mr. VANDENBERG. I yield.

Mr. DANAHER. There was one answer which the Senator from Michigan made to a question propounded by the Senator from Vermont which it seems to me the Senator from Michigan will not wish to have stand. The implication of his reply, at least, was that the pending joint resolution will be effective only until June 30, 1946. I say, that was the implication. I feel certain that that is not the fact, and that the Senator would not wish it so to appear. Section 5 states that "The authorization contained in this joint resolution shall expire on June 30, 1946." But the word "authorization" refers to the appropriation which is described in section 1 of the joint resolution. So far as the joint resolution itself is concerned, it is permanent legislation, is it not, subject to the right of our Nation or any member government to withdraw in accordance with the provisions of article X? Is not that so?

Mr. VANDENBERG. Certainly; what the Senator is saying is that we might become a nonpaying member. I answered the Senator from Vermont in terms of realism.

Mr. DANAHER. I point to article I, of the agreement itself, on page 2, where it is provided in line 22:

> The Administration shall have the power * * * to enter into contracts and undertake obligations.

Surely, the Senator does not expect that our representative in U. N. R. R. A. and the Council itself, will be authorized to make contracts for 5 years, for 10 years, for any number of years, subject only to the authorization with reference to the appropriations, which will expire on June 30, 1946. Surely, the Senator will expect that our own good faith and credit will be pledged to the execution of any contract whose execution we authorize. Is not that so?

Mr. VANDENBERG. I could read to the Senator again the statement of Assistant Secretary of State Acheson, which is final, conclusive, and utterly determinative. I cannot go beyond that. No one could put it down in plainer language. Our obligation is limited to the appropriations which we make.

Now, Mr. President, I should like to proceed with what I undertook in the beginning; what I intended to be a disclosure of what I think are the essential safeguarding limitations in this agreement. I hope the Administration greatly appreciates the fact that I seem to be projected as the defender of its engagements. I had not risen for that purpose, although I think it has done an excellent piece of work in this instance.

Mr. President, I wish to finish, if I can—and I see the senior Senator from Tennessee [Mr. McKELLAR] entering the Chamber—what I was saying about what I believe to be the effectiveness of the limitation which we have written into the proposed agreement in respect to the congressional appropriating power as the over-all limitation upon every obligation involved.

I have already quoted Dean Acheson, the Assistant Secretary of State, and the American representative in U. N. R. R. A., and his consent to the concept that I have submitted is clear and distinct. There is only one other person who could speak with equivalent authority, and that is Governor Lehman, who now, though he does not represent the Government of the United States, is the executive director of the international organization itself. He did live with the representatives of these signatories at Atlantic City when the agreement was being put together, and he should know better than any other man on earth what occurred and what the net result was, and whether or not our American

situation is understood by the other signatories.

I took pains to submit that question to Governor Lehman when he was appearing before the committee, and I read again just one question and answer:

Senator VANDENBERG. I assume that the implications of article V of the agreement are clearly understood by all the signatory powers to indicate that there is no commitment of this Government—

"No commitment of this Government"—

except as measured by subsequent appropriations of the Congress of the United States.

Governor LEHMAN. I think there is a full realization of that on the part of the governments.

Mr. President, it is impossible to tie a limitation down any more than that is tied down.

There is one other phase of the matter involved in the limitations, and I shall dismiss it as briefly as possible, although so far as I am concerned this report is going to be complete as respects the limitations upon the thing which we think we are doing.

The second limitation is in the earnest and repeated efforts in the text of the agreement and in the subsequent testimony to make sure that the agreement applies solely to war relief, and not to world-wide post-war reconstruction in any phase whatsoever.

This brings up the question of the implementing resolutions adopted by U. N. R. R. A. itself when it organized at Atlantic City. There was some fear that these implementing resolutions, in turn, might have collaterally broadened the nature of our responsibility under this joint resolution. In order to leave no room for doubt upon this score, Assistant Secretary Acheson and Governor Lehman were specifically quizzed by the Committee on Foreign Relations. It is important to introduce some of this testimony for the RECORD.

Now I wish to read from Assistant Secretary Acheson with respect to what the word "rehabilitation" means in this connection, because rehabilitation seems to be the twilight zone word.

Senator TUNNELL. How far does the word "rehabilitation" go? Just what is the meaning of it in your opinion?

Mr. ACHESON. Senator TUNNELL, that was the subject of resolutions at Atlantic City, one of the most important of which has been set forth in this House amendment to the bill itself. That is found on page 15.

Senator TUNNELL. Yes. What I was looking at was—

"The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief."

I was just wondering whether "rehabilitation" has reference there entirely to relief of sections, or just what is meant by that.

Mr. ACHESON. There are two fairly clear places, one in the agreement and one in the resolution, where that is dealt with. If you turn to the bill, on page 3, section 2, of the agreement, under article I, it says:

"Subject to the provisions of article VII, the purposes and functions of the Administration shall be as follows:

"(a) To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter, and other basic necessities, medical, and other essential services"—

That is generally what is regarded as "relief." Then it goes on: "and to facilitate in such areas, so far as necessary to the adequate provision of relief, the production and transportation of these articles and the furnishing of these services."

That is what has been regarded as "rehabilitation." In other words, if it is wiser and better and more efficient to produce the relief articles and services in the country rather than to import them, the organization has the authority to do that.

I think that is an answer to the question submitted much earlier in the day by the Senator from Connecticut, and the question which has repeatedly intervened in the course of subsequent debate.

Senator TUNNELL—

Continuing the cross-examination.

What is your idea, then, of the word "reconstruction"? Does that mean the reconstruction of buildings?

Mr. ACHESON. That is something which is altogether beyond the scope of this organization. That is a rebuilding of the devastation of the war, and with that this organization has nothing to do.

Mr. President, he could not be any franker about it, and he could not make it any plainer. The official spokesman for the United States, first, in the authorship of this agreement; and, second, in the organization of U. N. R. R. A. itself, says that this organization has nothing to do with post-war reconstruction or with the rebuilding of the devastation of the war.

I proceed a little further in the same record.

Senator VANDENBERG. On the question asked by Senator TUNNELL, might it not also be stated for the record, Mr. Secretary, that in the preamble the language was rewritten and changed from the original form in a further effort to restrict the scope and to be sure that we were dealing solely with relief?

Mr. ACHESON. That is quite correct.

Senator VANDENBERG. Yes; but I want to observe that some things that are not in the draft are just as important as some of the things that are, in its interpretation.

Mr. ACHESON. Yes, sir.

Senator VANDENBERG. We took out some language which might have been misleading in its enthusiasm.

Mr. ACHESON. That is entirely correct.

Now I want to read one further excerpt from Mr. Acheson's testimony. The able Senator from Maine [Mr. WHITE] became somewhat disturbed, as Senators have become here upon the floor, about the implications or possible rehabilitation which might extend on into the area of reconstruction.

Senator WHITE. I think that comes very close to the definition which appears in paragraph 11, but when you go down to 8, I do not just see how "restoration" of transport and communications facilities and helping to restore workshops and repair shops and shipyards of one sort and another can be deemed to be contributing to relief, except as it offers an opportunity for work; and if that is to be your test, "opportunity for work," why of course there is no limit.

Mr. ACHESON. It certainly was not the intention, and this reference here to shipyards, work shops, repair shops, and that sort of thing was in the minds of those who wrote it for the purpose of fixing up the equipment with which these people could go ahead and fish or transport or do what they had to do in the relief field. * * * But, as I say, we had this same discussion in the House as to whether the language of all of these paragraphs comported entirely with my interpretation of them, and the House committee put in this section 3 of the joint resolution. They picked out section 11 of resolution 12 of the U. N. R. R. A. Council as summing up in the way which they thought was most desirable the policy to be followed, so they wished that to be put in the joint resolution in order to serve notice on U. N. R. R. A. that they interpreted all these resolutions in the way in which section 11 states it and the way I had stated it at the hearings, which would be a pretty fair indication that we would trust that our contribution would be used along those lines and not along the broader lines which I had disclaimed and which the U. N. R. R. A. Council has attempted to disclaim; so I think the purpose was to emphasize what you have emphasized, Senator WHITE, and to indicate to U. N. R. R. A. that that is the way this Government would expect it to perform.

Mr. President, no man could be franker than that, and no commitment could be more conclusive. I remind the Senate that the House wrote into the joint resolution the language of section 11. I wish to read the language of section 11, because it is the final and conclusive statement on the subject. I read from page 15 of the bill, section 3:

SEC. 3. In the adoption of this joint resolution the Congress expresses its approval of and reliance upon the policy adopted by the United Nations Relief and Rehabilitation Administration at the first session of the Council, summarized in paragraph 11 of resolution No. 12, and reading as follows—

And this is the telltale section:

The task of rehabilitation must not be considered as the beginning of reconstruction.

Mr. President, I emphasize that language. It is not even the beginning of reconstruction.

The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief.

And nothing else.

No new construction or reconstruction work is contemplated, but only rehabilitation as defined in the preamble of the agreement.

Which means rehabilitation that is indispensable to relief itself, and nothing else.

Problems, such as unemployment, are important, but not determining factors. They are consequences and, at the same time, motives of action. The Administration cannot be called upon to help restore continuous employment in the world.

Then I repeat the first sentence again:

The task of rehabilitation must not be considered as [even] the beginning of reconstruction.

If we will keep that firmly in mind we shall certainly keep in mind an all-over restraint and limitation upon this authority, which will hold it intimately within the realms in which we are willing to go.

Mr. President, I dislike to burden the RECORD upon this subject, but as I said in the beginning, I know of nothing quite so important, when we are here embarking upon this international agreement,

as that there shall be no possibility of misunderstanding either at home or abroad. I feel that so keenly that I will impose upon the Senate just long enough, in addition, to indicate that Governor Lehman, when testifying before the Senate Foreign Relations Committee, was equally frank and equally specific in arriving at precisely the same net result in respect to the differentiation between relief, rehabilitation, and reconstruction, which I have already indicated. I read from Governor Lehman's testimony:

Senator VANDENBERG. Governor Lehman, it seems to be quite clear in the text of the agreement that there is a very clear purpose to draw a sharp line of distinction between "relief" and "rehabilitation" as such in this operation, and that you are intending to confine yourself, and U. N. R. R. A. is intending to confine itself, exclusively to relief except insofar as contingent rehabilitation contributes to relief, is that correct?

Mr. LEHMAN. That is correct.

It cannot be said more plainly. It cannot be made any more specific. The Director General could not more emphatically be confined by a question and an answer.

Mr. LEHMAN. That is correct. I believe there is an absolute prohibition adopted by the Council with regard to the undertaking of what might be described as "permanent reconstruction" activities. That was certainly the intention.

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

Mr. VANDENBERG. I shall yield in a moment. I wish to finish the record with respect to Governor Lehman. I do not mean that I am more interested in Governor Lehman than I am in the Senator from Tennessee.

Mr. McKELLAR. No; that is all right. I can ask the question later.

Mr. VANDENBERG. At a later point in the hearing before the Senate Foreign Relations Committee the able Senator from Wisconsin [Mr. LA FOLLETTE] particularly catechized Governor Lehman regarding what might have seemed to be some discrepancy between the basic commitments in the agreement itself and in the subsequent resolutions adopted at Atlantic City, but as he himself said earlier in the day, the result of that colloquy was to make it perfectly clear that there is no commitment whatever beyond the commitment to relieve a contingent rehabilitation along the line which I have indicated in the previous exhibits which I have submitted, and I think perhaps that statement will suffice for that portion of the record.

I now yield to the Senator from Tennessee.

Mr. McKELLAR. Mr. President, the Senator has had a great deal to say, and very properly, about the opinion of Governor Lehman and Dr. Acheson. I have no doubt that so far as they themselves are concerned in the administration of this measure they will continue to feel as they testified. But the trouble is that the organization will be controlled, at least in numbers, by others, and if they choose to differ with Dean Acheson or if they choose to differ with Governor Lehman, and if they outvote him, we would be committed just the same. In other words, suppose the U. N. R. R. A. organization by vote determined that relief carried rehabilitation along with it, and a little help in addition to that, perhaps in the way of better housing or better relief of other kinds.

Mr. VANDENBERG. No; let us wonder what would happen if they went beyond our conception of the agreement. That is what the Senator wants to know, as I understand.

Mr. McKELLAR. Yes. If they did that, with this unlimited statement at the very beginning that this Board has the power to enter into contracts and to undertake obligations, there is no telling where it would lead, in my judgment. That is why I was so insistent in asking the distinguished Senator if he did not think we had better put in a reservation limiting it to the appropriations made.

I agree in the main with all the Senator has so well said this afternoon, but I think we should be exceedingly careful in the language to be used, because our representatives' construction of the language will not be final. The final construction of the language will be made by the U. N. R. R. A. organization or administration.

Mr. VANDENBERG. Mr. President, there is nothing I can say to the Senator beyond what I have repeatedly said in response to the same question put in a different form 15 or 20 times this afternoon. That is not said in derogation of the questions, because I think they are important.

All I can once more say, and to sum up with finality, is that if the Senator from Tennessee, as acting chairman of the Senate Committee on Appropriations, ever confronts a situation under U. N. R. R. A. where the concept of it as presented to us by our own American authorities is violated, I hope he will see to it that every penny of appropriation is withdrawn; because it is the specific understanding that we shall have no obligations except such obligations as are written into our specific appropriation acts from time to time.

Mr. President, I now desire to conclude. If I have put my major emphasis upon the limitations in this pending commitment, it has not been intended in any way to be in derogation of the affirmative advantages which can flow from U. N. R. R. A. I believe that U. N. R. R. A. is an inevitable, unavoidable concomitant of this war. I believe that relief and contingent rehabilitation in the liberated areas are an inseverable part of the war effort itself and, therefore, that these functions should be the partnership responsibility of the United Nations. I know of no better way in which to serve these functions than through this cooperative, international organization up to the point where war relief leaves off and post-war reconstruction begins. I favor the passage of this joint resolution. But I have wanted to make it wholly plain that I favor its passage, not only because of the positive reasons which are convincingly urged in its behalf, but also because the purposes to be served are restrained within the limitations upon which I have lingered.

America will do her full part and will carry her full share of the load in the responsibilities of post-war peace and justice and security. Enlightened selfishness, if nothing else, will require of us that we join wholeheartedly in these cooperations. But, in my humble opinion, we must ever take counsel of the fact that our own resources are not illimitable; and we must never neglect to vigilantly guard the internal necessities of our own country. In the peace problems of post-war world-wide reconstruction—whether economic or social—it would be fabulous improvidence for America to take U. N. R. R. A. as a pattern and to contemplate underwriting anything remotely like the share of world responsibility which we here temporarily accept as an unavoidable incident of war. So far as I am concerned, I accept it only because it is the unavoidable incident of war. I accept it in the overwhelming form in which we are required to underwrite it, only for that reason.

Mr. GILLETTE, Mr. McKELLAR, and Mr. TAFT addressed the Chair.

The PRESIDING OFFICER. Does the Senator yield; and if so, to whom?

Mr. VANDENBERG. I yield the whole shooting match with great joy and pleasure. [Laughter.]

Mr. GILLETE obtained the floor.

Mr. McKELLAR. Mr. President, will the Senator yield to me?

Mr. GILLETTE. I yield.

Mr. McKELLAR. I wished to ask a question of the chairman of the committee, if he is willing to submit himself to a question. Will the Senator look on page 2, lines 21, 22, and 23, at the language:

The Administration shall have power to acquire, hold, and convey property, to enter into contracts and undertake obligations.

That is an unlimited power.

Mr. CONNALLY. No; I do not agree with the Senator.

Mr. McKELLAR. Let me explain for a moment, please. In my judgment, that is an unlimited power. If the U. N. R. R. A. were to make a contract to dispense $5,000,000,000, instead of $1,350,000,000, it could do so. Why not put in, after the word "obligations", an amendment, by way of reservation, something to this effect:

Within the limitations of the appropriations made for this purpose.

Mr. CONNALLY. Mr. President, let me say to the Senator that there are several reasons why that is not practicable. In the first place, the Senator is offering that language as an amendment or reservation to the agreement already signed.

Mr. McKELLAR. It could be done only by way of reservation, as I understand the matter.

Mr. CONNALLY. Yes. The Senator would have to place it at the end, by way of reservation.

Mr. McKELLAR. Yes.

Mr. CONNALLY. Let me say to the Senator that I do not agree at all with his hypothesis. I do not believe that language gives the Administration any power to make a contract or to convey

property or to undertake obligations beyond the limitations of this joint resolution.

Mr. McKELLAR. Then, why not say so?

Mr. CONNALLY. I do say so.

Mr. McKELLAR. Why not have the language of the joint resolution say so?

Mr. CONNALLY. I do not object to making it clearer. If we made an authorization for someone to spend a million dollars for a certain purpose, in order to spend it he would have to make contracts and assume obligations. Of course, this organization will have to do that. Every time it buys supplies it will make a contract; will it not? Every time it promises to pay someone at a future date for those supplies it will be assuming an obligation. But those things are contained within the limits.

Mr. McKELLAR. That is an all-inclusive power.

Mr. CONNALLY. I do not grant the Senator that.

Mr. McKELLAR. And there is no limitation at all on that power.

Mr. CONNALLY. Yes; there is.

Mr. McKELLAR. I want to make this matter clear. I ask the Senator to turn to page 12, and I call his attention to the following language:

> The amount and character of the contributions of each member government under this provision will be determined from time to time by its appropriate constitutional bodies.

Mr. CONNALLY. That is correct.

Mr. McKELLAR. I have no doubt that the writers of that provision expected, for instance, so far as the Congress of the United States is concerned, that the money would be appropriated by the Congress.

Mr. CONNALLY. That is right.

Mr. McKELLAR. Under our system we have already given the power to the R. F. C. to make loans, and the money could be used for that purpose. Would the Senator be willing to accept an amendment, in the form of a reservation, after the words "appropriate constitutional bodies," to insert "in the case of the United States, the Congress of the United States"?

Mr. CONNALLY. I have great respect for the Senator's views, but I think that would be wholly unnecessary. I hold in my hand an amendment suggested by the Senator from Ohio [Mr. TAFT] which, if adopted, might obviate the difficulty which the Senator faces.

Mr. McKELLAR. Will the Senator please read it?

Mr. CONNALLY. The Senator from Ohio would add, at the bottom of page 15, the following:

> No amendment involving any new obligation for the United States shall be made to the agreement for United Nations Relief and Rehabilitation Administration without approval by joint resolution of Congress.

Personally I have no objection to that amendment.

Mr. McKELLAR. I doubt if that would cure the difficulty of which I have spoken.

Mr. CONNALLY. I think the general language "appropriate constitutional bodies" is broad enough. I do not see any occasion for saying, "by the House of Representatives, by the Senate, and by the signature of the President of the United States." They are the constitutional authorities.

Mr. McKELLAR. The Senator is putting a tremendous obligation upon the Appropriations Committees of the two Houses. When representatives of the Administration come before us and say, "We have an authorization for an appropriation of $1,350,000,000, and we want to have the money appropriated," the Senator says that we can use our discretion. That puts the Appropriations Committees in a very awkward situation.

Mr. CONNALLY. It does not unless the Appropriations Committee is to be a printing office.

Mr. McKELLAR. It will not be a printing office.

Mr. CONNALLY. Let the Appropriations Committee discharge the functions which we are placing in its hands.

Mr. McKELLAR. That is not the question. The question is, Should not this joint resolution be made so specific that there will be no trouble over the amount of money we appropriate? That would help tremendously.

Mr. CONNALLY. I have tried to aid the Senator all I could in that respect by indicating what was shown in the testimony of the witnesses.

Mr. McKELLAR. That does not commit them.

Mr. CONNALLY. Certainly it does not commit them; but what is the use of having an Appropriations Committee with such powers if the authorization must go into all the details? We might as well appropriate the money in the beginning.

Mr. McKELLAR. No; I think not.

Mr. CONNALLY. I have great respect for the chairman of the Appropriations Committee.

Mr. President, I do not wish to encroach further on the time of the Senator from Iowa [Mr. GILLETTE].

Mr. GILLETTE. Mr. President, I hope the Senator from Texas and the Senator from Tennessee will conclude reasonably soon.

Mr. CONNALLY. I am ready to conclude whenever the Senator from Tennessee reaches his terminal facilities.

Mr. McKELLAR. Paragraph 11 of Resolution No. 12, set forth on page 15 of the joint resolution, contains the following language:

> The task of rehabilitation must not be considered as the beginning of reconstruction—it is coterminous with relief.

In the first place, I do not know what "coterminous with relief" means, and I doubt if anyone else does. Waiving that question for the moment, the joint resolution applies to relief; does it not?

Mr. CONNALLY. Yes.

Mr. McKELLAR. Why not say so?

Mr. CONNALLY. That is what we are trying to say.

Mr. McKELLAR. Paragraph 11 of Resolution No. 12 says:

> The task of rehabilitation must not be considered as the beginning of reconstruction.

The joint resolution applies only to relief.

Mr. CONNALLY. That is a quotation from the agreement which has been signed by the 44 nations.

Mr. McKELLAR. I know it is. That is exactly what I think we ought to correct at this time.

Mr. CONNALLY. We cannot rewrite the agreement unless we submit it to the 44 nations again.

Mr. McKELLAR. We can attach reservations. As an illustration of an appropriate place to attach a reservation, I read section 4, on page 15:

> SEC. 4. In expressing its approval of this joint resolution, it is the recommendation of Congress that insofar as funds and facilities permit, any area important to the military operations of the United Nations which is stricken by famine or disease may be included in the benefits to be made available through the United Nations Relief and Rehabilitation Administration.

I understood from the Senator from Texas and also from the Senator from Michigan [Mr. VANDENBERG] that it was intended to include India. That language would include every nation in the world. I think it ought to be limited to what the committee intended.

Mr. CONNALLY. Let the Senator offer an amendment, and the Senate will vote on it.

Mr. McKELLAR. I certainly shall do so.

Mr. GILLETTE. Mr. President, I assure the Senator from Tennessee that his contribution is very helpful.

It is with considerable reluctance that I find myself unable to support the pending proposal. There are various reasons why I am reluctant. One of the principal reasons is that I am on the short end of the classic ratio of 16 to 1, which was the vote by which the joint resolution was reported to the Senate. Members of the Foreign Relations Committee whose erudition and legal learning are far superior to mine reached a judgment other than the one which I reached. I wish very briefly to give the reasons for the conclusion to which I was forced in announcing my opposition to the pending measure.

In the first place, if I had listened to my heart instead of my head, I would be enthusiastically supporting the proposal. If it were a matter of the allocation of my personal funds to a purpose of this kind, I would not hesitate for a fraction of a second. But, Mr. President, when I am acting as a Member of the Senate, and when I am asked to authorize an appropriation of $1,350,000,000 of the resources of the people of the United States, I think I should try, I think I must try, and I know I have tried, to think the matter through so as to bring myself into a frame of mind represented by what the Highest Authority tells us—"That thou mightest be justified when thou speakest and be clear when thou judgest."

Reduced to its simplest terms, Mr. President, the question before us is this: Are we justified in passing a measure which authorizes the expenditure of $1,350,000,000 of the people's money by an agency over which we have no control as to policy? That is the question. After careful thought I have reached the

conclusion that there is only one answer to it.

What is this proposal? It is a proposal to implement, by making available funds. To implement what? Is it to implement the activities of a bureau set up by Congress, to which we have delegated certain powers of administration? No. What is it? Is it to implement an act which has been placed upon the statute books by the Congress of the United States? No. What is it? Is it a proposal to implement by authorization a treaty entered into by the United States, which has gone through its various stages and has been approved and become a fixed thing, instead of a fluid thing? No. No such proposal is before this body.

The proposal is to implement an organization. What organization? An organization set up by a group of governments, including our own. The organization is called the United Nations Relief and Rehabilitation Administration. Who set it up? Who initiated it? Who motivated it, and what is it?

The agreement was signed—by 44 nations? No. It was signed by 44 governments or authorities—something new in our conception of international relations. A group of 44 governments or authorities have met and drafted a proposal, and signed it by their representatives.

Does it come to us as a finished thing? No, it is not a finished thing. We are asked to furnish the money to put it into effect. As I have said, if it were a treaty and were an established thing, we could study and understand its provisions. We could make reservations, as suggested by the Senator from Tennessee. We could make suggestions. We could refuse to confirm it. But we have no such authority. This is a fluid thing. It is not a static thing. Why is it fluid? Because by its very provisions it sets up a Council composed of one representative of each of the signatories, a Council charged with the duty of formulating policies for carrying into effect the purposes of the act. Just the moment we approve that, we approve that authority; we say, in effect, "All right; we are going to implement this with the people's money, and you may go ahead and change those policies you have provided in the provisions, because by this measure we are approving the provisions."

There has been much discussion this afternoon with regard to paragraph 11. I shall refer to it in a moment. It has been said that we are protecting ourselves. I am sorry the Senator from Michigan [Mr. VANDENBERG] is not present. I love him and admire him, and frequently I follow him. However, the number of times this afternoon that he has assured himself there is no occasion for doubt or misunderstanding, the number of times he interrogated witnesses appearing before the Foreign Relations Committee in order to assure himself, show that in his mind there was that doubt, and that there is that doubt today.

I wish to interpolate here, while I am referring to that matter, that the Senator from Michigan has quoted two of the finest men in public life, namely, Mr. Dean Acheson, of the State Department, who has been chosen the American member of this Council, and Governor Lehman. The Senator has quoted their statements of their viewpoints and of their ideas about what this policy should be.

I am glad to observe that the Senator from Michigan has now come into the Chamber. I was saying that he has quoted over and over again the two men to whom I have referred. I did myself the honor of referring to the Senator from Michigan. I am glad he has returned. As I have said, he has quoted Dean Acheson and Governor Lehman, two eminent gentlemen. But who are they? Governor Lehman at this instant does not represent the Government of the United States in this organization in any way, shape, or manner.

No longer than 24 hours ago a representative of the State Department said it was necessary to have someone to represent the United States. Governor Lehman is the international agent of this international organization. That is what Governor Lehman is. I do not impugn his statements. I do not question his sincerity. On the contrary, as I have already stated, I admire him as much as I admire any man in public life. But he would have nothing to say about it. He is to be the administrator of the policies formulated by the Council. He will not have a vote. By the express provision of this instrument, he will not even have a vote.

Mr. Dean Acheson is our representative—yes—and we are interested in his views, just as we are interested in the views of Governor Lehman. But Mr. Dean Acheson will have one vote in the Council. The Council is to be composed of 44 members representing governments or authorities—the new concept. Twenty-two or 23 of them will constitute a quorum under the procedure which has been adopted. A majority of that quorum could formulate policies. The United Kingdom or, rather, the British Association of Commonwealths, will have seven votes. I do not care anything about that, because their interests and ours will go along parallel, I hope, continuously. But the fact remains that we are to have one vote; and whatever may be the interpretation by Mr. Acheson as to what the provisions of this agreement are, it will be the interpretation of one man having one vote; that is all. He will be bound, and we will be bound, by the policies adopted under the provisions of the instrument which we are now asked to approve, which provides that they may make the policies to carry into effect what the Senator from Tennessee [Mr. MCKELLAR] has very cogently called attention to. At this point I stop my discussion of that phase of the matter.

Mr. President, what is the purpose of the organization? I read:

> The Administration shall have power—

I ask Senators to listen to the reading of the provision. It is not a question of what is thought by Governor Lehman, the man who now is the international agent—not the United States agent—the man who will have no vote, the man who will merely be carrying out the wishes or the purposes of the policy-making body. It is not a question of what his viewpoint may be. He will be an international agent. What will be their power? I read from article I:

> The Administration shall have power to acquire, hold, and convey property—

We shall be approving that article if we pass the joint resolution—

> to enter into contracts and undertake obligations—

We would approve that authority on their part—

> to designate or create agencies and to review the activity of agencies so created, to manage undertakings—

We would give them that authority.

Now I return to paragraph 11 of Resolution No. 12, to which I wish to refer.

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

Mr. GILLETTE. I am very glad to yield to the Senator from Tennessee.

Mr. MCKELLAR. Let me call the Senator's attention to the fact that the agreement provides wholly unlimited power to enter into contracts and undertake obligations.

Mr. GILLETTE. Certainly it does.

Mr. MCKELLAR. No restriction or limitation is placed on it. If they were to undertake to contract to furnish $10,000,000,000 or $50,000,000,000 for relief purposes, our Government would be honor bound to carry out the contract.

Mr. GILLETTE. Our Government would be morally bound, if not legally bound.

Over on the House side, in order to reassure themselves, as I am sure our distinguished colleague the Senator from Michigan has tried so many times to reassure himself, section 3 of article X was written so as to quote a portion of the oft-quoted paragraph 11 of Resolution No. 12 of the Council. If the joint resolution containing that portion of Resolution No. 12 were passed by the Congress, Congress would thus approve of the conception that we will not engage in a program of reconstruction, but that we will be limited to a program of rehabilitation, as provided in the preamble to this United Nations agreement.

What is said in the preamble? Among other things it says:

> Assistance in the resumption of urgently needed agricultural and industrial production * * *.

Rehabilitation is within that concept, within that phraseology. If Senators do not believe that is what is meant, I call their attention to the various paragraphs of resolution No. 12. I may say in this connection that the council which we are asked to approve, which we would clothe with the power to exercise that authority, and which we would implement within these limitations as to amount, has already adopted 41 interpretive resolutions for the purpose of stating what they intend to do under that proposal. Do Senators know what they are?

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

Mr. GILLETTE. I yield.

Mr. BUSHFIELD. What, if anything, will we have to say about it?

Mr. GILLETTE. In a little while we will be asked to give it our blessing, I am quite sure.

Mr. BUSHFIELD. And our money.

Mr. GILLETTE. Yes; the cash to implement it.

But what do we find?

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

Mr. GILLETTE. I yield.

Mr. McKELLAR. Will the Senator state what the 41 provisions are?

Mr. GILLETTE. Mr. President, I hope the Senator from Tennessee will excuse me. The provisions cover approximately 35 or 38 pages.

Mr. McKELLAR. I shall excuse the Senator.

Mr. GILLETTE. Forty-one were adopted at the first meeting. The Council can meet at any time. They must meet twice a year. They can meet at any time, on call, after 3 weeks' notice has been given, and they can adopt 41 more resolutions changing the policy. They can adopt a resolution eliminating paragraph 11 which has been quoted, and on which we express reliance. They can wipe it out tomorrow; and when we have recognized that authority we have recognized their right to do so. But what did they do in Resolution No. 12? I now have it before me. Following the preamble, it reads:

Resolved, That, subject to the provisions of Resolutions Nos. 1 and 17—

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. GILLETTE. Certainly.

Mr. O'MAHONEY. Will the Senator cite the page from which he is reading?

Mr. GILLETTE. I read from page 40 of the first group of resolutions which has been adopted implementing the agreement which is now before the Senate.

Mr. O'MAHONEY. I thank the Senator.

Mr. GILLETTE. If there is a Senator in this Chamber who knows what those resolutions are, I should like to have him stand up now and be counted. If any Senator knows what is contained in the resolutions which, in effect, the Senate will approve if it passes the joint resolution, I wish he would stand. But listen. I read from paragraph 1 of Resolution No. 12:

Rehabilitation supplies are to consist of materials, such as raw materials, machinery, and spare parts needed to enable a recipient country to produce and transport relief supplies for its own and other liberated territories; and, within the scope of the Administration, the rehabilitation of public utility and services, so far as they can be repaired and restored to meet immediate basic needs, such essentials as light and water, power, transportation, and communication. These needs include rehabilitation of essential relief industries, such as those which provide food, shelter, clothing, medical supplies.

I shall now quote from section 5 on page 40 of this volume. I invite attention to this statement as bearing on the assertion which is made that the relief organization is to operate in a transition period, taking over, after the Army has gone in, in order to relieve distressed and suffering people as a military necessity. Now listen. What does the Council we are approving say?

5. It is recommended that in cases where home production exceeds home consumption—

That has no reference to poor starving people—

the government or recognized national authority concerned should take all steps necessary to enable the excess of production available in a country to be put at the disposal of other liberated areas, which may need such supplies to cover their deficits.

6. It should be the policy of the administration to help those countries whose industries can be rehabilitated for production of relief and rehabilitation goods urgently required in other liberated areas.

Not as a matter of military necessity to feed starving people, but to enable a country to reestablish their industries and resume production so that they can start the flow of goods into other liberated areas. I am not quarreling with that if that is the purpose. What I am quarreling with is the suggestion that as representatives of the American people we should implement a proposal of that kind, an agreement of that kind over which we will exercise no control.

It is said it is merely an authorization, and that it will be necessary for the administrators to come to Congress and get the money. I have heard that assertion until I am sick at heart. I have not served in Congress so long as has the Senator from Tennessee and many other Senators, but I have been here 12 years, and I have heard a hundred times a year the statement: "This is only an authorization; do not worry about it; it is merely an authorization and they will have to come before the Appropriations Committee and justify their request for the money." Congress passes an act providing an authorization and then those interested in obtaining the money come to the Appropriations Committee and say, "You are not a legislative committee; this matter has been carefully considered by a legislative committee; they have gone into it, approved it, and reported it to the two Houses of Congress. Congress has approved it and acted on it. Your function is to make funds available when and as they are needed. It is not a question of a legislative proposal which Congress has passed on."

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from Iowa yield to the Senator from Wyoming?

Mr. GILLETTE. I am glad to yield.

Mr. O'MAHONEY. The Senator from Iowa knows that he always impresses the Senator from Wyoming when he rises to speak, and I am listening with the greatest of interest to his remarks upon this most important subject.

Mr. GILLETTE. I thank the Senator.

Mr. O'MAHONEY. Not having the responsibility of serving on the Foreign Relations Committee——

Mr. GILLETTE. I assure the Senator that is the loss of the committee.

Mr. O'MAHONEY. The Senator is very kind. I have only had the present opportunity to examine the language. So I ask the Senator if he will be good enough to turn to page 12 of the joint resolution which is before the Senate, where I find the first paragraph under the heading of "Supplies and resources," reading as follows:

1. Insofar as its appropriate constitutional bodies shall authorize, each member government will contribute to the support of the Administration in order to accomplish the purposes of article I, paragraph 2 (a).

That provision, paragraph 2 (a) of article I, is the paragraph which authorizes the United Nations Relief and Rehabilitation Administration—

To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations through the provision of food, fuel, clothing, shelter, and other basic necessities, medical and other essential services.

I take it, therefore, that that deals with the very heart and soul of the agreement.

Then referring again to paragraph 1 on page 12:

The amount and character of the contributions of each member government under this provision will be determined from time to time by its appropriate constitutional bodies.

So I ask the Senator, since that is specifically stated in words of almost one syllable in the agreement itself and appears to be a requirement that there should be a continuing supervision of the activities by the constitutional authorities of the member governments, if it is not, by that very language, clearly within the power and scope of the Appropriations Committees of the Senate and of the House to review every expenditure and to place limitations upon the expenditures whenever in the judgment of the Appropriations Committees it seems desirable to recommend such limitations.

Mr. GILLETTE. In answering the Senator from Wyoming I should say that I sincerely hope that the committees will take that viewpoint, but I call attention to the language which the Senator just read in connection with the language on page 13. There are two funds provided. One is for the purpose of carrying out the provisions of article I; the other is the administrative fund, and there are two separate provisions dealing with it. The first, to which the eminent Senator has just alluded, reads:

Insofar as its appropriate constitutional bodies shall authorize, each member government will contribute.

Now we are authorizing $1,350,000,000, and insofar as we will authorize we will, of course, contribute.

Mr. O'MAHONEY. No; if the Senator will permit me, that does not follow because——

Mr. GILLETTE. I shall be glad to hear the Senator.

Mr. O'MAHONEY. I should say that the joint resolution is an authorization for the appropriation of $1,350,000,000. Sentence one which the Senator has just quoted says:

Insofar as its appropriate constitutional bodies shall authorize each government will contribute—

Now we are making the authorization; but observe the next sentence:

The amount and character of the contributions of each member government will be determined from time to time by its appropriate constitutional bodies.

That extends, it seems to me—I certainly hope it does—into the future, and it is a clear declaration that, so far as this authorization of $1,350,000,000 is concerned, the character of the contribution may be determined from time to time by the appropriate constitutional body of this Government, which means the Congress of the United States.

Mr. GILLETTE. Which immediately brings up the question before the Appropriations Committee of a legal obligation or a moral obligation. If I said to the Senator from Wyoming, "When you are next in Cheyenne, where fine clothes are obtainable, buy me a suit of clothes for a hundred dollars"—I have not a hundred dollars, but suppose I made that request of the Senator——

Mr. O'MAHONEY. I would buy the suit, if the Senator just told me.

Mr. GILLETTE. The Senator would say, "What kind do you want?" I would reply, "I don't care—any color, any shade. You are authorized to buy that suit of clothes." The Senator buys it and brings it to me and says, "I bought your suit of clothes." I reply, "I don't like it. I don't want it." The Senator is "stuck with it." He paid for it.

Mr. President, what Appropriations Committee is going to take any such viewpoint? That is not done in our committees. They scrutinize, of course, but again and again and again question is raised as to the legislative authority.

Mr. O'MAHONEY rose.

Mr. GILLETTE. I want to give the Senator a chance to get the suit of clothes. I yield to him.

Mr. O'MAHONEY. The Senator means he is giving me a chance to give him some Wyoming clothes, and they are very excellent; and I may say they would be very well worn by the Senator from Iowa.

Mr. GILLETTE. Will the Senator withhold his interruption for a moment?

Mr. O'MAHONEY. The point I have in mind, and on which I should like to have the comment of the Senator, is whether he does not believe that the inclusion in the agreement, and the presence in the joint resolution, of this particular language, is not notice to every member government, and to every government which may be seeking relief, and, more important than that, notice to those who administer the relief, that they are constantly under the supervision of the constitutional body?

Mr. GILLETTE. Let me interrupt the Senator. I should hope that would be the conclusion, but I remind the Senator that in the same instant we recognize the authority of this organization to do these various and sundry things.

Mr. O'MAHONEY. Within these limits.

Mr. GILLETTE. The limits I have just read, "to acquire, hold and convey property, to enter into contracts and undertake obligations, to designate or create agencies and to review the activities of agencies so created, to manage undertakings * * *." I do not know what they will conclude. We are recognizing their right to make any conclusion they desire.

Mr. O'MAHONEY. Does the Senator believe that, with the presence of this particular language in the joint resolution, the administration handling this relief would have the authority to go beyond the amount and character approved by the constitutional body, the Congress of the United States?

Mr. GILLETTE. I certainly do. It would be a question whether they could hold us beyond the authorization, but they certainly have the right to attempt it.

Mr. O'MAHONEY. It seems to me it would be easily possible to make a legislative record here which would make it clear that they had no such authority to go beyond it. Personally, it is my opinion that this language is so clear, so explicit, so incapable of misunderstanding, that all who read it, including the administrators, must know that they are bound by the determination of the Congress of the United States as to the amount and the character of the contributions which they may make.

Mr. GILLETTE. That is a consummation devoutly to be wished, and it was a matter which was referred to by the Senator from Tennessee, when the distinguished Senator from Wyoming was out of the Chamber. The Senator from Tennessee suggested that we make it clear by amendment. Amendment to what? Amendment to an international agreement by action of the Congress, attempting to bind 43 other signatories? Of course not. We cannot do it. I wish we could do it. If so, we could clear up some of these questions.

Mr. McKELLAR. If the Senator will yield, we can only amend by inserting a provision which would have to be agreed to by the other signatories.

I wish to call to the Senator's attention, and to the attention of the Senate, and especially of the Senator from Wyoming, that the language here is very peculiar. The provision is:

The amount and character of the contributions of each member government under this provision will be determined from time to time by its appropriate constitutional bodies.

Offhand, one would think that meant the Congress of the United States, in the case of this country. I do not know whether it means Congress or not. It may mean Congress, but there is the R. F. C., which is a perfectly constitutional body. That body was created by the Congress under our Constitution, and it is one of the constitutional bodies of this Government. Suppose the Congress, through its Appropriations Committees, or without regard to the Appropriations Committees, should turn down an appropriation. Under this language there would be no reason in the world why an order could not be issued, under our law, to the R. F. C. to furnish the money, in such amount as Mr. Jones' organization, the R. F. C., might chose to put up.

If it means Congress, then the language should be changed to read, "by the appropriate action of the Congress of the United States." That is the only way to make it mean exactly what it is said it means.

Mr. GILLETTE. Mr. President, in that connection, I wish to refer to another matter in this very anomalous and amorphous thing we have before us for approval. It is that the funds which we make available must be accounted for. To whom? There is not a word as to that. They must be accounted for. There is only one thing which sheds a little light on it. On page 11, in section 5, it is provided that the Director General, Mr. Lehman, "shall make periodic reports." To whom? To the United States of America, which furnishes $1,300,000,000? He shall furnish periodic reports both "to the Central Committee and to the Council covering the progress of the administration's activities."

For whom is he the agent? Mr. President, he is the agent of your people and my people, but he makes a report to the agency which he is representing, an international agency which is created, and we are asked to approve word for word what he says.

Let me state one or two relatively minor matters, and then I shall take my seat.

Mr. WHERRY. Will the Senator yield to me before he concludes?

Mr. GILLETTE. I shall yield to the Senator before I conclude.

The preamble, which is of course explanatory, says that the purpose of the joint resolution is to furnish the services enumerated to liberated areas. But what does the joint resolution itself provide? On page 3, section 2, subsection (a), is this language:

To plan, coordinate, administer, or arrange for the administration of measures for the relief of victims of war in any area under the control of any of the United Nations.

Does that mean liberated areas? Here is the joint resolution, my fellow Senators, authorizing the furnishing of this type of relief to the "victims of war in any area under the control of any of the United Nations."

Is it merely for liberated areas, as a war measure? Does that sound as though it were a limited measure, a restricted measure, for liberated areas, when we clothe this amorphous thing with that authority, to spend that money, and negotiate those contracts, to rebuild those industries "in any area under the control of the United Nations"?

Mr. O'MAHONEY. Mr. President——

Mr. GILLETTE. I promised to yield to the Senator from Nebraska.

Mr. WHERRY. Mr. President, I should like to ask the Senator a question. Is it his interpretation that subdivision (a) of section 1, article V, on page 12, in the words "the amount and character of the contributions of each member government under this provision

will be determined by its appropriate constitutional bodies" is a restriction on the language in article I, paragraph 1, which provides that the Council by a majority vote can enter into international contracts?

Mr. GILLETTE. Certainly.

Mr. WHERRY. So that this language on page 12 applies only to contributions which are made, but in the final analysis the corporation of nations, as I call it, or organization, if the majority of its members decide to enter into contracts, is not restricted in any respect by the provisions of this measure. Is that the Senator's interpretation?

Mr. GILLETTE. That is true. I wish to say that during the colloquy which took place immediately after noon today, in response to the interrogations by the Senator from Tennessee [Mr. McKELLAR], the esteemed acting chairman of the Committee on Appropriations, the eminent Senator from Michigan [Mr. VANDENBERG], said, "Why, they will have to come back to you and justify the expenditure of the money. They will come back to you." Who are "they"? Mr. President, who are "they"? An international organization governed by a council composed of 44 members, nations, and authorities. Who are they? Whom are they going to send who will have a right to appear before an appropriations committee of the Senate or the House of Representatives and ask to be heard and justify expenditures? Who are they? We will have one member, the Honorable Dean Acheson; one vote, that of the Honorable Dean Acheson, and no more.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. O'MAHONEY. I wish to remark first that it is my belief that paragraph 1 on page 12 is a clear and specific limitation on paragraph 1 on page 2. That is to say, I believe that article V modifies, confines, and restricts article I. But I wish to ask the Senator if it would not be clearly so if on page 1 of the measure we should provide an amendment by inserting in line 5, after the word "Congress", the words "as provided by article V of the agreement hereinafter referred to", so that it would read:

> That there is hereby authorized to be appropriated to the President such sums, not to exceed $1,350,000,000 in the aggregate, as the Congress, as provided by article V of the agreement hereinafter referred to, may determine from time to time to be appropriated for participation by the United States—

And so forth.

Mr. GILLETTE. I think such language would be very helpful. It might go quite a way toward reassuring the Senator from Michigan and the Senator from Texas. The Senator from Michigan has done yeoman work on this proposal for the last 7 months. But every day or two he wants to be reassured as to the doubts which the Senator is now raising and which he is trying to clarify, because he does not believe it himself. The doubts still remain in his mind.

Mr. O'MAHONEY. Mr. President, I hope the Senator from Iowa does not say that I am raising any doubts.

Mr. GILLETTE. No.

Mr. O'MAHONEY. I am trying to clear away the doubt from the Senator's mind.

Mr. GILLETTE. But even if the language the Senator has suggested should be adopted, it would still leave the proposal open to the limitation, or attempted limitation, of an organization whose policies we authorize other people to formulate without any reference to us.

Mr. O'MAHONEY. May I impose upon the Senator's time long enough to say that it seems to me to be clear that article V in the agreement was intended clearly to preserve to the constitutional authorities of the United States the power of determining from time to time what the policy should be, because it states in so many words that the contributions shall be made subject to those conditions.

The amendment which I suggest is such that it would clearly tie to the congressional authority the power of determining the character of the contribution. I believe that was intended, and if the Senator from Texas does not find any serious defect in the amendment which I propose, I think perhaps I shall offer it later. I think it merely states what is implicit in the resolution.

Mr. GILLETTE. The Senator's suggestions are always interesting, and usually helpful.

Mr. President, I should like to refer to another matter while it is in my mind. The contribution which the Senator from Wyoming has just been discussing is the proportionate contribution by the signatories to the instrument on the basis of 1 percent of their national income. I do not care to go into the question of the injustice of that proposal. It has been referred to in the Senate. At any rate that proposal has been made. But on page 13 there is a separate provision that—

> Each member government undertakes, subject to the requirements of its constitutional procedure, to contribute to the administration promptly its share of the administrative expenses.

Under the first proposal we are to contribute about 60 percent, $1,350,000,000, or $10 for every man, woman, and child. It is rather significant that $1,350,000,000 is $10 for every man, woman, and child in the United States. That is about 60 percent. The Senator from Texas says it is 66 percent. I think he is a little in error in his computation. I think it is about 60 percent. But our share in the proposed contribution to the administrative expenses is 40 percent. I will say to the Senator from Michigan that his repeated reference to the $50,000 to be contributed by Iceland dealt with the contribution to the administrative expenses and not to the contributive share for relief and rehabilitation. Iceland's share is five-tenths of 1 percent. Our share in that matter is 40 percent, $4,000,000, and I would vote to make it available tomorrow.

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

Mr. GILLETTE. I yield.

Mr. WHEELER. I agree with the Senator from Iowa wholeheartedly. Senators may talk about limitations being placed by Congress on authorizations for appropriations, but when a department of our Government spends more money than we authorize to be appropriated for the department and comes before the committees and asks Congress to appropriate money in a deficiency measure to make up the difference, what can we do about it? Senators rise in the Senate and perhaps criticize the department, but we say there is nothing else we can do except to appropriate the money, because it has already been spent.

Mr. President, just so sure as Senators are now sitting in their chairs, if we grant the proposed authority not only for relief, but for the building of manufacturing plants in any country, not only in countries which are retaken from our enemies, but in any country that the proposed organization may designate, whether it be India or in South America or in whatever country, the organization can vote on the question and say that a dam should be built here, and an electric power site here, a manufacturing plant here, and a railroad, or anything else, and we in Congress will have nothing to do about it.

Mr. GILLETTE. And we will not know anything about it until they come to us and ask for the money.

Mr. WHEELER. Yes; we will not know anything about it until it is done. The money is spent, and those who spend it will come to us and say, "In accordance with the authority granted us we have spent this money. We have contracted for the expenditure of so much money." Mr. President, are we not morally bound then to appropriate the money?

Mr. O'MAHONEY. Mr. President, will the Senator permit me to interrupt him at that point?

Mr. WHEELER. Certainly.

Mr. O'MAHONEY. The appropriation laws dealing with relief matters which have been passed by the Congress in the past 10 years at all times have been full of limitations which were imposed by Congress. There were huge blanket appropriations made for purposes of relief. Frequently when relief organizations adopted programs which the Congress did not think should be carried on, the Congress wrote limitations in the laws and prohibited such types of programs. Our appropriation laws, I may say to the Senator, are full of such limitations.

Mr. WHEELER. I am not questioning that, but I say, on the other hand, that to my personal knowledge Congress has repeatedly in the last 20 years passed deficiency appropriation measures to provide money which has been spent or contracted to be spent by various departments of our own Government over and above the amounts appropriated for them.

It is now proposed to establish an organization which is not under the control of the United States Government, on which we have only one vote, which can set up all sorts of manufacturing establishments and come to Congress and say, "You are not going to run out on what you have already authorized this organization to do; are you?"

Who in this body will stand up at the time when there is this group of nations all over the world and say, "We are going to run out on the promises we have

made"? We have been accused time and time again of running out on agreements. Before we enter into the proposed agreement we should safeguard it so that other nations cannot say, after we have agreed to it, that we are "running out" on something.

As the Senator from Tennessee has pointed out, what is there to prevent the R. F. C. from loaning money to this organization, without ever coming to the Congress of the United States? Is there anything in this measure to prevent that? The R. F. C. is a constitutional body. It has the power to lend money. What is there in the pending measure to prevent the R. F. C. from lending the U. N. R. R. A. a billion dollars or any other amount of money? Mr. President, you and I know that the R. F. C. has loaned money to organizations and to foreign governments, and has never come to the Congress of the United States to request of it authority to do so, except for the general authority which has been given it; and we did not know anything about the loans that were made.

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

Mr. GILLETTE. Certainly.

Mr. REYNOLDS. I very much appreciate what the Senator has had to say about this matter. I can well understand that basically he is interested in the United States first, and is interested in saving whatever money we can save. We are told that 44 countries are going to contribute to this fund. I have before me a list of the countries. I should like to know whether the Senator has seen the list of the 44 nations which are supposed to contribute.

Mr. GILLETTE. Yes; I have seen the list.

Mr. REYNOLDS. Mr. President, does the Senator know how many of the nations which are supposed to contribute to the fund are receiving lend-lease funds from us?

Mr. GILLETTE. I cannot answer that question. It was estimated that the combined contribution of the group of nations would be approximately $2,000,000,000, and that our share would be approximately $1,350,000,000.

Mr. REYNOLDS. I was wondering whether some of those nations, or all of them, expect to contribute to this fund from the lend-lease money we are giving them. If so, that would make us pay almost all, if not all, of the fund.

Mr. GILLETTE. Mr. President, in addition to that, I would say to the Senator that some of the so-called nations are not nations. They are authorities. They can be added by action of the Council, not by action by us. Who will be added to represent Poland? Will it be the Government in exile in Europe, or the new Polish Government to be set up under the approval of Russia? Who will represent Yugoslavia—the Tito regime or the regime of King Peter? They are authorities. How could they contribute? The governments in exile have no money—to a degree, at least—except what the Senator suggested we have been furnishing them. But we are expecting them to contribute; we are agreeing that they shall have an equal voice and an equal vote in the formulation of policies.

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

The PRESIDING OFFICER (Mr. WALSH of New Jersey in the chair). Does the Senator from Iowa yield to the Senator from Wisconsin?

Mr. GILLETTE. I yield.

Mr. WILEY. I thank the Senator. I shall not enter into the debate with respect to whether the language of the measure is sufficient to limit the power. I merely wish to ask the distinguished Senator two questions. Suppose we disregard the joint resolution entirely; I should like to have the distinguished Senator's reaction to this question: Would not the President, and, under him, the military, have the power to accomplish as a military measure what is provided for in the pending measure, thus making the charge almost entirely a charge upon this Nation?

The second question is this: Has not the Congress already given the President the power, under lend-lease, to provide funds to accomplish the purposes set forth in the pending measure?

Those are the two questions.

Mr. GILLETTE. Mr. President, in answer to the first question of the Senator from Wisconsin, let me say I do not agree that the military authority could properly and successfully administer relief and rehabilitation. After the military authorities have taken over an area, after they have driven out the enemy, there must be an interim period during which they must of necessity furnish relief to the destitute. But they are not set up and organized to do that for any length of time.

In answer to the second question as to whether the President, under lend-lease authority, could make use of lend-lease funds in order to accomplish the purposes set out in the pending measure, let me say that if the Senator will recall the language of the Lend-Lease Act, he will remember that the President has the right, under the Lend-Lease Act, to give away, transfer, and so on, any war materials which would be of any benefit, direct or indirect, to any nation, and which he thought would be of military value to the United States. The power under lend-lease and the President's discretionary judgment under it would be limited, of course, by that language.

Mr. WILEY and Mr. WHEELER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Iowa yield, and, if so, to whom?

Mr. GILLETTE. I yield first to the Senator from Wisconsin.

Mr. WILEY. Mr. President, I thank the Senator for the answer he has made to my questions; but it seems to me the Senator is taking too limited a view. For instance, in any nation such as Italy or France or any of the other occupied countries, after we shall be successful, as we hope, in driving out the enemy, we shall find chaos, we shall find the people depleted not only economically, but spiritually and mentally. It seems to me we cannot, from a military standpoint, disregard the threat of volcanic consequences from such situations. If there is no other agency, would not the military or some agency under it have to handle such situations? It seems to me that follows as a natural consequence.

Second, it seems to me that under the very language of the Lend-Lease Act quoted by the Senator, the Congress has given the President adequate power to meet that situation. In my opinion, the scope of the Lend-Lease Act is that broad. I am sorry I am not a member of the Committee on Foreign Relations which heard all the evidence and the facts; but I have listened to the arguments presented on both sides. It seems to me that what we are doing is simply saying, "We will bring in an additional group of nations to undertake this tremendous job, or we will do it alone."

I should like to have the Senator speak on that phase of the matter, because it seems to me that is the final issue.

Mr. GILLETTE. Mr. President, let me say to the Senator from Wisconsin that I am very anxious to take my seat. I have felt better than I do now. I should like very much to conclude.

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

Mr. GILLETTE. I yield.

Mr. AIKEN. I call the Senator's attention to paragraph 3 of article V, page 12, which reads as follows:

> 3. All purchases by any of the member governments, to be made outside their own territories during the war for relief or rehabilitation purposes, shall be made only after consultation with the Director General, and shall, so far as practicable, be carried out through the appropriate United Nations agency.

I ask the Senator from Iowa whether that means that if we should have a severe drought in this country next year, and if we should have to buy grain from Canada, even as we are buying it now, virtually for relief purposes, would the United States have to obtain the consent of this organization before buying Canadian or South American grain, and would the purchase have to be made through the U. N. R. R. A.? According to this paragraph, it seems to me it would. If it would, it seems to me the Members of this body should know it.

Mr. GILLETTE. Mr. President, I hesitate to think that that construction would be put on that paragraph; but under the proposal we are considering, it is impossible to know what construction could be placed on it, because it is impossible to know from one month to another what policy may be adopted.

Mr. AIKEN. I am not speaking of the construction. I am simply reading the language. It says that—

> All purchases by any of the member governments to be made outside their own territories during the war for relief or rehabilitation purposes, shall be made only after consultation with the Director General, and shall, so far as practicable, be carried out through the appropriate United Nations agency.

We are now buying grain for relief in this country.

Mr. GILLETTE. I will admit that that language might raise a doubt. I know it has raised a doubt in the Senator's mind, and it would in mine. However, to repeat, I am very reluctant to believe

that any such construction would be placed upon it.

Mr. AIKEN. I hope no such construction will be placed upon it; but nevertheless, the wording is there.

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

Mr. GILLETTE. I yield.

Mr. McKELLAR. I think we all realize that we must do something in the way of relief under the circumstances we are discussing today. I should like to ask the Senator from Iowa a question. He is a member of the Foreign Relations Committee. Was any proposal made to the committee that we organize relief under that splendid organization which is so popular in this country, and which has done such a wonderful work not only in the United States but all over the world? I refer to the American Red Cross. Was there any proposal before the committee that we furnish the money to the Red Cross, and delegate to the American Red Cross the duty of furnishing relief to other countries? It seems to me that that would be a very proper way to administer relief. I wonder if any such proposal was made.

Mr. GILLETTE. No such proposal was made at any time when I was present at meetings of the committee.

Mr. O'DANIEL. Mr. President, will the Senator yield?

Mr. GILLETTE. I yield.

Mr. O'DANIEL. I should like to ask the Senator a question with reference to article I, which is set out in the joint resolution beginning on page 2. The language in line 21 is as follows:

> The Administration shall have power to acquire, hold, and convey property, to enter into contracts and undertake obligations—

And so forth.

Does not the Senator consider that the language "undertake obligations" would give U. N. R. R. A. the right to borrow money? That is undertaking an obligation.

Mr. GILLETTE. It would certainly authorize the Administration to enter into a contract for the payment of money.

Mr. O'DANIEL. The language is "undertake obligations." And borrowing money is certainly "undertaking obligations."

Mr. GILLETTE. Whether the authority would be extended to actually borrowing money, I do not know.

Mr. O'DANIEL. Even if this language does not specifically give the organization authority to borrow money, U. N. R. R. A. certainly has the authority to change article I at some later date so that it will specifically have the power and authority to borrow money and it can do so without even asking our Government for our consent to change article I, or any other articles in their constitution. But it appears to me that article I undoubtedly already gives them power and authority to borrow money.

Mr. GILLETTE. The language is broad enough so that, within the general purposes of the proposal, it could certainly enter into any kind of a contract, even for the purchase of real estate.

Mr. O'DANIEL. If we should become a party to this organization, U. N. R. R. A., which deals in money by the billions, and it has authority to borrow money, it is quite likely that it might become involved in a substantial debt. In that case, we, being a party to the organization, would naturally feel a moral obligation at least to see that its debts were paid. If it borrowed the money from an agency of the United States Government, such as the R. F. C., and then later came to Congress asking for an appropriation to pay our share of the debt, the Congress could not well afford to deny the appropriation of our share of 65 or 70 percent of the debt, when a department of our own Government, R. F. C., for instance, would get paid the full 100 percent of the debt. Certainly, Mr. President, we are treading on treacherous ground if we become a major contributing member of an organization such as U. N. R. R. A., which has unlimited power and authority to borrow money.

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

Mr. GILLETTE. I yield.

Mr. MURDOCK. As I understand, the agreement set out in the joint resolution has already been signed by 44 nations.

Mr. GILLETTE. By 44 governments or authorities.

Mr. MURDOCK. As I understood the Senator from Michigan [Mr. VANDENBERG] something was added or attempted to be added, in the House of Representatives.

Mr. GILLETTE. Not to the United Nations agreement. The only additions were the paragraphs on page 15, at the bottom of the page, beginning with section 4. As I recall, the House added that provision, which was an attempt to bring within the purview of the authority the right to furnish relief to the India area.

Mr. MURDOCK. Is it the Senator's opinion that section 4 now becomes a part of the agreement of the 44 nations?

Mr. GILLETTE. Not at all. On the contrary, the express language of the joint resolution is as follows:

> In expressing its approval of this joint resolution, it is the recommendation of Congress that insofar as funds and facilities permit, any area important to the military operations of the United States which is stricken by famine or disease may be included in the benefits to be made available through the United Nations Relief and Rehabilitation Administration.

We recommend it, but there is no obligation on the part of the United Nations to accept the recommendation.

Mr. MURDOCK. The agreement ends in line 18, on page 15, does it not?

Mr. GILLETTE. No.

Mr. MURDOCK. Where does the agreement end?

Mr. GILLETTE. It is a little difficult to find it in the print. The end of the agreement is near the bottom of page 14, at the end of line 23, ending with the words "undertaken by it."

Mr. MURDOCK. Then, so far as that agreement is concerned, Congress can do absolutely nothing about it.

Mr. GILLETTE. That is correct.

Mr. MURDOCK. Because if it was signed authoritatively by whoever signed it for the United States, we are bound by it.

Mr. GILLETTE. We are bound by it if we accept it by the passage of the joint resolution.

Mr. MURDOCK. How does the Senator distinguish—if he does distinguish—between what is brought to us now and referred to as an agreement, and a treaty?

Mr. GILLETTE. If this international agreement had been presented to the Senate as a treaty for confirmation, it would have been subject to debate. It would have been subject to suggested amendment or change. As this is presented, it comes before us, not for the purpose of making any change, but in a situation in which we have no authority to make changes. It is simply introduced by reference in a joint resolution which provides for the implementation of the instrument which has been signed.

Mr. MURDOCK. In the opinion of the Senator, is the subject matter of the agreement which is now brought to us by way of reference a proper subject matter for a treaty?

Mr. GILLETTE. Yes.

Mr. MURDOCK. In the opinion of the Senator, should it not have been handled as a treaty rather than as an executive agreement?

Mr. GILLETTE. That is absolutely correct. If it had been brought here as a treaty, and the Senate, in the consideration of the treaty, had suggested an amendment, it would have gone back to the executive department, which would have consulted the treaty signatories and asked them whether they would accept the changes; but it was not so presented. Any change which we might make in the agreement would be ineffectual, because there are 43 signatories who are not consulted, and there is no opportunity for consulting them.

Mr. MURDOCK. Let me ask the Senator a further question, and then I shall be satisfied.

Turning to page 12, we find this language, which was referred to by the distinguished Senator from Michigan:

> Insofar as its appropriate constitutional bodies shall authorize, each member government will contribute to the support of the administration in order to accomplish the purposes of article I, paragraph 2 (a).

Now we find that in the joint resolution it is proposed to authorize, by our constitutional authority—which, of course, consists of the Congress and the President—an appropriation of $1,350,000,000.

Mr. GILLETTE. That is correct.

Mr. MURDOCK. Under what subterfuge, excuse, or pretense could the Congress of the United States later say that we were not obligated for the $1,350,000,000?

Mr. GILLETTE. I do not know.

Mr. MURDOCK. Neither do I.

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

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from Iowa yield to the Senator from Arizona?

Mr. GILLETTE. I yield.

Mr. McFARLAND. Was it explained why the voting power was not set up in accordance with the amounts contributed by the various nations?

Mr. GILLETTE. Yes.

Mr. McFARLAND. What explanation was given?

Mr. GILLETTE. Regardless of the contribution of 60 percent by us, the fact is that some of the signatories are merely "authorities," without any national existence. Under the definition of our Supreme Court they could not be parties to a treaty. We recognize them as "authorities." Under the Supreme Court decision they could not become parties to a treaty; and yet they are to have an equal vote with Mr. Acheson, who represents us on that policy-making organization.

Mr. McFARLAND. Will the Senator explain why the voting power was not made to conform to the amount contributed by each nation? Why was not the voting power set up in that way?

Mr. GILLETTE. I wish I knew. The proposal comes to us in this form.

I hope Senators will allow me to conclude.

In closing, let me say that I regret the position I must take on this measure. Since I have been a Member of Congress I have stayed awake many nights considering the necessity which I felt incumbent upon me as a Senator to vote to implement plenary authority by blank checks, delegating to the various agencies, bureaus, commissions, and departments of the Government the right to spend money, under restrictions, of course, which we laid down in the delegated authority. I have worried about that. I have worried because I had given my approval to that type of legislation, which to me is repugnant to every instinct of democratic administration of a people's affairs.

I cannot bring myself to support a proposal to authorize the expenditure of $1,350,000,000 of the American people's money by an organization which we did not create, an organization in which we would have but only one vote, an organization for the machinery of which we would give approval, an organization which is a policy-making organization with power to determine and change in the future its policies under which the money is to be expended and over which we would have no control except the negative control over appropriations when it asks us for additional money. The Almighty knows that it will be back here asking for additional money, because we are the ones who control the purse strings.

EXTENSION OF COMMODITY CREDIT CORPORATION—CONFERENCE REPORT

Mr. BANKHEAD submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That section 1 of the Act approved March 8, 1938 (52 Stat. 107), as amended, is hereby amended by deleting from the first sentence thereof the term '31st of March' where that term first appears therein and substituting in lieu thereof the term '30th of June', and by deleting from the second sentence thereof 'on the basis of the cost, including not more than one year of carrying charges, of such assets to the Corporation, or the average market prices of such assets for a period of twelve months ending with March 31 of each year, whichever is less' and inserting in lieu thereof 'on the basis of the cost, or, insofar as practicable, the average market price of such assets during the last month of the fiscal year covered by the appraisal, whichever is the lower'. The first appraisal of the assets and liabilities of the Commodity Credit Corporation on the basis established by this amendment shall be made as of June 30, 1944.

"SEC. 2. Section 7 of the Act approved January 31, 1935 (49 Stat. 4), as amended, is hereby amended by changing the designation thereof to section 7 (a); by striking out in the first sentence of such section 'February 17, 1944' and inserting in lieu thereof 'June 30, 1945' (this amendment to be effective as of February 17, 1944); and by striking out the period at the end of such section and inserting in lieu thereof a colon and the following: '*Provided, however*, That the Corporation shall at all times maintain complete and accurate books of account and shall determine the procedures to be followed in the transaction of the corporate business.

"'(b) The financial transactions of the Corporation beginning with the period from July 1, 1944, shall be audited by the General Accounting Office in accordance with the principles applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States: *Provided*, That the Corporation shall continue to have the authority to make final and conclusive settlement and adjustment of any claims by or against the Corporation or the accounts of its fiscal officers: *Provided further*, That a report of such audit shall be made to the Congress, together with such recommendations as the Comptroller General may deem advisable, and that each such report shall cover a period of one fiscal year: *Provided further*, That a copy of each such report shall be furnished the Secretary of the Treasury and that the findings contained therein shall be considered by the Secretary in appraising the assets and liabilities and determining the net worth of the Corporation under sections 1 and 2 of the Act of March 8, 1938 (52 Stat. 107), as amended: *Provided, however*, That nothing in this section shall be construed as modifying legislation authorizing the use of funds of the Corporation for administrative expenses and requiring accountability therefor.

"'(c) The expenses of the audit as provided in this section may be paid up to and including June 30, 1946, from moneys advanced therefor by the Corporation, or from any appropriation or appropriations for the General Accounting Office, and appropriations so used shall be reimbursed promptly by the Corporation as billed by the Comptroller General: *Provided*, That any such advances or reimbursements shall be considered as nonadministrative expenses of the Corporation. For the purpose of such audit the representatives of the General Accounting Office shall have access to all papers, books, files, accounts, financial records, warehouses, and all other things, property, and places belonging to or under the control of or used or employed by the Corporation and shall be afforded full facilities for verifying transactions with the balances in depositaries and with fiscal agents: *Provided further*, That the certified financial reports and schedules of the fiscal agents of the Corporation based on commercial audits in the usual course of business may be accepted by the General Accounting Office in its audit of the financial transactions of the Corporation as final and not subject to further audit verification.

"'(d) Any examination of the corporate records shall be made at the place or places where such records are normally kept in the transaction of the corporate business, and the Corporation shall retain custody of contracts, vouchers, schedules, or other financial or accounting documents, either original or duplicate, relating to its nonadministrative transactions.'

"SEC. 3. No funds appropriated to, borrowed by, or in the custody or control of any governmental agency (including any Government-owned or Government-controlled corporation) shall be directly or indirectly used by or made available to the Commodity Credit Corporation or any other governmental agency (including any Government-owned or Government-controlled corporation) to make any subsidy or other payment, or to pay or absorb losses, on any agricultural commodity or any commodity processed or manufactured in whole or substantial part therefrom, including milk and livestock and the products thereof, either to reduce, or in lieu of increasing, maximum prices established on such commodities under the provisions of the Emergency Price Control Act of 1942, as amended, or Public Law No. 729, approved October 2, 1942, except as provided in section 4 hereof: *Provided*, That with respect to any such commodities for which programs involving such payments or losses have been announced on or before January 14, 1944, such programs may be carried out to the extent only that funds are available for such purpose under existing law, but such programs shall be completed not later than June 30, 1944: *Provided further*, That support prices shall continue to be maintained and announced for any such commodities pursuant to section 4 of Public Law No. 147, approved July 1, 1941, as amended, and loans shall continue to be made pursuant to section 8 of Public Law No. 729, approved October 2, 1942, but any maximum prices heretofore or hereafter established for such commodities shall not be below the support prices therefor or below the prices specified in section 3 of Public Law No. 729, approved October 2, 1942: *Provided further*, That none of the foregoing provisions shall apply to any payments or losses incurred in transactions with respect to domestic sugar beets and sugarcane and competitive domestic vegetable oils and fats and oil seed and oil seed meals: *And provided further*, That nothing herein shall be construed to prevent the making of parity payments or soil-conservation payments authorized under existing law, or benefits to sugar growers authorized under title III of the Sugar Act of 1937, as amended, or the sale of feed wheat as authorized by existing law.

"SEC. 4. (a) Within a period of one hundred and twenty days from the effective date of this Act, and within each six-month period thereafter, maximum prices heretofore or hereafter established on milk and the products thereof (pursuant to the Emergency Price Control Act of 1942, as amended, or Public Law 729, approved October 2, 1942), shall be adjusted on a regional or market basis as the case may require to the extent necessary to (1) reflect changes in farm labor costs, feed prices (including all feed fed whether purchased or home grown), and other costs since January 1, 1941; (2) place the production of milk and the products

thereof on a competitive basis with alternative opportunities which are available to producers of milk; (3) correct inequities as between markets; and (4) maintain or increase the production of milk and the products thereof for war and civilian purposes: *Provided*, That in determining the extent to which maximum prices shall be adjusted as provided herein, due consideration shall be given to historical and normal differentials customarily applied as between markets and regions: *Provided further*, That in no event shall maximum prices on milk and the products thereof be established below support prices therefor or below the prices specified in section 3 of Public Law Numbered 729, approved October 2, 1942: *Provided further*, That where minimum prices to producers of milk have been regulated under any agreements or orders pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, the War Food Administrator is hereby directed, within the periods prescribed in this section (relating to the adjustment of maximum prices), to adjust such minimum prices to reflect adjustments in maximum prices determined and ordered pursuant to the provisions of this section. Except as expressly provided herein, nothing contained in this section is intended, nor shall be construed to repeal, amend, or supersede the provisions of the Agricultural Marketing Agreement Act of 1937, as amended.

"(b) In order to effectuate the purposes of paragraph (a) of this section, the War Food Administrator and the Price Administrator are hereby directed to hold public hearings on a regional or market basis as the case requires. For such purposes there shall be utilized the hearing procedure and the personnel of the Food Distribution Administration of the United States Department of Agriculture established under the provisions of the Agricultural Marketing Agreement Act of 1937, as amended, and such other personnel of the Department of Agriculture and the Office of Price Administration as may be required. As soon as practicable after the completion of the hearing, but in any event within the periods specified in paragraph (a), the War Food Administrator and the Price Administrator shall make public their joint findings based only on relevant substantial evidence of record at the hearing and the Price Administrator forthwith shall issue an order adjusting such maximum price or prices on the basis of and in conformance with such findings.

"(c) Any person (within the meaning of section 302 (h) of the Emergency Price Control Act of 1942, as amended) who is adversely affected by the order of the Price Administrator may, within thirty days after the action adjusting such maximum price or prices, file a complaint with the Emergency Court of Appeals specifying his objections and praying that the order be enjoined or set aside in whole or in part.

"The War Food Administrator shall be made a party to the proceedings and upon service of the summons and complaint, the Price Administrator shall certify and file in the court the transcript of the proceedings and the record upon which the order adjusting such maximum price or prices was based. The proceedings in and the determinations, orders, and decrees of such court shall be subject to all applicable provisions of section 204 of the Emergency Price Control Act of 1942, as amended; except, that wherever the term "Administrator" is used therein, it shall, for the purposes hereof, be construed to mean the War Food Administrator and the Price Administrator: *Provided*, That during the pendency of such proceedings the Price Administrator may not modify or rescind his order adjusting such maximum price or prices except upon the basis of additional joint findings on evidence adduced pursuant to the order of the court. The provisions of this section shall terminate coterminous with the expiration of the Emergency Price Control Act of 1942, as amended.

"SEC. 5. The Commodity Credit Corporation may sell at a loss perishable fruits or vegetables, owned or controlled by it, the increased production of which has been requested by the War Food Administrator, if there is danger of substantial loss through deterioration by spoilage."

And the Senate agree to the same.

J. H. BANKHEAD,
D. WORTH CLARK,
JNO. THOMAS,
JOHN L. MCCLELLAN,
ROBERT A. TAFT,
Managers on the part of the Senate.

BRENT SPENCE,
PAUL BROWN,
WRIGHT PATMAN,
JESSE P. WOLCOTT,
FRED L. CRAWFORD,
ROBT. W. KEAN,
Managers on the part of the House.

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

Mr. BANKHEAD. I yield.

Mr. WHITE. Is it the Senator's purpose to request action on the conference report this afternoon?

Mr. BANKHEAD. Yes. I ask for the present consideration of the report. There are a number of reasons for my desire to do so. The conference report is unanimous, and in substance it conforms to the attitude of the Senate. Only two things have been eliminated, and nothing has been added.

Mr. WHITE. It occurs to me that inasmuch as there are only a few Members of the Senate present it might be better to postpone consideration of the report. However, the Senator has said that it is a unanimous report.

Mr. BANKHEAD. It is a unanimous report.

The PRESIDING OFFICER. Is there objection to the present consideration of the conference report?

There being no objection, the report was considered and agreed to.

UNITED NATIONS RELIEF AND REHABILITATION ADMINISTRATION

The Senate resumed the consideration of the joint resolution (H. J. Res. 192) to enable the United States to participate in the work of the United Nations relief and rehabilitation organization.

Mr. TAFT. Mr. President, I submit an amendment to the pending joint resolution which I send to the desk and ask to have read.

The PRESIDING OFFICER. Without objection, the amendment will be read.

The LEGISLATIVE CLERK. At the bottom of page 15 it is proposed to insert the following:

No amendment involving any new obligation for the United States shall be made to the agreement for United Nations Relief and Rehabilitation without approval by joint resolution of Congress.

The PRESIDING OFFICER. The amendment will be printed and lie on the table.

Mr. VANDENBERG. Mr. President, at what point is the amendment to appear in the joint resolution?

Mr. TAFT. At the bottom of page 15 of the joint resolution.

Mr. VANDENBERG. The amendment is not intended to be offered to the agreement?

Mr. TAFT. No; it is intended to be offered as an amendment to the joint resolution itself.

Mr. MCKELLAR. Mr. President, I submit certain reservations and amendments and ask that they lie on the table and be printed.

The PRESIDING OFFICER. The amendments and reservations will lie on the table and be printed.

PETROLEUM REPORT—INVESTIGATIONS OVERSEAS IN CONNECTION WITH THE NATIONAL DEFENSE PROGRAM (PT. 15 OF REPT. NO. 10)

Mr. MEAD. Mr. President, I ask unanimous consent to submit an additional report from the Special Committee to Investigate the National Defense Program, pursuant to Senate Resolution 71, Seventy-seventh Congress, and Senate Resolution 6, Seventy-eighth Congress, authorizing and directing an investigation of the national defense program, being the report of a subcommittee of the Special Committee Concerning Investigations Overseas: Section 1—Petroleum Matters.

The PRESIDING OFFICER. Without objection, the report will be received and printed.

Mr. MEAD. Mr. President, because of the lateness of the hour I shall not read the report, but I wish to invite the attention of the Senators to the fact that there is a copy of the report on their desks. This is the first report submitted by the committee following the return of the subcommittee which made the trip around the world.

The report contains the findings of our committee including the hearings which our subcommittee held in the various theaters of activity, particularly in the Middle East and in the Persian Gulf area. It also includes considerable material taken from the hearings which the subcommittee held both before we left this country and after our return.

It also includes, Mr. President, a study of this problem made by our full committee, together with the individual reports made to the Senate by the five members of the subcommittee who made the trip around the world.

The primary purpose of this report is to present to the public the essential basic facts with respect to the supply and demand in the United States for petroleum production and the reserves of petroleum that have been proved in the United States. These figures indicate that although no catastrophe faces the United States, petroleum is very important to the future prosperity of the United States and our present demand for petroleum is so great, compared to the supply and the proved reserves, that prudence requires us to give now serious attention to formulating a national policy with respect to petroleum.

In its report the committee does not attempt to formulate such a policy but instead attempts to outline some of the major problems that will have to be considered before such a policy can properly

be formulated. The committee further recommends that such a policy should not be evolved as a result of separate action taken by the various agencies, each of which has authority with respect to some limited phase of petroleum activities. Such a policy should be determined by the Congress. The appropriate legislative committees of the Senate, such as the Foreign Affairs, Commerce, and Interstate Commerce, can consult all informed opinion, public and private, and formulate the policy to be followed on petroleum matters.

Mr. President, this is probably one of the most important problems which the Senate will be called upon to consider. It is important for the reason that we are living in a petroleum age. Not very long ago Mr. Ickes made the rather shocking pronouncement that at the present rate of consumption we would not be able to oil another war.

Mr. O'MAHONEY. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. McKELLAR in the chair). Does the Senator from New York yield to the Senator from Wyoming?

Mr. MEAD. I yield.

Mr. O'MAHONEY. I invite attention to the fact that the House of Representatives today passed the synthetic liquid-fuel bill which was passed by this body on the 9th of November last. That measure authorizes and directs the Bureau of Mines to construct demonstration plants for the manufacture of synthetic liquid fuel from coal, oil shale, and other substances. As was shown in the debate which took place in this body when the measure was under consideration here, and as was shown again yesterday and today in the House, and by the reports and hearings of the committees which considered the measure, there is great opportunity in the United States for the manufacture of unlimited amounts of oil from coal, oil shale, and other materials which are available in the United States.

There is no reason why the United States should at any time suffer under the slightest restriction for liquid fuel. The Mines and Mining Committee of the House, through a subcommittee which was headed by Representative JENNINGS RANDOLPH, of West Virginia, and the Public Lands Committee of the Senate, conducted joint hearings during the past year upon this measure, and I think it can be said without any reservation that the natural resources of the United States are such that we need not be dependent upon any foreign source for the liquid fuel with which to operate our gas engines.

Let me add that Representative RANDOLPH, whose interest in the development of synthetic fuels has been responsible for the speedy action by the House of Representatives on this measure, personally demonstrated the efficiency of gasoline made from coal by flying from his district in West Virginia to Washington in an airplane fueled by synthetic gasoline made from coal.

Mr. MEAD. I am glad to have that statement from the able Senator, and I commend the House for their action today and the Senator from Wyoming and the Senate for their initiative.

Mr. BREWSTER. Will the Senator from New York yield?

Mr. MEAD. I shall yield in a moment. I hope that the processes which the Senator from Wyoming has just explained will prove highly successful, for if they do, it certainly will allay the apprehensions which many of the experts who have studied this question have manifested.

I now yield to the Senator from Maine.

Mr. BREWSTER. I invite the attention of the Senator from Wyoming, and inquire whether or not he has an estimate as to what the mass production of liquid fuel from such a source as he has indicated would, under present processes, cost.

Mr. O'MAHONEY. Mr. President, the object of the bill of course is to provide for the construction of demonstration plants, and it is hoped that the cost can be reduced. As I recall, estimates were made by the late W. S. Farish, president of the Standard Oil Co. of New Jersey, that under the processes available a year or so ago gasoline could be made for from 12 to 20 cents a gallon, which of course is much more expensive than under present processes.

Mr. BREWSTER. What would be the comparable figure for the production of gasoline from petroleum at the same point?

Mr. O'MAHONEY. It can be produced from petroleum for from 4 to 5 cents a gallon.

Mr. BREWSTER. So it would be three to four times as expensive as under present processes?

Mr. O'MAHONEY. Under the conditions which existed some years ago, but the evidence before our committee showed that great progress had been made, both in England and in Germany, as a result of the war.

Mr. BREWSTER. It is a fact, is it not, that Germany is producing about half her gasoline from such a source?

Mr. O'MAHONEY. That is my information.

Mr. BREWSTER. But it would mean a very considerable burden, under present conditions, upon the consumers, if we should be compelled to turn to other sources than petroleum for our liquid fuel?

Mr. O'MAHONEY. Provided the art could not be improved, but the experience in this country in almost every field has been such that I think we can look confidently forward to a very great reduction in the cost of producing liquid fuel.

I may say, if the Senator from New York will permit, one may refer, as an example, to the production of what is known as wood sugar. The process of making sugar from wood was known in Germany and in this country for many years. It was commercialized in Germany before the rise of the Hitler regime. That regime confiscated the plants of the commercial operator; in fact, that operator was placed in a concentration camp and compelled to purchase his liberty by turning over his property to the designees of the Nazi regime. He came to this country, and has been cooperating with the Department of Agriculture and with the Forest Products Laboratory, and already the Forest Products Laboratory in the United States is capable of producing a very much better quality of wood sugar, at a much lower price, than the Germans had been able to produce.

Mr. BREWSTER. The Senator does not know, does he, as to the expense of obtaining gasoline by the German process?

Mr. O'MAHONEY. I do not have the figures in mind at the moment, but there is a wealth of information in the hearings which were held by the Committee on Public Lands of the Senate, and which were printed. I may say to the Senator, and to any who may happen to read the RECORD, that there was so much public interest in the matter that the Superintendent of Documents printed an extra edition of the hearings.

Mr. MEAD. Mr. President, I can see that experimenting with the process which has just been explained by my distinguished colleague from Wyoming will have a very helpful effect upon our future security. In the petroleum age of tomorrow, I believe that for the benefit of our internal economy we should have access to the most economical petroleum available, and if we do not, it will of course adversely affect our economy in our competition with the world.

Mr. MOORE. Mr. President, I should like to make comment on what the Senator from Wyoming has said.

Mr. MEAD. I yield.

Mr. MOORE. I understood the Senator from Wyoming to say that we probably could produce enough oil from shale—synthetic oil, if we may so call it—without resorting to foreign sources. That probably would not be economical.

If we found ourselves running out of oil in this country, I think we probably could avail ourselves of foreign sources which our nationals now own.

Mr. MEAD. From present indications that is a fairly conservative statement. Mr. President, the study of the petroleum problem may be divided into three sections:

First. The effect of the war on the United States and the world petroleum supply.

Second. The future of the United States in the world petroleum economy.

Third. The formulation of national policy on petroleum and petroleum administration.

Mr. President, the conclusions which our committee reached, and which I trust will be read by all Members of the Senate as they read the complete report, are as follows:

> The committee is very strongly and unanimously of the opinion that the Senate should give immediate consideration through the appropriate legislative committees to the determination of a petroleum policy for the United States that shall take properly into account both the domestic and foreign field and critical importance of petroleum in our national defense as well as our national well-being.

Mr. President, our committee is not finding fault with the Congress, or with

the agencies of the Government, or the Executive of the Government. We have gone along very satisfactorily since the very beginning of the country's history without the need of a foreign petroleum supply, but by reason of our reaching the age of aviation, and the age of oil, and because of the exigencies of the emergency in which we find ourselves, because of the fact that we have 25 percent of the reserves of the world, and are furnishing from 60 to 90 percent of the petroleum needs of the United Nations, because of the fact that we are consuming more rapidly than we are producing, we believe that the time is now ripe for the consideration of a national policy, and the consideration of that policy rightfully belongs in the Congress.

Mr. President, the second conclusion is as follows:

The security of the United States today is dependent upon adequate supplies of petroleum. The economy of the United States is also to a large extent dependent upon petroleum.

And will be more so as time goes on. The conclusions continue:

Failure to make proper provision for adequate petroleum supplies for the United States during the next few decades will vitally affect both our security and our development.

The critical importance of petroleum in the world economy is emphasized in the current emergency. There have been suggestions that international arrangements may be considered, assuring the access of all nations to petroleum reserves for their peacetime economy upon an equitable basis.

Such a possibility accentuates the imperative necessity of an early determination of a national policy on petroleum by the Congress.

Mr. President, I wish to note in the RECORD that on Thursday, February 3, 1944, the Petroleum Administrator for War submitted a statement which was made public on that day and from which I read the following:

Petroleum Administrator for War Harold L. Ickes announced today that the Arabian-American Oil Co. will undertake immediately in Saudi Arabia the construction of a privately owned and financed refinery to make petroleum war products for the United Nations.

The project will be financed entirely by the company, which is jointly owned by the Standard Oil Co. of California and the Texas Co.

Administrator Ickes also revealed for the first time that expansion programs have been under way a number of months at the Bahrein Petroleum Co.'s refinery on Bahrein Island in the Persian Gulf, at the Abadan, Iran, refinery of the British-owned Anglo-Iranian Oil Co., and at the Haifa refinery of Consolidated Refineries, Ltd. Capacity of the Bahrein plant, which also is jointly owned by the same two American companies, is being substantially increased.

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

Mr. MEAD. I yield.

Mr. BREWSTER. It is a fact, is it not, as shown in our report, that the product of the refineries in the Middle East, as numerated in the report, as estimated by the Petroleum Administrator on December 1, 1943, amounts to 375,000 barrels a day, as compared with 4,100,000 barrels a day in the United States, and 700,000 barrels in the Caribbean; so that when we speak of the increase in their output we begin from a very moderate basis? Is it not also a fact that all the increases concerning which we have so far had definite information have been extremely moderate in extent?

Mr. MEAD. That is correct, and I believe the figures are accurate.

I have in my report the following observation which I believe verifies the figures the Senator has just given:

Certain projects are now under way, and with their completion the present maximum production capacity of 350,000 barrels per day for all the Middle East refineries will be stepped up to approximately 525,000 barrels a day.

Is that the Senator's understanding?

Mr. BREWSTER. Yes.

Mr. MEAD. I continue to read:

There is a small refinery located in Egypt. Last year this plant operated only on 85 percent of its capacity.

I assume that may be included in the 525,000 barrels a day.

Mr. BREWSTER. That would indicate, assuming that increase were accomplished, that the output of the Middle East area, which has enormous reserves, as the Senator has shown, more than equal to our own, would still be only 10 percent of the production in the United States.

Mr. MEAD. I believe that is also an accurate figure.

Mr. President, on February 6, 1944, the Department of the Interior Information Service made public a statement, a part of which I shall also read for the RECORD, as follows:

The United States Government will construct a pipe line for transportation of petroleum products from the Persian Gulf area to a point on the eastern shores of the Mediterranean, and will obtain in that area reserves of 1,000,000,000,000 barrels of oil, Secretary of the Interior Harold L. Ickes announced today on behalf of the Petroleum Reserves Corporation, of which he is president. The Directors of Petroleum Reserves Corporation are the Secretaries of State, War, Navy, and Interior, and the Administrator of the Foreign Economic Administration.

This project is covered under an agreement in principle between the United States Government and the Arabian American Oil Co. and the Gulf Exploration Co. That the public may be fully informed concerning the agreement in principle, copies are being made available for public inspection.

Secretary Ickes issued the following statement in connection with this undertaking—

Mr. President, because of its enlightening qualities I should like to have Secretary Ickes' statement made a part of the RECORD at this point.

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

The directors of the Petroleum Reserves Corporation, with the approval of the President of the United States and the State Department, and acting upon the recommendation of the War Department, and Navy Department, Joint Chiefs of Staff, and the Army-Navy Petroleum Board, have authorized me to enter into an agreement in principle with the Arabian-American Oil Co., operating in the Kingdom of Saudi Arabia, and the Gulf Exploration Co., operating in the Shaikdom of Kuwait. The Arabian-American Oil Co. is owned by the Standard Oil Co. of California and the Texas Co., and the Gulf Exploration Co. is owned by the Gulf Oil Corporation.

The agreement is conditioned, of course, upon obtaining the sanction of the rulers of Saudi Arabia and Kuwait.

The Petroleum Reserves Corporation does not propose to compete with the private oil industry of this country. On the contrary, its purpose is to promote the private oil industry of this Nation, and to further the interests of the people of the United States. In addition to assisting these private American companies in the development of their oil interests in the areas covered by this agreement, the project will promote the interests of the governments and of the peoples of such areas.

The purpose of this agreement is to make provision for a pipe line which will be constructed from the Persian Gulf area to a point on the eastern Mediterranean, and to provide a reserve of 1,000,000,000 barrels of oil for the naval and military forces of the United States. The terms of the agreement guarantee to the Government complete repayment of its investment and costs.

The principles agreed to, which are subject to the working out of a definitive contract, provide that the Petroleum Reserves Corporation will construct, own, and maintain a trunk pipe-line system to transport crude petroleum from the Persian Gulf area to the Mediterranean. The Government will determine the most feasible plan for operation of the facilities, and will retain supervision thereof. The entire cost of construction plus interest will be returned to the Government within a period of 25 years, together with such net profit to the Government as may be agreed upon in the definitive contract. This is guaranteed by the companies. In other words, the pipe line will eventually cost the Government of the United States nothing. It is estimated that the cost will be between $130,000,000 and $165,000,000, depending on the details of plans to be worked out. The companies agree to perform at actual cost any work or services which the Government may request in connection with this project.

The pipe-line facilities will be made available to other oil producers and shippers, in addition to the companies which are now parties to the agreement. Provision is made for other companies to utilize the facilities, provided that they fulfill certain stipulated obligations.

The agreement of the companies to maintain a crude oil petroleum reserve for the account of the United States, of 1,000,000,000 barrels or 20 percent of the total crude reserves if they are less than 5,000,000,000 barrels, will greatly help to assure an adequate supply of petroleum for the military and naval needs of the United States in view of the obligations which this country must assume for the maintenance of collective security in the post-war world. It will make the oil in this reserve available for Government purchase, at any time for military or naval use at 25 percent below the market price in the Persian Gulf region, or of similar crude oil in the United States, whichever price is lower. The Government is not obligated to take this oil or any part of it, but it has the right to do so at any time, for a period of 50 years. In addition, in times of war or other national emergency, the Government has the option to purchase all of the crude petroleum produced by the companies and all products thereof, to be paid for at such price as may be agreed upon at the time of taking.

The agreement in principle further provides that the companies will not sell petroleum or products to any government or the nationals of any government when, in the opinion of the Department of State, such

sales would be unwise in the light of United States foreign policy and the requirements of collective security. The companies also agree that before they negotiate with the governments of any foreign countries with respect to the sale of petroleum and petroleum products from their concessions in Saudi Arabia and Kuwait they will give notice to the Department of State and the Petroleum Reserves Corporation.

In order that the public may be fully informed concerning this agreement in principle, copies are being made available for inspection.

The action which we have taken in cooperation with the American oil companies which have rights to oil in Saudi Arabia and Kuwait is designed to offset, in measure, the dwindling oil reserves in the United States. The known reserves in this country are estimated to be adequate for this Nation's needs for only a relatively few years. It is true that there may be inventions or improvements in technology which will result in the discovery of new reserves, or, indeed, in the development of new sources of energy. But it would be imprudent to gamble the future of the Nation in such a speculation. The construction of the pipe line will assure that huge quantities of oil in the Persian Gulf region will be available to this country when and if needed. And the setting aside of 1,000,000,000 barrels of oil for military and naval use assures to our armed forces, on very favorable terms, a supply of oil which amounts to several years' requirements at their present unprecedented rate of consumption.

I hope that the announcement and publication of this agreement in principle will eliminate once and for all the apprehensions which have been caused by the organization and activities of Petroleum Reserves Corporation. We are making this announcement of our plans and program as soon as possible in view of the complicated negotiations affecting many agencies of our own and other nations. Premature publicity in this situation might well have made it possible to conclude the arrangements.

The policy of the Petroleum Reserves Corporation is to aid the private oil business of this country by seeing to it that so far as the foreign oil situation is concerned, the interests of the United States and its military forces are protected, and to do what can be done consistently with the foreign policy of this Government as administered by the Department of State, to aid the private oil industry of this country to secure against future contingencies an adequate supply of foreign oil.

The pipe line which will be built pursuant to this agreement will serve an essential military purpose and it will also be of lasting benefit to the people of this Nation.

Mr. MEAD. Mr. President, in conclusion let me say in submitting the report from the Truman committee that it is the initial report of the subcommittee concerning this investigation overseas, and I trust it will be well received and well read by Senators, and that the several committees which have to do with the matter will not only find the report interesting, but find us available whenever they deem it necessary to invite us.

Mr. BREWSTER. Mr. President, supplementing what my colleague from New York has said in connection with the presentation of the report on petroleum, I think it brings very definitely into focus the tremendous importance of petroleum. We are engaged not only in a petroleum war but we live in a petroleum economy. The recent announcement by the Secretary of the Interior, as Petroleum Administrator for War, of the $125,000,000 pipe line in the Middle East, seems to me to precipitate very definitely the necessity for congressional consideration of this matter, as urged by the Truman committee in its report.

The one conclusion to which we very definitely arrived as the result of our studies of this question extending over the period of the past 8 months was that the United States is entering a period when we must consider a petroleum policy; that it is not proper that that policy should be determined by Executive action alone, although if we do not now consider it, if the matter proceeds along the present lines, we shall be practically committed to a policy which has some very extensive ramifications.

I may say that Secretary Ickes in his appearance before the Truman committee stated that he entirely agreed with us that policies of this character should be considered by the Congress before action was taken. I am informed that originally it was proposed to acquire the entire concession in Arabia owned by American oil concerns, where many billions of barrels are located. But subsequently it was considered whether or not a third interest should be acquired at a price of perhaps $40,000,000. That, too, was brushed aside, and finally the proposal for a pipe line emerged. I am here expressing no opinion as to whether or not it is prudent for the pipe line to be constructed, but I am very clear that before the United States is committed to a policy of this character congressional consideration should be afforded.

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

Mr. BREWSTER. Yes; I am very happy to yield.

Mr. CONNALLY. I do not want to anticipate what the Senator intends to say, but has he any definite conclusion as to whether or not the Government itself should undertake the securing of concessions or reserves in other quarters of the globe, in view of the very heavy demands which are being made upon our own resources and oil reserves, and the imperative necessity for war and for peace economy that we acquire somewhere, somehow, for some of our people, these oil reserves?

Mr. BREWSTER. I am very glad the Senator asked the question, and I appreciate it. In the formulation of an idea I am always very grateful to the bridge that carries me over. It so happens that we are proceeding victoriously in this war simply and solely because the American petroleum industry, under the initiative of private enterprise, has made the production of petroleum possible. Russia has an entirely totalitarian petroleum economy, as well as everything else. Britain has a 50-50 petroleum economy. She has 51 percent in the great Iran reserves. Yet 80 percent of all the petroleum essential to our victory has come from American reserves.

In view of that fact, I feel that the American petroleum industry is entitled to a little consideration. Before we embark upon either governmental exploitation of reserves or even Government ownership or operation of reserves, I think we should give the American petroleum industry an opportunity to show what it can continue to do. In the last 20 years it has acquired concessions outside the United States to the extent of 20,000,000,000 barrels of oil—an amount equal to our own reserves in Texas and elsewhere—with practically no Government aid. As our report shows, the diplomatic support has been very negligible. Very little has been done. After our industry has performed that amazing task, before Mr. Ickes or anyone else in authority abruptly adopts a plan of Government operation, I believe consideration should be given by Congress to the question whether this problem can be worked out along traditional lines. If it cannot be so worked out, I think the matter is so vital to our national security that serious consideration should be given to the following approaches—and there may well be others—to our solution of the petroleum problem: First, with the present condition of very nominal diplomatic support; second, with very vigorous diplomatic support of the action of private companies abroad; third, with partial Government operation; fourth, with complete Government ownership and operation.

Let me say in regard to the matter of vigorous diplomatic action in support of private companies abroad, that I think that might help us a great deal.

Furthermore, we urge very strongly that a competent committee of this body be created, representing the committee of which the senior Senator from Texas [Mr. CONNALLY] is chairman, because of the foreign relations involved, and that the other legislative committees concerned create a competent committee to consider this whole situation and to make recommendations.

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

Mr. BREWSTER. I yield.

Mr. BURTON. Does not the subcommittee in its report also bring out the fact that it may be that, through the settlement of lend-lease obligations, some allocation of petroleum more equitable than that which now exists may come about?

Mr. BREWSTER. The report does, in that respect, make the definite recommendation that, in view of the enormously disproportionate supplies of petroleum which the United States has contributed to the war effort, consideration should be given to the transfer to the United States of some portion of the reserves held by other countries, particularly by Great Britain, which it was not possible to use in this war because of lack of refining and transportation facilities. Again, that will be a matter which will come under the purview of any committee which is created. In fact, Mr. Ickes, in his report to the committee in the letter to which the Senator from New York has referred, very definitely said that was the objective. That was one thing which disturbed me about the action which has been reported regarding the pipe line. Mr. Ickes in the letter which is a part of the report said:

With more tankers available today, we are able to use more oil from these foreign sources—British oil and American oil, as well—though not as much as both we and the British would like to see supplied from these sources. As materials can be made available, it is hoped that the necessary pipe line and refinery capacity can be installed, so that the British oil reserves may be drawn upon to a greater degree. Plans to this end are now under way and it will be a matter of great satisfaction to me when the time comes that the heavy drain upon American reserves may be offset by correspondingly greater withdrawals from British resources.

One thing which disturbed me in that connection—and I have repeatedly discussed it with the Secretary—is that the $125,000,000 pipe line which is proposed is to be built to the American reserves in the Persian Gulf. It will tap Saudi Arabia and Kuwait where the Gulf, the Standard Oil of California, and the Texas companies have great concessions. The pipe line is to draw on those great reserves.

Mr. CONNALLY. Mr. President, will the Senator yield there?

Mr. BREWSTER. I yield.

Mr. CONNALLY. It is true, though, that the pipe line is ultimately to be paid for by those companies; is it not?

Mr. BREWSTER. Yes; that is my understanding.

Mr. CONNALLY. There is to be some amortization over a period of years; is there not?

Mr. BREWSTER. Yes, indeed. I am not raising here any question whether it is a good business policy. The point I make is that again we are tapping American reserves, instead of tapping British reserves. In the same area, within a few hundred miles of where the pipe line is to be located, are probably 15,000,000,000 barrels of oil of reserves of other companies—foreign companies. It was my understanding from Mr. Ickes' letter, as plainly stated, that we would look forward to tapping those reserves. I read in the newspaper that there are projects looking in that direction; that we are going to build a pipe line tapping the British reserves; that we are to furnish the steel and the money, and are later to be repaid. That may well be. But I feel that the matter is of such importance that, in the first place, it must be borne in mind that this project is a post-war project. No one contemplates that it will be of any immediate aid in winning the war. Where the $125,000,000 is coming from, I am not clear. I do not know whether Mr. Jones has $125,000,000 lying around loose so that he can put it into such a project. The only official advance he made was $30,000,000. As shown in our report, he told Mr. Ickes, when he formed this Corporation with a capital of $1,000,000, that he could have $30,000,000. Now the ante seems to have been raised to $130,000,000. If this is to impinge upon our war appropriations, again it is a matter of concern. If, on the other hand, it is to come from some other source, I think that must be considered in connection with the matter of the entire economy we shall face following the war, not only in relation to petroleum but in relation to financial economy, remembering that this is only a beginning.

In addition to the money which is involved, which, in the vernacular, "is not hay," there is also the matter of the obligations which come under the jurisdiction of the committee headed by the distinguished senior Senator from Texas, because under this project we will be moving into one of the most tempestuous areas to be found in the world, one where many wars have originated. Whether the Mediterranean is to be an Italian lake, a British lake, a Russian lake, or an American lake following this war has to be determined. We are building a pipe line to the Mediterranean. The Dardanelles are of great interest to Russia. I think that before embarking upon so radical a reorientation of our foreign policy as is involved in the proposed project, complete consideration should be given.

In addition, at present the authority is very much diffused, as we show in our report. Agencies dealing with foreign petroleum matters include the Petroleum Administrator for War, the State Department, the Foreign Economic Administration, the War Department, the Navy Department, and the Secretary of Commerce. Under such conditions it is difficult to have the coordination of policy which is essential.

Furthermore, the President, as well, is vitally interested in this situation, and, I believe, is responsible for the fact that Mr. Ickes has not come to the Congress, although he assured us he would; for I assume that the higher authority of the President superseded the pledge of Mr. Ickes that this matter would be discussed with the appropriate committees of the Senate and the House before final action was taken.

For these reasons, I feel very strongly that at the present time action should be deferred until we have further consideration of the matter.

Mr. MOORE subsequently said: Mr. President, in connection with the report of the Truman subcommittee concerning its study of our national oil problem, I take this occasion to say that it is a splendid, detailed, and accurate review of our petroleum situation, and the committee is to be congratulated upon its keen insight into the problems that confront us. The committee has taken a firm stand against the ownership by this country of foreign oil reserves, with which I heartily agree. The committee suggests that probably participation by our Government with the efforts of our nationals in the development of their foreign reserves should be given careful consideration, but strongly recommends that our Government take no steps in this direction without the Congress being thoroughly advised and being afforded full opportunity to investigate such proposals.

It is my own view that there are no reasons sufficiently compelling to cause our Government to enter the oil business, or any other business, in competition with our own citizens at home or abroad, either directly or indirectly; and most certainly the administrative officers of our Government should not take any further steps to this end until the Congress has been fully advised and given full opportunity to approve or reject such policy.

The report offers, as one of its suggestions, a policy of full diplomatic backing for American enterprise in exploring and developing foreign petroleum reserves. This, to my mind, is a sound policy, and is in keeping with the principles and traditions of this Government. It is perfectly true that since 1932 our nationals have been wholly without substantial diplomatic support in their efforts to develop foreign oil reserves. The expropriation of the property of our nationals in Mexico and the inadequate settlements that followed are examples of our failure in this respect. I should like to point out, however, that this has not always been the case. The large stake in the oil reserves of the Middle East, now owned by American nationals, except the concessions of Cal-Tex and the Gulf Oil Development Co., is due to the strong diplomatic support of the State Department under the administration of Mr. Bainbridge Colby in 1921 and the continuation of his policies by his successor in office, the Honorable Charles Evans Hughes. At some appropriate time in the future, I hope to detail the history of the activities of our State Department in this connection. The report could well conclude that the real solution to our petroleum problem is again to return to the policy of Colby and Hughes—namely, the active and firm diplomatic support to the commercial efforts of our own nationals abroad, rather than the policy of imperialism that is being proposed by some of our executive and administrative officials.

COL. ANDERSON F. PITTS

The PRESIDING OFFICER (Mr. McKELLAR in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 1528) for the relief of Col. Anderson F. Pitts, which was, in line 12, after the word "officer", to insert a colon and the following proviso: *"Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Mr. ELLENDER. Mr. President, I move that the Senate concur in the amendment of the House.

Mr. WHITE. May we have an explanation of the amendment.

Mr. ELLENDER. It simply provides the usual 10-percent limitation on attorneys' fees.

Mr. WHITE. Very well.

The PRESIDING OFFICER. The question is on the motion of the Senator from Louisiana that the Senate concur in the House amendment.

The motion was agreed to.

NELS J. PEDERSEN

Mr. ELLENDER. Mr. President, yesterday, during the call of the calendar, the Senate passed Senate bills 1358, 1409, and 1334. I understand that those bills are now on the desk, and have not yet been sent to the House. In the meantime, I am informed by the clerk that the House has passed bills identical to the ones mentioned by me. I think the bills could well be disposed of at this time by having the Senate consider the House measures and pass them, rather than refer them to committees.

Therefore, Mr. President, I ask unanimous consent that the Senate consider House bill 3298, for the relief of Nels J. Pedersen. If unanimous consent to that end is obtained, I shall thereafter ask unanimous consent that the Senate reconsider the vote by which the corresponding Senate bill was agreed to, and that the Senate bill be indefinitely postponed.

Mr. WHITE. Mr. President, if the Senator will yield to me, let me inquire whether the Senator proposes to ask unanimous consent that the Senate consider the House bills corresponding to the Senate bills passed yesterday by the Senate.

Mr. ELLENDER. That is correct.

Mr. WHITE. The House bills are identical to the Senate bills referred to; is that correct?

Mr. ELLENDER. That is correct.

Mr. WHITE. I have no objection.

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that it will be necessary that the House bills be passed first.

Is there objection to the request of the Senator from Louisiana?

There being no objection, the bill (H. R. 3298) for the relief of Nels J. Pedersen was read twice by its title, considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the vote by which Senate bill 1358 was passed is reconsidered, and the Senate bill is indefinitely postponed.

HOWARD L. PEMBERTON

Mr. ELLENDER. Mr. President, I ask unanimous consent for the present consideration of House bill 3351.

Mr. WHITE. Mr. President, is this bill in the identical situation with the previous bill?

Mr. ELLENDER. It is in the identical situation. The only difference between the two bills is that the House bill represents the amount recommended by the Secretary of the Treasury.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

There being no objection, the bill (H. R. 3351) for the relief of Howard L. Pemberton was read twice by its title, considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the vote by which Senate bill 1409 was passed is reconsidered, and the Senate bill is indefinitely postponed.

J. C. DAVIDSON AND VASSIE LEE DAVIDSON

Mr. ELLENDER. Mr. President, I ask unanimous consent for the present consideration of House bill 3193.

Mr. WHITE. Mr. President, I take it this bill is in the same situation as the other two bills.

Mr. ELLENDER. The same situation, except that there is a difference of $6 in the amount.

Mr. WHITE. We will not quarrel over a difference of $6.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana?

There being no objection, the bill (H. R. 3193) for the relief of J. C. Davidson and Vassie Lee Davidson was read twice by its title, considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, the vote by which Senate bill 1334 was passed is reconsidered, and the Senate bill is indefinitely postponed.

EXECUTIVE SESSION

Mr. CONNALLY. I move that the Senate proceed to consider executive business.

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

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER (Mr. McKELLAR in the chair) laid before the Senate a message from the President of the United States submitting several nominations in the Marine Corps, which was referred to the Committee on Naval Affairs.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. HATCH, from the Committee on the Judiciary:

Martin Travieso, of Puerto Rico, to be chief justice of the Supreme Court of Puerto Rico, vice Emilio del Toro Cuevas, resigned; and

John P. McMahon, of the District of Columbia, to be associate judge of the municipal court for the District of Columbia. (Judge McMahon is now serving in this post under an appointment which expired December 15, 1943.)

By Mr. McKELLAR, from the Committee on Post Offices and Post Roads:

Sundry postmasters.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nominations on the executive calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. CONNALLY. I ask that the nominations of postmasters be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the nominations of postmasters are confirmed en bloc; and without objection, the President will be immediately notified.

THE NAVY

The legislative clerk read the nomination of Raymond A. Spruance to be admiral in the Navy for temporary service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed; and without objection, the President will be immediately notified.

THE MARINE CORPS

The legislative clerk read the nomination of Omar T. Pfeiffer to be a brigadier general in the Marine Corps for temporary service.

The PRESIDING OFFICER. Without objection, the nomination is confirmed; and without objection, the President will be immediately notified.

RECESS

Mr. CONNALLY. As in legislative session, I move that the Senate take a recess until 12 o'clock noon tomorrow.

The motion was agreed to; and (at 5 o'clock and 36 minutes p. m.) the Senate took a recess until tomorrow, Thursday, February 17, 1944, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 16 (legislative day of February 7), 1944:

PROMOTIONS, FOR TEMPORARY SERVICE, IN THE MARINE CORPS

Brig. Gen. James T. Moore to be a major general in the Marine Corps, for temporary service, from the 1st day of February 1944.

Brig. Gen. Francis P. Mulcahy to be a major general in the Marine Corps, for temporary service, from the 5th day of February 1944.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 16 (legislative day of February 7), 1944:

IN THE NAVY

TEMPORARY SERVICE

Raymond A. Spruance to be an admiral in the Navy, for temporary service, to rank from February 1, 1944.

IN THE MARINE CORPS

TEMPORARY SERVICE

Omar T. Pfeiffer to be brigadier general in the Marine Corps, for temporary service, from October 15, 1942.

POSTMASTERS

ALABAMA

Sallie C. Athey, Grady.
James T. Mabrey, Horton.
Zada Davis, Magazine.
Beekman L. Youngblood, Minter.
Bessie M. Forman, Odenville.
John Ellis, Ohatchee.
Robert M. Craft, Owens Cross Roads.
Addie G. Oliver, Panola.
Nevada Tuggle, Quinton.
Elsie Mae Fowler, Sumiton.
Sarah E. Harding, Theodore.
Rufus C. Johnson, Trafford.
Danny D. Coleman, Whatley.

CALIFORNIA

Marie G. Turner, Chatsworth.
Joe Z. Silva, Sharp Park.

CONNECTICUT

Evelyn P. Estabrooks, Hampton.
Lewis M. Cromwell, Poquonock Bridge.

FLORIDA

Maggie L. Vaughan, Dinsmore.
Joseph D. Coburn, Eagle Lake.

Anna B. Chapman, Florida City.
Olga L. Ward, Malone.
Roy S. Troutman, Palm Harbor.
Angus W. Pledger, Panama City Beach.
Cornelia P. Deas, Perrine.
Otis M. Ashmore, Sopchoppy.
Kathleen Pullen, Wabasso.
Inez G. Arnold, Westville.

GEORGIA

Anna L. Hinton, Dacula.
William C. Spires, Doraville.
Ethel Nash, Dunwoody.
Robert J. Walsh, Garfield.
Mark C. Balkcom, Georgetown.
Willie H. Massey, Hahira.
Willie Pate Phillips, Harlem.
Alva D. Lindsay, Hephzibah.
Mary Elizabeth Reeves, Luthersville.
Annie C. Hays, Mansfield.

ILLINOIS

Mabel J. Spires, Kempton.
Edward J. Duffy, La Salle.

LOUISIANA

Modiste C. Lavoilette, Mermentau.

MARYLAND

Russell M. Buck, Upper Marlboro.

MISSOURI

Josie Monan, Braggadocio.
Florence C. Clifton, Gasconade.
Oliver William Branneky, Pattonville.
Herbert S. Bond, Sheridan.
Elizabeth C. Merrell, Vandalia.

NEW MEXICO

Hezekiah Hall, Magdalena.

NEW YORK

Marion E. Kerr, Glenfield.
Grace A. Barker, Industry.
Dorothy W. Andersen, Mastic.
Mary I. McKernan, Olcott.
Frank J. Alianell, Retsof.
Charles De LaVergne, Salt Point.
William J. Griffin, Jr., Starlake.
Alice V. D. Laskoski, Tomkins Cove.

SOUTH CAROLINA

Lillian H. Rice, Furton.
Foster M. Lynch, Coward.
Robert A. Dobson, Fairforest.
Joseph W. Holliday, Galivants Ferry.
James A. Montgomery, Lane.
Joseph G. Brabham, Olar.
Inez M. McCollough, Salters Depot.
Boyce B. Myers, Scranton.
Oscar Tuck, Westminster.

TEXAS

Ruth N. Floyd, Batson.
Mabel F. Selkirk, Blessing.
Mary A. Herrington, Caddo.
Fordyce C. Sims, Cedar Hill.
Viola L. Harris, Christoval.
Eva L. Parker, Garden City.
Frank E. Staudt, Harper.
Annie Thomas, Hawley.
Albert W. Mosley, Purdon.
Verna Gregory, Rice.
Arthur N. Brown, Jr., Richland.
Ida L. Cowan, Roanoke.

WEST VIRGINIA

Thomas R. Moore, Jr., Charles Town.
Winnona P. Kahl, Triadelphia.

HOUSE OF REPRESENTATIVES

WEDNESDAY, FEBRUARY 16, 1944

The House met at 12 o'clock noon, and was called to order by the Speaker.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Our Father in heaven, the world gives its peace to reward toil and its rest from labor, but Thy peace passeth all understanding: "My peace, give I unto you; not as the world giveth, give I unto you." We pray for the inspiration of Thy presence to prepare us for earnest work and to stimulate us to wise action. Let us go forward to cast up a highway for those rhythmic feet of freedom; from the loins of those embattled hosts are destined to spring democracies and republics yet unborn.

Thou who art the Light of the world and the Vine of mystery, we pray that, tempered with knowledge, our acts may be the fruitage of being true to one's self through Thy unerring voice. Let us feel the determination of this throbbing purpose, to live for fixed moral principles, to engage in nothing that conflicts with the sovereignty of duty; following Him who for the joy that was set before Him endured the cross and glorified the mark of a slave. We pray for Thy counsel that we may keep Thy commandments, continue to deepen our respect for truth, for honor, and for our neighbor's good name. Send the impure darkness back from whence it came and let Thy pure light shine everywhere. Bestow upon our President, our Speaker, and the Congress the blessings of wisdom and the ease of the untroubled heart. We pray in the name of Saint Mary's holy Child. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment bills of the House of the following titles:

H. R. 205. An act conferring jurisdiction upon the District Court of the United States for the Southern District of Florida to hear, determine, and render judgment upon the claims of all persons who have claims for damages or losses allegedly resulting from the construction, further development, and improvement of the Intracoastal Waterway, Miami to Jacksonville, Fla., and for other purposes;

H. R. 213. An act for the relief of Edward H. Smith;

H. R. 399. An act for the relief of John Sims;

H. R. 547. An act for the relief of Kernan R. Cunningham;

H. R. 550. For the relief of Mrs. Renzie Graham;

H. R. 610. An act for the relief of Pacific Dry Dock & Repair Co., Inc.;

H. R. 850. An act for the relief of George M. Louie;

H. R. 1311. An act for the relief of Dan Crotts;

H. R. 1388. An act to authorize the acceptance of donations of land for the construction of a scenic parkway to provide an appropriate view of the Great Smoky Mountains National Park from the Tennessee side of the park, and for other purposes;

H. R. 1442. An act for the relief of Lafayette Gibson;

H. R. 1467. An act to record the lawful admission to the United States for permanent residence of Rev. Julius Paal;

H. R. 1854. An act for the relief of Ethel Cohen;

H. R. 1872. An act for the relief of J. E. McCoy & Son;

H. R. 1934. An act for the relief of Mrs. Donald B. Johnston;

H. R. 2075. An act for the relief of Charles R. Hooper;

H. R. 2199. An act to amend an act entitled "An act in relation to taxes and tax sales in the District of Columbia," approved February 28, 1898, as amended;

H. R. 2340. For the relief of the Postal Telegraph-Cable Co.;

H. R. 2580. An act to grant the consent of Congress to a compact entered into by the States of South Dakota and Wyoming relating to the waters of the Belle Fourche River Basin, to make provisions concerning the exercise of Federal jurisdiction as to those waters, to promote the most efficient use of those waters, and for other purposes;

H. R. 2639 An act for the relief of William M. Tucker and Nelda M. Tucker;

H. R 2690. An act for the relief of Oswald L. Sawyer;

H. R. 2691 An act for the relief of Tom S. Steed;

H. R. 2804. An act for the relief of Ruth E. P. Phillips, as executrix of the estate of Amos Russell Phillips, deceased;

H. R. 2924. An act to give effect to the Provisional Fur Seal Agreement of 1942 between the United States of America and Canada; to protect the fur seals of the Pribilof Islands; and for other purposes;

H. R. 2976 An act to grant military rank to certain members of the Navy Nurse Corps;

H. R. 3001 An act for the relief of James T. Rogers;

H. R. 3076 An act for the relief of the legal guardian of Arthur J. Martin, Jr., a minor;

H. R. 3153. An act for the relief of the estate of Jennie I. Weston, deceased;

H. R. 3189 An act for the relief of Thomas Lewis;

H. R. 3329 An act for the relief of Lt. Col. Charles H Morhouse;

H. R. 3332. An act for the relief of Spencer Meeks;

H. R. 3428 An act to amend sections 6, 7, and 8 of the act entitled "An act to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes," approved October 20, 1914 (38 Stat. 741, 743; 48 U. S. C., secs. 440, 441, 442);

H. R. 3504 An act for the relief of Wade Bros., a partnership composed of M. J., G. W., and Ovid Wade;

H. R. 3605 An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as the result of fires in tents used as quarters by members of the Twelfth Naval Construction Battalion, Long Island, Alaska, on December 26, 1942, and May 26, 1943, respectively;

H. R. 3606 An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire at the outlying degaussing branch of the Norfolk Navy Yard, Portsmouth, Va., on December 4, 1942;

H. R. 3607 An act to provide for reimbursement of certain Navy personnel and former Navy personnel for personal property lost or damaged as a result of a fire in tent L-76 at the Amphibious Training Base, Camp Bradford, Norfolk, Va., on March 15, 1943; and

H. R. 3760. An act authorizing the President to present, in the name of Congress, a Distinguished Service Medal to Lt. Gen. Thomas Holcomb, United States Marine Corps.

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. 85. An act to amend the act of March 3, 1927, entitled "An act granting pensions to certain soldiers who served in the Indian wars from 1817 to 1898, and for other purposes";

H. R. 324. An act to place postmasters at fourth-class post offices on an annual-salary basis, and fix their rate of pay; and provide

allowances for rent, fuel, light, and equipment, and fix the rates thereof;

H. R. 480. An act for the relief of Francesco P. Mastrilli;

H. R. 1047. An act for the relief of the State of Oregon, Department of Forestry of the State of Oregon, and certain organized protection agencies in the State of Oregon for protection of unappropriated public-forest lands intermingled with Oregon and California lands from July 1, 1938, to June 30, 1939;

H. R. 1594. An act for the relief of Peter A. Gawalis;

H. R. 1637. An act for the relief of Fred Hunter;

H. R. 1835. An act for the relief of Frederick Lee Littlefield;

H. R. 2131. An act for the relief of Henry Angell;

H. R. 2350. An act to liberalize the service-pension laws relating to veterans of the War with Spain, the Philippine Insurrection, and the China Relief Expedition, and their dependents;

H. R. 2697. An act to provide for the disposal of materials or resources on the public lands of the United States which are under the exclusive jurisdiction of the Secretary of the Interior;

H. R. 2836. An act to grant increases in compensation to substitute employees in the Postal Service, and for other purposes;

H. R. 3157. An act for the relief of Lloyd L. Johnson and P. B. Hume;

H. R. 3261. An act to amend the act of April 29, 1943, to authorize the return to private ownership of Great Lakes vessels and vessels of 1,000-gross tons or less, and for other purposes; and

H. R. 3916. An act to permit the construction and use of certain pipe lines for pneumatic tube transmission in the District of Columbia.

The message also announced that the Senate insists upon its amendment to the bill (H. R. 3477) entitled "An act to continue the Commodity Credit Corporation as an agency of the United States, to revise the basis of annual appraisal of its assets, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BANKHEAD, Mr. CLARK of Idaho, Mr. MCCLELLAN, Mr. TAFT, and Mr. THOMAS of Idaho, to be the conferees on the part of the Senate.

The message also announced that the Senate had adopted the following resolution (S. Res. 255):

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. LEONARD W. SCHUETZ, late a Representative from the State of Illinois.

Resolved, That a committee of three Senators be appointed by the President of the Senate to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now take a recess until 12 o'clock noon tomorrow.

The message also announced that the Acting President pro tempore had appointed Mr. BARKLEY and Mr. BREWSTER members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers in the following Departments:

1. Department of Commerce.
2. Department of Justice.
3. Department of War.

ELECTION CONTEST OF E. O. CLARK AGAINST JACK NICHOLS

Mr. PETERSON of Georgia. Mr. Speaker, I call up House Resolution 440, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the election contest of E. O. Clark, contestant, against Jack Nichols, contestee, Second Congressional District of the State of Oklahoma, be dismissed.

Mr. RIZLEY. Mr. Speaker, will the gentleman yield to me?

Mr. PETERSON of Georgia. I yield to the gentleman.

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

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma [Mr. RIZLEY]?

There was no objection.

Mr. RIZLEY. Mr. Speaker, pursuant to the granting of my request to extend my remarks in connection with the report submitted by the Committee on Elections No. 3, in respect to the contest filed by the Honorable E. O. Clark, of Stigler, Okla., against the Honorable Jack Nichols, in connection with the election held in the second district of Oklahoma in the general election in 1942, I desire to briefly call attention to some of the matters suggested by the report, and particularly call attention to some of the testimony submitted in the case which the committee had before it for consideration in the determination of the contest.

The record discloses that the contest was filed by the contestant on December 5, 1942, after the State election board of the State of Oklahoma had refused to take jurisdiction and authority, and had refused to permit the contestant to recount the ballots and make an investigation of the election proceedings in the various counties in the second congressional district.

Apparently the State election board attempted to justify its action in dismissing the contest that was filed before that board, and refused to take jurisdiction under the assumption that the House of Representatives, being the judge of the qualifications of its Members, has sole and exclusive jurisdiction in contest matters pertaining to the office of a Representative for Congress, and entirely overlooked or disregarded the general rule with reference to such matters which is pointed out by the committee in its opinion in this case, to the effect—

It has been said again and again by the House, by the courts, by every tribunal that has this duty of passing upon contested elections, that the returns which are made by the inspectors appointed by the laws of the State where the election is held are presumed to be correct until they are impeached by proof of irregularity and fraud, and that the House will not erect itself nor will it erect its committees as mere boards of recount.

Be that as it may, I think it can be fairly stated from a full examination of the report that the House committee bases its order of dismissal largely upon the proposition that the evidence in the case is insufficient to establish to the satisfaction of the committee that fraud per se was perpetrated on the contestant by the election officials and that in the absence of a recount the evidence as a whole is insufficient to override and overturn the presumption of validity carried in the election certificate issued by the State election board to the contestee.

The case is interesting from the standpoint that no evidence whatever was submitted by the contestee. All of the evidence which the committee had before it for consideration was evidence offered by the contestant and was uncontradicted; and it is interesting to note from the committee's report that although, as suggested, it made disposition of the case largely on the failure of the contestant to establish fraud, that some consideration was given to the acts and conduct of the election officials who held and conducted the election.

Commencing at the bottom of page 3 of the committee's report will be found this very interesting language:

It is charged by the contestant that the election was held and conducted in disregard of the election laws of Oklahoma, in that no registration book as is prescribed by law, was had or kept in certain precincts in the election districts. Other irregularities of a similar nature with regard to certain requirements were referred to. That there were such irregularities, which this committee does not condone, was fairly proven. It is not the business nor the province of this committee, however, to attempt indirectly to compel the State of Oklahoma to enforce its laws with respect to certain provisions therein which patently were not complied with, but grossly disregarded.

Section 6, of article III, of the Constitution of Oklahoma, provides:

In all elections by the people the vote shall be by ballot and the legislature shall provide * * *; and may, when necessary, provide by law for the registration of electors throughout the State or in any incorporated city or town thereof, and when it is so provided, no person shall vote at any election unless he shall have registered according to law.

Pursuant to the authority granted by its constitution and to regulate the exercise of the elective franchise and to preserve the purity of the ballot in the State, the Legislature of Oklahoma enacted a registration law which became effective February 26, 1916, which law was in full force and effect at the time of the election in controversy, November 3, 1942. The legislative provision reads as follows:

It shall be the duty of every qualified elector in this State to register as an elector under the provisions of this act, and no elector shall be permitted to vote at any election unless he shall register as herein provided. (Okla. Stat. 1941, title 26, sec. 72.)

This law requires that the county registrar furnish the precinct registrar of each election precinct in his county with necessary registration certificate books, every alternate sheet of which is to be perforated so it may be detached, the perforated sheet to be for the purpose of writing the original registration

certificate of the elector on, immediately underneath to be a carbon sheet, and immediately underneath the carbon sheet to be an exact unperforated duplicate of the original, the original to be numbered consecutively, beginning with the number one, and the duplicates to bear the same number as the originals; that the county registrar take receipts therefor from the precinct registrar showing the number of the precinct, and the county, and the number of certificates contained in the registration certificate book, the receipts to be filed by, and retained in the office of the county registrar—idem, section 75; that an applicant for registration appear personally before the precinct registrar and take an oath that the statements contained in the registration certificate are true and correct, and the certificate to be then and there filled out in indelible pencil, and signed, by the precinct registrar, and thereupon, if the precinct registrar be satisfied that the applicant is a qualified elector in the precinct at the time, to deliver the original registration certificate filled in to the applicant and to retain the duplicate original—idem, sections 76, 77.

Frank Connelley, the county registrar of Sequoyah County, admitted his disregard of the law authorizing him to deliver these registration certificate books only to precinct registrars, and requiring him to take receipts therefor when issued by him, and admitted his violation of the law in delivering these registration certificate books to others than the official precinct registrars and even to candidates and that he took no receipts for any of the registration certificate books issued by him—record 150, 151.

Obviously, the law requiring an applicant for registration to appear personally before the official precinct registrar, make representations under oath to that official as to his eligibility for registration and otherwise satisfy him that he was a qualified elector, was disregarded and flagrantly violated in Sequoyah County.

The law provides a definite period of registration before each primary, special, and general election, commencing 20 days before and ending 10 days before any such election, and that the precinct registrar shall have no authority to register electors at any other time, and that no registration certificates issued by any precinct registrar at any other time shall be valid—idem, 79—except in the case of registration of newly created precincts—idem, 88; but the law makes no provision for the precinct registrars to be at any particular place at any particular time during that period for the purpose of receiving applications for registration, and the lack of such a provision makes it necessary for a person wishing to register to locate, find, and personally appear before, the official precinct registrar.

The unavailability of the precinct registrars in Sequoyah County to applicants of the minority—Republican—party for registration during the periods of registration, and the partisan performance of their duty to receive and consider the application of all persons desiring to register, is strongly indicated by testimony adduced by contestant. Earl Floyd Winsel, a candidate on the minority—Republican—party ticket for representative from Sequoyah County in the State legislature in 1936 and for county commissioner in that county in 1942, testified that he not only could not get a registration certificate book, but could not locate the precinct registrar or any person who had a book and was never able to secure the registration of any Republican—record 201–203.

The disregard and violation of the law prohibiting registration of applicants except within the registration period, and providing that certificates of registration issued at any other time shall be invalid, is shown by the testimony of Wheeler Mastuson, an official precinct registrar. He testified he made out certificates to persons up to the day of the election—record 148.

This law created the offices of county registrar and precinct registrar, provided for their appointment by the secretary of the State senate and the county registrar, respectively, their respective tenures of office to be during the pleasure of the appointing officers—idem, section 73. The administration of this registration law and the application of the election machinery in the State of Oklahoma and in Sequoyah County have been in the hands of the majority—Democratic—party since 1907. The witness, Edgar Blackard, testified that the majority—Democratic—party has had charge of the election machinery since 1907—record 151. We find no contradiction of this statement in the record.

This law requires one general registration book, called the county registration book, for each county, to be substantially bound and to be a permanent record, to be made up by the secretary of the county election board, by his entering therein the name of each elector registered in alphabetical order by the election precinct, the school district in which such elector resides, dates of registration, his age, residence, occupation, race, color, politics, and the number of registration certificate as shown by the duplicate registration certificate of each precinct, and when completed to be filed with the county clerk to be a public record and the county clerk to be the custodian of it—idem, 77. This law further provides, however, that the secretary of the county election board shall keep the county registration book current by entering upon it the names of all persons registered during any registration period after the closing of such registration—Oklahoma Statutes, 1941, title 26, section 79.

It appears from this law—idem, section 81—that the purpose of this county registration book was to afford a public record or list of the names of all persons who had been registered prior to any election, readily available to all interested persons, so that illegal registrations, if any, might be purged in the manner therein provided; and without such a book it appears that there is no way provided for purging the poll lists of illegal registrations.

The record discloses that no county registration book has ever been completed for Sequoyah County. Tom Hale, the county clerk, the county official whom the law provides shall be custodian of this book, produced a book entitled "County Register of Electors" and testified that it was the only book of its nature in his custody; that it was incomplete, contained only a partial list of the precincts of the county, and was never regarded or considered as a complete list of the registered voters of the county; that no effort had been made for a number of years to complete it or bring it up to date as to the various precincts, and that he had no book in his office from which a list of the qualified voters of Sequoyah County could be obtained—record 147, 148.

Under the Oklahoma law the secretary of the respective county election boards is required to retain possession of the duplicate registration certificates of the respective election precincts in the county at all times, and to deliver them to the inspector of such precincts, on or before the day before any election, for use at the polling places—Oklahoma Statutes 1941, title 21, sections 80, 89.

Guy L. Thompson, the Secretary of the County Election Board in Sequoyah County, whose duty it was to deliver these duplicate registration certificates, testified that he delivered no duplicate registration certificates to any of the inspectors of the 36 election precincts in Sequoyah County before election day, November 3, 1942; and further testified, in substance, that he had none of the duplicates, that they had not been preserved, and were not in existence.

Obviously, the purpose of the registration law and the procedure required of the election officials is for the purpose of providing a means of ascertaining and determining the qualified electors who may vote in any given precinct. Sequoyah County is one of the counties comprising the Second Congressional District. The number of votes cast in that county in the election in controversy was sufficient to determine the result of the election in the whole of the congressional district.

The record is undisputed that in all of the election precincts, so far as Sequoyah County is concerned, in the election held on November 3, 1942, the provisions of the registration law of the State of Oklahoma were entirely disregarded. I point this out not for the purpose of criticizing the committee in its refusal to eliminate all of the votes from Sequoyah County, because undoubtedly a vast majority of the votes cast in the county were cast by citizens who were entitled to vote and not be disfranchised, even though the registration laws had not been complied with. Rather, I bring this to the attention of the House in support of the committee's finding that the election officials in Sequoyah grossly disregarded the provisions of the Oklahoma election laws.

The Election Committee takes the position that the provisions of the Constitution and the statute with respect to registration and compliance with the registration laws is merely directory and should always be treated as directory, unless the law either expressly or in effect makes them essential to the validity of the election. There is respectable authority to this effect. On the other hand,

there is much respectable authority to the contrary.

McCrary on Elections, fourth edition, section 135, states as follows:

> It being conceded that the power to enact a registry law is within the power to regulate the exercise of the elective franchise and preserve the purity of the ballot, it follows that an election held in disregard of the provisions of a registry law must be held void.

In the Florida election case of *Bisbee, Jr.*, v. *Finley* (2 Hinds' Precs., sec. 980, p. 322, Congress) it appears that the registration law of Florida was almost identical with the registration law of Oklahoma. There, as here, a county registration book and a precinct registration book were required to be made and kept and were not, and the facts of that case were otherwise strikingly similar to the facts in the instant case. Because the registration law was disregarded in Brevard County all of the elections in that county were held void and the return of that county was rejected and not included in the count. Insofar as Brevard County was concerned, the claim for the rejection of the poll of that county was based solely on the ground of the failure of the authorities in that county to comply with the registration law. The factual basis of the decision in that case as it relates to Brevard County is identical with the facts in the instant case, as they relate to Sequoyah County. In that case, the committee says:

> To sustain this as a legal registration would do violence to the provision of the constitution and laws of Florida, would destroy all the safeguards against the frauds at elections which the registration laws are intended to prevent, and would, we think, furnish greater facilities for fraud than the absence of any registration at all.
>
> Your committee therefore hold that the election in this county must be set aside as illegal and void.
>
> The principle is so well settled that an election held without registration, under laws requiring registration, is illegal, that the citation of authorities is deemed unnecessary.

In *Benoit* v. *Boatner* (1 Hinds' Precs., sec. 340, p. 230), the majority of the committee rejected the entire vote of a precinct and says:

> In the absence of the poll list it was of course impossible to hold a fair and honest election, for the reason that it could not be definitely known who was entitled to vote.

With reference to other gross irregularities which the committee perhaps had in mind, and caused it to find that the election laws of Oklahoma had been grossly disregarded, was the wholesale distribution and use of absentee ballots in various counties and precincts in the congressional district, by election officials, contrary to the express provisions of the Oklahoma statutes.

The absentee-ballot law in the State of Oklahoma permits the secretaries of the election precincts to issue absentee ballots only upon application made in person or by mail by the absentee elector to the secretary of the county election board, the ballots and supplies to be forwarded to said absentee elector—Oklahoma Statutes 1941, title 26, section 324.

The record discloses in Adair County, as well as in other counties in the congressional district, that without application in writing or in person by the absentee voter, himself, or anyone for him, the secretaries admitted mailing ballots and supplies to absent Democrat voters; and after the ballots were returned, either voted them themselves or caused them to be voted.

The record further shows that one, H. T. Williams, who was the Democratic county attorney of Adair County, received from a secretary in one of the election precincts somewhere between 25 and 100 of these absentee ballots, and that in one of the polling places during the noon hour and while everyone except the election inspector was out for lunch, this Democratic county attorney entered the polling place with a large bundle of absentee ballots and sat down with the inspector, A. C. Ray, and in the absence of the judge of the election and without checking the ballots with the stubs, as provided by law, or any other registry, that he and the inspector opened envelopes purporting to contain the ballots and placed the ballots in the ballot box.

The record is replete with circumstances of similar nature, and while it may be that all of these patent, gross irregularities are insufficient to invalidate the election and insufficient as a matter of law to impeach the presumption of validity vested in the election certificate issued to the contestee, certainly they are sufficient to warrant the investigation of an election in which the contestee as the candidate of the political party which had control and charge of the election, claims to have been elected in a congressional district by only approximately 385 votes. This would seem especially true where a State election board dominated by the same political party denied itself jurisdiction and by so doing suggested that the House should set itself up as a recount committee.

There are various other interesting circumstances appearing in the record which are too numerous to mention, but in passing we should like to call the attention of the House to the fact that in one precinct in the town of Coweta, Okla., where admittedly in the race for Governor a total of 426 votes were cast, and in the race for United States Senator 427 votes were cast; while in the congressional race the returns show that only 318 votes were cast. The record is undisputed that the Republican candidate for Governor received 272 votes in this precinct, the Republican nominee for United States Senator 290 votes, and even a deputy mine inspector—with not a coal mine in the county—received 240 votes. The contestant, the Republican nominee for Congress, is credited with receiving only 164 votes.

In the same precinct the Democratic candidate for Governor had 154 votes, the Democratic candidate for United States Senator 137 votes, and contestee, the Democratic nominee for Congress, 154 votes.

If the official return from this precinct is to be accepted as correct, it shows that 109 voters did not vote for either the contestant or contestee, and that they were all Republicans.

Undoubtedly, the only honest conclusion that can be reached is that whoever certified the vote erred to the tune of 100 votes, to the detriment of the contestant. This would seem especially true in view of the fact that the unofficial reports on the night of the election credited the contestant with having received 264 votes in this precinct, which is in keeping with the total vote cast for other Republican nominees.

The State election board, with this type of evidence before it, said that it was without jurisdiction and could afford no remedy for the contestant, presumably on the theory, as heretofore suggested, that the House was itself the proper tribunal to make the investigation.

The House says that it cannot erect itself as a recount board, and so the contestant finds himself in the peculiar position of being denied by his own State election board the right of a recount or review; and when he brings himself to the United States House of Representatives its committee says that there were "gross irregularities" and flagrant violations of the election laws, "fairly proven" by the contestant, which "the committee does not condone," but is without authority to intervene because "it is not the business nor the province of the committee to attempt indirectly to compel the State of Oklahoma to enforce its laws * * * which patently were not complied with, but grossly disregarded."

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

The resolution was agreed to.

A motion to reconsider was laid on the table.

STATE, JUSTICE, AND COMMERCE APPROPRIATION BILL, FISCAL YEAR 1945

Mr. RABAUT, from the Committee on Appropriations, reported the bill (H. R. 4204) making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes (Rept. No. 1149), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the state of the Union and ordered to be printed.

Mr. WIGGLESWORTH reserved all points of order on the bill.

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

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

There was no objection.

Mr. McCORMACK. May I ask the gentleman from Michigan if the members of the Committee on Appropriations have made any agreement as to the time to be allowed for general debate on the bill he has just reported?

Mr. RABAUT. They have not.

Mr. McCORMACK. Can the gentleman advise the House what time is likely to be allowed for general debate, for the information of the Members?

Mr. RABAUT. I may say to the distinguished majority leader that the

ranking minority member of the committee has just left the floor, and I cannot inform the gentleman at this time concerning that matter.

Mr. McCORMACK. Will the gentleman from Michigan confer with the minority members and see if you can agree on the time for general debate, and let the gentleman from Massachusetts and me know what agreement has been reached so that I may advise the House about it later?

Mr. RABAUT. I will do that. I thank the gentleman.

DISPOSITION OF SURPLUS GOVERNMENT PROPERTY

Mr. COCHRAN. 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. COCHRAN addressed the House. His remarks appear in the Appendix.]

EXTENSION OF REMARKS

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two tables.

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

There was no objection.

Mr. EATON. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered in my district by our colleague the gentleman from New Jersey [Mr. AUCHINCLOSS] on February 10.

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

There was no objection.

COMMODITY CREDIT CORPORATION

Mr. SPENCE. Mr. Speaker, I ask unanimous consent that the conferees on the bill (H. R. 3477) to continue the Commodity Credit Corporation as an agency of the United States, to provide a basis of annual appraisal of its assets, and for other purposes, have until midnight to file a conference report and statement.

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

There was no objection.

EXTENSION OF REMARKS

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein two editorials.

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

There was no objection.

Mr. KELLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial from the Pittsburgh Press, and further to extend my own remarks and include therein an article by Dorothy Thompson.

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

There was no objection.

(Mr. STEVENSON asked and was given permission to extend his own remarks in the RECORD.)

Mr. SCHIFFLER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an editorial.

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

There was no objection.

SIMPLIFIED EXPLANATION AND ANALYSIS OF INCOME-TAX FORM 1040

Mr. COMPTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include therein a statement.

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

There was no objection.

Mr. COMPTON. Mr. Speaker, I call to your attention a simplified explanation and analysis of income-tax Form 1040 which I am placing in the RECORD at the suggestion of several Members who have been as much at sea as I have as to how to make out that form. I think this will be helpful not only to the Members of the House but to some 40,000,000 taxpayers.

EXTENSION OF REMARKS

Mr. KEARNEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein an address delivered by the gentleman from New York, the Honorable JOSEPH J. O'BRIEN.

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

There was no objection.

PETROLEUM RESERVES

Mr. VOORHIS of California. 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. VOORHIS of California. Mr. Speaker, for some weeks I have been working on a comprehensive speech on the subject of oil and I hope to have it ready for delivery within the next few days. Since, however, announcement of the proposed construction of a pipe line across Arabia has brought oil very much to public attention, there are a couple of things I want to say right now.

The first is that whereas some Members of Congress seem to be worried about the Government "getting into" the oil business in competition with the private major oil company monopoly, I am worried on the other hand about the oil companies invading the Government in competition with the American people. And second, I now read in the press once again statements that "petroleum reserves will last only 14 years." I am not prepared to say that this may not be accurate, but I do wish to warn the House that I first read that our petroleum reserves would last only 14 years when I was a small boy of about 10 years and I have been reading the same thing continuously at 5- or 10-year intervals ever since.

What is needed is a determination of the facts in this matter by a truly independent governmental agency which will get its information from sources other than the controlled findings of the major oil companies themselves. Accordingly, I am introducing a resolution today calling for a complete investigation of this whole petroleum matter by a committee of the House consisting of three members of the Committee on Public Lands, three members of the Committee on Naval Affairs, three members of the Committee on Military Affairs, three members of the Committee on Interstate and Foreign Commerce, three members of the Committee on Agriculture, and three members of the Committee on Mines and Mining. I should have preferred to place this matter in the hands of one of the standing committees of the House but in view of the fact that several committees are directly interested and jurisdiction therefore uncertain, I felt the resolution in its present form was the best I could do. The important thing is for the job to be done and to be done at once, for the American people are entitled to accurate and complete information on this all-important subject.

EXTENSION OF REMARKS

Mr. WASIELEWSKI. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an article by Mark Sullivan, and further to extend my remarks in two instances and include in each an editorial.

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

There was no objection.

Mr. McKENZIE. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an editorial.

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

There was no objection.

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD, and include therein an article by Mr. Merlo Pusey, entitled "Short Cuts to Roll-back Subsidies," appearing in the Washington Post of February 15, 1944.

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

There was no objection.

Mr. BROWN of Ohio. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD relative to a letter I have received from a soldier in the South Pacific.

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

There was no objection.

Mr. BUSBEY. Mr. Speaker, I ask unanimous consent to extend my own re-

marks in the RECORD and include therein an address delivered by the gentleman from Massachusetts, Hon. JOSEPH W. MARTIN, Jr., minority leader of the House of Representatives, at the Lincoln Day Banquet held in Washington, D. C., on Thursday, February 10, 1944.

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

There was no objection.

LINCOLN'S BIRTHDAY

Mr. GROSS. 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 Pennsylvania?

There was no objection.

Mr. GROSS. Mr. Speaker, I hold in my hand one of these calendars that are printed by the Government, I suppose, and are hanging all over America. I observe that every national holiday is set out in red on this calendar except Lincoln's Birthday, which receives no recognition. This is the first time I have ever noticed this or that it has been called to my attention. Whoever is responsible should be censured severely. If it is an oversight, he should make the proper public apology.

I include in my remarks a letter from a patriotic constituent of mine who says:

YORK, PA., *February 10, 1944.*

Hon. CHESTER H. GROSS,
Washington, D. C.

DEAR CHESTER: I suppose you have seen some of the calendars the United States Government is distributing to the different offices in the United States. It has a picture of the Capitol at Washington, but the thing that took my attention most was the fact that February 12, which, of course, is Lincoln's Birthday, is printed in black type, whereas all the calendars that I have seen have this particular date printed in red type.

I am sure this was done deliberately by some New Dealer in Washington, and I, as an American citizen and a good Republican, highly resent this slur on one of our great Presidents.

There is one of these calendars hanging in the office of city draft board No. 2, and I suppose they are in all similar offices in the United States.

Kindly verify this condition and if you find it correct, think you should give them a "blast" on the floor of Congress.

I am writing this letter in a hurry and also in anger, and hope it reaches you before you leave Washington for the week end.

With kindest personal regards, I am,
Sincerely yours,
EDWIN F. HIVELY, Jr.

EXTENSION OF REMARKS

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a resolution adopted by the State Legislature of Mississippi.

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

There was no objection.

Mr. WORLEY. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD and include therein a letter appearing in this morning's Washington Post.

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

There was no objection.

LINCOLN DAY SPEECHES

Mr. BULWINKLE. 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 North Carolina?

There was no objection.

Mr. BULWINKLE. Mr. Speaker, I have read all these Lincoln Day speeches and I observe that my friends on the Republican side are engaged at the present time in two battles. One is that they seem to be fighting Mr. Willkie, and the other is that they seem to be fighting Mr. Roosevelt. I can understand how they might fight Mr. Roosevelt, but after what I heard 4 years ago from Republican Members of this House on the floor and from newspaper reports of speeches in the way of praise of Mr. Willkie, I cannot see why they are treating him in such a manner now.

DESECRATION OF LINCOLN'S BIRTHDAY

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to proceed for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection?

There was no objection.

Mr. RANKIN. Mr. Speaker, in reply to both gentlemen who have just spoken, let me call attention to the fact that the nearest thing to a desecration of Lincoln's Birthday that I know of was a party thrown by Marshall Field 3d, the playboy millionaire from Chicago, here in Washington on Sunday last.

I am told that he threw a party that would make Belshazzar's feast look like a Chinese soup kitchen. They had everything from cocktails to caviar. I understand that he spent more than $7,500 on that wasteful revelry at a time when every American is being called on to save and buy bonds in order to fight this war.

He is the same Marshall Field who last September received a fortune of $70,000,000 that has entirely escaped taxation, and is now being used to finance PM, a Communist publication that is being used to malign the white people of the South, stir up race trouble, promote communism, and discredit the Congress of the United States.

I hope the Commissioner of Internal Revenue attended that party as an observer, for I am trying to get him to bring suit to collect the taxes on that vast fortune before Mr. Field squanders it all in riotous living or in financing subversive publications.

The SPEAKER. The time of the gentleman from Mississippi has expired.

CONSTRUCTION OF CERTAIN PIPE LINES IN THE DISTRICT OF COLUMBIA

Mr. RANDOLPH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 3916, to permit the construction and use of certain pipe lines for pneumatic-tube transmission in the District of Columbia, with Senate amendments thereto, and concur in the Senate amendments.

The SPEAKER. The Clerk will report the Senate amendments.

The Clerk read as follows:

On page 2, line 1, strike out "north" and insert "south."

On page 2, line 4, strike out "and" where it occurs the first time and insert "or."

On page 2, line 20, strike out "and" and insert "or."

On page 3, line 1, strike out "and" and insert "or."

On page 3, after line 6, insert:

"SEC. 4. The right to alter, amend, or repeal this act is expressly reserved."

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

Mr. MARTIN of Massachusetts. Mr. Speaker, I reserve the right to object. Will the gentleman kindly tell us what the amendments are?

Mr. RANDOLPH. Mr. Speaker, this legislation has to do with the laying of certain pipe lines in the District of Columbia. The House passed this bill several weeks ago. The Senate took action on it yesterday, and the amendments added by the Senate are simply corrective.

Mr. MARTIN of Massachusetts. They do not change the text?

Mr. RANDOLPH. No. The body of the bill is as we passed it in the House.

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

There was no objection.

The SPEAKER. The question is on concurring in the Senate amendments.

The Senate amendments were agreed to.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. COFFEE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by Mr. Martin F. Smith.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAWFORD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and include an address delivered by John L. Boyd, on the League of Nations.

The SPEAKER. Is there objection?

There was no objection.

SYNTHETIC LIQUID FUELS FROM COAL AND OTHER SUBSTANCES

Mr. PETERSON of Florida. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 3209) authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 3209, with Mr. DELANEY in the chair.

The Clerk reported the title of the bill.

The CHAIRMAN. When the Committee rose last evening the first committee amendment was pending. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 3, line 9, after the word "firm", insert "educational institutions."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

The Clerk read as follows:

On page 4, after line 14, insert a new section as follows:

"SEC. 6. There is authorized to be appropriated not to exceed the sum of $30,000,000 to carry out the provisions of this act."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. LANHAM. Mr. Chairman, I have two amendments to offer. They relate to the same matter, although appearing at different places in the bill. I discussed them yesterday. It seems that they are in no way controversial. I ask unanimous consent that the two amendments be considered together in view of the fact that they relate to exactly the same matter.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LANHAM. Mr. Chairman, I offer the following amendments, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment offered by Mr. LANHAM: On page 2 strike out all of subsection (b), lines 15 to 25, inclusive, and insert in lieu thereof the following:

"(b) to acquire by purchase, license, lease for a term of years or less, or donation, secret processes, technical data, inventions, patent applications, patents, irrevocable nonexclusive licenses, and other rights and licenses under patents granted by this or any other nation; and to acquire by purchase, lease for a term of years or less, donation, or otherwise, land, and any interest in land, including easements and leasehold interests; options on real or personal property; plants and their facilities; to assume the obligation to pay rentals in advance on property so acquired, and to pay damages arising out of the use of any such property."

Amendment offered by Mr. LANHAM: On page 4, line 4, after the word "act", change the period to a colon and add the following: "*Provided*, That such licenses are consistent with the terms of the agreements by which such patent rights are acquired."

The CHAIRMAN. The question is on agreeing to the amendments offered by the gentleman from Texas.

The amendments were agreed to.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word, to ask the gentleman from Florida [Mr. PETERSON] in charge of this bill where he is going to get the money to finance this program. Is the gentleman going to get it from taxation or by the sale of bonds to private investors, or is he going to get it via the Government printing press? Will the gentleman please answer that question?

Mr. PETERSON of Florida. Oh, I did not know that the gentleman was asking a question for information. I thought his question was merely rhetorical.

Mr. SMITH of Ohio. I am not asking a rhetorical question, but a factual one. Where are you going to get the money to finance this program? Are you going to get it from taxation, or the sale of bonds to private investors, or through the Government printing press?

Mr. PETERSON of Florida. Answering the gentleman, I might say that this program will make many millions of dollars for the Federal Government, and create an asset of great importance. If the gentleman will read the bill——

Mr. SMITH of Ohio. Mr. Chairman, I do not yield any further.

Mr. PETERSON of Florida. The bill provides——

Mr. SMITH of Ohio. Mr. Chairman, I decline to yield. I submit to the gentleman that the only way this money can be raised is by the Government printing it. We are not selling enough bonds to private investors and by taxation to pay the cost of government.

I ask, Is that good financing? The gentleman in charge of this measure has frankly and forthrightly stated that this proposed program cannot be expected to achieve results before the expiration of 4 years. This measure therefore can by no stretch of the imagination be considered as a war measure. On the contrary, it is an anti-war-effort measure.

The very means by which it must be financed should make clear to us that it cannot be anything other. The process of Government financing through the banks—that is, creating new money by simply printing it—is undermining our whole financial structure. The longer the war lasts, the more will the evils of this procedure manifest themselves.

From the standpoint of the war effort I consider this a dangerous and inimical measure. Thirty million dollars of additional Government printing-press money would have its effect in further undermining the financial structure of the country and hinder our war effort. But worst of all it would serve the purposes of other nonessential and nonwar proposals. If you can print thirty million new dollars for this project which has no prospect of being helpful to the war effort, why is it not reasonable to suppose that you can print additional millions or even billions of dollars for other similar paternalistic undertakings?

This Congress has no right to authorize or to appropriate one single penny that is not absolutely essential to the prosecution of the war and the maintenance of minimum essential Government functions.

I sincerely believe that a vote for this measure is a vote to undermine our war effort and to prolong the war and add to our losses. I beg of you to respond to the crying need of our soldiers and the Nation to save every dollar possible for the war effort by voting down this proposal.

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

Mr. SMITH of Ohio. I yield.

Mr. RANDOLPH. Mr. Chairman, I know that the distinguished Member from Ohio, in speaking of communistic procedures in government and bureaucracy, as he did yesterday, would not want to imply that the members of his own party on the Committee on Mines and Mining—Mr. ROBSION of Kentucky; Mr. BRADLEY of Michigan; Mr. LANDIS of Indiana; Mr. BISHOP of Illinois; Mr. ROCKWELL of Colorado; Mr. JOHNSON of Illinois; Mr. ELMER of Missouri; Mr. BREHM of Ohio; and Mr. ELLSWORTH of Oregon—would have approved this measure and reported it unanimously with the Democratic members of the Committee on Mines and Mining if they thought for a single moment there was any intention or effort to be communistic in proposing that the United States build demonstration plants to produce synthetic liquid fuels from coal and other substances to protect our domestic needs, even if it was proposed in the cloudy days of war and not in a recognized era of peace.

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

Mr. SMITH of Ohio. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute to answer the question of the gentleman from West Virginia.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. SMITH of Ohio. In answer to your question, I should like to say that the Eighth Ohio Congressional District elected me to the office which I am now holding. When I was elected and took my oath of office I went on the assumption that it was my duty to examine all the measures that might come before Congress and judge them on their merits and give no heed or consideration to partisan politics whatsoever.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTON J. JOHNSON. Mr. Chairman, I offer an amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. ANTON J. JOHNSON: On page 1, line 7, after the word "coal", insert the following: "And one or more demonstration plants to produce liquid fuel from agricultural and forestry products."

Mr. ANTON J. JOHNSON. Mr. Chairman, I have no personal interest in this thing, no interest affecting my district, that is, in the immediate future; and none expected. I am only interested in the general welfare of our Nation and agriculture. I am for the bill. We have heard so much about the potential exhaustion of our petroleum, and I think it is well founded. I know from experience. I have had a little oil interest myself back in my own State. Recently it has come to my attention that there is

a proposed request for another $300,000,000 to be spent to manufacture synthetic alcohol from petroleum. I have that on pretty reliable information. Therefore I introduced H R. 4096 on January 31, of this year, which would prevent the use of any further Federal funds for the manufacture of synthetic alcohol from petroleum.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ANTON J. JOHNSON. I yield.

Mr. BRADLEY of Michigan. I would like to state to the gentleman that I am very much in favor of his amendment. Our committee worked carefully on the question of the production of rubber and synthetic gasoline or fuel by the use of alcohol. We are very much in favor of the gentleman's amendment.

Mr. ANTON J. JOHNSON. I thank the gentleman for his contribution. I want to give you a little more background on this. Almost 2 years ago it was my great privilege to sit for a few months on the Senate side with the Gillette committee, which was investigating the further industrial uses of agriculture and forestry products in industry. One day I was quite impressed with Dr. Rosten, a Polish scientist, who had done much work in Poland in the manufacture of alcohol, which was used in the manufacture of rubber. We also had there another scientist who was in this country at the same time. Dr. Rosten read from the record of the report of the Petroleum Institute that had been held the year before in California that there was only a visible or potential supply of petroleum to last this country for 13 or 14 years. He told us many things that were new to us in this country. He had just recently come from Poland and he said we are wasting in the United States and Canada over 700,000 tons annually of fermentable sugar in waste sulfite liquor which is going down our streams and polluting our streams.

When I first came to Congress in January 1939, I had been interested up to that time in motor-vehicle alcohol fuel blends. I had been using it in my own cars. I became familiar with the advantages of it. I took up the study of what foreign countries had done in that respect.

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

Mr. ANTON J. JOHNSON. I yield.

Mr. COFFEE. I want to compliment the gentleman on what he said about making alcohol out of waste sulfite liquors, and Dr. Rosten's fine work, which has resulted in the granting, by the War Production Board, of first priorities for a plant for the manufacture of alcohol out of sulfite liquors in the United States. That is in my own State.

Mr. ANTON J. JOHNSON. I want to go into that a little more in detail. I thank the gentleman for his contribution. Alcohol is synonymous in our thinking today with blended motor fuels and also rubber. They are vitally needed and perhaps we are going to need them not only in our war effort, before this war is over with the Japanese, but for some years to come, we do not know whether we can get any foreign rubber. Other countries have been using alcohol motor fuel blends. I do not care whether it comes from grain or from waste sulfite liquor or sawdust, which they can make, and I know it. I am speaking now of the great Northwest, where you do not have a lot of petroleum, but where you can make alcohol motor fuel and where you get economy of operation when such products are produced where the raw materials are available. England has been using it for many years. They have been using an alcohol blend and the Standard Oil Co. has.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BRADLEY of Michigan. Mr. Chairman, I ask unanimous consent that the gentleman from Illinois be permitted to proceed for 5 additional minutes. I would also like to ask him if he will yield at this time for some questions.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. ANTON J. JOHNSON. I yield.

Mr. BRADLEY of Michigan. The gentleman knows that the gentleman from Colorado [Mr. ROCKWELL] has a very similar amendment that he would like to add to your amendment. He would include the words "oil shale" to your amendment.

Mr. ANTON J. JOHNSON. I will accept that.

Not only has England been using it, but the Standard Oil Co. in England has been producing it over at its plant and they advertised it as "at last, the perfect motor fuel"; a blended alcohol. Yet we cannot get it here.

Cuba, our good neighbor to the south of us, has been using it. This is not hearsay because I checked with the Cuban Embassy this morning. On October 13, 1942, the O. R. P. A., which is comparable with our O. P. A., passed a resolution on motor fuel blends; Alcohol 65 percent, gasoline and naphtha 30 percent, 5 percent other petroleum oils, and so forth. They are getting along wonderfully with it. Yet we are suffering from a lack of those things.

I want to say to the gentleman from West Virginia [Mr. RANDOLPH] who is so deeply interested in this, that he told us a great story about a plane landing here, powered with synthetic gasoline made from coal. There was quite a story in the paper and I was greatly interested in it. I was proud of the progress that had been made. I was glad we were not going to be dependent upon foreign oils but were going to be self-sufficient with our own raw materials.

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

Mr. ANTON J. JOHNSON. I yield briefly.

Mr. MAY. Coal is mined in marketable quantities in 37 of the 48 States of the United States. We have been producing coal for perhaps 100 years. Up to this time we have shipped it all in bulk without determining how many byproducts might be extracted by chemical methods. With the oil industry estimated by Mr. Ickes to be exhausted within 13 or 14 years, why is it not important that we take some step now?

Mr. ANTON J. JOHNSON. Well, we should. I thank the gentleman for his contribution.

Along that line, we get our styrene largely from coal in the manufacture of synthetic rubber. About 25 percent of the ultimate raw material that goes into synthetic rubber comes from coal products.

With reference to that plane coming here, not long ago there was an automobile driven up on the Capitol Grounds, equipped with synthetic-rubber tires made from waste sulfite liquors. They first extracted the fermentable sugars, then converted the sugars into alcohol, then into Buna S rubber, all done by private capital up in Canada, and these cars are running all over the country on demonstration.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield.

Mr. ANTON J. JOHNSON. I yield.

Mr. BRADLEY of Michigan. The gentleman is aware of the fact that Dr. William Hale, an eminent scientist, estimated that for $100,000,000 we could set up 100 farm grain-alcohol plants and produce more synthetic rubber than has been produced by the $700,000,000 spent on synthetic rubber.

Mr. ANTON J. JOHNSON. There is no question about it whatever. I regard Dr. Hale not only as one of my personal friends but a great scientist and a leader in motor-fuel alcohol blends. If we had followed his teachings on this a little more we would be a great deal better off today.

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

Mr. ANTON J. JOHNSON. I am sorry. My time has about expired.

Now, reference has been made to $720,000,000 that has been spent in setting up synthetic rubber plants. There were only 200,000 tons set aside to be made from grain alcohol, and that was because of the fight put up on the other side of the Capitol, as well as on this side, to make rubber from agricultural products. Otherwise we would not have had any from grain alcohol. I do not care whether the alcohol comes from grain, sawdust, or waste liquors, but there is only one plant today making butadiene from alcohol operated on private capital and it is not in full operation yet. That is only a small plant of 15,000 tons that is privately owned. All the rest are Government owned and they might we wiped out after the war is over.

The CHAIRMAN. The time of the gentleman from Illinois [Mr. ANTON J. JOHNSON] has again expired.

Mr. ROCKWELL. Mr. Chairman, may I ask if my amendment adding "oil shale" was accepted?

The CHAIRMAN. We will first dispose of the amendments offered by the gentleman from Illinois. The question is on the amendment offered by the gentleman from Illinois [Mr. ANTON J. JOHNSON].

The amendment was agreed to.

Mr. ROCKWELL. Was my amendment accepted?

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Colorado [Mr. ROCKWELL].

The Clerk read as follows:

Amendment offered by Mr. ROCKWELL: On page 1, line 7, after the word "coal", insert a comma and the words "oil shale."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. FERNANDEZ. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FERNANDEZ: On page 3, line 2, after the words "any industrial organization", insert "or any educational institution."

Mr. FERNANDEZ. Mr. Chairman, New Mexico is vitally interested in this bill. It is an oil-producing State, but it has also large deposits of coal. Unfortunately, because of lack of demand for coal, the coal miners have up until this war been able to operate only 1, 2, or 3 days a week.

The New Mexico School of Mines, I understand, has been giving some thought to this problem, and it is at their suggestion that I offer this amendment. It merely adds educational institutions to the enumerated list of persons and agencies which the Secretary of the Interior may utilize, if he deems it desirable, in carrying out the purposes of the bill.

I appreciate, of course, that the Committee on Mines and Mining approved and the committee has accepted an amendment permitting cooperation with such institutions. This additional amendment is broader, however, in that it would permit the Secretary to engage the services of the institution or its facilities, if he finds such an arrangement desirable and mutually advantageous.

Mr. RANDOLPH. Mr. Chairman, the committee accepts the amendment. We have "educational institution" used in another subsection of the bill. This amendment is perfectly in order, and if agreeable to the gentleman we will accept it at this time.

Mr. FERNANDEZ. I appreciate there has been an amendment made in the second paragraph, but I was not sure whether it covered the field I wanted to cover.

Mr. RANDOLPH. The committee certainly wants the measure to cover educational institutions as well.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Mexico [Mr. FERNANDEZ].

The amendment was agreed to.

Mr. CRAWFORD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CRAWFORD: On page 3, line 23, after the word "channels", strike out down to and including all the language in line 4 on page 4.

Mr. CRAWFORD. Mr. Chairman, here is an amendment to which I assume there will be a great deal of opposition, but I see no reason why we should go out today and tax the taxpayers or sell bonds to raise $30,000,000 to do a job that private industry stands ready to do, and at the same time give the Secretary of the Interior, in his discretion, authority to dispose of lands, real and personal property, at any time he desires to do so.

Going through the report on this bill which is signed by Abe Fortas, Acting Secretary of the Interior, I find some very interesting language. Only a few weeks ago this House had before it a proposition which had to do with the oil industry. A showing was made, and the bill was passed on the proposition that new oil fields were not being discovered and development work was slowing down because of certain irregularities incident to the price ceilings on oil. This House acted on the showing there made. Now, Mr. Fortas comes along and in this report makes a dissimilar presentation to that used on oil which shows exactly how that kind of fellow operates in applying the same argument for different purposes. A proposition of this kind gives another reason why I opposed the bill yesterday afternoon. If you give a man enough rope he finally hangs himself if his mind runs along certain channels. Then he makes this fallacious argument:

Under present conditions we cannot rely upon industry to make the initial, unremunerative expenditure necessary to solve the technical and economic problems of synthetic fuel production.

I deny that statement and challenge Mr. Fortas to show that the people of this country are unwilling to provide risk capital to do this kind of job or any other kind of job that is necessary to be done in this country. Historically, we have done the necessary until the Government began to compete and drive out private enterprise.

I was amazed by the argument of my friend the gentleman from Illinois [Mr. ANTON J. JOHNSON] awhile ago when he demonstrated that certain types of equipment had appeared on these Capitol Grounds which had been financed and the bugs taken out of their performance as a result of the enterprise of private citizens. Why in the world do we at this time come in here and propose another $30,000,000 gouge of the people of this country to carry out an undertaking when we know full well that the people of this country have over $100,000,000,000 standing ready to put into the private-enterprise system of this country if these Government bureaus and if the Congress would just for a few minutes let private industry alone and stop promoting these Government projects. I do not propose to support this bill now. I can understand why Members from coal districts—and, incidentally, I have a coal district myself—will come in here and support this kind of operation. Why do you want more than one pilot plant? If you have got to spend Government funds for this purpose, why not build one pilot plant, let the bugs be taken out of the process in that plant, and the process then turned over to private industry? Why go out here with a "pork barrel" proposition and put these plants all over the United States during wartime? You cannot answer that question satisfactorily to the people of the United States.

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

Mr. CRAWFORD. I yield to the gentleman from Kentucky.

Mr. MAY. I should like to say that I agree somewhat with the gentleman from Michigan.

Mr. CRAWFORD. Why, of course, the gentleman agrees with a lot of it.

Mr. MAY. Not necessarily with what the gentleman has said but with his motion to strike out those lines. The purpose of the gentleman undoubtedly is to prohibit the Secretary from disposing of real estate at his will.

Mr. CRAWFORD. Yes.

Mr. MAY. I think the better way to reach that would be to amend that provision in the bill by inserting after the word "shall" in line 24 the words "subject to the approval of the Congress." Then he could sell land only if the Congress approved of it.

Mr. CRAWFORD. That certainly would be satisfactory to me. In other words, let the Congress of the United States control their own affairs instead of delegating the powers to these bureau heads and the departmental heads.

Mr. BRADLEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. CRAWFORD. I yield.

Mr. BRADLEY of Michigan. The gentleman just asked why more than one plant may be necessary. This bill is not confined strictly to the study of coal and coal derivatives.

Mr. CRAWFORD. I understand that, but this bill has a certain objective. If you will bring your scientific data and raw materials, and so forth, to a concentrated point you will get better results out of it.

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

Mr. RANDOLPH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, the suggestion of the gentleman from Kentucky [Mr. MAY] is certainly in order and your Committee on Mines and Mining would be agreeable to an amendment of that type. We do know that a program of this kind must have certain lodgment of authority within a Federal department of the Government. I do not think of this development of a synthetic fuel industry of the Nation as being solely in the hands of Secretary Ickes, John Smith, or any other man. I think of it, as I know the Members of this House think of it, as being under the direction of those experts of the United States Bureau of Mines who throughout the Democratic and Republican administrations have continued vital research programs. They have fostered developments which have been of great value and assistance to this country.

I believe, and I do not want to be misunderstood, that we too easily and too lightly bounce the ball of bureaucracy against the sounding board of prejudice and public opinion. I say that from my heart. I do not agree with the insidious phases of bureaucracy any more than my colleague from Ohio [Mr. SMITH],

but it is factual that in Government departments there are those conscientious, skilled, and able men who have been of great assistance to the development of America. I cannot allow to go unchallenged certain criticisms which have been spoken, when we take into consideration what has been accomplished in this country in research.

Let us consider one example very briefly, the National Advisory Council for Aeronautics. Think of its record for a moment. Its work was created by Congress 29 years ago to deal with research and development problems of flight. It placed America definitely ahead of any other nation in the world from the standpoint of technical development of the airplane. In 1933 there was an aeronautical congress held in this country. The experts from the other countries were unanimous in saying that because of the research we had done in aeronautics we were 10 years in front of any other country. That was the testimony given by the representatives of other nations. What happened? We found later, to our dismay, that Germany had not gone along in the regular and slow routine of small research. Hitler had multiplied facilities for air research. Perhaps five times as much advancement had been made in 5 or 6 years under his prodding as we had in the United States. We realize however that the fine developments carried on at Langley Field, Va., were not enough, and this Congress in its wisdom went out to Sunnyvale, Calif., and established another great laboratory, and a third one at Cleveland, Ohio. It should not be difficult to convince anyone that the money this Government has put into this aeronautical research, some $70,000,000 being invested, has given to this Nation a continuing return on the money spent and has proved of economic value. We know that its work served America as a safety measure for air transport and general flying in time of peace and that it gives to us a superior performance in time of war. Our existence as a country can well depend on the latter consideration.

Mr. Chairman, the dollars we spend on research and carefully conceived development of the programs which are for the well-being of our people and the advancement of America will pay dividends far in excess of the funds which are spent on the resources which are consumed. My colleagues, let us act with wisdom worthy of our leadership. Let us be far-visioned. Let us proceed in America, not far away from home, in the fact-finding development of a synthetic-fuels program.

The CHAIRMAN. The time of the gentleman from West Virginia has expired.

Mr. KELLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I hope that this legislation is enacted. It will eventually assure the Nation of an adequate petroleum reserve for any emergency. The lesson taught us by the failure to provide a reserve of rubber should be sufficient to drive us immediately to a farsighted, sound business policy of assuring adequate reserves of all basic material.

The known petroleum reserves of the Nation are about 20,000,000,000 barrels. The annual consumption in 1943 was about one and a half billion barrels. If no further reserves are discovered, the entire 20,000,000,000 barrels would be consumed in 13 years. The program outlined by H. R. 3209 might well take 15 to 20 years before the work is completed to assure us the proper liquid fuels at satisfactory production costs. The program is a good insurance policy against a dearth of liquid fuel. We hope additional reserves sufficient for our needs will be discovered, but that still should not stop us from providing against a failure of these reserve discoveries at any time in the future.

A significant statement was made by Mr. Ralph K. Davies, Deputy Petroleum Administrator for War, in the course of an address at the annual meeting of the American Petroleum Institute in Chicago, November 1943. I quote:

> Our experience over the past 5 years and the outlook for the future, as far as we can see it, suggests that whatever the reserves yet to be discovered, they will be found more slowly, with greater difficulty, and at greater expense than reserves have been found in the past. Current studies show that it is four or five times as difficult and costly to find a barrel of new reserves today as it was in the pre-1938 period.

All evidence gathered from authorities shows that with present discovery rate, the present production rate, and the prospects of consumption continuing because of the war to be heavy, leave us with reason to believe that we shall be feeling the pinch within 8 years, and that we shall have reached the end of our supply of petroleum in 13 years. We cannot afford to be indifferent to a sound, businesslike policy such as is being offered today.

There need be no fear that Government will enter into competition with private business. This is neither the purpose nor intent of this program. The Government function is to develop and perfect the best-known processes for acquiring liquid fuel from coal and shale. Private industry can take it then. My experience leads me to believe that the present oil companies would be willing to take up whatever processes are developed by the Government.

The importance of the program is more apparent when we consider that petroleum obtained in the United States is furnishing the best lubricating oil in the world, and also the highest octane gasoline. Both are essential for the high efficiency of military airplanes. These factors have helped bring about the superiority of air power which we have achieved over Europe and the Pacific. Therefore, why not conserve this petroleum for such use—military and commercial? Why not produce suitable lubricants and gasoline by hydrogenation of coal to serve satisfactorily for many less exacting uses? Why put high-grade gasoline and lubricants to low-grade use? It has been said that gasoline obtained from hydrogenation of coal can be improved to 87-percent octane, suitable for most uses, but not so good for military planes.

Our duty seems to me to be clear. We must conserve the valuable and indispensable petroleum and provide a supplemental quantity of lower-grade fuel for all uses other than flying. For my part, I cannot disregard my duty toward posterity. I will support the bill.

Mr. VOORHIS of California. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I will be quite brief. I come from an oil-producing State but I am very much in favor of the passage of this legislation. I am glad that an amendment has been added to include oil shale and agricultural products. Personally I do not believe that work of this character to determine the practicality of the production of gasoline and related products from other sources than petroleum can possibly be carried on any other way than with governmental support under existing circumstances and with the oil monopoly as powerful as it is.

I am not going to elaborate upon that statement right now because I hope to do so in an effective way within the next few days. Suffice it to say that in my opinion it is our duty to try to develop sources of these critical fuel materials from every possible angle in the United States, for certain it is that the degree to which we become dependent upon foreign sources will be that much weakness to our country. Perhaps we are going to have to do it, I do not know, but in any case we ought to do the very dead level best we can to provide these resources here at home and we should not be balked in that effort by any private interest whatever. For that reason I welcome this bill and I agree with the gentleman from West Virginia [Mr. RANDOLPH] that sometime in the future this money will be regarded as having been well spent and Congress will be applauded for its foresight in making this practical research possible.

Mr. MAY. Mr. Chairman, I offer a perfecting amendment to the text of the bill.

The Clerk read as follows:

> Amendment offered by Mr. MAY: On page 3, line 24, after the word "shall", insert "subject to approval by Congress."

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

Mr. MAY. I yield to the gentleman.

Mr. CRAWFORD. It appears to me that if the gentleman introduces those words we should strike out the three words "in his discretion"; then it would read that the Secretary of the Interior shall also have authority to dispose of any lands, and so forth.

Mr. MAY. Mr. Chairman, I think that is a proper suggestion.

The CHAIRMAN. Does the gentleman from Kentucky desire to modify his amendment?

Mr. MAY. Yes. I ask unanimous consent that my amendment may be modified according to the suggestion.

The CHAIRMAN. Without objection, the amendment will be modified, and the Clerk will report the modified amendment.

There was no objection.

The Clerk read as follows:

Amendment offered by Mr. MAY: On page 3, line 24, after the word "Interior", strike out the words "in his discretion" and insert "subject to approval by the Congress."

The amendment was agreed to.

Mr. CRAWFORD. Mr. Chairman, I ask unanimous consent to withdraw my amendment. My only object was to leave this in the hands of the Congress.

The CHAIRMAN. Without objection, the amendment offered by the gentleman from Michigan will be withdrawn.

There was no objection.

Mr. FORD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I am going to support the pending bill, H. R. 3209, for a very specific reason. In the first place, I am of the opinion that we might much better develop this synthetic-gasoline process and have it ready in case of need than not to develop it and need it and not have it. We had that experience with synthetic rubber and are still suffering as a result of our failure to prepare for this emergency.

My distinguished friend from Michigan says that private enterprise will take this process up and develop it. That would be fine, but they did not develop synthetic rubber to the point where it met our need when we got in the hole and were short of natural rubber. I am not criticizing them for this; I am just calling attention to the fact that they did not do it and that we had to spend $670,000,000 to develop a synthetic-rubber program.

Another point I would like to make is this: It is said that if grain alcohol had been utilized, we would have been able to develop the same quantity of the elements of synthetic rubber for $100,000,000 that have cost us $670,000,000. That might be true, I do not know, but I do know that the amount of essential grain that would have been used would have brought about a shortage of food products in the United States, although it might have relieved the rubber shortage. I am informed that private enterprise and private institutions that are interested in the development of gasoline from coal, from shale, and byproducts appeared before the committee, and that they were in full accord with this bill. I want to emphasize once more, Mr. Chairman, that we better have this process developed and ready for use even though we do not need it at this time, than to have the day come when we do need it and not have it.

Mr. SMITH of Ohio. Mr. Chairman, I offer an amendment which I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. SMITH of Ohio: On page 4, line 16, after the word "of", strike out "$30,000,000" and insert in lieu thereof "$5,000,000."

Mr. BRADLEY of Michigan. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. BRADLEY of Michigan. Mr. Chairman, I make the point of order that the committee amendment having been adopted, it is not subject to new amendment at this time.

The CHAIRMAN. The gentleman from Michigan [Mr. BRADLEY] is correct. It is not in order to amend an amendment that has been agreed to. The Chair therefore sustains the point of order.

Mr. SMITH of Ohio. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. SMITH of Ohio. Then no amendments whatsoever are permitted with respect to the amount provided in this measure?

The CHAIRMAN. The gentleman is correct.

Mr. SMITH of Ohio. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I want to read part of a letter which in my opinion, beautifully portrays the spirit of the Congress of the United States. A gentleman appeared in my office a few days ago and asked me to support a subsidy for a certain purpose. I am not going to mention his name, or his connections, as I am not authorized to do so, but from his letterhead it would appear that he represents an important organization.

Here is what he says in this letter:

We too are thrifty, rugged individualists. There is, however, just one point to make. In a situation of heavy losses and large inefficiencies, the correction of which will greatly increase our tax-paying power, what other way can you suggest than Uncle Sam's doing this job for the sake of all his children?

Mr. CRAWFORD. Will the gentleman yield?

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

Mr. CRAWFORD. This is an intelligent citizen?

Mr. SMITH of Ohio. He is of the age of responsibility.

Mr. CRAWFORD. I do not know him, I never heard of him before, but I will venture the statement that he is absolutely confused. With reference to Mr. Eccles, Chairman of the Board of Governors of the Federal Reserve System, he went up to New York the other day and made an address before the Tax Institute symposium pointing out that too much money in the hands of the people will bring inflation to us, if it ever arrives. And with this I agree. He does not say anything about roll-back subsidies preventing inflation. He just talks about too much money in the hands of the people. Then there is Mr. Bell, Under Secretary of the Treasury, who goes out and makes his long speech of a few days ago and points out that there is too much buying power in the hands of the people. Yet your friend writes you a letter and says, "Let us have the Government take care of all the people as though they were irresponsible little children."

What in the world is the matter with the thinking people of the United States today? If this country is to be saved, it will be saved by the literate people, not by the illiterate or the racketeer element.

Mr. SMITH of Ohio. I thank the gentleman, and want to add this further comment. Government paternalism is both of endogenous origin and growth. It does not come about through public demand, as is commonly alleged, but from those in Government service.

The spirit in Congress for Government controlled and owned industry—that is, totalitarianism — is very pronounced. It is doubtful if the people realize how strong this feeling is in Congress, and I wonder if Congress itself knows where it is leading our country.

Mr. RANDOLPH. Mr. Chairman, I rise in opposition to the pro forma amendment.

Mr. Chairman, I desire to read a letter I have just received from the Petroleum Administrator for War. It follows:

PETROLEUM ADMINISTRATION FOR WAR,
Washington, D. C., February 16 1944.

Hon. JENNINGS RANDOLPH,
House of Representatives.

MY DEAR MR. RANDOLPH: On your inquiry today as to the relationship of a synthetic liquid fuels program to this war, I reply that the relationship is direct.

The R. A. F. air fleet that bombed Berlin last night uses in part British-made synthetic fuel. The luftwaffe that met it uses in part German-made synthetic fuel. Japan has synthetic fuel. It is a matter of chagrin to Americans that we do not already have synthetic gasolines, although, fortunately, the dwindling natural petroleum with which this country was blessed has, through heroic measures of American industry, kept our air forces in the sky, our fleet on the seven seas, and our Armies on all continents.

It is not given to me to know how long this war will last, but I believe we will have enough natural petroleum to finish it. I do not believe we will have enough for another war, and all who study the question think that we will come out of the war to peace with a shortage of domestic natural petroleum.

We need synthetic liquid fuels now, but we have not got them. It took other nations years to develop their synthetics and even the great fuel industries of this country, which have urged this Government to embark forthwith on the program set forth in your bill, do not feel such new industry can be established quickly. It is our purpose to avoid any interference with the unknown future of this war, but the Army and the Navy and all familiar with synthetic fuel possibilities believe that we must start our program now.

Sincerely yours,

HAROLD L. ICKES,
Petroleum Administrator for War.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. DELANEY, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H. R. 3209) authorizing the construction and operation of demonstration plants to produce synthetic liquid fuels from coal and other substances, in order to aid the prosecution of the war, to conserve and increase the oil resources of the Nation, and for other purposes, pursuant to House Resolution 434, reported the same back to the House with

sundry amendments adopted by the Committee of the Whole.

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

Is a separate vote demanded on any amendment?

Mr. PETERSON of Florida. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. COOPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 28]

Allen, Ill.	Hinshaw	Newsome
Baldwin, Md.	Hobbs	O'Brien, Ill.
Bell	Hoch	O'Leary
Buckley	Hoffman	O'Neal
Burch, Va.	Holmes, Mass.	Pace
Celler	Horan	Patman
Chapman	Izac	Patton
Cole, N. Y.	Jennings	Pfeifer
Cullen	Johnson, Luther A.	Poage
Curley	Judd	Pracht, C. Frederick
Dawson	Kennedy	Price
Dewey	Keogh	Reece, Tenn.
Dirksen	Kilday	Reed, Ill.
Disney	Kirwan	Robsion, Ky.
Domengeaux	Kleberg	Rowan
Douglas	LaFollette	Russell
Drewry	Lambertson	Shafer
Ellison, Md.	Landis	Smith, Va.
Elmer	Lea	Smith, W. Va.
Elston, Ohio	Lemke	Sumners, Tex.
Fay	Lesinski	Taylor
Fenton	Luce	Thomas, Tex.
Fish	Lynch	Thomason
Fulmer	McMillan	Treadway
Gamble	Magnuson	West
Gifford	Mahon	Whelchel, Ga.
Gordon	Mansfield, Mont.	White
Gorski	Mansfield, Tex.	Wilson
Hare	Monkiewicz	Winter
Hébert	Morrison, La.	Worley
Heffernan		
Hess		

The SPEAKER. On this roll call 331 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

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

The amendments were agreed to.

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

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

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

The question was taken; and on a division (demanded by Mr. SMITH of Ohio) there were—yeas 140, nays 13.

Mr. SMITH of Ohio. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were refused.

So the bill was passed.

A motion to reconsider was laid on the table.

Mr. ANTON J. JOHNSON. Mr. Speaker, I offer an amendment to the title.

The Clerk read as follows:

Amend the title: After the word "coal", insert a comma and the words "agricultural and forestry products and oil shale."

The SPEAKER. Without objection, the title will be amended accordingly.

There was no objection.

Mr. PETERSON of Florida. Mr. Speaker, I ask unanimous consent to take from the Speaker's table a similar Senate bill, S. 1243, strike out all after the enacting clause and insert the provisions of the House bill (H. R. 3209) just passed.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. PETERSON]?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Interior, acting through the Bureau of Mines, within the limits of critical materials available, is authorized for not more than 5 years to construct, maintain, and operate one or more demonstration plants to produce synthetic liquid fuels from coal, oil shale, and other substances with all facilities and accessories for the manufacture, purification, storage, and distribution of the products. There is hereby authorized to be appropriated not to exceed $30,000,000 for the purposes of this act. The plants shall be of the minimum size which will allow the Government to furnish industry the necessary cost and engineering data for the development of a synthetic liquid fuel industry and of such size that the combined product of all the plants constructed in accordance with this act will not constitute a commercially significant amount of the total national commercial sale and distribution of petroleum and petroleum products.

SEC. 2. In order to carry out the purpose of this act, the Secretary of the Interior is authorized—

(a) to conduct laboratory research and development work and with pilot plants and semiworks plants make careful process engineering studies along with structural engineering studies in order to ascertain lowest investment and operating costs necessary to determine the best demonstration plant designs and conditions of operation;

(b) to acquire, by purchase, lease for a term of years or less, or donation, land and any interest in land, including easements and leasehold interests; options on real or personal property; plants and their facilities; secret processes, technical data, inventions, patent applications, patents, irrevocable nonexclusive licenses, and other rights and licenses under patents granted by this or any other nation; to assume the obligation to pay rentals in advance on property so acquired, and to pay damages arising out of the use of any such property: *Provided, however*, That the maximum quantity of land or any interest therein, or any other property, acquired hereunder shall not exceed that necessary to carry on experiments for the purposes herein provided;

(c) to engage, by contract or otherwise, engineers, architects, and any private industrial organization he deems suitable, to do all or any part of the work of designing, constructing, or operating the plants, the operation to be under his supervision, and through leases or otherwise as he believes advisable;

(d) to cooperate with any other Federal or State department, agency, or instrumentality, and with any private person, firm, or corporation, in effectuating the purposes of this act.

SEC. 3. The Secretary of the Interior is authorized to sell the products of the plants at not more than actual cost, including amortization of capital expenses, as determined by him, to any department, agency, or instrumentality of the Federal or any State government, but priority shall be given to orders placed by the War or Navy Departments. Any remaining products may be sold at going prices to any purchaser through regular commercial channels. The Secretary of the Interior, in his discretion, shall also have authority to dispose of any lands or other real or personal property acquired, but in his opinion no longer useful, for the purposes of this act. No patent or patent rights acquired by the Secretary of the Interior under this act shall prevent any citizen of the United States, or corporation created under the laws of the United States or any State thereof, from using any invention, discovery, or process to which such patent or patent rights relate, or restrict such use by any such citizen or corporation, or be the basis of any claim against any such person or corporation on account of such use.

SEC. 4. All moneys received under this act for products of the plants and royalties shall be paid into the Treasury as miscellaneous receipts. The Secretary of the Interior shall render to Congress on or before the 1st day of January of each year a report of all operations under this act.

SEC. 5. The Secretary of the Interior may issue rules and regulations to effectuate the purposes of this act. The authority and duties of the Secretary of the Interior under this act shall be exercised through the Bureau of Mines of the Department of the Interior.

Mr. PETERSON of Florida. Mr. Speaker, I move to strike out all after the enacting clause and insert the provisions of the bill just passed, H. R. 3209.

The SPEAKER. Without objection, the motion is agreed to.

There was no objection.

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

Mr. PETERSON of Florida. Mr. Speaker, I move that the proceedings by which the House bill, H. R. 3209, was passed be vacated and that bill laid on the table.

The SPEAKER. Without objection, the proceedings whereby the bill, H. R. 3209, was passed will be vacated and that bill laid on the table.

There was no objection.

The SPEAKER. The title to the Senate bill will be amended accordingly.

WAR DEPARTMENT CIVIL FUNCTIONS APPROPRIATION BILL

Mr. SNYDER. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4183) making appropriations for the fiscal year ended June 30, 1945, for civil functions administered by the War Department, and for other purposes.

Pending that motion, I suggest to my distinguished colleague from New Jersey [Mr. POWERS] that general debate shall continue for 30 minutes.

Mr. POWERS. Mr. Speaker, I have no requests for time on this side. Does the gentleman from Pennsylvania think that 30 minutes will be sufficient to make his statement and for other Members to speak?

Mr. SNYDER. I have no requests for time.

Mr. POWERS. Might I suggest that we provide for 1 hour and if we do not use it, of course, we can yield it back. Let me further suggest that the time be equally divided between the gentleman from Pennsylvania and myself.

Mr. SNYDER. That is agreeable.

Mr. POWERS. I think that will be satisfactory to everybody.

Mr. SNYDER. Mr. Speaker, pending the motion I ask unanimous consent that general debate continue for 1 hour, the time to be equally divided between the gentleman from New Jersey [Mr. POWERS] and myself.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. SNYDER]?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Pennsylvania [Mr. SNYDER].

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 4183, the War Department civil functions appropriation bill, with Mr. HART in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. The gentleman from Pennsylvania [Mr. SNYDER] is recognized.

Mr. SNYDER. Mr. Chairman, I yield myself 12 minutes.

Mr. Chairman, the bill we are about to consider provides for the so-called civil functions administered by the War Department. It embraces five activities—namely, cemeterial expenses, Alaska communication system, civil works under the Corps of Engineers, local Soldiers' Home, Panama Canal.

For all, it makes available $86,911,440, in addition to which there will be drafts upon currently available funds which will remain unobligated on next July 1, to the amount of $24,566,539.

We are taking away, through repeal provisions, all unobligated balances in excess of that amount. The total amount we are repealing is $34,957,572.

The bill contemplates by far the smallest expenditure program of any we have provided for since appropriations for war civil activities were divorced from the military appropriations act back in 1938. They reached a peak of roundly $344,000,000. This bill, including the use of previously appropriated funds, calls for roundly $111,000,000.

This tremendous reduction is responsive to these considerations:

First. The added expense occasioned by the war is borne by military appropriations as regards cemeteries and the Alaska communication system;

Second. River and harbor and flood-contral activities are practically confined to maintenance, to avoid conflict with the war program; and

Third. The Panama project of protective works is drawing to a close and the new locks project virtually will be at a standstill.

There are six river and harbor improvement projects, itemized on page 4 of the report, upon which it is planned to expend a total of $3,630,000, and there are but three construction projects under the flood-control head, listed at the top of page 5 of the report, upon which it is planned to expend $1,017,000.

All of the flood-control money; that is, general flood-control money, except $100, is to come from presently available funds withheld from expenditure upon projects for which appropriations heretofore have been made. The balance from such source is estimated to be $16,115,000.

The bill exhausts all but $4,000,000 of that amount, and that $4,000,000 we are proposing the repeal of, because we found that the Department, with Budget approval, had been employing funds appropriated for specific projects upon projects for which we had not been asked to appropriate.

We cannot quarrel with deferring work, but we feel that we should have a voice in the application of funds thus released. To insure that, we are taking away the unallocated balance.

We pursued that course, also as to rivers and harbors. The balance under that head will be $1,482,750. We are taking away $700,000, with the idea that the remainder should be available for contingencies of one kind or another.

The Budget contemplates the use of $2,000,000 of the amount to be employed upon the general flood-control program for advance planning of projects not heretofore commenced. We have raised that two million to four million, cutting down by two million the amount that would be available for repeal.

My committee had the foresight to initiate advance planning in the 1943 fiscal year bill. The Congress has made funds available in the past for such use—approximately $15,000,000 all told, both as to river and harbor and flood-control projects, and we are getting dividends in the way of a backlog of projects which may be immediately undertaken when the labor situation permits and the demand for critical materials somewhat subsides.

You will find in the hearings, on page 4, a list of river and harbor projects that have been made ready for commencement in consequence of our action heretofore, looking to cushioning the postwar adjustment. The cost to complete such projects is said to be $163,000,000 plus.

Then, if you will turn to page 36 of the hearings, you will see a list of flood-control projects that have been or are being made ready for commencement when funds become available for so doing. The $2,000,000 that the Budget submission contemplates will be employed on advance planning would be expended on that list. The $2,000,000 which we have added would be applied to the list on page 38 of the hearings, but I may say that there is some duplication in the two lists—not of money, but projects. An additional $18,000,000 is needed for advance planning on all authorized flood-control projects, and this bill provides but $4,000,000 of that amount.

We tried to ascertain what this advance planning means in the way of jobs. The investment heretofore, we were told, should provide 800,000,000 man-hours directly employed and 1,200,000,000 man-hours indirectly employed. That is worth thinking about, apart from the importance and urgency of accomplishing flood-control work in areas frequently subjected to devastating floods.

There is nothing unusual about other items in the bill. The protective-works project pertaining to the Panama Canal is approaching completion. The third locks project is almost, or will be next year, in a state of suspension.

Canal revenues are very decidedly off. Transit tolls have in the past yielded as much as $24,000,000 a year. In 1943 they had dropped to $7,368,000.

I see no occasion to take any more of the time of the committee, Mr. Chairman. The hearings are not voluminous, and they and the report, I should say, will answer most, if not all, inquiries.

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

Mr. SNYDER. I yield to the gentleman from Oregon.

Mr. MOTT. The gentleman a moment ago was discussing a program of advanced planning.

Mr. SNYDER. Definitely.

Mr. MOTT. And this appropriation to carry out the work under that planning comes from the Committee on Appropriations.

Mr. SNYDER. Yes.

Mr. MOTT. I wish to ask the gentleman if this planning program of projects was authorized by any legislative committee?

Mr. SNYDER. The projects are all authorized and the planning is a recognized incidental expense.

Mr. MOTT. There is no money appropriated in this bill simply upon the recommendation of an executive agency that it needed certain money to carry out projects which it had planned itself?

Mr. SNYDER. The Army engineers have the authorization from Congress for the projects for which the bill provides.

Mr. MOTT. I can understand that in rivers and harbors projects that would have to be the case. I am now asking if that is also the case in connection with any planning program that might be contained in this bill?

Mr. SNYDER. Yes; in any other part of the bill.

Mr. MOTT. It has all been previously authorized by a legislative committee and voted by the Congress?

Mr. SNYDER. That is right.

Mr. Chairman, that is all the time I will take myself for the moment.

Mr. POWERS. Mr. Chairman, will the gentleman yield for a question?

Mr. SNYDER. I yield.

Mr. POWERS. I wish to request that the gentleman from Pennsylvania yield me 5 minutes of his time. When I said I had no requests for time on this side I had none. Since then, however, I have received requests for half an hour, and I want to speak for about 3 or 4 minutes myself. If the gentleman will yield me 5 minutes of his time I believe I can adjust myself to the situation.

Mr. SNYDER. Mr. Chairman, may I ask how much time I consumed?

The CHAIRMAN. The gentleman from Pennsylvania consumed 11 minutes.

Mr. SNYDER. Yes; I will yield 5 minutes to the gentleman from New Jersey.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes.

Mr. POWERS. Mr. Chairman, there is very little I have to say about this bill, for the chairman has explained the various items it contains. I suppose this is about the first time in recent years that an appropriation subcommittee has brought a bill to the floor of the House identical with the Budget estimate. It is identical, penny for penny. When you look over the items this bill carries—cemeterial expenses, the Alaskan communications system, civil works under the Corps of Engineers, the local Soldiers' Home, the Panama Canal—you can fully realize after looking at the various amounts that have been appropriated for these functions that it is definitely impossible to cut anything from them.

We have instituted a practice that I hope will be followed by some of the other subcommittees—we have sent money back to the Treasury which has not been reappropriated. In the past it has been the custom of the various subcommittees of the Appropriations Committee to leave with the Budget unappropriated moneys. We found by doing that the Budget would use these moneys many times for projects that the Congress did not specifically appropriate for. In other words, the Budget was becoming the appropriation committee and the Congress of the United States. So by sending back to the Treasury from this bill about $35,000,000 we have at least indicated to the Budget what our wishes are in the future.

Mr. ANGELL. Will the gentleman yield?

Mr. POWERS. I yield to the gentleman from Oregon.

Mr. ANGELL. May I ask the gentleman if any provision is made for funds for the construction of a cemetery near Portland, Oreg., in my district, under Public Law 388, passed by the Congress some time back?

Mr. POWERS. Let me say to the gentleman that under the item "Cemeterial expenses" all the present national cemeteries have been taken care of as to upkeep and maintenance. There is no provision made for the individual project that the gentleman mentions. The committee felt that because of the survey that is now being made and on account of a bill which has been introduced or may be introduced placing a national cemetery in practically every State in the Union we should wait until we receive a report from the War Department before authorizing any additional national cemeteries at this time. I commend the gentleman from Oregon in his diligence and insistence in his presentation to our committee that funds be provided for the Portland cemetery.

Mr. ANGELL. May I say to the gentleman that I am very sorry some provision has not been made for beginning construction of this cemetery because there is no national cemetery in that whole Northwest area. The gentleman will recall I urged that his committee include an item in the bill for the Portland national cemetery. The nearest national cemetery to our district is in Montana and south of San Francisco. Public Law 388 was passed by the Congress several years ago, during the Seventy-seventh Congress, and signed by the President. The veterans' organizations in my district and all through the Pacific Northwest have been very insistent that something be done to provide burial facilities for deceased veterans, yet we have been unable to get any appropriation to begin the construction of that cemetery. There are no burial facilities for veterans in the whole Northwest area. Personally I feel it is as much a war activity and as much a part of our sacred duty to provide decent burial for our servicemen who sacrifice their lives in the defense of our country as it is to provide food for them while they are fighting on the battlefields. As I said, we cannot make any headway with the Secretary of War or the Bureau of the Budget on this appropriation to carry out the mandate of Public Law 388 of the Seventy-seventh Congress.

Mr. POWERS. I agree fully with the gentleman. He and I have discussed this problem at length. I admire his tenacity. I admire the thought that is behind the project. But may I say that I hope by this time next year there will be a report from the War Department that will clear the situation up and that the gentleman will get the much-needed national cemetery in his district.

Mr. ANGELL. I thank the gentleman.

Mr. CASE. Will the gentleman yield?

Mr. POWERS. I yield to the gentleman from South Dakota.

Mr. CASE. May I say further on the subject of cemeteries, and with special reference to the inquiry of the gentleman from Oregon, that I believe progress can be made in considering a cemetery program for the entire country if provision is made that the several agencies of the Government which own original public domain or have acquired land in the several States are canvassed to see what land they might make available for this purpose. The gentleman from Oregon has been very diligent in this matter and he is further ahead than other sections of the country in that he has an authorization act.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POWERS. Mr. Chairman, I yield myself 3 additional minutes.

Mr. CASE. Mr. Chairman, progress will be made, it seems to me, if a canvass is made of the several Federal departments that own land in the several States. In the gentleman's State of Oregon there are some very beautiful national-forest lands and very beautiful national-park lands. In the national forests in his State and in many other States throughout the country a suitable portion of land could be set aside and dedicated to this very important purpose. That would save the Government the cost of land acquisition and it would also avoid taking additional land off the tax rolls. As the gentleman knows, the Byrd committee and other committees of the Congress have been much concerned over the growing percentage of land that is being taken off the tax rolls and going into public ownership. Where we have these large tracts of land that might be usefully employed for such purpose I hope that it can be done.

Mr. ANGELL. May I say to the gentleman that I am heartily in accord with his thought. I have a bill pending to provide for assistance to the States where these lands are taken by the Government. In my own State of Oregon over 50 percent of the land is now owned by the Federal Government. However, I believe the gentleman will understand that a cemetery must be located where friends of the deceased may have an opportunity to visit it, and it must be located where there is transportation available to reach it, also where there are facilities for water and other facilities for development and maintenance. To build a cemetery in the Cascade Mountain area in my own State would be ill advised in my opinion. The lands owned by the United States in Oregon are in the mountain area.

We might as well have no cemetery as to locate it in a remote, inaccessible place because our people who would want to go to the cemetery would not be able to do so. It would be more economical in the long run to buy a site strategically located for this purpose, easily and quickly accessible, near the center of population than to go to the additional expense of developing a cemetery in an outlying district.

Mr. CASE. That would be true if we assume that the development of a cemetery is to be in an outlying district. If 50 percent of the gentleman's State is now owned by the Federal Government, it should be self-evident that with the magnificent highways you have out there and with those beautiful streams, it ought to provide a site which would be easily accessible and where water would be available. I think that is true in many States where the percentage of public-owned land is not anywhere near 50 percent. It certainly would be a boom to the Federal Government if we would start using some of the land which the Federal Government owns in the States instead of constantly thinking that we have to acquire new land, take it out of private ownership, take it off the tax rolls, and pay for it out of the Federal Treasury whenever we have a Federal project. As I stated, the gentleman from Oregon has been very diligent in this matter. There is an authorization for a cemetery in the State of Oregon, but the Bureau of the Budget has not seen fit to submit an estimate at this time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. POWERS. Mr. Chairman, I yield 15 minutes to the gentleman from California [Mr. PHILLIPS].

Mr. PHILLIPS. Mr. Chairman, I ask unanimous consent to speak out of order.

The CHAIRMAN. Is there objection to the request of the gentleman from California [Mr. PHILLIPS]?

There was no objection.

Mr. PHILLIPS. Mr. Chairman, I rise at this time to ask the consideration of the Members of the House for a bill which will follow the pending bill. I ask those Members who may feel that this is a small bill, perhaps an inconsequential bill, affecting denationalization, to stay here and listen to the discussion. I believe this is a fundamental matter in

American government, one which will require the serious consideration of the Congress sometime in the near future.

The bill to which I refer comes from the Committee on Immigration and proposes to put into the law a means for the denationalization of the Japanese. This is a question of serious interest and importance to the citizens of California because we had in California some 122,000 of the approximately 140,000 Japanese in the United States. I have sensed either a lack of interest in the subject on the part of those people who live in areas where there are few, if any, Japanese or I have sensed that perhaps there is a feeling that California is somewhat prejudiced on this subject; that this is something on which California's feelings are influenced by certain relationships in agriculture and trade. I assure you, Mr. Chairman, that is not so, but that we have a familiarity with the subject that gives us an intense interest in the bill and which all of us, or the great majority of the California delegation, would be willing to express here today.

Unfortunately the bill has come from the committee with a very limited amount of time, an hour upon the rule, then 1 hour only for discussion of the bill.

Under the division of that time, it would be difficult to get the time necessary to place before you the principles involved in the entire discussion. I express my appreciation to the gentleman from New Jersey [Mr. POWERS], who is in charge of the division of the time that I may be permitted now to speak out of turn.

The bill comes with a recommendation, which I think it is generally understood is the recommendation of the Attorney General, that there be added to section 401 of the naturalization law, which is in chapter 4, providing means for the loss of nationality, a subsection (i) which would provide that any member of any alien race who expressed in writing a desire to be a citizen of the other nation, involving practically a request for denationalization, would then be denationalized. The statement would then be laid before the Attorney General and the decision would be left to the Attorney General as to the propriety of the request and what conclusions should be drawn from it.

Mr. Chairman, there are two points involved at that moment. The first is that this matter, in the opinion of many of us, should go before the courts and not before the Attorney General, no matter who the Attorney General might be. The courts are the agencies of government which have to do with naturalization; they give citizenship to a man, or a woman, and they are the agencies who should decide whether citizenship is to be taken away.

Secondly, it has been repeatedly said in my hearing, and in my hearing it was said before the Committee on Rules, where I was only by accident when this came up, that this would meet the problem of some 4,000 Japanese who had stated in a questionnaire that they preferred allegiance to Japan. I wish it understood, Mr. Speaker, that it will not reach those 4,000 Japanese, nor will it reach 1 of those 4,000 Japanese in the form in which it comes before the House this afternoon. It could reach them only if those members of that group were again voluntarily to step up and say that they wished to be sent back. I do not need to tell you that will not be the case, and I can tell you definitely that it is said even by the bill's supporters, that less than 10 percent of them are expected to do that.

Consequently, the gentleman from California [Mr. J. LEROY JOHNSON] will bring before this House this afternoon as a new subsection, in addition to the proposed subsection (i), what would be subsection (j), which proposes, first, that this matter shall be taken before the courts, where we think it properly belongs, and second, that it shall take into consideration these previous statements of the members of a race who have, at a time when they believed their nation was in the ascendancy, preferred to return to that nation.

The legal points will be discussed by the gentleman from California [Mr. J. LEROY JOHNSON]. There is no question here of an ex post facto bar, for reasons which he will state. I most earnestly urge not merely the consideration and the thoughtfulness of the Members of this House but their support of the amendment which the gentleman from California will propose.

Basically, if I have a moment more that I may use for this purpose, I suggest that this will in the future become a matter of serious consideration in the United States. This country has been the great melting pot of the world. Your people and my people have come from other nations and have become American citizens. I am only the second generation on one side of my family in this country. I am a descendant of a group, on the other side, which came from Europe because of religious persecution. Nothing that I would do upon this floor would in any way hinder or stop or handicap the right of a member of another race, compatible with our race, to become a citizen, and acquire and hold citizenship. I suggest that in the history of the world the oriental races have never mixed with the occidental races without the oriental races becoming the dominant peoples. Therefore, it is a question as to how far these things shall go. I hold that the Congress has the right and duty to prevent infiltration, just as much as it has the right and duty to oppose invasion.

In a case in the Supreme Court in 1897, when the matter was much less critical than it is today, the problem was laid before the Supreme Court of the United States and by a 6 to 3 decision the Supreme Court confirmed, quite properly as of that time, that citizenship was acquired by birth in all races. However, there was a long and thoughtful dissenting opinion by Chief Justice Fuller, concurred in by Justice Harlan, and I wish to quote two paragraphs from that 30-page opinion, and to suggest to you that this is not a matter to be passed off lightly but one which should have the serious consideration of the Congress. I quote:

> Now I take it that the children of aliens, whose parents have not only renounced their allegiance to their native country, but are forbidden by its system of government, as well as by its positive laws, from doing so, and are not permitted to acquire another citizenship by the laws of the country into which they come, must necessarily remain themselves subject to the same sovereignty as their parents, and cannot, in the nature of things, be, any more than their parents, completely subject to the jurisdiction of such other country.

Then I skip over to the final paragraph of the opinion, and I quote again:

> It is not to be admitted that the children of persons so situated become citizens by the accident of birth. On the contrary, I am of opinion that the President and Senate by treaty, and the Congress by naturalization, have the power, notwithstanding the fourteenth amendment, to prescribe that all persons of a particular race, or their children, cannot become citizens, and that it results that the consent to allow such persons to come into and reside within our geographical limits does not carry with it the imposition of citizenship upon children born to them while in this country under such consent, in spite of treaty and statute.

Mr. J. LEROY JOHNSON. Mr. Chairman, will the gentleman yield?

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

Mr. J. LEROY JOHNSON. Will the gentleman insert in the RECORD at this point the name of that case and the volume and page at which that opinion may be found?

Mr. PHILLIPS. It is the case of *United States* v. *Wong Kim Ark* (U. S. Repts. 169), October term of 1897, and the quotations began at page 725.

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

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

Mr. DICKSTEIN. Do I correctly understand the gentleman to say that if a parent comes from the other side and marries in this country, and a child is born, that child takes the nationality of the parent, under this decision?

Mr. PHILLIPS. No. The gentleman misunderstood me and perhaps did not hear. What I said was that the Court had decided by a 6-to-3 vote—and I said, very properly at that time—that the child took the nationality of this country. I was using this as an illustration to support the seriousness of the argument. If the gentleman did not hear me before, I am asking support of the amendment that will be offered by the gentleman from California [Mr. J. LEROY JOHNSON].

Mr. DICKSTEIN. Let us come back to the basic question on which the gentleman is addressing the House. Suppose that a Japanese came here under a merchant permit, under which he had a right to enter this country, and the child is born in this country. Does the gentleman contend that that child's citizenship can be stripped by the mere action of the Congress, in disregard of the Constitution?

Mr. PHILLIPS. If such a question were involved, I should be very happy to discuss it, but such a question is not at

all involved. The question is whether a Japanese who comes here, who defies the United States, and who declares his allegiance to Japan can by this bill which the gentleman's committee reported, then avoid being sent back to Japan. Does the gentleman know that under that bill there could be no action toward sending him back to Japan?

Mr. DICKSTEIN. Does the gentleman also contend that if a person of that character, who is born in this country, and who has lived in this country, makes an expression of disloyalty he may be deported?

Mr. PHILLIPS. If he has expressed disloyalty and wishes to be deported.

Mr. DICKSTEIN. Assuming that he has expressed disloyalty, would it not be the proper thing, under the War Act or under some other act of Congress, to take him out of circulation by punishing him?

Mr. PHILLIPS. I am glad the gentleman has suggested that. We have for the first time in 80 years in this bill violated a fundamental principle of the United States, and that is that people shall not under the hectic conditions of war, be deprived of their citizenship. This bill, brought in by the committee, for the first time set up a new principle on that point.

Mr. J. LEROY JOHNSON. The gentleman from New York [Mr. DICKSTEIN] has a wrong idea of this whole proposition. All we are doing under the proposed amendment is finding that a man by his own conduct, his own words, in his own handwriting, has denationalized himself, has stripped himself of citizenship by his own writing or conduct, and all we do is to make a public finding of that fact.

Mr. PHILLIPS. Many of the 4,000 Japanese who are involved in this are men and women who were born here, and who, when they were infants, were taken back to Japan, raised in Japan, and indoctrinated with the ideas and principles of Japan, and then were brought back to this country for the very purpose for which they find themselves here in wartimes.

I yield back the remainder of my time.

Mr. POWERS. Mr. Chairman, I yield 14 minutes to the gentleman from South Dakota [Mr. CASE].

Mr. CASE. Mr. Chairman, for the benefit of anybody who desires to make a speech this afternoon, let me say I shall be very glad to yield a part of my time, for I do not expect to use all of it. I have two or three things to which I wish to direct attention.

First of all, I was disturbed the other day to read in the morning paper a dispatch which said that where war prisoners were being employed a demand was made by a certain labor organization that a 25-cent weekly check-off be paid on behalf of the war prisoners. The statement was made, as I recall it, that 80 cents a day was required to be paid to these prisoners under the international agreements to which the United States is a signatory, and that in addition to that, under the contract which the contractor had with the labor organization, he was obliged to pay 25 cents per week as their maintenance of membership check-off. The War Department has taken the position, as I understand it, that that 25 cents per week will not come out of the 80 cents that they credit to the war prisoners, but it must be obvious to any one that Uncle Sam pays the bill in the final analysis when he pays the contractor. If it were possible to offer an amendment to this bill to correct that, I would gladly offer it, but I am advised that such an amendment would not be germane or in order.

Of course, I see justification for the payment of the union dues by an American workman, who is a member of a union for whatever benefits his particular union yields its members, but I can see no justification whatsoever for Uncle Sam, whether indirectly in the final price of a contract, or directly in wages to war prisoners, paying union dues for war prisoners. The statement the other day, if I recall correctly, was that some 36,000 war prisoners were involved in that situation. The amount of money may not be great, but so far as I am concerned, I can see no logic in Uncle Sam paying the bill to keep war prisoners members in good standing in some American labor organization.

Mr. NORRELL. Has the War Labor Board agreed to require that this 25 cents be paid?

Mr. CASE. My understanding is that the War Labor Board approved the original contract, and that the interpretation of the contract calls for the payment by any person employed on the project.

Mr. NORRELL. I compliment the gentleman upon his position.

Mr. CASE. Mr. Chairman, the second thing to which I wish to direct attention is the sale of surplus material. The committee has had some hearings, when Under Secretary Patterson was present, in which he described for us the plan of the War Department to establish a policy for the disposition of surplus materials. That is coming. In the meantime, every Member of the House has been hearing of some sales of surplus material at prices far below that which the Government has invested in them. Today one Member told me that an instance had been brought to his attention where a party was buying women's nylon hose as surplus material at 5 cents a pair. That is the first instance of that kind I have heard, but it illustrates a condition which deserves the attention of the appropriate committees of the Congress.

Directing attention more particularly to the bill before us, this bill, as the chairman of the committee has said, appropriates funds for the civil functions of the War Department.

Miss SUMNER of Illinois. Did I understand the gentleman to say that he heard of somebody buying nylon stockings for 5 cents a pair?

Mr. CASE. I was told today by another Member of the House that a party had purchased some surplus women's nylon hose at 5 cents a pair. I intend to find out more about it and when I get the information I shall be very glad to pass it on to the gentlewoman from Illinois. Now, returning to the bill before us. As has been said in this bill, we set a new precedent in the recapture of money unexpended at the end of fiscal year. We do that in this bill at two or three places. We do it in unexpended funds on river and harbor projects, and also on flood control, and also in respect to funds appropriated for the third set of locks for the Panama Canal.

A few remarks on the last item. Some Members of the House will remember a few years ago, we had a very spirited controversy about starting a third set of locks. There was honest difference of opinion. The gentleman from New Jersey [Mr. POWERS] was of the opinion, and expressed it vigorously at the time, that the third set of locks could not be completed in time to meet any impending emergency and that it would constitute an unwarranted drain upon manpower and material to initiate them at that particular time. If any justification for his position was needed, it is found in what has happened. Work has been suspended and now $30,000,000 of unexpended money can be put back in the Treasury.

On page 7 of the committee's report it will be found that for the third set of locks the Congress has appropriated a total of $106,000,000, out of a total estimated cost, and authorization, of $282,000,000. Of the $106,000,000 appropriated, there remains unobligated as of June 30 next, $33,025,045. The committee is permitting an expenditure of $2,767,423 to take care of certain incidental expenses in connection with the project, the protection of the work already done, the completion of certain work which would be lost unless done at this time, but is placing back in the Treasury $30,257,572, which will not be spent at this time.

Now this, of course, does not mean that the third set of locks will not be completed in due time. The money that has been appropriated and expended, some seventy-odd million dollars, is not wasted. In time, presumably, we will go ahead and complete the third set of locks, but the fact that the Government has found it possible at this time and advisable to suspend construction work on the third set of locks, and we find it possible to put $30,000,000 back into the Treasury, should be ample justification for the position taken by the gentleman from New Jersey [Mr. POWERS].

In two other particulars we put some money back in the Treasury, something over $700,000 rivers and harbors money, and something over $2,000,000 of flood-control money. And that is done because of the repeated discovery that money which was being impounded, when not expended, was being used or expended by allocation to projects for which no specific justification had ever been made through the Committee on Appropriations. It is true that some of the projects on which money was being expended are projects which have had legislative authorization, but they were not projects which had been presented to the Committee on Appropriations for appropriations. Consequently, Members will find in the hearings on this bill a great deal of testimony, starting at page

40, on the subject of the budgetary reserves. The gentleman from Alabama [Mr. STARNES] was particularly concerned about the matter and opened up the discussion with General Reybold, to which all of us contributed before the matter was over.

It was the conviction of the committee that the Bureau of the Budget should not be permitted to make allocations from unexpended funds unless the projects were presented to the Congress and to the Committee on Appropriations.

I think it would pay every Member of the House to read the testimony at pages 40 to 43, inclusive, on that subject.

Now, a few words on flood control. It is customary for the Congress to make annual appropriations of $1,000,000 for emergency flood-control work. Last year we had a number of large floods in the country, the result of which was that Congress was called upon for a special appropriation of $10,000,000 under an emergency bill, approved by the commitee having jurisdiction of flood control. At another time the Committee on Appropriations, in a deficiency bill, added a couple of million dollars, so that something over $13,000,000 was appropriated for emergency flood-control work last year.

In connection with the testimony on that subject, I asked General Reybold, the Chief of Engineers, what portion of that money had been used to alleviate floods on the Missouri River last year, and in the Missouri River Basin. He responded that $3,014,000 had been so expended. I asked him whether that had accomplished any new flood-control protection; whether it offered any additional protection for the future. He said, "No," that money merely repaired the works that had been previously built. It offered no additional protection. Then I asked him what the damages of the Missouri River floods were last year and he gave the figure of $47,000,000-plus. So that last year the floods on the Missouri River cost the country $50,000,000. I asked General Reybold whether that $47,000,000 figure represented direct damages or indirect damages. His reply was the $47,000,000 was a direct, tangible damage cost only.

The Army engineers have been making a study of that basin and of other basins where floods caused extensive damage. The legislative committee on flood control has been conducting hearings all this month on these studies and I understand they propose to bring in a bill which would authorize certain flood-control projects. Today the Missouri River happens to be under consideration and it will be again tomorrow. I might say that the Governors of most of the States in the Missouri River valley are here in the city, as well as a great many other delegations. I attended the hearings of the Committee on Flood Control this morning. Testimony was presented by the Chief of Engineers and Col. Miles Reber, former division engineer, and the Governor of South Dakota, the Honorable M. Q. Sharpe, chairman of the Missouri River Eight-States' Committee. It was perhaps the most crowded session that the committee has held. These hearings will be resumed tomorrow morning and those of you who are interested in flood control in either the Mississippi Valley or the Missouri Valley, will be interested in the testimony that will be presented at that time. I suggest your attendance at the hearings tomorrow.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. SNYDER. Mr. Chairman, I yield 10 minutes to the gentleman from Alabama [Mr. STARNES].

Mr. STARNES of Alabama. Mr. Chairman, I listened with a great deal of interest to the very able discussion of the gentleman from South Dakota. He is one of the ablest and most conscientious members of our subcommittee and of this body. His discussion of the subject of the Bureau of the Budget impounding appropriations and setting up a budgetary reserve was a fine contribution to the full and complete consideration of the fiscal policies of our Nation. We are deeply concerned with reference to the action of the Bureau of the Budget in impounding funds which the Congress has appropriated for specific purposes. After those funds are impounded, the Bureau of the Budget often takes authority to release them at a later date for expenditure upon projects not directly related to the original appropriation. I question the authority or power of the Bureau of the Budget to impound funds appropriated for specific purposes by the Congress. Certainly they have no right to impound funds appropriated for a specific purpose and then release these funds for other purposes. If you will turn to page 34 of the hearings on this bill you will find a list of some sixty-odd projects for which this committee made a specific appropriation for flood control in the 1944 bill a year ago. Those projects were not built. Their construction was prevented by the action of the War Production Board. The Bureau of the Budget impounded these funds amounting to approximately $47,000,000. The Bureau of the Budget later released a portion of these funds for the construction of flood-control projects which were not presented to the committee for justification at the time the original appropriation was made. We think this procedure unsound and indefensible. We believe such action is beyond the authority and power given the Bureau of the Budget in its creation. Such action sets the Bureau of the Budget up as a super-appropriating agency. A halt should be called to its activities in impounding money and then releasing them later for use on projects not specifically justified before the appropriate subcommittee of the Appropriations Committee. That is the reason we have impounded and recovered into the Treasury $34,957,572 of unexpended balances by this bill. This bill is unique in two aspects, first, we make no change whatsoever in the Budget recommendation as to new money for rivers and harbors, flood control, and for other purposes.

Second. We recover into the Treasury of the United States an unexpended balance or balances of other items for the fiscal year 1944 the sum of $34,957,572. We call attention to the fact we make available to the Corps of Engineers of the War Department the sum of $4,000,000 for the purpose of working out detailed plans and estimates on flood-control projects, both general and on the Mississippi. The expenditure of this money is a good, sound investment on the part of the United States Government and its people. This money will be used in preparing detailed plans and estimates by a group of men belonging to a branch of the War Department who have established over a period of a century and a half their ability to plan wisely and to build well in the field of rivers and harbors and flood control. This money is being made available to men who are educated in the planning and construction of large public-works projects. This money will not be used by star-gazers or dreamers. It will not be used by men who are seeking to build a brave, new world or a new social and economic order.

I hope the House will approve that action of your committee. I call your attention to an interesting fact appearing in the committee hearings. Exclusive of the money appropriated in this bill for new work amounting to $3,630,000 for rivers and harbors, there remains a backlog of approved rivers and harbors projects throughout the whole United States of $159,639,550 on which we can begin work in the post-war period.

On flood control, general, excluding a very small sum made available in this bill, there is $410,000,000 of authorized projects as a backlog, and on flood control in the Mississippi, excluding $13,258,000 carried in this bill, there remains only the sum of $186,843,147 as a backlog for work in the post-war period.

In other words, the sum total of all authorized river and harbor projects and flood-control projects, both general and on the Mississippi River, remaining to be done, amounts only to $756,482,697. It is a matter of general information that the Committee on Rivers and Harbors of the House has completed its study on the omnibus rivers and harbors bill and has reported the same favorably. The Committee on Flood Control is holding hearings and will probably report a bill providing for additional flood-control projects. I take this opportunity to urge earnest and careful consideration by the leadership of both bodies and the membership in general of the necessity for early consideration and action on a general rivers and harbors bill, and on additional flood-control legislation. We need additional authorized projects of this character in order to provide necessary public improvements and employment.

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

Mr. STARNES of Alabama. I yield.

Mr. MAY. I would like to inquire of the gentleman if any provision is included with respect to appropriated funds that were appropriated for certain projects throughout the country that have been suspended by order of the War Production Board as nonessential military necessities at the present time and are still in suspension. What did you do with

the funds that had been appropriated and unexpended?

Mr. STARNES of Alabama. The funds which had been heretofore appropriated for those particular projects, as shown on page 34 of the hearings, were impounded by the Director of the Budget. A portion of those funds has already been spent on projects which were not specifically justified before the committee, and an additional amount of these unexpended balances are being spent for the completion of projects already under construction. The balance of it, amounting to $4,000,000, we have impounded and are returning to the United States Treasury.

Mr. MAY. That was the question. I did not know whether "impounded" meant that you were getting it back to the Treasury.

Mr. STARNES of Alabama. If the Members of the House approve the recommendation of the committee as carried in this bill it will be placed back in the Treasury of the United States. If the money is to be appropriated and spent hereafter, the Congress of the United States should make a specific appropriation for the specific project, and the money should be spent exclusively on that project.

Mr. MAY. Will the gentleman yield further?

Mr. STARNES of Alabama. I will be glad to.

Mr. MAY. I think, as a general principle, the Appropriations Committee ought to see to it that unexpended appropriated funds for any project, either flood control, navigation, or any other department of the Government, ought to be recovered into the Treasury from time to time so that the Congress can keep its hands on the expenditure of the money.

Mr. STARNES of Alabama. I will say to the gentleman from Kentucky I am in agreement with the general principle involved there. However, I realize there can be some specific cases where such action would not be wise or desirable. This committee is of the opinion that the War Department should have a reserve fund of its own for emergency purposes. There are some other specific examples which I have in mind at the present time where it would be a wise policy to permit a particular Government agency to have on hand what might be called an emergency fund with which it can take care of unexpected items or for expenditure upon projects for which the original appropriations were made and which have been held up by the War Production Board or the Bureau of the Budget.

Mr. MAY. I have no fault to find with that principle at all.

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

Mr. STARNES of Alabama. I yield.

Mr. CASE. In the general appropriation bill for the War Department we have a transfer clause, so that as to general military operations there is a percentage transfer permitted.

Mr. STARNES of Alabama. I thank the gentleman for his contribution.

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

Mr. STARNES of Alabama. I yield.

Mr. WHITE. I am interested in the Panama Canal, but it is not clear just what is meant on page 13 of the bill, line 5, "that $30,257,572 of the appropriation 'Construction, additional facilities, Panama Canal,' is hereby repealed." Are you returning some money to the Treasury?

Mr. STARNES of Alabama. We are returning the money to the Treasury, because we were informed that unless the War Production Board would release items of steel and other construction items essential to the building of the second set of locks there would be no construction work undertaken during the fiscal year 1945. Therefore we recovered that money to the Treasury.

Mr. WHITE. But on the same page, you do appropriate $9,170,000 for the Panama Canal.

Mr. STARNES of Alabama. That is not for construction. That is for operating expenses of the Panama Canal.

Mr. WHITE. I thank the gentleman.

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

Mr. STARNES of Alabama. I yield.

Mr. SCRIVNER. To what section is the gentleman referring when he referred to the fact that there is a provision for the turning back of these funds?

Mr. STARNES of Alabama. The gentleman from Idaho [Mr. WHITE] just called attention to one. It recovers $30,000,000 which we had heretofore appropriated for a second set of locks at the Panama Canal. Then there is $4,000,000 in flood control, general, and $700,000 unexpended balance of rivers and harbors improvements.

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

Mr. STARNES of Alabama. I yield.

Mr. CLASON. As I read the report of the hearings it would appear that the Army engineers wished to have $5,000,000 with which to prepare detailed plans and specifications for newly authorized projects. The Bureau of the Budget cut them to $2,000,000. I am wondering if your committee felt it would have been wise to have allowed them to have the full $5,000,000 so that it would be possible to have a proper backlog of well-thought-out projects at this time.

Mr. STARNES of Alabama. We restored $2,000,000 of the amount that the engineers wanted making a total of $4,000,000. We gave them $2,000,000 more than the Budget recommended. However, we did not provide the full $5,000,000.

The CHAIRMAN. The time of the gentleman from Alabama, has expired.

The Clerk read as follows:

Be it enacted, etc., That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1945, for civil functions administered by the War Department, and for other purposes, namely:

Mr. COMPTON. I move to strike out the last two words.

I take this time to ask a question of the distinguished chairman of this subcommittee. The State of Connecticut is very much interested in flood control, but we are somewhat suspicious of actions which might be taken by the Federal Government to include hydroelectric power projects in some of these appropriations. I would like to ask the distinguished chairman if any of this money to be appropriated here is to be used for hydroelectric purposes.

Mr. SNYDER. I may say to the distinguished gentleman from Connecticut [Mr. COMPTON] that there is only $1,000,000 in here for flood control altogether, and none of it can be used for hydroelectric power.

Mr. COMPTON. On page 7, and subsequently, there seems to be a considerable sum of money appropriated. I just wanted to make sure that no part of this could be used for that purpose unless it was specifically appropriated.

Mr. SNYDER. The gentleman is correct.

Mr. COMPTON. I thank the gentleman very much, and I yield back the balance of my time.

The Clerk read as follows:

MISCELLANEOUS CIVIL WORKS

Maintenance and operation, certain Federal water mains outside the District of Columbia: For the maintenance, operation, improvement, extension, and protection of Federal water lines located outside the District of Columbia required to serve nearby Government establishments and facilities with water from the water-supply system of the District of Columbia, including interconnections with other water systems for emergency use wherever located, to be immediately available and to be expended under the direction of the Secretary of War and the supervision of the Chief of Engineers, $12,000.

Mr. POWERS. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, now that the Clerk has read up to the item "United States Soldiers' Home" the entire portion of the bill dealing with rivers and harbors and flood-control items has been read. I want to say to the Members that this is the first time within my memory of 12 years' service in Congress that a civil functions War Department bill has been read under the 5-minute rule without some Member trying to amend the bill and place therein either a river and harbor or a flood-control project within his district or State. Mr. Chairman, I have no criticism of that practice. Many of these projects approved by the War Department engineers are worthy and in time all of them, of course, will be included in our bill, but it has been the policy of the committee and the policy of the engineers to include no projects during this time of emergency which do not definitely relate to the war effort and which are not definitely helpful to the war effort.

I rise at this time to thank the membership for the attitude they have taken and to guarantee as far as I personally am concerned that when we go to conference with another body if any river and harbor or flood-control projects are added to this bill in that body which have not been sent down by the Bureau of the Budget, I for one will definitely oppose them and will not come back with my signature on the conference report if any of those projects are agreed to. I say this, I hope, in all kindness, but certainly in all fairness, because if the Members of this House who have worthy projects refrain from trying to put them

in this bill at this time I see no reason why another body should be allowed to load up the bill with projects of a similar type. I do not know whether I am speaking for the chairman or other members of the committee but I do know I am speaking for myself. If the chairman or any other member of the committee cares to make a statement either for or against what I have said, I think the additional assurance might give the House a little more hope than we have on the usual appropriation bill that goes to another body which is so economy minded in the public and in the press but which, in the vernacular, puts on an appropriation bill "everything but the kitchen sink."

The Clerk concluded the reading of the bill.

Mr. SNYDER. Mr. Chairman, I move the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. HART, Chairman of the Committee of the Whole House on the state of the Union, reported that that Committee having had under consideration the bill (H. R. 4183) making appropriations for the fiscal year ended June 30, 1945, for civil functions administered by the War Department, and for other purposes, directed him to report the same back to the House with the recommendation that it do pass.

Mr. SNYDER. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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.

PROVIDING FOR LOSS OF UNITED STATES NATIONALITY UNDER CERTAIN CIRCUMSTANCES

Mr. SABATH. Mr. Speaker, I call up House Resolution 433, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4103) to provide for loss of United States nationality under certain circumstances. That 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 Immigration and Naturalization, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the reading of the bill for amendment, the Committee shall rise and report the same to the House with such amendments as may have been adopted and 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.

CALL OF THE HOUSE

Mr. GEARHART. Mr. Speaker, I make the point of order a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. GORE. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 29]

Allen, Ill.	Gamble	Morrison, La.
Andresen, August H.	Gifford	Newsome
Baldwin, Md.	Gordon	O'Brien, Ill.
Bell	Gorski	O'Connor
Bland	Hall, Edwin Arthur	O'Leary
Boren	Hare	O'Neal
Boykin	Harris, Ark.	Pace
Buckley	Hébert	Pfeifer
Burch, Va.	Heffernan	Pracht, C. Frederick
Celler	Hess	Price
Coffee	Hobbs	Ramspeck
Cole, N. Y.	Hoch	Reed, Ill.
Courtney	Hoffman	Robsion, Ky.
Cox	Holmes, Mass.	Rowan
Cullen	Hope	Sadowski
Curley	Horan	Satterfield
Dawson	Johnson, Okla.	Simpson, Ill.
Dewey	Keogh	Slaughter
Dirksen	Kirwan	Smith, Ohio
Domengeaux	Kleberg	Smith, Va.
Douglas	LaFollette	Smith, W. Va.
Ellison, Md.	Lambertson	Sparkman
Ellsworth	Landis	Taylor
Elston, Ohio	Lemke	Treadway
Fay	Lesinski	Vincent, Ky.
Fenton	Lynch	Vursell
Fish	McMillan	Wheichel, Ga.
Fuller	Maas	Wilson
Fulmer	Miller, Mo.	Winter
Gale	Monkiewicz	Woodruff, Mich.

The SPEAKER. On this call 331 Members have answered to their names, a quorum.

Further proceedings, under the call, were dispensed with.

PROVIDING FOR LOSS OF UNITED STATES NATIONALITY UNDER CERTAIN CIRCUMSTANCES

Mr. SABATH. Mr. Speaker, later on I shall yield to the minority 30 minutes. This rule makes in order H. R. 4103. It is an open rule and provides for 1 hour general debate. The bill has been approved and reported by the Committee on Immigration and Naturalization by a unanimous vote and its enactment is urged by that committee. I fully appreciate there are some Members who, when they hear that a bill reported by the Committee on Immigration and Naturalization is to be considered, become unduly alarmed. But in this instance there is no reason for any apprehension because I think we all agree with the intent and purpose of this legislation. The purpose of the bill is to permit certain citizens of the United States to renounce their American citizenship and to permit such renunciation while the person is within the United States.

We have in this country many thousands of Japanese who were born in the United States, which makes them American citizens. Though they have been considered by us as American citizens, the "great and glorious" Japanese Government always maintained that they have not lost the citizenship of the despicable Japanese Nation. But we are informed by the committee, and the report shows, that there are about 2,000 of these Japanese who do desire to renounce their citizenship. Well, I would say that is fine; let them renounce their citizenship. The sooner we get rid of them, as I have stated, the better it will be for us.

I concede that there are some Members who would like to go much further than this bill. But after careful consideration on the part of the committee and in view of the recommendation of the Attorney General and others in the Immigration Service who are of the opinion that we should not go any further to begin with, I believe that this bill should be passed. Of course, I myself would be most happy if we could get rid of all of them as quickly and as speedily as possible. That also might apply to other disloyal and un-American persons in the United States who should be given full privilege to get out immediately, because, after all, if they do not recognize the greatest and most liberal country in the world and fail to appreciate it, we have no use for them and they should be given that permission to withdraw their nationalism or their citizenship.

I want to be brief because the chairman of the committee desires to speak on the bill or on the rule, and in view of the fact we are permitting only 30 minutes on each side for general debate. We have allowed such limited time because that was the amount of time requested when application was made for a rule. We honestly believed that there would be no one who would be opposed to this first step that we are taking to enact legislation to get rid of these undesirables, and therefore, very little time would be required for debate and consideration. I am informed there are some gentlemen who will offer amendments. However, I feel that after the Committee on Immigration and Naturalization has given careful consideration and study to the matter that its recommendations should be followed. I have the utmost confidence in the committee. Its membership does not always agree, but when they do come to an agreement and report a bill unanimously, there is no question in my mind but that it must be a meritorious and deserving bill.

Mr. Speaker, reserving the balance of my time, I yield with a great deal of pleasure to the gentleman from Michigan [Mr. MICHENER].

Mr. MICHENER. Mr. Speaker, the distinguished chairman of the Committee on Rules has made a very lucid explanation of the rule and the bill. I do not know that I can add anything, but at the risk of repetition, may I say that this a wide-open rule providing for 1 hour's general debate and then the bill is to be read under the 5-minute rule. That is all there is to the rule. I do not know of any serious opposition to the bill. I am advised that there are those who want to offer a particular amendment; and with that amendment, I am told, there should be no opposition. I express no opinion about the amendment because the Committee on Rules is not advised. I therefore now yield 5 minutes to the gentleman from California [Mr. J. LEROY JOHNSON], who is to propose the amendment.

Mr. J. LEROY JOHNSON. Mr. Speaker, I want to try to help the chairman of the Committee on Rules, who said he would like to go a little further than this bill goes. That is why I am going to offer an amendment. What are we trying to do here today? We are trying to

pass a law amending the Nationality Act, so as to provide a way or provide means and mechanics of denationalizing or expatriating one's self. Now, what does that mean? To expatriate yourself is to wipe out your citizenship and acquire another one or simply to wipe it out and not acquire another one. Under this proposed law, which is general in its application, it is provided that this may be done by signing a formal renunciation of your citizenship on a form prepared by the Attorney General, and in the presence of an officer whom he designates and with the consent of the Attorney General.

I think this proposed bill is nothing but legal opium. It does not do what the bill purports, on its face, to do. Here is what I conceive to be the joker in the bill, if you can call it that: The Attorney General has said that this only applies to renunciations made after the date when the bill is passed. The Japanese who signed a questionnaire in which they acknowledged their allegiance to Japan, can simply refuse to sign again and thus nullify this bill. We want to make it apply any time that a man made that sort of statement, either orally or written, or at any time his conduct showed that he did in fact renounce his citizenship, from the time of the adoption of the selective-service law on September 10, 1940, up to and including the duration of this war.

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

Mr. J. LEROY JOHNSON. No; I do not have the time.

As a matter of fact, the matter of expatriation is just as old as our Government. In 1795 the Supreme Court mentioned the fact that any citizen had a right to relinquish his citizenship. Furthermore, it said, "It is not only proper, but it is the duty of the legislature to make such provision" for expatriation, *Talbot* v. *Janson* (3 Del. 133). In 1868 we passed a law, which is still on the books of our country, that a person could relinquish his citizenship; that it was his inherent right to do so (U. S. C. 8: 800). All we are proposing to do by our amendment is to make the right effective. While the bill is general, it has been discussed with reference to the Japanese. We in the West understand the Japanese problem. We believe there are thousands of Japanese who, by their conduct during this war, who by their writings, who by their statements have in fact expatriated themselves. We want the law to apply to those people. We are providing the mechanics whereby any court that handles naturalization matters can conduct a hearing and make a determination that a man has in fact wiped out his citizenship by his written statements, by his oral statements, or by his conduct. That is all there is to the bill as I propose to amend it.

We can see no objection to the amendment which we wish to offer to make the bill effective.

How big is this problem? In California there are almost a hundred thousand Japanese. In the Tule Lake relocation camp there are 16,000 Japanese who were sent there because they were presumed to be disloyal. They were sent there from other camps. We want to find a way, by giving due process of law, giving a man an opportunity for a hearing, to have a court consider the matter, and if the conduct of the man, if his writings, or if his statements are sufficient to convince that court that he has renounced his citizenship, we want that court to be able to find that very thing.

In addition, there are 14,000 Japanese in Washington, and about 4,000 in Oregon, and others in Hawaii and various other places running into the hundreds of thousands. All our amendment proposes to do is to adopt the old principle, over a hundred years old, that has been on the statute books for 75 years, and provide the mechanics to find that a man has in fact by his own voluntary conduct wiped out his citizenship. We think, then as a matter of course, in the treaty of peace, it will provide for the deportation of these Japanese who have expatriated themselves.

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

Mr. MICHENER. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. J. LEROY JOHNSON. There is this uncertainty in the minds of many people: They cannot realize that a man can expatriate himself and that we do not have a provision for deportation in this bill. A man can wipe out his citizenship and still cannot be deported under the provisions of this bill. But at the termination of this war we will have our big chance to take these people who have expatriated themselves and transport them to the country of their allegiance.

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

Mr. J. LEROY JOHNSON. I yield to my colleague.

Mr. IZAC. Is it not true that if this bill is passed in its present form all of these malcontents at Tule Lake, who have already demonstrated their opposition to the Government of the United States, will go scot free and we will not be able to do anything to them, provided they get word from Japan to lie low?

Mr. J. LEROY JOHNSON. That is true. I thank the gentleman for his contribution. If they do not sign another relinquishment, then they will go free, unless my amendment should be adopted.

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

Mr. J. LEROY JOHNSON. I yield.

Mr. REES of Kansas. Of course, the gentleman wants the House to understand that this bill is all-inclusive. It is not just a measure affecting Japanese alone? It affects everybody.

Mr. J. LEROY JOHNSON. That is correct. It affects everybody, no matter who he is.

Mr. REES of Kansas. Secondly, when the gentleman speaks about these disloyal individuals, of course, he has in mind the Japanese. But, the gentleman also wants the House to understand that anyone can be hailed into court under this amendment which he has suggested, whether he is a Japanese or not.

Mr. J. LEROY JOHNSON. Certainly, if he has committed an act that warranted that or had made writings that warranted that, and that indicated that he had expatriated himself.

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

Mr. MICHENER. I yield the gentleman 2 additional minutes.

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

Mr. J. LEROY JOHNSON. I yield.

Mr. HALLECK. This is the thing that disturbs me: I might suggest that I am in sympathy with the attitude generally expressed by you Members who know more about this. Under your amendment who could institute a proceeding that would result in the trial of the issue in a court?

Mr. J. LEROY JOHNSON. In my opinion, and I am speaking from my experience in the State of California, it would be instituted by the district attorney of the county. The superior court is the court of general jurisdiction in the State of California and that court has jurisdiction of naturalization matters. It could be brought there, or it could be brought by the United States attorneys in the Federal courts.

Mr. HALLECK. Would it contemplate a complaint made by some individual?

Mr. J. LEROY JOHNSON. It might be started that way. It could be started on the initiative of the Attorney General or the United States attorneys themselves, or the district attorney of the county.

Mr. HALLECK. This is what disturbs me, in line with what the gentleman from Kansas [Mr. REES] has just suggested, as to the all-inclusive provisions of this bill; supposing that someone of German ancestry, born in this country, was alleged to have said or done certain things that would be said to make him pro-German as against being pro-American. Under your amendment could a charge be instituted against him?

Mr. J. LEROY JOHNSON. Yes, sir.

Mr. HALLECK. And that man could be denationalized under your amendment?

Mr. J. LEROY JOHNSON. He could be, provided they submitted proof which convinced the court that he should be denationalized. This bill does not open the door for any witch hunt, in my opinion.

Mr. HALLECK. However, your amendment would go beyond the 4,000 Japanese who, as I understand have heretofore signed in writing, some relinquishment of their citizenship in this country and expressed a desire to be considered as citizens of Japan?

Mr. J. LEROY JOHNSON. Those 4,000 are not included in this bill, because they have to make another written renunciation, which I do not believe they will do.

Mr. HALLECK. I understand that.

Mr. J. LEROY JOHNSON. Yes; it would go beyond that.

Mr. HALLECK. It would reach those but it would reach beyond that too.

Mr. J. LEROY JOHNSON. It would.

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

Mr. SABATH. I yield 2 minutes to the gentleman from Pennsylvania [Mr. EBERHARTER].

Mr. EBERHARTER. Mr. Speaker, as I understand it, the Committee on Immigration and Naturalization reported this bill unanimously after conducting hearings on the bill. At the present time there is nobody opposed to what this bill tries to do. The only opposition to the bill might come from those who want it to go further. I want to call particular attention to the fact that the proposal of the gentleman from California [Mr. J. LEROY JOHNSON] would in effect destroy the purpose of the bill, because, in my opinion, it would be entirely unconstitutional, because it would be ex post facto. In other words, it would provide for penalties by a statute we passed this month, for something that a citizen of this country had done previously. The only thing that would prevent, under the terms of the proposal offered by the gentleman from California, denationalizing of persons who declared their loyalty to Germany in the First World War, would be the statute of limitations. But this very proposal is an illustration of the thing which the Committee on Immigration and Naturalization has found out, namely, that you cannot go too far without being unconstitutional.

So I want you to view all of these proposals from the standpoint of whether or not they will destroy the very intent that the Committee on Immigration and Naturalization had when they reported out this bill. I know personally that many members of that committee wanted to go further, but after hearing the testimony and learning the effects of certain proposals they decided that this was the only feasible, practical, and constitutional thing to do at the present time.

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

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ROLPH].

Mr. ROLPH. Mr. Speaker, I sincerely hope that House Resolution 433 and bill, H. R. 4103, with the Johnson amendment are passed unanimously.

The question just arose in the colloquy between my colleague the gentleman from California [Mr. J. LEROY JOHNSON] and the gentleman from Kansas [Mr. REES] as to whether this bill is all-inclusive. As a matter of fact, this bill is intended primarily and 100 percent for the Japanese. I read from the committee report:

> The purpose of the bill is to permit, under the conditions specified therein, certain citizens of the United States to renounce their United States citizenship, and the bill is so drafted as to permit this renunciation of United States citizenship to occur while the person is within the United States.
>
> The bill, as indicated in the letter of the Attorney General to the Speaker, and hereinafter quoted, is designed primarily to deal with the problem presented by a group of persons of Japanese descent who are native-born United States citizens.

Mr. Speaker, this legislation should be adopted. While those of us from the Pacific coast would prefer a more far-reaching proposition we support the current bill as a definite expression of American sentiment. The whole question of what to do with those Japanese now domiciled in the United States should be given deep study by the Congress. The gentleman from Washington, Representative HENRY M. JACKSON, now serving in the Army, introduced a resolution seeking to establish a committee to determine on a national policy. The question should be gone into from every angle. The House would do well to adopt the bill introduced by the gentleman from Washington, Congressman JACKSON.

Japanese philosophies are diametrically opposed to American ideals and American principles. Portuguese navigators were the first Europeans to discover Japan. The Portuguese first visited Japan in 1542. There followed a brief period of political, commercial, and religious contact with other European countries. In addition to the Portuguese, Spaniards, English, and Hollanders visited Japan as missionaries, traders, or mere soldiers of fortune. Early in the eighteenth century, however, the Japanese Government deliberately decided to cut itself off from all outside world influences. It was a crime punishable by death for a Japanese to leave his native country or for a foreigner to enter Japan. It is reported that on one occasion Portugal sent a trade mission only to have the Japanese authorities execute several members of the mission. The survivors were sent back with this message: "Think no more of us, as if we were no longer in the world."

For nearly three centuries Japan remained aloof. It was our own Commodore Mathew Galbraith Perry acting on behalf of the United States Government who actually broke Japan's policy of remaining apart. That was in 1853. You know what happened. We did everything humanly possible to aid and assist the Japanese. We encouraged them to raise their standards of living. We became Japan's best customer for products of the Island Empire. No people in all history ever evidenced more actual friendship for another nation than ours did for the Japanese. The answer was an underhanded punch delivered at Pearl Harbor.

Japanese ideologies and ours are as different as night and day. Groups and organizations from California have passed resolution after resolution against return of the Japanese to our State. These resolutions have been introduced in the House and referred to legislative committees.

I want to read a telegram that was sent by the Bataan Relief Committee to President Roosevelt. This is dated Salinas, Calif., September 18, 1943:

> Recent press releases indicate that you are authorizing internment of all "disloyal" Japanese (those who have indicated their wish to return to Japan) and to allow all others to return to their former residences as soon as possible.
>
> Most of us on the west coast who have had the opportunity to know the Japanese in a business way for years, feel that many of those so-called loyal Japanese may actually be disloyal. Regardless of that belief, we do know that the feeling against the Japanese on the west coast is extremely bitter, and fear that the return of Japanese to this area might result in bloodshed which would be followed by the murder of our American boys who are still prisoners of the Japs. This small community had 142 boys in Japanese prison camps. Unnecessary deaths, due to the Japanese refusal to accept food and medicine through the Red Cross, are rapidly reducing that number.
>
> We therefore respectfully urge you to reconsider your decision in this matter.
>
> BATAAN RELIEF COMMITTEE,
> E. M. SEIFERT,
> *Acting Chairman.*

I quote from letter written June 25, 1943, by Walter S. Johnson, of San Francisco, to Hon. CLARENCE F. LEA, as dean of the California congressional delegation:

> DEAR MR. LEA: Thank you very much for sending me your letter of June 18, enclosing the resolution adopted by the California delegation of Congressmen on June 14. I am certainly glad to note this action on the part of our California Representatives, which is certainly a substantial step in the right direction. There should be an amendment to the Constitution which would prevent American-born Japanese from automatically becoming American citizens. I say this for the reason we now know how extremely treacherous this race is and how impossible it is, or ever will be, for them to be assimilated into our national life.
>
> Now, I don't know how the Federal Bureau of Investigation can possibly distinguish between a loyal and a disloyal Japanese. For the last 25 years our company has been doing business with Japanese in California and Arizona, who grow and ship fruits and vegetables. There never has been in all our dealings with these people a time when we ourselves could determine who among these people were honest and worthy of credit. One particular Jap, named C. M. Otoy, who lived in Santa Maria, went bankrupt twice, and in order to continue receiving supplies would make some effort to pay up his obligations. However, we later learned with the funds he should have used for payment to his creditors, he built himself a very fine home back in Japan, which faced a small bay. The pictures of it would indicate the cost would easily have more than paid off all he owed his creditors here. Otoy's pretensions were so suave and convincing none of us suspected him to be anything less than an unfortunate grower who had experienced a bad market but wanted to fulfill his obligations at the earliest possible date. We now know he deliberately used his funds, owing his creditors here, to build himself a handsome abode in his native land. It is common knowledge the bulk of the earnings of the Japanese from their activities here in California have been sent back to Japan. If we continue to let these people enjoy the protection of citizenry, we can know in advance they will continue to send the bulk of their earnings back to Japan instead of using such funds, along with the rest of us, in the building up of this Nation.
>
> I do hope while our people are fully aroused to the treachery of the Japanese, laws will be introduced and passed that will safeguard us against this race not only during the period of the war but for the years to come.

I also want to read a letter addressed to me under date of July 9, 1943, by the San Diego Chamber of Commerce:

> SAN DIEGO CHAMBER OF COMMERCE,
> *San Diego, Calif., July 9, 1943.*
>
> Congressman THOMAS ROLPH,
> *San Francisco, Calif.*
>
> MY DEAR CONGRESSMAN: The executive committee of the San Diego Chamber of

Commerce desires to compliment you upon the resolution adopted by the California delegation on June 14, opposing the return of the Japanese to this area and recommending the exchange of interned Japanese for American citizens held as prisoners in Japan.

Very sincerely yours,

SAN DIEGO CHAMBER OF COMMERCE,
D. W. CAMPBELL, *General Manager*.

The SPEAKER. The time of the gentleman from California has expired.

Mr. ROLPH. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and to include therein certain letters and communications I have received.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. MICHENER. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Speaker, if there is any legal right that we value higher than our Constitution-given right of citizenship, it is the right of life itself. Citizenship should not be taken from people lightly, and certainly the deprivation of citizenship should not be the result of star-chamber proceedings.

This bill is bad, bad because it gives to one man more power than any good man should ask for and certainly more power than any bad man should receive. It gives to the Attorney General of the United States the right to pick out certain people—his friends, his pets—who would be allowed to use the procedure. It gives to the Attorney General the right to draft a form to his own liking, a form of renunciation of citizenship in the consideration of which no Member of Congress, no member of any citizenship group of the United States would have any right to criticize. It gives him the right to designate some Government official before whom one of his chosen few could come, sign a form, and be relieved of his American citizenship. It gives him the right to designate as that official one of his own deputies in his own office, or, perhaps, a lighthouse keeper somewhere down the Potomac River. Do you want to give any man in the United States that kind of power over the sacred legal right of citizenship? No good man should want that power. No bad man should have that power.

Had you had an Attorney General clothed with that kind of power 25 years ago you might not have had the case of Grover Cleveland Bergdoll, for he could have just gone down before that lighthouse keeper and signed the form giving up his American citizenship and been relieved from all his then obligations under the Selective Service Act.

And today there are too many of them, if you please, who would be glad to shed themselves of American citizenship in order to rid themselves of the responsibilities which that citizenship entails. There is a man downtown by the name of Washie Bratcher who went to a doctor, took a lot of pills to build up his blood pressure artificially so that he might escape the draft. How much easier it would have been for Washie Bratcher to have gone down to some office of some petty official in the Government, one designated by the Attorney General, and, in star-chamber proceedings, sign a paper and be relieved of the responsibilities of citizenship, responsibilities which many a proud American boy is defending with his life upon far-flung battle lines.

Just the other day we read of a renegade relative of a great American family, a writer, some said he was, named von Gontard, who was arrested in New York for evading his high responsibilities as an American citizen, as did the notorious, stinking Grover Cleveland Bergdoll 25 years before. He is in the clutches of the law awaiting trial. Do you not realize, Mr. Speaker, that if this law is written on the statute books that some man of great influence, someone able to hire high-priced lawyers might, in a star-chamber proceeding before some inconsequential official so "arrange" matter that the despicable von Gontard might conveniently relieve himself of his citizenship, thereby escaping his high responsibilities at a time when our distressed country needs the services of its sons more than ever before.

Is this bill, Mr. Speaker, a bill for the relief of the Bergdolls, the Washie Bratchers, the von Gontards?

If that was what its drafters had in mind, their work could not have been the better done.

No one despises the treacherous, cowardly, disloyal Jap more than does the one who now stands before you. No one more earnestly desires the deportation of the disloyal citizen of Japanese origin than does the one who pleads before you this moment. But, Mr. Speaker, I am not willing to place this great power in the hands of any man, fraught, as it most certainly is, with such great danger to the Republic, just to deport a few hundred confessed disloyalists. We know who they are and we know how to handle them. The ones we should fear are the crafty, lying betrayers, the uncaught traitors. Let us set up procedure that will catch them. They number into the thousands, ten of thousands. Why do we talk of heavy artillery when we are but pulling the trigger of pop-guns?

Let us recommit this grossly inadequate and highly dangerous legislation and bring out a bill that will get us somewhere.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the chairman of the Immigration Committee, the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Speaker, I am really surprised at my colleague's making the charges that he has so eloquently made. He would make it appear that the Attorney General would have too much authority. May I say that in Mr. Biddle we have one of the finest men in the country, a man who is trying to protect the interests of America and the interests of our people. He has given this matter most careful study and he has had many conferences with the Committee on Immigration.

What the gentleman says does not appear in the bill at all. If you will look on page 1, line 9, you will find the following:

Making in the United States a formal written renunciation of nationality in such form as may be prescribed by, and before such officer as may be designated by the Attorney General—

And so forth. That is all it does. It deals with voluntary renunciation. The Attorney General only passes upon it.

Mr. GEARHART. Will the gentleman yield?

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

Mr. GEARHART. Under the very text the gentleman has read no one can make this renunciation except when approved by the Attorney General and no one can make this renunciation except upon a form approved by the Attorney General and no one can make this renunciation except before an official of the Government of the United States designated by the Attorney General.

Mr. DICKSTEIN. Does the gentleman want the Congress to prepare these forms? Do you want the Congress to start preparing all kind of forms? The Department of Justice is the logical branch of the Government to handle this problem and the Attorney General should be given authority to devise the proper procedure. That is all this bill does.

Mr. GEARHART. The gentleman asked me a question, Who I want? The gentleman has asked me a question. Let me answer it.

Mr. DICKSTEIN. I do not yield further to the gentleman.

Mr. GEARHART. You can only get citizenship in a court and you can only take it from him in court.

The SPEAKER pro tempore. The gentleman declines to yield further.

Mr. GEARHART. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. Does the gentleman from New York yield for a parliamentary inquiry?

Mr. DICKSTEIN. Mr. Speaker, I do not yield for a parliamentary inquiry. I would like to finish my statement.

Mr. GEARHART. Mr. Speaker, I want to know if I can have a question asked me which I am not permitted to answer?

The SPEAKER pro tempore. The gentleman from New York declines to yield.

Mr. DICKSTEIN. Mr. Speaker, our committee had before it H. R. 2701 introduced by the gentleman from California [Mr. SHEPPARD], dealing with the expatriation of certain nationals in the United States. I will put this bill in the RECORD for the benefit of the Members of the House and I will also insert the report thereon by the Department of Justice. The report submitted to the committee by Mr. Biddle clearly states the objections to the bill.

H. R. 2701

A bill to provide for the expatriation of certain nationals of the United States

Be it enacted, etc., That chapter IV of the Nationality Act of 1940, as amended (U. S. C., 1940 ed., title 8, subch. IV; Supp. I, title 8, subch. IV), is amended by inserting after section 401 thereof a new section to read as follows:

"SEC. 401a. (a) A national of the United States, whether by birth or naturalization,

shall lose his nationality if he is convicted, under subsection (b) of this section, of knowingly and intentionally expressing, either orally or in writing, loyalty to a foreign state.

"(b) (1) Upon affidavit showing good cause therefor, it shall be the duty of the United States district attorney for any judicial district to institute proceedings in any court specified in section 301 (a) in such district against any person residing in such district for the purpose of expatriating such person on the ground that he has knowingly and intentionally expressed, either orally or in writing, his loyalty to a foreign state. Such person shall have 60 days' personal notice in which to make answer to the petition of the United States; and if such person be absent from the United States or from the judicial district in which such person last had his residence, such notice shall be given by publication in the manner provided for the service of summons by publication or upon absentees by the laws of the State or the place where such suit is brought.

"(2) When a person shall be convicted under this subsection of knowingly and intentionally expressing, either orally or in writing, his loyalty to a foreign state, he shall cease to be a national of the United States. In case such person was a naturalized citizen, the court shall declare the certificate of naturalization of such person to be canceled, and shall order such certificate to be surrendered to the Commission."

OFFICE OF THE ATTORNEY GENERAL,
Washington, D. C., July 10, 1943.

Hon. SAMUEL DICKSTEIN,
Chairman, Committee on Immigration and Naturalization,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department relative to a bill (H. R. 2701) to provide for the expatriation of certain nationals of the United States.

Under existing law a national of the United States, whether by birth or by naturalization, becomes expatriated by operation of law if he (1) obtains naturalization in a foreign state; (2) takes an oath of allegiance to a foreign country; (3) serves in the armed forces of a foreign state if he thereby acquires the nationality of such foreign state; (4) accepts employment under a foreign state for which only nationals of such state are eligible; (5) votes in a political election in a foreign state or participates in an election or plebiscite to determine the sovereignty over foreign territory; (6) makes a formal renunciation of nationality before a diplomatic or consular officer of the United States in a foreign state; (7) deserts from the armed forces of the United States in time of war and is convicted thereof by a court martial; or (8) is convicted of treason (U. S. Code, title 8, sec. 801).

In addition, a naturalized national of the United States loses his nationality by operation of law if he (1) resides for at least 2 years in the country of his birth or former nationality, if such residence confers the nationality of such country on him by operation of law; (2) resides continuously for 3 years in the country of his birth or of which he was formerly a national; or (3) resides continuously for a period of 5 years in any other foreign state (U. S. code, title 8, sec. 804).

Moreover, the naturalization of a naturalized citizen may be revoked in judicial proceedings instituted for that purpose on the ground that such naturalization was procured by fraud or on the ground that the certificate of naturalization was illegally obtained. (U. S. Code, title 8, sec. 738.)

The bill under consideration would create an additional ground for expatriation and would provide that a national of the United States, whether by birth or naturalization, shall lose his nationality if he is "convicted" of knowingly and intentionally expressing, either orally or in writing, loyalty to a foreign state. The proceedings for the expatriation of such persons would be instituted by the various United States attorneys upon affidavits showing good cause therefor. Upon "conviction" a person would cease to be a national of the United States, and if he was a naturalized citizen his certificate of naturalization would be canceled.

The phraseology of the measure is vague and indefinite and no standard is provided for the determination of the meaning of the phrase "loyalty to a foreign state." Moreover, the measure might be used as an instrument of oppression by personal enemies of an accused who could cause an innocent person untold trouble and embarrassment merely by misquoting him or by wrenching some written statement out of its context.

In view of the foregoing considerations, I am unable to recommend the enactment of the bill.

I have been informed by the Director of the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,

FRANCIS BIDDLE,
Attorney General.

We had another bill before us, H. R. 3489, which I will also insert in the RECORD together with a copy of the Attorney General's opinion. I believe that Congress should be guided by the Attorney General, especially in time of war. The Attorney General definitely points out the undesirability of this legislation.

H. R. 3489

A bill relating to certain Japanese residents of the United States and to certain citizens of Japanese descent found to be unfriendly to the United States

Be it enacted, etc., That (a) all alien residents of the United States of Japanese origin shall forthwith be taken into custody, and the President is requested to make, through the appropriate channels, arrangements with the Government of Japan for the exchange of such aliens for a like number of citizens of the United States (not of Japanese origin or descent) who are resident in or interned in Japan or held as prisoners of war by Japan. If such arrangements cannot be made, or if any of such alien residents cannot be so exchanged, such alien residents, or those who cannot be so exchanged, as the case may be, shall, after the termination of hostilities in the present war with Japan, be deported in the manner provided by sections 19 and 20 of the act of February 5, 1917, entitled "An act to regulate the immigration of aliens to, and the residence of aliens in, the United States."

(b) All citizens of the United States of Japanese descent who are found to be unfriendly to the United States shall forthwith be taken into custody, and the President is requested to make, through the appropriate channels,. arrangements with the Government of Japan for the exchange of such citizens of Japanese descent for a like number of citizens of the United States (not of Japanese origin or descent) who are resident in or interned in Japan or held as prisoners of war by Japan. If such arrangements cannot be made, or if any of such citizens of Japanese descent cannot be so exchanged, such citizens of Japanese descent, or those who cannot be so exchanged, as the case may be, shall, after the termination of hostilities in the present war with Japan, he deported in the same manner as in the case of aliens described in subsection (a).

(c) If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application thereof to other persons and circumstances shall not be affected thereby.

FEBRUARY 8, 1944.

Hon. SAMUEL DICKSTEIN,
Chairman, Committee on Immigration and Naturalization,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of this Department relative to a bill (H. R. 3489) to provide for the taking into custody and for the exchange of Japanese aliens and certain United States citizens of Japanese descent.

Section (a) of the bill would direct that all alien residents of Japanese origin shall forthwith be taken into custody.

Under existing law, however (U. S. C., title 50, sec. 21), and the President's proclamation of December 7, 1941 (6 Federal Register 6321), alien Japanese may be taken into custody and detained for the duration of the war. The case of every alien Japanese suspected of disloyalty has been thoroughly investigated and reviewed, and those alien Japanese deemed by me to be potentially dangerous have been ordered interned.

On the basis of exhaustive investigations conducted by the Federal Bureau of Investigation, I have found that internal security required the internment of fewer than 2,000 Japanese aliens in the continental United States, and I am informed that only about 700 Japanese aliens have been interned by the commanding general in the Territory of Hawaii. This legislation would, nevertheless, require some agency, not specified, to take all alien Japanese into custody. The only effect of this provision would be to require the taking into custody of persons who may be detained under existing law but whose detention has not been found necessary.

Since the outbreak of war the Department of State has been actively and continuously endeavoring to arrange an agreement with the Japanese Government to exchange Japanese nationals in this country for citizens of the United States who are held by the Japanese. Two exchange voyages have been made by the *Gripsholm* and almost 3,000 persons (including some citizens of other American countries) have been repatriated. The Japanese Government, however, is apparently not anxious for the exchange of all of its nationals, and is willing to take back only a fairly small, selected number. Thus the second provision of the bill, requesting the President to make arrangements with the Government of Japan for an exchange of nationals, would recommend an objective which this Government has already tried to attain.

The third provision of subsection (a) would require the deportation at the end of the war of those Japanese nationals not exchanged during the war. A large proportion of the Japanese aliens in this country are law-abiding and loyal to the United States. They came here many years ago, in accordance with our laws, and have raised families composed of citizens of the United States. Compulsory deportation of all Japanese nationals at the termination of hostilities appears to me to be objectionable.

Section (b) of the bill pertains to citizens of the United States of Japanese descent who were found to be unfriendly to the United States, and provides that they shall

be taken into custody, exchanged, and deported in the same manner as aliens are to be dealt with in section (a). The enactment of this section of the bill would be a departure from our entire constitutional and legal history.

This section does not provide for any agency to carry out its program, nor does it specify the manner in which citizens of the United States of Japanese descent are to be adjudged unfriendly; nor does it provide for loss of citizenship by such persons. Moreover, it does not prescribe a practical method of deportation, since the bill provides that such citizens shall be deported in the manner prescribed for aliens in the preceding section, which section, in turn, refers to sections applicable solely to aliens. It is doubtful, therefore, whether section (b), if enacted in its present form, would produce any practical result.

Even were these uncertainties clarified, the bill would be of doubtful wisdom. The bill applies solely to one group of citizens, selected on the basis of race. Racial discrimination is foreign to our traditions as a democratic people. The provision may also involve a constitutional problem concerning which I express no opinon.

In addition, the bill provides for the taking into custody of citizens of the United States who are not charged with commission of crime, but are charged merely with the vague status of being unfriendly. To predicate an administrative proceeding looking to the detention of American citizens upon such a defective standard, is obviously objectionable.

Moreover, exile, which is what the deportation of such persons would constitute, is entirely foreign to our constitutional history. I do not know of any way in which the exile of citizens of the United States can be reconciled with the principles for which we are fighting this war.

In respect to matters of detail, I desire to make the following observations.

First, deportation has always been thought of as referring to aliens who are to be transported to some country with which they have had previous connection. The citizens to be exiled by this bill may never have been out of the United States and, therefore, there would be no place to which to deport them. There is, in addition, nothing to indicate that any foreign government is prepared to accept exiled United States citizens.

Second, since this bill does not provide for expatriation of exiled citizens, there would be nothing to prevent such exiles from exercising their constitutional right of reentering the United States as soon as they were deposited in some foreign country. Thus, the entire process would be rendered useless.

From the standpoint of internal security the legislation appears unnecessary.

In view of the foregoing considerations, I am unable to recommend the enactment of the bill.

I have been informed by the Director of the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,

FRANCIS BIDDLE,
Attorney General.

We also had before us H. R. 3012, introduced by the gentleman from California [Mr. J. LEROY JOHNSON] which definitely creates some grave constitutional questions.

H. R. 3012

A bill to create the Japanese Deportation Commission, and for other purposes

Be it enacted, etc., That (a) there is hereby created a commission, to be known as the Japanese Deportation Commission (hereinafter referred to as the "Commission"), which shall be composed of three members who shall be appointed by the President, by and with the advice and consent of the Senate. The President shall designate one member to act as Chairman. Vacancies in the Commission shall be filled in the same manner in which the original appointments were made. Each member of the Commission shall receive compensation at the rate of $10,000 a year.

(b) A vacancy in the Commission shall not impair the right of the remaining members to exercise all the powers of the Commission and two members of the Commission shall, at all times, constitute a quorum. The Commission shall have an official seal which shall be judicially noticed.

SEC. 2. (a) The Commission shall, as soon as possible after its organization, prescribe rules and regulations for the conduct of its proceedings.

(b) For the purposes of this act the Commission shall have the power to issue subpenas for and to compel the attendance of witnesses, require the production of books, papers, and other documents, and to administer oaths and examine witnesses upon any matter within its jurisdiction. In the case of contumacy or refusal to obey a subpena issued by the Commission, the Commission may invoke the aid of any district court of the United States in requiring the attendance of witnesses and the production of documentary evidence, and such court, within the jurisdiction where the inquiry is carried on or where the party subpenaed resides or may be found, may issue an order requiring the person to whom the subpena is directed to appear and testify before the Commission or give evidence touching on the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. Any person so required to attend as a witness shall be allowed and paid the same fees and mileage as are paid witnesses in the district courts of the United States.

(c) Whoever in any proceeding before the Commission, or in any document produced for the consideration of the Commission, knowingly makes a false statement under oath of a material fact shall be guilty of perjury and upon conviction thereof shall be punished by a fine of not more than $1,000 or by imprisonment for not more than 2 years, or by both such fine and imprisonment.

(d) The Commission shall, without regard to the civil service laws and the Classification Act of 1923, as amended, appoint and fix the compensation of a secretary and general counsel, and shall, subject to the civil-service laws and the Classification Act of 1923, as amended, have the power to employ and fix the compensation of such other employees as may be necessary to carry out the purposes of this act. The Commission may call upon any other department or independent agency of the Government for such expert assistance or for copies of such books, papers, or records in their possession as may be helpful to the Commission in the execution of its functions, and it shall be the duty of any such department or agency to comply with any such request for books, papers, or records.

(e) The Federal Bureau of Investigation of the Department of Justice shall make such investigations with respect to persons of Japanese descent who are nationals of the United States as may be requested by the Commission, and shall report to the Commission the results of any such investigation.

(f) The principal office of the Commission shall be in the District of Columbia, but it may meet and exercise any or all of its powers at any other place.

(g) The Commission shall keep permanent records of the proceedings before it and orders issued by it, copies of which shall be made available, upon request, to the heads of the various departments and independent agencies of the Government.

(h) The Commission may make such expenditures (including expenditures for rent and personal services at the seat of government and elsewhere, for office supplies, periodicals, and books of reference, and for printing and binding) as may be necessary in the execution of the functions of the Commission. All expenditures of the Commission, including necessary traveling and subsistence expenses outside the District of Columbia incurred by the members or employees of the Commission, shall be allowed and paid upon the presentation of itemized vouchers therefor approved by the Commission or by any employee thereof designated by the Commission to perform such duty.

SEC. 3. (a) It shall be the duty of the Commission to determine whether persons of Japanese descent who are nationals of the United States and found within the United States or its Territories or possessions (1) have given aid or comfort to any enemy of the United States in the present war, (2) have been or are advocating or teaching the overthrow by force or violence of the Government of the United States, or (3) have knowingly and intentionally expressed by deed, or by word, either orally or in writing, loyalty to a foreign state.

(b) Whenever any such person of Japanese descent is charged with giving aid or comfort to any enemy of the United States in the present war, advocating or teaching the overthrow by force or violence of the Government of the United States, or knowingly and intentionally expressing by deed, or by word, either orally or in writing, loyalty to a foreign state, the Commission shall issue and cause to be served upon such person a complaint stating the charges and containing a notice of hearing before the Commission at a specified place and time. The person so complained of shall have the right to file an answer to the complaint and to appear in person or otherwise and give testimony at the place and time specified in the notice of hearing. The testimony taken in any such proceeding shall be reduced to writing and placed in the files of the Commission. Thereafter, in its discretion, the Commission, upon giving of notice, may take further testimony or hear argument.

(c) If upon all the testimony taken the Commission shall be of the opinion that any person named in the complaint has given aid or comfort to any enemy of the United States in the present war, has been or is engaged in advocating or teaching the overthrow by force or violence of the Government of the United States, or has knowingly and intentionally expressed by deed, or by word, either orally or in writing, loyalty to a foreign state, then the Commission shall transmit its decision to the Attorney General who shall thereupon issue a warrant of deportation and take such person into custody for deportation to Japan or to such other place outside the Western Hemisphere as may be determined upon by the Attorney General.

SEC. 4. (a) Any person aggrieved by a decision of the Commission may obtain a review of such decision in the circuit court of appeals of the United States, within any circuit wherein such person resides or has his principal place of business, or in the United States Court of Appeals for the District of Columbia, by filing in such court a written petition praying that the decision of the Commission be set aside and that the warrant of deportation be canceled. A copy of such petition shall be forthwith served upon the Commission, and thereupon the Commission shall certify and file in the court a transcript of the entire record in the proceeding, including the testimony and findings of the Commission. No objection to the decision of the Commission shall be considered by the court unless such objection shall have been urged before the Commission. The findings of the Commission as to the facts, if supported by evidence, shall be conclusive. The jurisdiction of the court shall be exclusive and its judgment and decree, affirming or setting

aside any decision of the Commission, shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in sections 239 and 240 of the Judicial Code, as amended (U. S. C., 1940 edition, title 28, secs. 346 and 347).

(b) The commencement of proceedings under subsection (a) shall operate as a temporary stay of execution of the warrant of deportation. If the judgment of the court is adverse such person of Japanese descent shall forthwith be deported.

SEC. 5. Any person of Japanese descent deported under the provisions of this act shall cease to be a national of the United States on the date of his deportation.

SEC. 6. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of the act and the application of such provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 7. This act shall cease to be in effect 5 years after the date of the termination of the present war with Japan, as proclaimed by the President.

FEBRUARY 8, 1944.

Hon. SAMUEL DICKSTEIN,
Chairman, Committee on Immigration and Naturalization,
House of Representatives,
Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in response to your request for the views of this department relative to a bill (H. R. 3012) to provide for the creation of a Japanese deportation commission and for other purposes.

The bill would create a Japanese Deportation Commission to be composed of three members appointed by the President, by and with the advice and consent of the Senate (sec. 1). It would be the duty of the commission to determine whether persons of Japanese descent who are nationals of the United States (1) have given aid or comfort to any enemy of the United States in the present war, or (2) have been or are advocating or teaching the overthrow by force or violence of the Government of the United States, or (3) have knowingly and intentionally expressed by deed, or by word, either orally or in writing, loyalty to a foreign state (sec. 3a). If any such person is charged with any of the foregoing acts, a complaint issued by the commission would be served on him. He would be accorded an opportunity to file an answer and given a hearing (sec. 3b).

If the Commission finds that the person has engaged in the conduct specified, it would transmit its finding to the Attorney General, who thereupon would take such person into custody and deport him to Japan or to some other place outside of the Western Hemisphere (sec. 3c).

Section 4 provides for an appeal to a circuit court of appeals. A finding of fact by the Commission, if supported by evidence, would be conclusive.

Section 5 provides that a person deported under the provisions of the bill shall cease to be a national of the United States on the date of his deportation.

It is to be observed that this bill does not deal with alien Japanese. Since there are substantially no naturalized Japanese (the only exception being a comparatively small number of veterans of the First World War), it follows that this bill deals principally with persons whose United States citizenship derives from birth in the United States. This bill applies to one group of natural-born citizens, selected on the basis of race. Racial discrimination is foreign to our tradition as a democratic people. In accordance with customary procedure, I express no opinion as to the constitutionality of the measure, but suggest that there may be a constitutional question which requires consideration by your committee.

The first ground of deportation proposed by the bill, i. e., giving aid and comfort to any enemy of the United States in the present war, is not different in substance from the offense of treason as defined in United States Code, title 18, sec. 1. The Constitution prescribes the manner in which treason may be proved in a criminal case. If it is intended that the administrative body determine the same issued under broader rules, there is serious question as to the desirability of the provision. If, on the other hand, the Commission is to be bound by the constitutional requirements as to proof, considerable doubt would arise as to the utility of the provision, since any person who could be deported pursuant to it could in all probability be prosecuted criminally on a charge of treason.

The second ground upon which the Commission would be empowered to order deportation is a determination that he has been or is advocating or teaching the overthrow by force or violence of the Government of the United States. It is to be observed that here again the prescribed conduct is similar to that already prohibited by a criminal statute (title I, Alien Registration Act of 1940; U. S. Code, title 18, sec. 10). Thus, the problem would again arise whether an administrative body should properly be given power to impose the penalty of deportation for conduct defined as a crime and for which criminal penalties are provided upon conviction by a court. It is extremely doubtful, therefore, whether there is any useful purpose to be served by this clause of the bill.

The third ground upon which the Commission may order the deportation of a United States citizen is the knowing and intentional expression by deed or word, orally or in writing, of loyalty to a foreign state. The concept of loyalty is not one subject to precise legal definition, and the idea of an expression of loyalty by deed is even more vague. The standards for such conduct cannot be prescribed precisely, and thus inevitably the measure would call for the deportation of citizens on nothing more than a general determination by an administrative body of an extremely vague matter. Such severe penalty should not be imposed upon the basis of such a vague criterion.

The legislation appears to be undesirable in principle because of its provisions for imprisonment, deportation, and expatriation of citizens of the United States. To provide that a citizen of the United States shall be detained on the basis of an administrative finding of disloyalty, as opposed to a judicial conviction of crime, appears repugnant to basic American principles.

Likewise, exile—which is what the deportation of such persons would constitute—is entirely foreign to our constitutional history. I do not know of any way in which the imprisonment and exile of American citizens, without judicial trial, could be reconciled with the principles for which we are fighting this war.

The bill involves an administrative difficulty in requiring deportation to Japan or some other place outside of the Western Hemisphere determined upon by the Attorney General. While the war continues it would not be possible to deport anyone to Japan. It is not now possible to deport citizens of the United States to any other place, inasmuch as deportation can be accomplished only if the country to which the person is to be deported agrees to receive him. I know of no country to which such persons could now successfully be deported.

In view of the foregoing considerations I am unable to recommend the enactment of the bill.

I have been informed by the Director of the Bureau of the Budget that there is no objection to the submission of this report.

Sincerely yours,

FRANCIS BIDDLE,
Attorney General.

What is the purpose of the pending bill? The committee has been studying the afore-mentioned bills for months. We are in sympathy with our colleagues from California in this matter; we would like to go much further than they would and deport every disloyal Japanese or every disloyal person in this country, but we do not want to do anything that would be termed unconstitutional.

Mr. DONDERO. Will the gentleman yield for a brief question?

Mr. DICKSTEIN. I yield to the gentleman for a very brief question.

Mr. DONDERO. An alien must come into a United States court to acquire citizenship. I am wondering if it would not strengthen the bill if he were required to go back into a United States court in order to renounce his citizenship?

Mr. DICKSTEIN. That does not apply in time of war. This is a war measure. The gentleman would be right if this were not a war measure; but this is a temporary act in time of war to rid this country of a lot of so-called native-born Japanese who are definitely disloyal and who have no place among decent people.

Mr. Speaker, we can deport an alien who is in this country. We have no trouble about that; but the question arises here: Can we do certain things under the Constitution? Can we deport a native-born American who wishes to renounce his American nationality?

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

Mr. SABATH. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. JENNINGS. Will the gentleman yield?

Mr. DICKSTEIN. I yield to the gentleman from Tennessee.

Mr. JENNINGS. The gentleman has just said that we can deport an alien, that there is no trouble about that.

Mr. DICKSTEIN. That is right.

Mr. JENNINGS. What about Harry Bridges?

Mr. DICKSTEIN. I wish the gentleman would not confuse the issue here. We have a very important bill before us now. It is a vital piece of legislation. We know what to do with aliens.

Mr. J. LEROY JOHNSON. Will the gentleman yield?

Mr. DICKSTEIN. Not at this time. I cannot yield. A little later I will yield to the gentleman when we get into the Committee.

Under the Constitution a man born here of any race is an American citizen. What are we going to do with him in court? How can you disfranchise him? As much as I hate some of these disloyal Japanese and other disloyal persons in this country, I would not want my hatred to influence me to prescribe some remedy for the situation which would not be in accordance with our Constitution. If you will read the Constitution you will find that he is an American citizen, ir-

respective of what he said or what he has done. If that Japanese or any person has said something against our Government, you can pass a law to punish him, you can send him to jail, you can keep him there as long as you want. That is proper, that is constitutional. But you cannot take away his birthright, and that is exactly what my colleagues from California want to do. I am not ready to surrender those principles and doctrines of our Constitution.

Mr. J. LEROY JOHNSON. Will the gentleman yield?

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

Mr. J. LEROY JOHNSON. Has the gentleman read the law of 1868 that expressly says a man has the inherent right to wipe out his own citizenship?

Mr. DICKSTEIN. Yes, but we have statutes now providing how a man can expatriate himself. What the gentleman is trying to do now is to inject something new. We live in different times, there are different circumstances. Of course, a man can go to another country and renounce his allegiance to this country or take an oath of allegiance to that country. We have men in this country today who are disloyal, who are undermining our Government, yet we do not know how to get rid of them unless we do it by this act. We will give them the right to expatriate themselves, take them out of circulation and keep them in confinement here until such time as we may be able to exchange them for some of our war prisoners who are over there today.

That is the whole question before us. This committee has gone as far as we can go. If the delegation from California can present any other bill that will do more than we can do under this bill, I assure them of a respectful hearing and an immediate opportunity to be heard.

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

Mr. MICHENER. Mr. Speaker, the debate thus far has made it clear that the bill before us is brought here primarily to affect the Japanese; nevertheless, it is all inclusive and does affect all citizens.

Second, as I glean from the debate, the bill makes the renunciation of citizenship entirely voluntary. In other words, the citizen of the United States must take affirmative action to renounce citizenship before this law would become operative. I am impressed with the idea that the bill now before us is entirely voluntary, while with the Johnson amendment to be offered, force and power would be lodged in the Government to take away the citizenship of the citizen without his consent.

I think that pretty well sums up what this debate is all about. Possibly I have made a wrong analysis. I do not pretend to know all about the bill. In general debate the Immigration Committee, which is of unanimous opinion, will fully explain.

Mr. J. LEROY JOHNSON. Mr. Speaker, will the gentleman yield?

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

Mr. J. LEROY JOHNSON. I want to make the point that the ex post facto provision of the Constitution applies only to criminal statutes. It does not apply to a proceeding like this or to a deportation proceeding, and there is a case decided by Chief Justice Taft on that point.

Mr. MICHENER. The difference between "retroactive" and "ex post facto" is that "retroactive" applies to the civil law and "ex post facto" applies to the criminal law. As I understand the debate, the committee bill deals only with acts committed after the bill becomes a law, while the Johnson amendment relates back to previous acts.

Mr. ALLEN of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. MICHENER. I yield to the gentleman from Louisiana, a member of the Immigration Committee.

Mr. ALLEN of Louisiana. The amendment suggested by the gentleman from California would also open up the whole field of parol testimony as to the citizenship of any man in the United States.

Mr. MICHENER. Yes; if that amendment were adopted, as I analyze it, it would mean that any citizen who at any time back yonder, said or did anything that might now be construed to be unpatriotic or as indicating that he desired to renounce his citizenship, could be proceeded against under the terms of the law.

Mr. Speaker, this amendment is one of the things about which we should think twice before we act once. These are times when we must not be controlled by prejudice, sentiment, or emotion. We must contemplate possibilities, not probabilities.

The Committee on Immigration and Naturalization has a lot of trouble with every bill it brings to the floor. This is possibly due to the fact that the subject in these days is most controversial. But let us be fair about it, let us all sit on the cake of ice, as it were, and think the thing through and act quietly and deliberately, so that in the end we shall enact what we believe to be for the best interests of all our people. I can understand the feeling of the gentlemen from California. They have intimate knowledge of the Japs, even though they are American-born. It would seem that these Members, however, do not agree among themselves. In these circumstances let us pass the rule, bring the bill up for consideration, and then act deliberately.

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

Mr. PHILLIPS. Mr. Speaker, having spoken on this matter before, I do not wish to take time now to cover the same points, but there are one or two things that I think definitely should be before us.

First of all, the gentleman from California [Mr. IZAC] placed the whole argument in a nutshell when he said that the bill brought out from the committee will not do what the committee expects it will do. Those of us who are familiar with the subject understand what he meant and why it will not do that. It has been brought out fully that both the bill and the proposed amendment cover only the war period and cover only those things which might have been written since the beginning of the war. This does not, as some gentlemen say, go back into past history.

May I say this, and I think if the gentleman from California [Mr. J. LEROY JOHNSON] will permit me, I will say this for him, there is no desire whatever on the part of any of the California delegation—all of whom are very much interested in this bill, obviously, because we had 122,000 of the 140,000 Japs—to write into the law by amending this bill or otherwise, anything which would revive any possibility of what is generally referred to here on the floor as witch hunting. Since the question has been raised on both sides of the House, both on the floor and in private discussion, that the inclusion in the Johnson amendment of oral testimony and actions would be likely to raise that question, I may say that my understanding is that when the amendment is actually submitted by the gentleman from California it will not include those features but will include only written statements of renunciation, which it is the inherent right of one of any race, Japanese, German, or any other, to make if he so desires.

Our feeling about the committee bill is that it will not reach the very people it is intended to reach, and the best evidence I can give you is the informal statement of the bill's supporters that out of the 4,000 people who should come under the bill they hope to get 400.

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

Mr. PHILLIPS. I yield.

Mr. DICKSTEIN. I want to compliment the gentleman from Michigan who so well and ably addressed the House.

Mr. PHILLIPS. I did not yield for compliments to the gentleman from Michigan because my time is very limited. However, I agree with the compliments and I think all Members on our side will agree with them.

Mr. DICKSTEIN. For the gentleman's information, by the passage of this bill we can take out of circulation over 1,000 disloyal Japanese, who do not belong in the camps but belong in jail. There is where we want them to go.

Mr. PHILLIPS. I wish to say that the gentleman from New York seems to be the only person who knows anything about the subject who holds that opinion. I also wish to say that the bill as presented does not recite the certificate which the Attorney General is supposed to have the national sign to be denationalized.

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

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

Mr. OUTLAND. Did I correctly understand that when the amendment is offered by the gentleman from California [Mr. J. LEROY JOHNSON] it will be limited to a written statement, rather than including oral statements or conduct, as previously drawn?

Mr. PHILLIPS. I yield to the gentleman from California to answer that.

Mr. J. LEROY JOHNSON. I will eliminate the "oral statements" but not the "conduct." The "conduct" will be in the bill.

Mr. PHILLIPS. The amendment could be limited to written statements and undoubtedly will be.

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

Mr. PHILLIPS. I yield to the gentleman from Kansas.

Mr. REES of Kansas. The gentleman in his previous statement made clear that this is not a deportation bill.

Mr. PHILLIPS. That is correct. This is not a deportation bill. That is a separate subject for us to take care of.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SABATH. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. DICKSTEIN].

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to include as part of my statement this afternoon the text of the bills H. R. 2701, 3489, and 3012, together with the reports from the Attorney General on each of these bills.

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

There was no objection.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. ENGLE].

Mr. ENGLE of California. Mr. Speaker, I think we could understand better the provisions of this bill if we knew something about the facts and the background which brought it into existence. All the Japanese were moved by the military authorities from the Pacific coast to relocation centers, and were placed there for the purpose of relocating those Japanese throughout the United States. After they got the Japs in the relocation centers the Federal authorities submitted a questionnaire to them for the purpose of determining their loyalty. That was the famous question 28, which we have read so much about in some of the newspapers. I will read you that question:

> Will you swear unqualified allegiance to the United States of America, and foreswear any form of allegiance or obedience to the Japanese Emperor or any foreign government, power, or organization?

The form of that question was changed from time to time, but there were 5,376 Japanese who answered that or substantially the same question with an unqualified "No." There were an additional 446 who answered it with a qualified "No," and an additional 234 who gave no reply whatever. After the W. R. A. had continuous trouble in these relocation centers they finally decided to move the unqualifiedly disloyal Japanese to Tule Lake, some 16,000 of them. So we have the spectacle of having some 16,000 Japanese, most of whom are American citizens, avowedly disloyal to the United States, locked up behind a fence.

The Attorney General proposed a bill whereby these Japanese could sign a written renunciation of their nationality in the United States, which would put them in a position of being aliens, and thereby the Government of the United States in a better position to deal with them now and after the war. There is only one basic difficulty in that bill, and that is that it requires a further and additional act of renunciation of loyalty on the part of those Japanese. We in California do not think they are going to make that renunciation and that such should not be necessary. The Attorney General will prepare a form, and I presume will circulate it around among the Japs. Those who want to will step up and put their names on it, and those who do not want to will not do it, notwithstanding any previous declaration of disloyalty they have made, or any previous acts of disloyalty. The amendment proposed by the gentleman from California [Mr. J. LEROY JOHNSON] seeks to go back to that original statement, the answer to question 28, or the actions of the Japanese in the relocation centers, and make those acts or declarations the basis of taking away their nationality, instead of our having to go around and say, "Please, Mr. Jap, will you now sign a written renunciation of nationality?"

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

Mr. ENGLE of California. I yield.

Mr. CAPOZZOLI. Under the terms of the amendment, would not that take in people of Italian or German origin?

Mr. ENGLE of California. It would apply as I understand it to anyone, and I assume that anyone who makes an unequivocal renunciation of nationality, whatever his nationality happens to be, should be in the same category.

Mr. JOHNSON of Oklahoma. Mr. Speaker, will the gentleman yield?

Mr. ENGLE of California. Yes; I yield.

Mr. JOHNSON of Oklahoma. I assume this is the gentleman's position, and that of the other Members from California, that if these Japs were disloyal and admitted their disloyalty a year or two ago, they are evidently disloyal at this time.

Mr. ENGLE of California. That is exactly the assumption we make, and further than that, we claim we ought not to have to go around now to these same Japanese who heretofore had said "No" to question 28, and say, "Please, Mr. Jap, sign a further declaration of disloyalty," before we can proceed against them as enemies of this country, and on the termination of hostilities deport them from the United States.

Mr. JOHNSON of Oklahoma. I think that is a fair position to take.

Mr. IZAC. Even if they were leaders, and committed an overt act out there and overthrew constituted authority in Tule Lake, this bill as it is now will not reach them.

Mr. ENGLE of California. That is correct, that is exactly the point—under the bill we can do nothing if they refuse to sign the paper prepared by the Attorney General.

RESOLUTIONS BY MEMBERS OF THE HOUSE OF REPRESENTATIVES FROM THE STATES OF WASHINGTON, OREGON, AND CALIFORNIA, IN REGARD TO TULE LAKE SEGREGATION CAMP, AND RESIGNATION OF DILLON S. MYER, NATIONAL DIRECTOR OF THE WAR RELOCATION AUTHORITY

Whereas the Tule Lake camp under the jurisdiction of the War Relocation Authority has become a segregation center for the housing of Japanese, and American-born persons of Japanese descent who have declared their loyalty to the Emperor of Japan, and their immediate families; and

Whereas such persons have virtually placed themselves in the category of enemy aliens: Now, therefore, be it

Resolved by the Members of the House of Representatives from the States of Washington, Oregon, and California, whose names are appended hereto, That the President of the United States be requested to transfer the supervision and direction of such or any such camps to the jurisdiction of the Department of Justice; and

Whereas recurrent disturbances, strikes, and riots within the war relocation centers have from time to time focused attention on the War Relocation Authority; and

Whereas since its inception there have been continuous charges against the War Relocation Authority of incompetence, extravagance, and inefficiency in the management of the camps, and coddling, appeasing, and concessions to disloyal and trouble-making inhabitants of the camps, which charges have been supported in considerable measure by investigations made by a committee of the House of Representatives; and

Whereas in particular, it appears that proper precautions have not been taken for the internal security of the camps, either for the inhabitants or the administrative personnel in the camps, and proper measures for fire protection, safeguarding, and economical use of governmental property in the camps have not been taken; and

Whereas the public generally and on the Pacific coast in particular has lost confidence in the present administration of the War Relocation Authority and the inhabitants of the camps themselves have demonstrated a lack of respect for and confidence in the War Relocation Authority: Now, therefore, be it

Resolved by the Members of the House of Representatives from the States of Washington, Oregon, and California whose names are appended hereto, That the President of the United States be, and he hereby is, requested to require the resignation of Dillon S. Myer, the National Director of the War Relocation Authority, and the President of the United States is hereby petitioned to appoint a new National Director of he War Relocation Authority with directions and authority to make necessary changes in the personnel and administrative procedure to secure adequate measures of internal security within the camps and proper and efficient use and safeguarding of Government property in said camps; and be it

Resolved by the Members of the House of Representatives from the States of Washington, Oregon, and California, whose names are appended hereto, That the said members support legislation that in principle will provide that any citizen who shall be convicted of knowingly and intentionally expressing, either orally or in writing, loyalty to a foreign state, shall be deprived of his citizenship, and his expatriation or deportation ordered; and be it further

Resolved, That the foregoing resolution be transmitted to the President of the United States.

Dated January 26, 1944.

HARRY R. SHEPPARD, CLAIR ENGLE, CLARENCE F. LEA, ALFRED J. ELLIOTT, RICHARD J. WELCH, BERTRAND W. GEARHART, CARL HINSHAW, JOHN PHILLIPS, WALT HORAN, HOMER D. ANGELL, LOWELL STOCKMAN, HAL HOLMES, J. LEROY JOHNSON, THOMAS ROLPH, JOHN Z. ANDERSON, NORRIS POULSON, JOHN M. COSTELLO, CECIL R. KING, JAMES W. MOTT, HARRIS ELLSWORTH, FRED NORMAN.

The SPEAKER. The time of the gentleman from California has expired.

Mr. SABATH. Mr. Speaker, I yield 2 minutes to the gentleman from Arizona [Mr. HARLESS].

Mr. HARLESS of Arizona. Mr. Speaker, we have approximately 25,000 Japanese interned in our State, and no one could be more interested in this legislation than I, because we are very much concerned that some of these people may be left there to mingle with our people when this war has been completed. However, I am interested in seeing any legislation that might be adopted constitutionally, and that under it we should be able to take these people out of our country. I sat for several hours last summer, and I heard some of these young people denounce our Government. It made me feel a definite revulsion against this sort of people. I have been informed, and as an attorney I am sure of it, that if we try to make any legislation ex post facto, these good people would not be so reluctant as to stand back and take it. They will go to the Supreme Court of the United States and throw this legislation out. Anything that we pass here must be so that it will stand up. We want them if necessary to get their renunciation again, but let us not be so stupid as to pass legislation which may be declared unconstitutional.

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

Mr. HARLESS of Arizona. I have only 2 minutes. Anything we pass should require an overt act, to protect all these other people who may come under the same regulation. I have studied the committee bill, and I think it will take care of these people who are absolutely disloyal to our Government. We must be careful in weighing this measure, as it applies to all people in the United States. We want to get rid of the Japanese in this country who have been disloyal and are disloyal. Let us pass legislation as proposed by the committee, and then get the overt act by the Attorney General, and we can eliminate them permanently from our country.

Mr. SABATH. Mr. Speaker, I am just as anxious as any gentleman from California in bringing about the deportation of any and all of these Japanese. I am more or less familiar with the situation in his State. I have spent a great deal of time there, and I do not blame the people of California for their intense feeling, but unfortunately, in view of all factors, this is the best legislation that we can present for consideration at this time. I do not want to forego the opportunity at least to bring about the departure of two or three thousand disloyal Japanese whom we can use in exchange for our boys held as prisoners over there, though it is my feeling that we should get 50 Japs for every American.

I am concerned with the statement of the gentleman from California [Mr. GEARHART] when he voiced the opinion this proposed legislation, if enacted, will permit some persons to avoid military service should they renounce their citizenship. Is the gentleman aware that under our draft law we can take into our armed services any alien and that aliens are being inducted in the service and we are permitting them to be naturalized? But who would favor getting disloyal people like these in the service anyway? The sooner we get rid of them the better. Here is an opportunity to do so under a bill that is constitutional, and we must not take any chance in passing legislation that the Supreme Court may decide is unconstitutional.

Mr. GEARHART. Only a few hundred have asked the privilege of voluntarily renouncing their American citizenship, whereas there are 122,000 Japanese in continental United States, thousands of whom are disloyal but none of these could be deported under your bill without their consent.

Mr. SABATH. The gentleman said a little while ago that there was close to 6,000 who did sign the petition.

Mr. GEARHART. When there was no law under which they could expatriate themselves, 2,000 asked for the privilege, but when you put this on the statute books, only about 300 will do it.

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

The SPEAKER. The question is ordering the previous question.

The previous question was ordered.

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

The resolution was agreed to.

Mr. DICKSTEIN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4103) to provide for loss of United States nationality under certain circumstances.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill, H. R. 4103, with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

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

Mr. DICKSTEIN. Mr. Chairman, I yied 5 minutes to the gentleman from Louisiana [Mr. ALLEN].

Mr. ALLEN of Louisiana. Mr. Chairman, this bill undertakes to do one thing and one thing only. I am afraid that some of our friends misunderstand the purport of the bill. I regret very much that our friends from California, whom we are trying very hard to help, have seen fit to raise objections to the bill.

Mr. GEARHART. Mr. Chairman, will the gentleman yield for an observation?

Mr. ALLEN of Louisiana. Not just now.

Mr. GEARHART. Perhaps I understand it too well.

Mr. ALLEN of Louisiana. The truth of the matter is that the committee had several bills before it. The committee tried to solve the problem. I want to interject a statement at this point, which I think the Members of the House know, that there is often a wide divergence of views in the Committee on Immigration and Naturalization. I respectfully submit when you see that committee get together on a public bill it deserves the earnest consideration of the House. When you see the gentleman from New York, the able chairman of the Committee on Immigration and Naturalization, and myself agreeing on an immigration matter, I think it is at least worth considering. The gentleman from California proposes to submit an amendment here and I want to direct my remarks to that amendment. The bill has been rather thoroughly discussed. But if the amendment which the gentleman from California proposes to submit should prevail you immediately place precious American citizenship, the citizenship of people who were born here, in jeopardy. Bear in mind that this bill is general. It must be general. It would be unconstitutional otherwise. The amendment proposed by the gentleman from California in its present form would make oral testimony and all sorts of testimony admissible to take away the citizenship of any native-born American. Under that even perjured testimony could be used to strip a native-born American of his citizenship and he might be kicked out. Again bear in mind his amendment applies to everybody. Whose citizenship would be secure? Do they want to go to the extent of placing everybody's citizenship in jeopardy? People who were born here and whose parents were born here and so forth?

I doubt this Congress wants to do that. I doubt the American people want to go that far. As for the Japanese, I do not think any man in this House has a greater detestation for them than I do. No man in this House would go further in dealing with these people than I would. I am willing to adopt any measures necessary in dealing with them. They deserve no pity and they shall get none from me. But in passing laws here we must have some regard for the opinion of the Attorney General of the United States. The Committee on Immigration and Naturalization, your committee, has studied this question thoroughly. We did not go into this matter in a haphazard way. We gave consideration to every bill that was presented. Every Member, I think, wanted to go as far as he could. We are in entire sympathy with the objective of our friends from California. Your committee received the benefit of a thorough study of all these bills by the Department of Justice and did not act on any bill until the Department of Justice had a chance to give thorough study to the question. As a result of that thorough study by the committee and as a result of the thorough study of the Department of Justice, we have brought out this bill designed solely to enable persons to divest themselves of citizenship who say in writing that they do not want American citizenship, that they do not want to remain citizens of this country, that they wish to give up their citizenship. We want such people to have a chance to become alien enemies. At the present time they are not alien enemies; they are American citizens. We want to convert their status from citizens of the United States to the position of alien enemies. That cannot be done under the law as it stands, so says the Attorney General. Who can object to that? Of course, we want to go further and we may find a way to go further. I hope the Justice Department can work out some plan to

go further, but let us at least go this far now.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DICKSTEIN. Mr. Chairman, I yield 3 additional minutes to the gentleman from Louisiana.

Mr. ALLEN of Louisiana. As I stated, the Justice Department has made an exhaustive study of the law and tells us that there is now no way for these disloyal persons to renounce their citizenship and thus become alien enemies. This bill provides that way. That is all it does. If these persons do not want to keep their American citizenship, certainly we do not want them to keep it. This bill is the first step to get rid of a lot of Japanese. Other steps may follow, but we must start. Frankly, this bill was prepared by the Justice Department and is requested by that Department to accomplish a specific purpose.

Now, as to naturalized Americans, we have a remedy now for dealing with them. That is not the immediate problem presented in this bill. We are dealing here with people who were born here—native-born Americans. Now, to amend this bill to deprive native-born Americans of their citizenship on oral and all sorts of other testimony, as I understand the amendment proposed would do, is a matter of doubtful constitutionality, to say the least, and one which should be approached with great caution. I value my American citizenship. I am thinking of the Apostle Paul who declared that he was born a Roman citizen and he valued his citizenship. People who are born here are citizens by our law.

I want to say to you again that we studied this thing carefully. We are willing to go as far as we can go. If the gentleman from California or anyone else will submit a bill to our committee and will get the Attorney General of the United States to say that that bill is constitutional, I will give any such bill my earnest consideration and support it if I can. But let us pass this bill now, for it will be a definite step in the right direction and will solve an immediate pressing war problem.

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

Mr. MASON. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. GEARHART].

Mr. GEARHART. Mr. Chairman, confusion runs apace. If there is any Member who thinks we are going to be able to deport any disloyal Japanese or disloyal Germans under this legislation, I would suggest that he read the bill.

No one will be expatriated and become subject to deportation except those who voluntarily go up to the Office of the Attorney General, knock on the door and ask for that privilege. At one time, so I am told, some 2,170 Japanese indicated that they wanted to repatriate themselves to Japan. Well, there was not any law then under which it could be done. When you write this statute on the books and it becomes possible for them to do it, I give you as my best opinion not more than two or three hundred Japanese will then repeat their request to renounce their American citizenship. Since their first declarations they have been hearing something about the results of the contest upon the battlefields and upon the high seas. Those Japanese that were so full of love for Japan a year ago are not so enthusiastic for that country's chances of success as they were. So, instead of getting rid of any large number of Japanese you will only get rid of a handful, practically none at all.

Unless you adopt the Johnson amendment you will not be able to even consider the involuntary deportation of any Jap, even if he might be a person that hates us, that has a stiletto in his hand and is awaiting an opportunity to kill an American official or to blast and destroy our military establishments.

So we will have to adopt the Johnson amendment to make this bill even slightly respectable.

Some of the speakers who have preceded me have been boasting a bit of their legal training, pointing out that they are lawyers, this as a prelude to announcing that we cannot use evidence of occurrences which happened before the act went into effect to establish grounds for expatriation of the disloyal Japanese. The matter of deprivation of American citizenship is not a criminal proceeding. It is a civil proceeding. Therefore, that provision of the Constitution prohibiting expost facto laws does not apply. We can constitutionally pass retroactive legislation dealing with this subject. The Johnson amendment is entirely constitutional in this particular.

The reason I object to this is not because of any love I might have for the Japanese, for it will not affect enough Japanese to count. The reason I am against this legislation is because it is inherently bad. America should never set up any star-chamber proceedings, clothing any persons with authority to take citizenship away from Americans behind secret doors. This applies, Mr. Chairman, to natural-born citizens just the same as to those acquiring citizenship by naturalization.

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

Mr. GEARHART. I am glad to yield to the distinguished gentleman from southern California.

Mr. HOLIFIELD. In placing this power in the hands of the Attorney General, would it not recall to many of us the things that happened in the last war under Attorney General Palmer, the witch hunting that occurred at that time; and would this not be empowering some other Attorney General, not necessarily the one there now, but perhaps one at some future date, to do the same thing that Attorney General Palmer did?

Mr. GEARHART. I entirely agree with the gentleman. Who can say that there will not be third-degree methods used in these star-chamber proceedings which this act will authorize; that men will not be compelled to sign "voluntarily under compulsion"—a paradox, indeed, but nevertheless one that can be understood by those who, like myself, know something about the overzealousness of some law-enforcing officers.

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

Mr. GEARHART. I am glad to yield to the able gentleman from central California.

Mr. OUTLAND. Is it the gentleman's opinion that statements made in the past by Japanese renouncing citizenship can be used? I think that is an important point. If it is possible, by all means it should be used.

Mr. GEARHART. The renouncements that occur in Japanese consulates?

Mr. OUTLAND. No. Statements that have been made by Japanese-Americans, where they said they would like to return to Japan or they did not owe allegiance to America. I should think that statements of that kind made in the past should be used.

Mr. GEARHART. If the Johnson amendment is adopted disloyal statements as well as disloyal conduct can be proved and if the evidence is sufficient to justify it an American citizen of Japanese ancestry can be legally deprived of his American citizenship and, as a proven alien enemy, be deported at the convenience of the United States.

Mr. OUTLAND. I thank the gentleman.

The CHAIRMAN. The time of the gentleman from California [Mr. GEARHART] has expired.

Mr. DICKSTEIN. Mr. Chairman, I yield 5 minutes to the gentleman from Texas [Mr. GOSSETT].

Mr. GOSSETT. Mr. Chairman, the gentleman from California [Mr. GEARHART] has made one of the most inconsistent arguments it has been my privilege to hear. In the first place, in his remarks on the rule he stated that if this bill were passed it would open the door to escape from the draft, escape from the payment of taxes and what not. An alien is subject to the draft; an alien is subject to the payment of taxes. This bill will not relieve anybody of anything except American citizenship for which they have expressed dislike. The burden of the gentleman's argument is: "If you do not do it like I want it done, you should not do it at all."

Then the gentleman proceeds to say that this law will permit star-chamber proceedings. I submit he is grossly in error. No star-chamber proceedings can be possible under this legislation. But, granting that it could be, granting for the sake of the argument that what the gentleman says is true, the situation for which he contends would be far worse than his expressed fears of this bill. He wants to legalize hearsay testimony and to make past offenses the basis of present crime. He wishes to deprive persons of citizenship by ex post facto legislation.

Mr. GEARHART. Will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. GEARHART. Proceedings in open court are not star-chamber proceedings, nor are they secret.

Mr. GOSSETT. But, you want to convict a man for what the man said last year.

Mr. GEARHART. The same as you convict him of murder on things he did and said before he came to court.

Mr. GOSSETT. You do not convict a man of murder under a law passed today if the murder were committed a year ago.

Mr. GEARHART. But the distinction is not fair, because you are talking about a criminal statute and I am talking about a civil proceeding, against which the ex post facto law does not operate. You can pass retroactive laws legally.

Mr. GOSSETT. The Attorney General disagrees with you insofar as this legislation goes.

Mr. GEARHART. I read today decisions of the Supreme Court holding that naturalization proceedings are civil proceedings and not criminal.

Mr. GOSSETT. There are probably many other decisions bearing upon this situation which the gentleman has not read.

Mr. DICKSTEIN. Will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. DICKSTEIN. After denaturalization a man is subject to deportation, under a warrant of deportation, which is equal to a quasi-criminal proceeding.

Mr. GOSSETT. That is true.

Now, frankly this bill does not go nearly as far as I would go. But that is no basis for objecting to this bill. Because you cannot deprive everybody in this country who ought to be deprived of citizenship is no reason for not accommodating those who wish to expatriate themselves. You will recall a story which appeared in the newspapers about some lady in the Middle West somewhere——

Mr. GRAHAM. That was in Detroit, in the United States district court.

Mr. GOSSETT. I thank the gentleman. That is correct. Some lady came in and said she wished to God she could go back to Germany, that she did not appreciate her American citizenship, that it was a burden to her and she wanted to divest herself of her American citizenship. Now, who under heaven would contend for a minute that any person who wishes to divest himself of his American citizenship should not have that privilege? That is simply permitting one to expatriate himself who wishes to do so.

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

Mr. GOSSET. I yield.

Mr. NORRELL. Why is it then, if the gentleman takes that position, that we should not take away the citizenship of Japanese who have declared that they did not want American citizenship; that they wanted to maintain their citizenship in Japan, in answer to question No. 28?

Mr. GOSSETT. If they repeat and reaffirm that answer, under this bill they would be deprived of citizenship.

Mr. NORRELL. Why require them to repeat and reaffirm? Do you take it that it would be unconstitutional?

Mr. GOSSETT. We are not passing this act just to apply to Japanese. This act applies to everybody. At some time a reasonably good citizen may have said something derogatory of his American citizenship. He may have repented of that. In an abundance of precaution we want to close the door to any fraud, to any conviction of a person on hearsay testimony, to any frame-up by his enemies. We are being particularly cautious in this matter in order to avoid injustices.

Mr. J. LEROY JOHNSON. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. J. LEROY JOHNSON. Is there any objection to having a court hold an open hearing and find that a man did in fact expatriate himself?

Mr. GOSSETT. No.

Mr. J. LEROY JOHNSON. Under his writings, or by his conduct?

Mr. GOSSETT. I have no objection to that.

Mr. J. LEROY JOHNSON. That is all my bill provides.

Mr. GOSSETT. Except that you are going to convict him for something he did last year.

Mr. LEROY JOHNSON. I am willing to omit the oral part in that bill, and leave it to his written statements and to his conduct.

Mr. GOSSETT. Under the gentlemen's suggestion if this matter is placed in the courts and there is a court action the respondent or defendant could appeal from the trial court to the Court of Civil Appeals, then to the Supreme Court and put the country to a great deal of expense. We want to simplify it, if you please.

Mr. J. LEROY JOHNSON. We do not care about the expense; we want to get rid of these people who are clearly disloyal and have expatriated themselves; that is all we want.

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

Mr. DICKSTEIN. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. GOSSETT. Again, I think you will get quicker action under this bill than under the gentleman's proposal.

Mr. ALLEN of Louisiana. Mr. Chairman, will the gentleman yield?

Mr. GOSSETT. I yield.

Mr. ALLEN of Louisiana. The gentleman from California wants to include in his amendment the conduct of an individual in addition to his writing. When you include conduct does not that open the entire field of oral testimony again?

Mr. GOSSETT. I think so unquestionably.

Mr. Chairman, I want hurriedly to summarize what seem to me to be the objects of this bill. This bill simply adds another subdivision to section 401 and provides a method through which a person resident in this country can of his own volition denaturalize or expatriate himself. If it does not go as far as you want it to go you should be glad that it goes as far as it does. This thing of American citizenship has always been a precious heritage. We do not want to deprive anyone of it lightly, and yet we want the man who comes in and signs a written statement saying: "I want to get rid of my American citizenship" to be accommodated; we want to accommodate him in the simplest, easiest, and cheapest way possible. I want to remind you that this does not go as far as I want to go, but it goes as far as the Attorney General thinks we can go at this time. Mr. Chairman, the loss of citizenship is a serious matter. More than a century ago Sir Walter Scott expressed himself on the value of citizenship or loyalty in the following lines:

Breathes there the man, with soul so dead,
Who never to himself hath said,
This is my own, my native land!
Whose heart hath ne'er within him burn'd
As home his footsteps he hath turn'd,
From wandering on a foreign strand?
If such there breathe, go, mark him well;
For him no minstrel raptures swell;
High though his titles, proud his name,
Boundless his wealth as wish can claim,—
Despite those titles, power, and pelf,
The wretch, concentred all in self,
Living, shall forfeit fair renown,
And, doubly dying, shall go down
To the vile dust, from whence he sprung,
Unwept, unhonored, and unsung.

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

Mr. DICKSTEIN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose, and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H. R. 4103) to provide for loss of United States nationality under certain circumstances, had come to no resolution thereon.

EXTENSION OF REMARKS

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the Appendix of the RECORD and to insert therein an article which appeared in the New York Times with respect to farm income having risen to $19,000,000,000 in the year 1943.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Under the previous order of the House the gentleman from California [Mr. POULSON] is recognized for 25 minutes.

OIL—THE LIFEBLOOD OF OUR NATION

Mr. POULSON. Mr. Speaker, today and every day we are shipping to our boys on the fighting fronts unbelievable quantities of vital supplies—food and clothing and trucks and guns and tanks and planes and ammunition. It is no military secret that two-thirds of the gigantic shipping space which carries those supplies of war is filled with oil and gasoline and other oil products.

Let me make that clear. Two out of every three tons of war supplies being carried to our armies abroad are tons of oil.

According to Secretary Ickes, one of our battleships burns up 1,000,000 gallons of oil on just a short cruise. When our Flying Fortresses fly from England to Berlin in a thousand-plane raid, they

burn up 2,000,000 gallons of gasoline. That is enough gasoline to fill the tanks of 125,000 American automobiles. That much gasoline would take your car or mine on 5,000 round trips from Washington to California. And remember that 2,000,000 gallons of gasoline takes care of only one such raid over Berlin.

On the home front, ordinary peacetime consumption of oil in the United States amounts to 450 gallons per capita. That means energy available to American citizens equivalent to the work of 4,500,000,000 men laboring 8 hours a day 6 days a week year in and year out. In effect, our petroleum provides us with an average of 36 strong, able-bodied slaves for every man, woman, and child in the United States; for the average American family, petroleum does the work of a staff of 144 servants.

We are having it proved to us in most dramatic terms that the world of today—in war as well as in peace—floats on a sea of oil.

At the same time we are told that up to the present time 65 percent of all of the oil that the entire world has used has come from American wells. We are told that the known reserves of oil in this country are rapidly dwindling. It is obvious that our country cannot maintain a sound economic position in the postwar world if this lopsided situation is allowed to continue.

It is no wonder that we are beginning to get excited about oil supplies. It is no wonder that we are getting out our maps of the world, trying to find out where the known oil reserves of this earth are, and trying to work out arrangements which will insure access to those reserves for the United States. Decisions on oil are being made here in Washington today which can exert a deciding influence on the history of the world for the next hundred years. For now we know that any nation's standard of living in peacetime and her power in time of war will depend to a great extent on the freedom with which she has ready access to sufficient supplies of oil.

Those decisions about oil supplies must be right decisions. As representatives of the people of this country, it is our business to see that they are right decisions.

Everybody knows that we need oil. But some of the people who are making these decisions seem to be overlooking the further fact that we want that oil to be where we want it when we want it.

On February 27, 1923, almost exactly 21 years ago, our Government set aside 35,000 square miles around Point Barrow, Alaska, as a naval oil reserve. This huge slice of Alaska—about 22,400,000 acres—is known by geologists everywhere as one of the most promising oil lands on the face of the earth. Twenty-one years ago oil there was seeping out of the earth in some spots. Today it is literally oozing out in small streams.

I have talked here about this Point Barrow reserve on four different occasions. There seem to me to be new reasons for calling it to your attention again.

Why did we want that oil reserve at that particular spot 21 years ago? Because we knew that the time might come when Alaska would have to be protected from attack by the Japanese. If that time came, we knew that having oil in Texas or California or Pennsylvania was not going to be good enough. We would have to have it in Alaska.

As I have pointed out here before, I wanted to know just how valuable as oil reserves those 35,000 square miles of Alaskan land around Point Barrow were. Let me summarize some of the things I found out. In an article in the January issue of Harper's Magazine, Wallace E. Pratt, one of the world's outstanding geologists and vice president and director of Standard Oil of New Jersey, says:

> The Point Barrow oil contains a valuable lubricating fraction and is low in sulfur, a common deleterious impurity in crude oil. Weathered samples show a gravity of 18.6 degrees, American Petroleum Institute scale, but the fresh oil might be of lighter gravity.

I have also consulted on this matter with William T. Foran, a geologist who has spent many successful years in oil exploration in South America and in the Near East. He is one of the few geologists who has spent any length of time in Alaska studying at first hand the possibilities in the Point Barrow reserve. In 1923–24 he conducted surveys there for our Government.

Mr. Foran tells me that the seepages there at Cape Simpson are undoubtedly the result of a slightly fractured oil pool, with fault vent to the surface, and that this occurrence is evidence of the most positive nature that oil has accumulated in the subjacent area. He says that no less than eight major anticlines suited to accumulation of oil traverse the reserve area from east to west. The source region for oil in this region, according to Mr. Foran, is suggested by the presence of rich oil shales occurring in the zone below the coal series, and he notes that porosity, sand, and shale conditions in this lower series are well suited to the migration and pooling of oil. His analysis of the residue of the seepage oil suggests that it is comparable to Gulf coast crude and quite similar to crude from the Blue Ridge field of Texas.

It is Mr. Foran's opinion that, of all the probable areas in which oil may be found in Alaska, this Barrow reserve shows unusual possibilities. Having all the geological qualifications of a great potential oil area, it is, he believes, one of the most attractive untested areas on the whole North American Continent.

Now what happened to the development of the Arctic's oil resources between 1923 and the outbreak of this war?

On this 22,000,000 acres of precious oil reserve at Point Barrow, nothing happened. Not even one exploratory drill was put down to enable the United States Navy to find out just how much oil it had in this vast reserve withdrawn from the public for some future emergency.

In other parts of Alaska a great deal happened. Private industry, risking vested capital in the constant competition to find new sources of oil, went prospecting. Early efforts were made in a narrow strip along the coast at Yakataga clear across Alaska to the south from the Barrow reserve. Sixteen wildcat wells were drilled in the Kanatak-Alaska Peninsula region. From 1923 to 1926 Standard Oil of California drilled without success on the most attractive looking structure over in the Alaska Peninsula region. Another deep and expensive failure was drilled there by the Associated Oil Co. of California. Wildcatting in this area costing more than $3,000,000 finally came to a halt in 1938 when one of the deepest tests of the region—a joint operation of Standard of California, Tide Water Associated, and Union of California—was abandoned when the test well reached a depth of 7,596 feet.

All of this effort confirmed the shrewd judgment of the Navy. They had looked the whole situation over and then put their own fence around the 35,000 square miles of land which everybody agrees is the most likely oil land in Alaska.

Meanwhile, a Canadian oil company, Imperial Oil Ltd., had drilled over at Fort Norman, across the border in Canada. They found oil. There wasn't much market for it up there in the frozen north, so for 20 years production was restricted to an average of 80 barrels a day. This took care of the local trade.

Now let's look at what happened 20 years later.

What the Navy thought might happen some day did happen. In 1942 the Japs did attack Alaska. We needed oil in a hurry, and we needed it in Alaska, not in Texas or Pennsylvania.

I have criticized General Somervell on this floor for the awful waste and extravagance in building that 500-mile-pipe line from Fort Norman to Whitehorse over one mountain range after another, and for the many other aspects of that whole Canol business which authorities have pointed out as hasty and ill-advised.

But in spite of that criticism, I will say that the general found himself on a spot when the Japs landed in the Aleutians. The Army had to have gasoline and oil in Alaska. And the Army had to have it in a hurry. The Navy could not give the general tankers or convoys to get it there by sea. He could not haul it overland across Canada. He went to the only proven oil wells anywhere near Alaska and made a contract with their owners to expand their production.

Where was our precious United States naval oil reserve then—this 22,400,000 acres of land set aside for use in case Japan attacked Alaska? It was just where it was 20 years before—lying up in the cold North with oil seeping out of ground never yet pierced by a test well. Failure to develop that Barrow reserve cost the taxpayers of this country $130,000,000. That is what we paid for the Canol project.

Earlier this month Secretary Ickes announced that the Government had contracted to spend another $165,000,000 to build a 1,200-mile pipe line from the Persian Gulf to the Mediterranean Sea. The announced purpose is to make oil available to us when and where we need it. Again I ask, What about the Barrow

reserve located in one of the most strategic spots right here in our home territory—not half-way around the world and 10,000 miles away in a region we cannot possibly hold or defend?

There are three pertinent questions to be asked about this 22,400,000-acre Barrow reserve: First, Can it be developed now? second, Do we need to develop it now? third, Who should develop it now?

First, then, Can it be developed now?

Let me quote again from the statement by Wallace Pratt:

> The country is ice-bound and barren of timber. The unfavorable climate, the lack of marine transportation facilities, the isolation, and the bleak environment have discouraged development. For a Navy that has been interested in petroleum principally as fuel for battleships, a reserve so ice-bound as to be inaccessible to the fleet for three-quarters of the time has had little appeal. With the impetus given aviation in Alaska by the present war this attitude may change. Five hundred miles south of Point Barrow is Fairbanks, the inland metropolis of Alaska, which has become a great center of flying activity and a main base, both civil and military, for airplane maintenance and supplies including aviation fuel and lubricants.
>
> * * * The operation of oil wells and a modern cracking plant at Point Barrow could be made largely independent of weather. Products such as aviation fuels could be moved southward by pipe line across the Endicott Range to Fairbanks despite ice and low temperature. The ice-bound Arctic coast is not an insuperable obstacle to the development of this promising prospect.

Other oilmen with whom I have talked agree with this statement.

The next question is, Should this reserve be developed now?

As I said earlier, this business of getting more oil for our country really means having plenty of oil where we want it when we want it. Our question therefore simmers down to this:

Do we need plenty of oil in Alaska?

If you will look at any one of the hundreds of new maps of world airways, you can see the answer to that question immediately. We are not going to have to wait until after the war for Fairbanks, Alaska, to become a key point in the system of international transportation by air. Fairbanks is today in the straight line of our Army Air Transport Command route to China and India. After the war, it will be a junction stop on the way to China, India, Australia, the Near East, and Russia. It must be a refueling stop, too. Alaska, the last of our frontiers, will undoubtedly see a period of development after this war comparable only to the rapid development of our western plains after the Civil War. We will need oil in Alaska in great quantities for peacetime operations. And the Barrow reserve is the best known source of that oil.

When we sit around the economic peace table after this war, the fact that we are developing this giant Barrow reserve of oil might easily be a most important fact.

And what of the military value to our Nation in developing this reserve now? Like every other American, I hope there will never be another war. But I have learned my lesson. I know that the only way to prevent war is to be prepared for war. We must be prepared to defend any spot of our soil against any combination that is likely to be raised against us. And if there is to be another war, Alaska cannot be defended without plenty of oil. And the only way to prevent attack against Alaska in the future is to have enough oil there to meet any attack. I have been reliably informed that long before their attack on Alaska in 1942, the Japs made a tour of that territory around the Barrow reserve to see whether or not it offered any threat against invasion.

If this great oil reserve can be developed now, if it should be developed now, then who should develop it?

For that question I do not have an answer, but I want to see responsible authorities get to work now to find the best answer. With its splendid organization of Seabees, the Navy itself could develop it. Maybe the Army and Navy should develop it together. Maybe it should be developed with funds provided by the Petroleum Reserve Corporation. Maybe it should be turned over to private industry to develop. It is certainly true that thus far in the history of oil development, private companies alone have shown the continuous initiative and enterprise which gets things done, and, under the pressure of constant competition, gets them done without the extravagant waste of time, money, material, and manpower.

Gentlemen, I want again on this floor to ask the United States Navy what it proposes to do now with the 22,400,000 acres of oil land in the Barrow Reserve?

The SPEAKER. Under the previous order of the House the gentleman from New York [Mr. DICKSTEIN] is recognized for 20 minutes.

THE BALFOUR DECLARATION; PALESTINE, THE JEWISH HOMELAND

Mr. DICKSTEIN. Mr. Speaker, the Balfour Declaration is a sort of a Magna Charta for the Jewish people of Europe, especially at this time when most of the nations saw fit to indulge in a campaign of extermination and when Hitler and his satellites are doing everything in their power to destroy the Jewish people.

The only place which these people can find to reestablish their lives and to make a new home is Palestine. Palestine is not a British possession. Britain was only given a mandate by the League of Nations, a mandate which makes it a trustee for the benefit of the people of Palestine, and which is based on Britain's declaration that "His Majesty's Government will facilitate the establishment in Palestine of a Jewish homeland."

In 1924 our Government became a "contracting" party to the Palestine mandate. This was effected by a convention signed between the United States and Great Britain, in which there appeared these significant articles:

First. That no discrimination shall be made among the inhabitants of Palestine on the grounds of race or religion or language and that no person should be excluded from Palestine because of his religious beliefs.

Second. This convention could not be modified except with the consent of the United States.

Notwithstanding these specific provisions of our convention with Great Britain, the British Government without consulting us, and without obtaining permission from this country, issued what is known as the Palestine White Paper.

Under this so-called White Paper, it was provided, among other things, that Jewish immigration to Palestine should be limited to not more than 75,000, and that this total must be reached by March 31, 1944, after which no Jews would be allowed to enter Palestine. In other words, the Jewish homeland would be the only place from which Jews would be absolutely barred as Jews—in spite of the fact that Britain solemnly pledged herself to establish a Jewish homeland in Palestine.

Our Government cannot permit that a friendly government like that of Great Britain should thus flout its own solemn pledge in favor of the Jewish homeland in Palestine.

It is also of importance to note that while most of the countries in the Near East are straddling and "sitting on the fence," not giving the United Nations the slightest help or cooperation in the war, it is the Jews of Palestine who participated in this war to the fullest extent. They have written a vivid chapter of brilliant, eager, and courageous participation in the war on the side of the United Nations. Their self-sacrifice and courage have excited the admiration of the British and American officers under whom these men and women have served.

Pierre van Paassen has called the Jewish participation in the war and the extraordinary heroism displayed by the Jews in Palestine during all of the campaigns in the Near East as the best-kept secret of this war.

But the secret is out. There is no question that Britain is entirely unjust in closing the doors of Palestine to Jewish refugees at a time when they need it most.

The New York Times has published an editorial which I will incorporate in my remarks:

THE WHITE PAPER

> According to the original provisions of the White Paper issued by the British Government on May 17, 1939, Jewish immigration into Palestine was limited to 75,000 for a 5-year period and was due to be stopped completely on March 31, 1944. Even that small quota was not filled because of war conditions, and the terms were modified last November to permit the entry of immigrants who were unable to reach the country before the deadline. But a mere extension of the time limit is not enough. As the end of the 5-year period draws near it is clearer than it was in 1939 that the ban imposed by the British after years of disorder and the failure of the abortive round-table conference was a stopgap rather than a solution of a complex and burning problem.
>
> The case for American intervention in this question is stronger than it was 5 years ago. The presence of our troops and supply depots in the Near East and our vital concern in peace and order in this strategic area give us a greater right to urge that the white paper should now be abrogated. At the time it was published this newspaper opposed the rigid limitation on the flow of immigrants into Palestine as unjust and unacceptable, and everything that has happened since confirms and strengthens that opinion. The increasingly desperate state of

those of Jewish faith in Europe has made it more than ever evident that in these tragic years the doors of any place or refuge, instead of being closed to a crack, should have been opened wider.

On the future political status of Palestine there is room for wide and deep divergences of view. This question remains, and promises to remain for a long time to come, one of the most complex and highly charged problems of post-war statesmanship. But it is significant that Jews and non-Jews, no matter how much they differ on this point, stand solidily in support of that part of the current congressional resolution that advocates American initiative in seeking to obtain the resumption of immigration. The hearings before the House Foreign Affairs Committee reveal general agreement on the justice and necessity of removing the White Paper ban. This is a fair reflection of public opinion in this country. The final settlement of the Palestine problem fits into the framework of the general peace. It depends on the code of justice and security the victors are able to establish. Meantime there can be no question that humanity and a sense of reality demand that the arbitrary ban should be lifted and immigration should be permitted on the most generous terms possible.

The Times is by no means a paper which favors Zionism, nevertheless it has taken the sound view that the British White Paper is at the present time a tremendous mistake.

On the basis of Britain's pledges, as well as for humanitarian reasons which we must not lose sight of, I respectfully urge that the Committee on Foreign Affairs recommend favorably the resolution requesting Great Britain to abrogate the White Paper and that the Congress of the United States take immediate action on it.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. DICKSTEIN. Mr. Speaker, I ask unanimous consent to revise and extend my own remarks and include therein an editorial from the New York Times.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. HOCH for the balance of the week, on account of official business.

EXTENSION OF REMARKS

Mr. ENGLE of California. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I made in Committee this afternoon and to include therein certain resolutions passed by the Pacific coast delegation on the Japanese question.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. ENGLE]?

There was no objection.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bill of the Senate of the following titles:

S. 199. An act for the relief of Robert Norheim;

S. 255. An act for the relief of Josephine M. Melchior;

S. 817. An act for the relief of George A. Rogers;

S. 921. An act for the relief of Mrs. Neola Cecile Tucker;

S. 933. An act for the relief of Lee S. Bradshaw;

S. 949. An act for the relief of Mrs. Anna Runnebaum;

S. 1077. An act for the relief of William A. Haag;

S. 1164. An act for the relief of Lucille Sleet;

S. 1288. An act for the relief of Luther Thomas Edens;

S. 1324. An act for the relief of the Wisconsin Electric Power Co.;

S. 1325. An act for the relief of Joseph Moret;

S. 1391. An act for the relief of W. R. Jordan and Mabel Jordan;

S. 1417. An act to authorize the Secretary of the Interior to donate and convey on behalf of the United States, to Jack Henry Post, No. 1, of the American Legion, Anchorage, Alaska, the wood-frame building, known as the Telephone and Telegraph Building, located on lots 7 and 8 in block 17, Anchorage town site; and

S. 1494. An act for the relief of the William J. Burns International Detective Agency.

ADJOURNMENT

Mr. MURDOCK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 2 minutes p. m.) the House adjourned until tomorrow, Thursday, February 17, 1944, at 12 o'clock noon.

COMMITTEE HEARINGS

COMMITTEE ON PUBLIC BUILDINGS AND GROUNDS

There will be meetings of the Committee on Public Buildings and Grounds at 10 a. m. Thursday, February 17, 1944, in the caucus room of the Old House Office Building, for the consideration of post-war planning.

COMMITTEE ON PATENTS

The Committee on Patents will hold a public hearing on Thursday, February 24, 1944, at 10 a. m. to consider H. R. 3264, to amend the patent laws.

COMMITTEE ON FLOOD CONTROL

SCHEDULE OF HEARINGS ON FLOOD-CONTROL BILL OF 1944, BEGINNING TUESDAY, FEBRUARY 1, 1944, AT 10 A. M.

The Flood Control Committee will conduct hearings on flood-control reports submitted by the Chief of Engineers since the hearings conducted in June 1943, and on amendments to existing law. The committee is definitely committed to the view that flood-control projects for post-war construction will be among the most satisfactory public works and the committee plans an adequate backing of sound flood-control projects available following the war.

1. Thursday, February 17: Continuation of the projects discussed on February 16.

2. Friday, February 18: General Reybold, General Robins, Colonel Goethals, other representatives of the Office of Chief of Engineers, and proponents and opponents of projects in other regions in the United States.

3. Tuesday, February 22: Representatives of the Department of Agriculture, the Weather Bureau, Bureau of Reclamation, and other governmental agencies.

4. Wednesday, February 23: Senators and Representatives in Congress.

EXECUTIVE COMMUNICATIONS, ETC.

1196. Under clause 2 of rule XXIV, a communication from the President of the United States, transmitting the budget for the Navy Department and naval service for the fiscal year 1945, containing estimates of appropriations amounting to $27,989,819,500 cash and $2,800,000,000 contract authorization, total cash and contract authorization, $30,789,819,500, and proposed provisions affecting said estimates (H. Doc. No. 423), was taken from the Speaker's table, referred to the Committee on Appropriations, and ordered to be printed.

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. RABAUT: Committee on appropriations. H. R. 4204. A bill making appropriations for the Departments of State, Justice, and Commerce, for the fiscal year ending June 30, 1945, and for other purposes; without amendment (Rept. No. 1149). Referred to the Committee of the Whole House on the state of the Union.

Mr. PRIEST: Committee on Interstate and Foreign Commerce. S. 1146. An act to amend section 31 of the Securities and Exchange Act of 1934; with amendment (Rept. No. 1150). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. S. 1633. An act to amend the act entitled "An act to provide for the training of nurses for the armed forces, governmental and civilian hospitals, health agencies, and war industries, through grants to institutions providing such training, and for other purposes," approved June 15, 1943, so as to provide for the full participation of institutions of the United States in the program for the training of nurses, and for other purposes; without amendment (Rept. No. 1151). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. House Joint Resolution 227. Joint resolution extending the period for the acquisition by the Railroad Retirement Board of data needed in carrying out the provisions of the Railroad Retirement Acts; without amendment (Rept. No. 1152). Referred to the Committee of the Whole House on the state of the Union.

Mr. BULWINKLE: Committee on Interstate and Foreign Commerce. S. 1386. An act making it a misdemeanor to stow away on aircraft and providing punishment therefor; without amendment (Rept. No. 1153). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. LANE:

H. R. 4205. A bill to grant additional compensation to certain veterans pursuing vocational training under part VII of Veterans' Regulation No. 1 (a), as amended; to the Committee on World War Veterans' Legislation.

By Mr. WEISS:

H. R. 4206. A bill to authorize the construction and operation of a bridge across the Monongahela River in the county of Allegheny, Pa.; to the Committee on Interstate and Foreign Commerce.

H. R. 4207. A bill to authorize the construction and operation of a bridge across the Monongahela River in the county of Allegheny, Pa.; to the Committee on Interstate and Foreign Commerce.

By Mr. FAY:

H. R. 4208. A bill to create a new Cabinet post to be named Secretary for Veterans; to the Committee on Expenditures in the Executive Departments.

By Mr. SULLIVAN:

H. R. 4209. A bill to further amend the Servicemen's Dependents Allowance Act of 1942, as amended, so as to provide for the relief of certain widows, children, and other dependents of servicemen who die as a result of injury or disease incurred in or aggrevated by military or naval service, and for other purposes; to the Committee on Military Affairs.

H. R. 4210. A bill to provide for determination of claims for benefits under the laws administered by the Veterans' Administration with respect to persons discharged from the armed forces because of disability, prior to the granting of such discharge, and for other purposes; to the Committee on World War Veterans' Legislation.

By Mr. DIMOND:

H. J. Res. 235. Joint resolution authorizing a preliminary examination or survey of Cook Inlet, Alaska; to the Committee on Rivers and Harbors

By Mr. TALLE:

H. J. Res. 236. Joint resolution to provide for a streamlined, simplified, and coordinated Federal tax system; to authorize and direct the Joint Congressional Committee on Internal Revenue Taxation to make studies and recommendations in connection therewith; and to provide for the creation of a temporary advisory council to said committee; to the Committee on Ways and Means.

By Mr. VOORHIS of California:

H. Res. 442. Resolution to create a committee of the House to investigate the petroleum industry and problems of petroleum supply; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. MASON:

H. R. 4211. A bill for the relief of Ralph J. Herrick; to the Committee on Claims.

By Mr. HARRIS of Virginia:

H. R. 4212. A bill for the relief of Robert Rowe and Mary Rowe; to the Committee on Claims.

H. R. 4213. A bill for the relief of Karl Lungstias; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

4898. By Mr. CUNNINGHAM: Petition of the Zetetic Club, of Indianola, Iowa, with 24 signers, protesting against the passage of Senate bill 1161, the Murray-Wagner bill; to the Committee on Ways and Means.

4899. By Mr. GOODWIN: Resolution of the Maplewood Ladies Aid, of Malden, Mass., regarding the abrogation of the British White Paper and the establishment of Palestine as a Jewish commonwealth; to the Committee on Foreign Affairs.

4900. Also, petition of various and sundry persons of Malden, Mass., with reference to the abrogation of the British White Paper and the establishment of Palestine as a Jewish commonwealth; to the Committee on Foreign Affairs.

4901. By Mr. HANCOCK: Petition of Arthur R. Marquardt and other residents of Onondaga County, N. Y., containing approximately 600 signatures, opposing prohibition legislation; to the Committee on the Judiciary.

4902. By Mr. HILL: House Joint Memorial No. 1 of the first extraordinary session of the Thirty-fourth General Assembly, State of Colorado, urging the United Nations to take steps to find even temporary havens of refuge for homeless and hounded Jews, and requesting that Palestine be opened wide to Jewish immigration and that Palestine be reconstituted as a Jewish commonwealth; to the Committee on Foreign Affairs.

4903. Also, House Memorial No. 2, of the House of Representatives of the first extraordinary session of the Thirty-fourth General Assembly, State of Colorado, urging the Congress of the United States to take such steps as will provide for the commissioning in the Army of the United States of licensed chiropodists in order to serve persons serving in the Army with proper foot and leg treatment; to the Committee on Military Affairs.

4904. Also, House Joint Memorial No. 3 of the first extraordinary session of the Thirty-fourth General Assembly, State of Colorado, urging the Congress to assume the obligations of getting to the men and women in the armed services the absent voters' ballots prepared by the States, and to return said ballots to the proper State and local officials with all due dispatch, insuring secrecy in the ballot, and requesting that the Congress not attempt to assume the right to determine the qualifications of the voters and the form and contents and time and method of casting, counting, and canvassing the ballots; to the Committee on Election of President, Vice President, and Representatives in Congress.

4905. By Mr. LEFEVRE: Petition signed by 3,000 citizens of the Twenty-seventh District of New York, regarding consideration of prohibition at this session of Congress; to the Committee on the Judiciary.

4906. By Mr. LYNCH: Petition of the Bronx County Medical Society, Bronx, New York City, opposing the medical and hospital sections of the Murray-Wagner-Dingell bill; to the Committee on Ways and Means.

4907. By Mr. ROHRBOUGH: Petition of Charles C. Hyre, Mrs. R. S. Hickman, Rev. Everett C. Zinn, Rev. B. S. Burhans, J. H. Funk, Nellie P. Boggess, and Mrs. A. B. Rohrbough, citizens of Clarksburg, W. Va., urging that Congress enact a law prohibiting the manufacture and sale of intoxicating liquors during the duration of the war and the period of demobilization; to the Committee on the Judiciary.

4908. By Mr. ROLPH: Assembly Joint Resolution No. 15 of the California Legislature, relative to memorializing the Congress of the United States regarding the matter of additional legislation to end the general uncertainty under which producers of agricultural commodities are now laboring; to the Committee on Banking and Currency.

4909. Also, Assembly Joint Resolution No. 16 of the California Legislature, relative to the hospitalization of veterans; to the Committee on World War Veterans' Legislation.

4910. Also, Assembly Joint Resolution No. 14 of the California Legislature, memorializing the President, the Secretary of War, the Secretary of the Navy, and the Office of War Information, relative to the prompt release of war news; to the Committee on Appropriations.

4911. Also, Assembly Joint Resolution No. 13 of the California Legislature, relating to termination of war contracts; to the Committee on Ways and Means.

4912. Also, Assembly Joint Resolution No. 12 of the California Legislature, relating to the prevention of undue hardship on California industries; to the Committee on Banking and Currency.

4913. Also, Assembly Joint Resolution No. 9 of the California Legislature, relative to the enactment of legislation by Congress permitting the taxation of property belonging to the United States by the States and their political subdivisions; to the Committee on Ways and Means.

4914. Also, Assembly Joint Resolution No. 5 of the California Legislature, relative to memorializing Congress to enact legislation to provide for the disposal by the United States Government of certain military vehicles and other equipments suitable for civilian use to United States veterans of the present conflict, to cities, and counties, and to the State departments of education at the lowest possible price, and also to enact legislation for the financing of such purchases whenever necessary; to the Committee on Banking and Currency.

4915. Also, Assembly Joint Resolution No. 2 of the California Legislature, relative to memorializing Congress to enact legislation providing a bill of rights for veterans of World War No. 2; to the Committee on World War Veterans' Legislation.

4916. Also, Assembly Joint Resolution No. 1 of the California Legislature, relative to memorializing Congress to simplify the income-tax returns; to the Committee on Ways and Means.

4917. Also, House Resolution No. 51 of the California Legislature, relating to the ceiling price on hay; to the Committee on Banking and Currency.

4918. Also, House Resolution No. 57 of the California Legislature, memorializing Congress to enact legislation declaring illegal all waivers of compensation or adjusted compensation by men of the armed forces upon their discharge as a condition for honorable discharge; to the Committee on Military Affairs.

4919. Also, House Resolution No. 48 of the California Legislature, relative to prolonging the wild fowl shooting season; to the Committee on Agriculture.

4920. Also, House Resolution No. 47 of the California Legislature, relative to memorializing Congress for legislation concerning the delivery, distribution, casting, collection, and return of the absentee ballots; to the Committee on Election of President, Vice President, and Representatives in Congress.

4921. Also, House Resolution No. 31 of the California Legislature, relating to commending the railroads and their personnel for the exceptionally competent performance of services throughout the Nation in this present war emergency; to the Committee on Interstate and Foreign Commerce.

4922. Also, Assembly Joint Resolution No. 17 of the California Legislature, relative to memorializing the President of the United States to exert his influence upon the Government of Great Britain to bring about the abrogation of the Chamberlain White Paper concerning Palestine; to the Committee on Foreign Affairs.

4923. By Mr. SCHIFFLER: Petition of E. Wesley Woodruff and Isabel B. Sarver on behalf of the North Street Methodist Church, Wheeling, W. Va., urging the passage of House bill 2082; to the Committee on the Judiciary.

4924. Also, petition of Stanley Owoc, president, Council 133, of the Polish National Alliance, having a membership of 2,500, comprising Brooke, Hancock, Marshall, and Ohio Counties, W. Va., urging the State Department to favor and foster the cause of a righteous adjustment of the integrity of the former pre-war boundaries of Poland; to the Committee on Foreign Affairs.

SENATE

THURSDAY, FEBRUARY 17, 1944

(Legislative day of Monday, February 7, 1944)

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 the abundance of Thy mercy another day is added to the record of the lengthening years. For the morrow and its needs we do not pray. For the day which now bathes us in its