gate Aid to the Physically Handicapped; to have printed for its use additional copies of parts 1, 3, 7, and 8 of the hearings held before said subcommittee during the second session, Seventy-eighth Congress, relative to aid to the physically handicapped; without amendment (Rept. No. 1447). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE 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. HEFFERNAN: Committee on Naval Affairs. H. R. 1238. A bill for the relief of Father Peter B. Duffee, with amendment (Rept. No. 1439). Referred to the Committee of the Whole House.

Mr. JENNINGS: Committee on Claims. H. R. 4335. A bill for the relief of the Morgan Creamery Co., with amendment (Rept. No. 1443). Referred to the Committee of the Whole House.

Mr. COMBS: Committee on Claims. H. R. 1217. A bill for the relief of Hutchinson's Boat Works, Inc., with amendment (Rept. No. 1444). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. ANGELL:

H. R. 5004. A bill to provide for the protection of the Dall sheep, caribou, and other wildlife native to the Mount McKinley National Park area, and for other purposes; to the Committee on the Public Lands.

By Mr. RIVERS:

H. R. 5005. A bill relating to sales of surplus property to veterans under the Surplus Property Act of 1944; to the Committee on Expenditures in the Executive Departments.

By Mr. KING:

H. R. 5006. A bill to authorize the Secretary of the Navy to construct a "T" tunnel as a means of communications and transportation between San Pedro, Wilmington, Long Beach, and Terminal Island, Calif.; to the Committee on Naval Affairs.

By Mr. FALLON:

H. J. Res. 289. Joint resolution making the last Thursday in November a legal holiday; to the Committee on the Judiciary.

By Mr. VINSON:

H. J. Res. 290. Joint resolution providing for the continuance to the end of June 1946, of the Navy's V-12 program; to the Committee on Naval Affairs.

By Mr. EBERHARTER:

H. Con. Res. 114. Concurrent resolution relative to the opening of Palestine for free entry of Jews; to the Committee on Foreign Affairs.

By Mr. VINSON:

H. Res. 458. Resolution providing for the consideration of S. 1405, a bill to authorize the President to retire certain officers and enlisted men of the Navy, Marine, Corps, and Coast Guard, and for other purposes; to the Committee on Rules.

By Mr. LANHAM:

H. Res. 459. Resolution authorizing the Committee on Public Buildings and Grounds to have printed additional copies of the hearings held before said committee on the bill (H. R. 4276) to provide for the construction of public buildings; to the Committee on Printing.

By Mr. DAUGHTON of Virginia:

H. Res. 460. Resolution creating a select committee to investigate the composition of, and the procedure and conduct of cases before, courts-martial; 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. CLASON:

H. R. 5007. A bill for the relief of D. A. Sullivan & Sons, Inc., and Thomas F. Harney, Jr., doing business as Harney Engineering Co.; to the Committee on Claims.

By Mr. DOLLIVER:

H. R. 5008. A bill for the relief of Harry McCauley; to the Committee on Claims.

By Mr. HAND:

H. R. 5009. A bill for the relief of Thomas O. Troth; to the Committee on Claims.

H. R. 5010. A bill for the relief of Mrs. May Holland; to the Committee on Claims.

By Mr. TAYLOR:

H. R. 5011. A bill for the relief of Eugene Spitzer; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of rule XXII,

1416. Mr. CANNON of Missouri presented a petition of members of the faculty of the University of Missouri, relative to control of atomic energy, which was referred to the Committee on Military Affairs.

SENATE

SATURDAY, DECEMBER 15, 1945

(Legislative day of Monday, October 29, 1945)

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

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

God of grace and glory, as with an unnumbered host crowding the Bethlehem way under all skies, we come again to the feast of the Child, may we in very truth be drawn into companionship with Him who giveth all. May the delicate tints of flowers, the sweet symbolism of holly, mistletoe, and fir, the memory of deep woods, of peaceful hills, and of the mantling snow which guards the sleep of all God's creatures be but the grateful frame for those gifts which are beyond price, outlast time, and bridge all space—pure joy, a merry heart, a clear conscience, and love which thinks no evil is not easily provoked and seeks not its own. So may the little Christ hands beckon us to come within the circle of His faith and love where are bright angels of good will and everyday saints and all goodness, truth, and beauty. In His dear name. Amen.

THE JOURNAL

On request of Mr. HILL, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, December 14, 1945, was dispensed with, and the Journal was approved.

MESSAGE FROM THE PRESIDENT

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

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the bill (S. 380) to establish a national policy and program for assuring continuing full employment and full production in a free competitive economy through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government, with amendments in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendment of the Senate to the bill (H. R. 2348) to provide for the coverage of certain drugs under the Federal narcotic laws; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DOUGHTON of North Carolina, Mr. COOPER, Mr. DINGELL, Mr. ROBERTSON of Virginia, Mr. REED of New York, and Mr. WOODRUFF of Michigan were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the following concurrent resolutions, in which it requested the concurrence of the Senate:

H. Con. Res. 111. Concurrent resolution authorizing the printing of additional copies of the hearings held before the House Committee on Expenditures in the Executive Departments during the current session relative to the Full Employment Act for the use of said committee; and

H. Con. Res. 112. Concurrent resolution authorizing the House Committee on Labor Subcommittee to Investigate Aid to the Physically Handicapped to have printed for its use additional copies of parts 1, 3, 7, and 8 of the hearings held before said subcommittee during the second session, Seventy-eighth Congress, relative to aid to the physically handicapped.

ADDITIONAL BASIC AUTHORITY FOR CIVIL SERVICE COMMISSION

The PRESIDENT pro tempore laid before the Senate a letter from the President of the United States Civil Service Commission transmitting a draft of proposed legislation to grant certain additional basic authority to the Civil Service Commission, which, with the accompanying paper, was referred to the Committee on Civil Service.

THE GARRISON DAM—RESOLUTION FROM BURKE COUNTY, N. DAK.

Mr. LANGER. Mr. President, I ask unanimous consent to present and have printed in the RECORD a resolution adopted by the Burke County, N. Dak., commissioners on September 21, 1945, relative to the operation of the pool of the Garrison Dam. The resolution is signed by Oscar A. Kallberg and A. J. Young.

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

Whereas the operation of the pool of the Garrison Dam at the proposed "maximum normal operating pool level" of 1,850 feet above sea level will unnecessarily inundate thousands of acres of fertile bottom lands along the Missouri River in Williams and McKenzie Counties in North Dakota, thereby removing such lands from the tax rolls of said counties with resulting loss of public revenue, and thereby taking such lands out of existing and potential production valued in hundreds of thousands of dollars annually, and thereby causing tens of thousands of dollars of severance damage to uplands,

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and thereby disturbing the homes of hundreds of long-time residents; and

Whereas the operation of such "maximum normal operating pool level" will damage and be a constant hazard to the city of Williston, installations of the Great Northern Railway, and the Lewis and Clark and the Buford-Trenton irrigation projects in the Williston area; and

Whereas the elaborate and costly system of levees and automatic pumps proposed by the Corps of Engineers of the Army for the protection of said city, railroad, and irrigation projects is of doubtful and speculative value and without engineering precedent in reclamation history; and

Whereas disturbing and alarming fears in the minds of residents and property owners in the affected area have become widespread that the Corps of Engineers of the Army will operate said reservoir at such "maximum normal pool level," irrespective of the efficacy of its proposed protective works and irrespective of the inestimable damage, actual and potential, which will be caused thereby in the affected area; and

Whereas such fears have already served to discourage large and small commercial and industrial investments and have had a demoralizing effect on the values of all property in the affected area, with resulting insecurity of our people; and

Whereas the operation of the pool of the Garrison Dam at a "maximum normal operating pool level" of 1,830 feet above sea level will allay such fears and will avert such damage and hazard without costly or speculative protective works; and

Whereas the public interest requires that such fears be allayed, that such damage and hazard be averted, and that there be no further fear, anxiety, or uncertainty over the maximum level at which such pool may ever be operated; and

Whereas no hearings have ever been held or conducted in the Williston area concerning the effect of such pool on people and property in the affected area: Now, therefore, be it jointly

Resolved, That we, municipalities and organizations in the affected area, are unalterably opposed to the operation of the pool of the Garrison Dam at a maximum level exceeding 1,830 feet above sea level; that we demand that fair and impartial hearings and studies be held and conducted in the affected area by a special congressional committee; and that the maximum level at which such pool may ever be operated be, in all events, speedily, irrevocably, and authoritatively determined; and be it further

Resolved, That a copy of this resolution be transmitted to the North Dakota State Water Conservation Commission, the members of the Missouri Basin Interagency Committee; the Governors of the Missouri Basin States, the Commissioner, United States Bureau of Reclamation, and Chief, Corps of Engineers, Washington, D. C., the Committees on Appropriations in the United States Senate and House of Representatives, and the Senators and Representatives in Congress from North Dakota.

Adopted by Burke County Commissioners this 21st day of September 1945.

OSCAR A. KALLBERG.
A. J. YOUNG.

PROBLEMS OF THE LUMBER INDUSTRY

Mr. LANGER. Mr. President, I have received the following letter from Mr. Guy L. Ireland, proprietor of Ireland's Lumber Yard, of Grand Forks, N. Dak.:

Hon. WILLIAM LANGER,
Senate Office Building,
Washington, D. C.

DEAR MR. LANGER: The matter of the OPA crucifying the retailer on the cross of holding down building costs is strictly up to Congress.

Raising wages and then costs to the retailer and forcing him to absorb all this raise simply means ruin. It is un-American, unfair, and all in the interest of politics. We retailers are being made the goat and none of us can hope for any correction or fair play from the OPA unless you in Congress force the issue.

Please note the attached.

Yours very truly,

GUY L. IRELAND.

I ask that the paper attached to the letter may be printed in the RECORD at this point.

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

OPA AND RETAIL PRICES

Building material: The OPA is now going from place to place setting up prices on the basis of 1942. It is, of course, evident that the manufacturer is going to get advances and that OPA is going to refuse to allow the advances to be added until we have spent 6 months or a year establishing a loss on our entire business and waiting for OPA to grant relief.

No thought is given to our increased cost of doing business.

First, in 1942, we had a union contract, 48½ cents common help and 50 cents yardmen, 54-hour week straight through; today this is 60 cents and 70 cents for 40-hour week, 90 cents and $1.05 for overtime; this is inefficient help and the overtime we are forced to employ brings the income of these men 75 to 100 percent over 1942. All office and other help has also advanced. Local taxes go up 29½ percent for 1946.

In addition to this, we have to take green lumber and pile it up to dry; also have some milled in transit at $9 to $12 per thousand. OPA refuses to allow us to pass on any of this expense.

OPA allows the mills to charge $2 per thousand, $60 to $90 per car, for mixed cars, four items, and now has ruled the retailer must not pass this on.

On green lumber the OPA says it should weigh rough 3,300 pounds; it weighs over 4,000; and OPA says we must absorb this 700 or more pounds at 56½ percent.

If we don't buy green and remilled stock, we just won't have enough lumber to do the farmer any good.

In addition to all this, the mill is given export prices far and above the domestic price. One mill told us they were shipping their very good flooring to South Africa and getting $23 per thousand more for it than they could charge us or we could pay.

Everywhere you go it is the same conversation. Congress alone is responsible as responsible as long as they refuse to act on these questions and the labor question.

BILLS INTRODUCED

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

By Mr. PEPPER:

S. 1690. A bill for the relief of A. Hayden; and

S. 1691. A bill for the relief of S. I. Wooten, F. M. Maloy, and Mrs. Alethea Arthur; to the Committee on Claims.

S. 1692. A bill granting an increase in pension to Mrs. Nellie Lambert Kernan; to the Committee on Finance.

S. 1693. A bill to grant certain benefits with respect to accumulated leave to personnel in the land and naval forces; to the Committee on Military Affairs.

FULL EMPLOYMENT ACT OF 1945

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 380) to establish a national policy and program for assuring continuing full employment and full production in a free competitive economy, through the concerted efforts of industry, agriculture, labor, State and local governments, and the Federal Government, which were to strike out all after the enacting clause and insert:

That this act may be cited as the "Employment-Production Act, 1945."

POLICY OF THE UNITED STATES

SEC. 2. Congress hereby declares that it is the continuing policy of the United States—

(a) By means of—

(1) preserving and encouraging the American economic system of free competitive enterprise and fostering the investment of private capital in trade, agriculture, commerce, and in the development of the natural resources of the United States;

(2) aiding in the development and maintenance of conditions favorable to stimulating new business, and especially small business, and to promoting continuous growth in the quality and quantity of facilities of production;

(3) encouraging individual initiative;

(4) avoiding competition of government with private business enterprise; and

(5) adopting sound fiscal policies and maintaining the credit of the United States; and thereby creating under, and in a manner consistent with, the American system of free competitive enterprise, the maximum opportunity for employment (including self-employment), to attain and maintain a high level of employment (including self-employment), production, and purchasing power.

(b) By means of investigating and determining the causes of economic fluctuations, and providing for continuous study of economic conditions and economic trends, to make provision for diminishing such fluctuations and avoiding the causes thereof.

(c) By means of—

(1) encouraging State and local governments to plan and adopt sound programs of public works for their normal needs in normal times, capable of acceleration and expansion when widespread unemployment in the State or in any substantial portion thereof exists or threatens, and capable of reduction when inflationary conditions exist or threaten;

(2) planning and adopting programs for loans by the United States, consistent with a financially sound fiscal policy, for use when widespread unemployment in the United States or in any substantial portion thereof exists or threatens;

(3) planning and adopting a program of sound public works, consistent with a financially sound fiscal policy (such works to be performed, except as otherwise authorized by law, by private enterprise under contract), for the normal needs of the United States in normal times, capable of acceleration and expansion when widespread unemployment in the United States or in any substantial portion thereof exists or threatens, and capable of reduction when inflationary conditions exist or threaten;

to stimulate private enterprise in the periods in which widespread unemployment exists or threatens so as to stimulate and promote employment (including self-employment), production, and purchasing power in a free competitive economy, thereby aiding and assisting employables (including self-employed) in such periods to secure employment, and to aid in removing or preventing inflationary or deflationary conditions in periods in which such conditions exist or threaten.

ECONOMIC REPORT OF THE PRESIDENT

SEC. 3. (a) The President shall submit to the Congress within 60 days after the beginning of each regular session (commencing

with the year 1947) an economic report (hereinafter called the Economic Report) on economic conditions affecting employment in the United States or in any considerable portion thereof, on the extent to which the policies declared in section 2 are or are not being achieved, and on the extent to which the various programs and activities of the Federal Government are, and the extent to which they are not, contributing to the achievement of such policies.

(b) If at the time of submitting the Economic Report, high levels of employment, production, and purchasing power are not being maintained or are threatening to decline, the President shall include in the Economic Report, in addition to the matter required to be included under subsection (a), a statement of what, in his judgment, are the causes thereof, a statement of the extent to which then-existing legislation may be utilized for attaining high levels of employment, production, and purchasing power, and of the plans therefor and means of financing the programs thereunder, and his recommendations for such further legislation (which may include recommendations for outlays in addition to loans and public works, and which shall include recommendations for means of financing the recommended legislation) as he deems necessary for attaining such high levels.

(c) If at the time of submitting the Economic Report widespread unemployment exists in the United States or in any substantial portion thereof the President shall include in the Economic Report, in addition to the matter required to be included under subsections (a) and (b), a statement of what, in his judgment, are the causes thereof, a statement of the extent to which such unemployment may be alleviated under then-existing legislation, and of the plans therefor and means of financing the programs thereunder, and his recommendations for such further legislation (which may include recommendations for outlays in addition to loans and public works, and which shall include recommendations for means of financing the recommended legislation) as he deems necessary for alleviating such unemployment and attaining high levels of employment, production, and purchasing power.

(d) If at the time of submitting the Economic Report inflationary conditions exist or threaten, the President shall include in the Economic Report, in addition to the matter required to be included under subsection (a), a statement of what, in his judgment, are the causes thereof, a statement of the extent to which such conditions may be alleviated under then-existing legislation, and his recommendations for such further legislation (including recommendations for the reduction or suspension of public outlays) as he deems necessary to alleviate such conditions and to prevent them from recurring.

(e) The President may, from time to time, transmit to Congress such supplemental or revised reports, or such supplemental recommendations, as he deems necessary to achieve the policies declared in section 2.

(f) The economic report, and any supplemental or revised reports or recommendations, when submitted to Congress, shall be referred to the Joint Committee on the Economic Report (created by section 5).

COUNCIL OF ECONOMIC ADVISERS TO THE PRESIDENT

SEC. 4. (a) There is hereby created in the Executive Office of the President a Council of Economic Advisers (hereinafter called the "Council"). The Council shall be composed of three members who shall be appointed by the President and each of whom shall be a person who, as a result of his training, experience, and attainments, is exceptionally qualified to analyze and interpret economic developments, to appraise programs and activities of the Government in the light of the policies declared in section 2, and to formulate and recommend national economic policy to promote employment and production under the American system of free competitive enterprise. Each member of the Council shall receive compensation at the rate of $15,000 per annum. The President shall designate one of the members of the Council as chairman, and the Council shall annually select one of the members as vice chairman, who shall act as chairman in the absence of the chairman.

(b) The Council is authorized to employ, in the District of Columbia, and fix the compensation of, such specialists and other experts as may be necessary for the carrying out of its functions under this act, without regard to the civil-service laws and the Classification Act of 1923, as amended, and is authorized, subject to the civil-service laws, to employ, in the District of Columbia, such other officers and employees as may be necessary for carrying out its functions under this act, and fix their compensation in accordance with the Classification Act of 1923, as amended.

(c) It shall be the duty of the Council—

(1) to assist and advise the President in the preparation of the Economic Report;

(2) to gather timely and authoritative information concerning economic developments and economic trends, both current and prospective, to analyze and interpret such information in the light of the policies declared in section 2 for the purpose of determining whether such developments and trends are interfering, or are likely to interfere, with the achievement of such policies, and to compile and submit to the President studies relating to such developments and trends;

(3) to appraise the various programs and activities of the Federal Government in the light of the policies declared in section 2 for the purpose of determining the extent to which such programs and activities are contributing, and the extent to which they are not contributing, to the achievement of such policies, and to make recommendations to the President with respect thereto;

(4) to formulate and recommend to the President national economic policies for promoting the American system of free competitive enterprise, avoiding economic fluctuations or diminishing the effects thereof, and for maintaining a high level of employment (including self-employment), production, and purchasing power;

(5) whenever in the opinion of the Council high levels of employment, production, and purchasing power are not being maintained or are threatening to decline, to make a report to the President on what, in its judgment, are the causes thereof, and on the extent to which then-existing legislation may be utilized for attaining high levels of employment (including self-employment), production, and purchasing power, and to include in such report its recommendations for such further legislation (which may include recommendations for outlays in addition to loans and public works, and which shall include recommendations for means of financing the recommended legislation in a manner consistent with sound fiscal practices) as it deems necessary for attaining such high levels;

(6) whenever the Council determines that widespread unemployment exists in the United States or in any substantial portion thereof, to make a report to the President on what, in its judgment, are the causes thereof, and on the extent to which such unemployment may be alleviated under then-existing legislation, and to include in such report its recommendations for such further legislation (which may include recommendations for outlays in addition to loans and public works, and which shall include recommendations for means of financing the recommended legislation in a manner consistent with sound fiscal practices) as it deems necessary to alleviate such unemployment and to attain a high level of employment (including self-employment), production, and purchasing power;

(7) whenever in the opinion of the Council inflationary conditions exist or threaten, to make a report to the President on what, in its judgment, are the causes thereof, and on the extent to which such conditions may be alleviated under then-existing legislation, and to include in such report its recommendations for such further legislation as it deems necessary to alleviate such conditions and to prevent them from recurring;

(8) to make and furnish, when requested by the President, such studies, reports thereon, and recommendations with respect to matters of Federal economic policy as he may request.

(d) The Council shall make an annual report to the President not later than January 1 of each year (beginning with the year 1947) and shall also make interim reports quarterly (following January 1, 1947).

(e) The President is requested to make available to the Joint Committee on the Economic Report, if it desires, the various studies, reports, and recommendations of the Council which have been submitted to the President.

(f) In exercising its powers, functions, and duties under this act—

(1) the Council may constitute such advisory committees and may consult with such representatives of industry, agriculture, labor, consumers, and other groups, as it deems advisable;

(2) the Council shall, to the fullest extent possible, utilize the services, facilities, and information (including statistical information) of other Government agencies as well as of private research agencies, in order that duplication of effort and expense may be avoided.

(g) To enable the Council to exercise its powers, functions, and duties under this act there are authorized to be appropriated (except for the salaries of the members and the salaries of officers and employees of the Council) such sums as may be necessary. For the salaries of the members and the salaries of officers and employees of the Council, there is authorized to be appropriated not exceeding $345,000 in the aggregate for each fiscal year.

JOINT COMMITTEE ON THE ECONOMIC REPORT

SEC. 5. (a) There is hereby established a joint committee of the Senate and House of Representatives, which shall be known as the Joint Committee on the Economic Report (in this section called the "joint committee"), and which shall be composed of the chairman and ranking majority party members, and the two ranking minority party members, of the Senate and House Committees on Appropriations, of the Senate Committee on Finance, of the House Committee on Ways and Means, and three other members of the Senate to be appointed by the President of the Senate, and three other members of the House of Representatives to be appointed by the Speaker of the House of Representatives. The party representation on the joint committee shall reflect the relative membership of the majority and minority parties in the Senate and House of Representatives.

(b) It shall be the function of the joint committee—

(1) to make a continuing study of matters relating to the Economic Report;

(2) to study means of coordinating programs under existing laws relating to loans, public works, and other outlays in order to further the policies of this act; and

(3) as a guide to the several committees of Congress dealing with legislation relating to the Economic Report, not later than May 1 of each year (beginning with the year 1947) to file a report with the Senate and the House of Representatives containing its findings and recommendations with respect to each of the main recommendations made by the President in the Economic Report, and from

time to time to make such other reports and recommendations to the Senate and House of Representatives as it deems advisable.

(c) Vacancies in the membership of the joint committee shall not affect the power of the remaining members to execute the functions of the joint committee, and shall be filled in the same manner as in the case of the original selection. The joint committee shall select a chairman and a vice chairman from among its members.

(d) The joint committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings as it deems advisable, and, within the limitations of its appropriations, the joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants, to procure such printing and binding, and to make such expenditures, as it deems necessary and advisable. The cost of stenographic services to report hearings of the joint committee, or any subcommittee thereof, shall not exceed 25 cents per hundred words. The joint committee is authorized to utilize the services, information, and facilities of the departments and establishments of the Government, and also of private research agencies.

(e) The expenses of the joint committee shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers signed by the chairman or vice chairman, and shall not exceed $100,000 for each fiscal year.

INTERPRETATION

SEC. 6. Nothing in this act shall be construed as calling for or authorizing—

(1) any change in the existing procedures on appropriations, or authorizations of appropriations;

(2) the carrying out of, or any appropriation for, any program set forth in the Economic Report; or

(3) the disclosure of trade secrets or other information, the publication of which might have a harmful effect upon the firm or person supplying such information, without the consent of the firm or person affected.

Amend the title so as to read: "An act to declare a continuing national policy and program to promote high levels of employment, production, and purchasing power in a free competitive economy."

Mr. WAGNER. Mr. President, I move that the Senate disagree to the amendments of the House; ask a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. WAGNER, Mr. BARKLEY, Mr. RADCLIFFE, Mr. MURDOCK, Mr. TAYLOR, Mr. TOBEY, Mr. TAFT, and Mr. BUCK conferees on the part of the Senate.

ADDITIONAL COPIES OF HOUSE HEARINGS ON FULL EMPLOYMENT BILL

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 111, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Expenditures in the Executive Departments be, and is hereby, authorized and empowered to have printed for its use 2,000 additional copies of the hearings held before said committee during the current session, relative to the Full Employment Act of 1945.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the concurrent resolution.

The motion was agreed to.

ADDITIONAL COPIES OF CERTAIN PARTS OF HEARINGS BEFORE HOUSE COMMITTEE ON LABOR INVESTIGATING AID TO PHYSICALLY HANDICAPPED

The PRESIDENT pro tempore laid before the Senate House Concurrent Resolution 112, which was read as follows:

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act, approved March 1, 1907, the House Committee on Labor Subcommittee to Investigate Aid to the Physically Handicapped be, and is hereby, authorized and empowered to have printed for its use 1,000 additional copies of parts 1, 3, 7, and 8 of the hearings held before said subcommittee during the second session, Seventy-eighth Congress, relative to aid to the physically handicapped.

Mr. WHITE. Mr. President, are these the usual concurrent resolutions from the House asking for the printing of certain hearings?

Mr. HAYDEN. For their use.

Mr. WHITE. Very well.

Mr. HAYDEN. Mr. President, I move that the Senate concur in the concurrent resolution.

The motion was agreed to.

OPENING ADDRESS BY ROBERT H. JACKSON AT TRIAL OF GERMAN WAR CRIMINALS (S. DOC. NO. 129)

Mr. GUFFEY. Mr. President, I ask unanimous consent to have printed as a Senate document the opening address for the United States of America, delivered by Hon. Robert H. Jackson, Representative and Chief Counsel for the United States at the trial of German war criminals.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered.

PROBLEM OF LUMBER DEALERS

[Mr. LANGER asked and obtained leave to have printed in the RECORD a statement by Mr. Edwin W. Elmer, executive secretary, Independent Retail Lumber Dealers' Association for North Dakota, South Dakota, Minnesota, and two of the other adjoining States, before the Senate Small Business Committee hearing on December 12, 1942, which appears in the Appendix.]

CONDITIONS IN LUMBER-MANUFACTURING INDUSTRY

[Mr. LANGER asked and obtained leave to have printed in the RECORD a letter addressed by the Independent Retail Lumber Dealers Association, Deward G. Schultz, acting executive secretary, to Chester Bowles, Administrator, Office of Price Administration, relative to conditions in the lumber manufacturing industry, which appears in the Appendix.]

REPORT ON THE QUEBEC CONFERENCE OF UNITED NATIONS FOOD AND AGRICULTURAL ORGANIZATION

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a report received by him from the Secretary of Agriculture on the Quebec Conference of the United Nations Food and Agricultural Organization, which appears in the Appendix.]

THE CAUSE OF INDIA—ADVERTISEMENT BY NATIONAL COMMITTEE FOR INDIA'S FREEDOM

[Mr. LANGER asked and obtained leave to have printed in the RECORD an advertisement under the heading "Mr. Attlee, what about the world of today—An open letter to the British Prime Minister," signed by the chairman of the National Committee for India's Freedom, published in the Washington Evening Star of November 14, 1945, which appears in the Appendix.]

THE ST. LAWRENCE SEAWAY—EDITORIAL FROM DETROIT NEWS

[Mr. LANGER asked and obtained leave to have printed in the RECORD an editorial entitled "Seaway's Opponents Gradually Fade Away," published in the Detroit News of November 29, 1945, which appears in the Appendix.]

LOAN TO GREAT BRITAIN—ARTICLE BY PAUL MALLON

[Mr. LANGER asked and obtained leave to have printed in the RECORD an article by Paul Mallon dealing with the proposed loan to Great Britain, published in the Fargo (N. Dak.) Forum of December 12, 1945, which appears in the Appendix.]

NEED FOR EXPANSION OF GEORGIA'S HEALTH SERVICES

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a statement by the Georgia Rural Health Conference showing the need for expanding and improving Georgia's health services, which appears in the Appendix.]

THE NEED FOR HEALTH INSURANCE

[Mr. WAGNER asked and obtained leave to have printed in the RECORD a statement entitled "The Need for Health Insurance," which appears in the Appendix.]

THE WOOL PROBLEM—STATEMENT BY MERRILL LYNCH, PIERCE, FENNER & BEANE

[Mr. MURDOCK asked and obtained leave to have printed in the RECORD a publication regarding hearings on the wool industry, issued by Merrill Lynch, Pierce, Fenner & Beane, which appears in the Appendix.]

FEEDING OUR ALLIES—ARTICLE FROM WASHINGTON POST

[Mr. FULBRIGHT asked and obtained leave to have printed in the RECORD an article entitled "Feeding Our Allies" published in the Washington Post of December 15, 1945, which appears in the Appendix.]

CALL OF THE ROLL

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

Austin	Gurney	Murdock
Ball	Hart	Murray
Bankhead	Hayden	O'Daniel
Barkley	Hickenlooper	O'Mahoney
Bilbo	Hill	Pepper
Brewster	Hoey	Radcliffe
Bridges	Huffman	Reed
Brooks	Johnson, Colo.	Revercomb
Byrd	Johnston, S. C.	Robertson
Capehart	Kilgore	Russell
Capper	Knowland	Saltonstall
Carville	La Follette	Shipstead
Chavez	Langer	Smith
Connally	Lucas	Taylor
Donnell	McClellan	Thomas, Utah
Downey	McFarland	Tydings
Eastland	McKellar	Vandenberg
Ellender	McMahon	Wagner
Ferguson	Maybank	Wherry
Fulbright	Mead	White
Gerry	Millikin	Wiley
Gossett	Mitchell	Willis
Green	Moore	Wilson
Guffey	Morse	Young

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Georgia

[Mr. GEORGE], the Senator from Louisiana [Mr. OVERTON], the Senator from Tennessee [Mr. STEWART], and the Senator from Delaware [Mr. TUNNELL] are necessarily absent.

The Senator from Missouri [Mr. BRIGGS], the Senator from New Mexico [Mr. HATCH], the Senator from Washington [Mr. MAGNUSON], the Senator from Pensylvania [Mr. MYERS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business.

Mr. WHERRY. The Senator from Vermont [Mr. AIKEN] has been excused. He is necessarily absent.

The Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], the Senator from Ohio [Mr. TAFT], the Senator from Kentucky [Mr. STANFILL], and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

The Senator from Delaware [Mr. BUCK] and the Senator from New Jersey [Mr. HAWKES] are necessarily absent.

The PRESIDING OFFICER (Mr. HOEY in the chair). Seventy-two Senators having answered to their names, a quorum is present.

FIRST DEFICIENCY APPROPRIATION ACT, 1946

The Senate resumed the consideration of the bill (H. R. 4805) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes.

The PRESIDING OFFICER. The clerk will state the next amendment of the Committee on Appropriations to be acted on.

The next amendment was, under the subhead "Executive Mansion and Grounds," on page 7, after line 11, to insert:

Addition to the Executive Mansion: For an addition to the Executive Mansion; for alterations, improvements, and furnishings, and for improvement of grounds, to be expended as the President may determine, notwithstanding the provisions of any other act, to remain available until expended, $1,650,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 17, to insert:

BUREAU OF THE BUDGET

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses," including the objects specified under this head in the Independent Offices Appropriation Act, 1946, $56,800.

The amendment was agreed to.

The next amendment was, on page 7, after line 22, to insert:

Printing and binding: For an additional amount, fiscal year 1946, for "Printing and binding," $5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Office for Emergency Management—Office of Alien Property Custodian," on page 8, line 7, after the word "mail", to strike out "$679,700" and insert "$780,900."

The amendment was agreed to.

The next amendment was, on page 8, after line 9, to insert:

OFFICE OF DEFENSE TRANSPORTATION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses," including the objects specified under this head in the National War Agencies Appropriation Act, 1946, $165,000.

The amendment was agreed to.

The next amendment was, under the subhead "Civil Service Commission," on page 8, after line 21, to insert:

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, Civil Service Commission," including the objects specified under this head in the Independent Offices Appropriation Act, 1946, $1,000,000.

Mr. DOWNEY. Mr. President, I ask the Senator from Tennessee, in charge of the bill, if we may not pass this amendment over temporarily.

Mr. MCKELLAR. Certainly.

The PRESIDING OFFICER. Without objection, the amendment will be passed over temporarily, and the clerk will state the next amendment.

The next amendment was, under the subhead "Federal Loan Agency—Reconstruction Finance Corporation," on page 10, line 2, after the word "Corporation", strike out the colon and the following proviso: "*Provided*, That none of the funds available under this head for administrative expenses shall be used in paying the salary of any person engaged in making or processing loans to any State, any subdivision thereof, any municipality therein, or any public authority, for construction purposes, unless in pursuance of a specific authorization."

The amendment was agreed to.

Mr. LANGER. Mr. President, referring back to page 7, I should like to know why it should cost $1,650,000 to fix up the Executive Mansion. Is not that a tremendous sum? Could we not build a brand new one for that amount?

The PRESIDING OFFICER. The amendment has already been agreed to.

Mr. LANGER. I know that.

Mr. MCKELLAR. Plans have been drawn for additional offices which are absolutely necessary. The Senator will recall that a number of executive offices have been created by the Congress. The plans for the offices have been carefully worked out and sent to us by the President, and we think we should appropriate the money.

Mr. LANGER. Is it the intention to build these offices as part of the White House?

Mr. MCKELLAR. Oh no. They are executive offices. The Senator will recall that the executive offices are on the right as one enters the White House grounds. This has nothing to do with the White House itself. It is for executive offices. The regular executive office of the President and his staff is to the right as one enters the White House grounds. I am sure the Senator would approve the project if he saw the plans.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the subhead "Federal Power Commission," on page 10, line 14, after the numerals "1946", to strike out "$200,000" and insert "$300,000"; in line 17, after the word "to", to strike out "$1,440,000" and insert "$1,498,000"; and in line 18, after the word "to", to strike out "$208,000" and insert "$217,000."

The amendment was agreed to.

The next amendment was, on page 10, after line 18, to insert:

Flood-control surveys: For an additional amount, fiscal year 1946, for "Flood-control surveys," Federal Power Commission, including the objects specified under this head in the Independent Offices Appropriation Act, 1946, $50,000: *Provided*, That the amount under this head which may be expended for personal services in the District of Columbia is hereby increased from "$85,000" to "$101,000" and for travel is hereby increased from "$10,000" to "$12,500."

The amendment was agreed to.

The next amendment was, under the subhead "Howard University," on page 11, after line 15, to insert:

Plans and specifications: For the preparation of plans and specifications for construction on the grounds of Howard University of a dental school building, and engineering and architectural school building, two additional units of the women's dormitories, and an auditorium building with facilities for the school of music and the teaching of fine arts, including engineering and architectural services, printing, and travel, to remain available until expended, $181,575.

Mr. LANGER. Mr. President, the amendments are read so fast we can hardly keep up with them.

Will the Senator yield for a question?

Mr. MCKELLAR. Yes, indeed.

Mr. LANGER. I call attention to the committee amendment on page 11, lines 16 to 23, inclusive. Do I understand that the cost simply for drawing up the plans is $181,575?

Mr. MCKELLAR. Yes. As the Senator knows, Howard University is a Negro university in this city, and there are very elaborate plans drawn up for this institution. The committee was unanimously of the opinion that this amendment should be adopted, and I hope the Senator will not object to it.

Mr. LANGER. I merely want to obtain some information respecting it.

Mr. MCKELLAR. Yes.

Mr. LANGER. Do I correctly understand that merely for the preparation of plans and specifications for construction the cost will be $181,575?

Mr. MCKELLAR. Yes; that is precisely correct. By the way, there are a great number of buildings at the university, and there are to be renovations made and additional buildings erected. I suppose Howard University is the largest Negro school in America. It certainly is the most important one. It is here in our own Capital City. It occupies a very large section of ground. Has the Senator ever been out there?

Mr. LANGER. Yes; I have been out there.

Mr. MCKELLAR. It occupies a very large area. I think by all means this

amount should be granted. I hope the Senator will approve.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the subhead "Public Health Service," on page 12, after line 8, to insert:

Hospitals and medical care: Not to exceed $90,000 of the appropriation "Hospitals and medical care," fiscal year 1946, shall be available for necessary major repair, remodeling, and alteration of the Neponsit Beach Hospital without regard to section 3709 of the Revised Statutes and section 322 of the act of June 30, 1932, as amended (40 U. S. C. 278a).

The amendment was agreed to.

The next amendment was, on page 12, after line 15, to strike out:

Foreign quarantine service: For an additional amount, fiscal year 1946, for "Foreign quarantine service," including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, $70,000.

And in lieu thereof to insert the following:

Foreign quarantine service: For an additional amount, fiscal year 1946, for "Foreign quarantine service," including the objects specified under this head in the Federal Security Agency Appropriation Act, 1946, and including the purchase of 12 passenger automobiles; construction, purchase, major repairs, and remodeling of buildings and auxiliary facilities; rental of buildings and other structures (including quarters for commissioned officers and other personnel) without regard to section 322 of the act of June 30, 1932, as amended; and architectural and other special personal services by contract without regard to the civil-service or classification laws; $601,540.

The amendment was agreed to.

The next amendment was, on page 13, line 11, after the numerals "1946", to strike out "$875,000" and insert "$950,000"; and in line 14, after the numerals "410", to insert "(including the purchase and distribution of penicillin and other antibiotic compounds for use in research projects for which grants are made)."

The amendment was agreed to.

The next amendment was, on page 13, after line 17, to insert:

Public-health services, Philippine Islands: To enable the Surgeon General of the Public Health Service, fiscal year 1946, to assist the public-health organization of the Philippine Islands in reconstituting and reactivating public-health services and programs in the Philippine Islands, including personal services in the District of Columbia; personal services outside the District of Columbia without regard to the civil-service or classification laws; purchase, maintenance, repair, and operation of 25 passenger automobiles and 10 aircraft; travel; printing and binding; purchase of supplies, materials, and equipment without regard to section 3709 of the Revised Statutes; and packing, unpacking, crating, uncrating, drayage, and transportation of personal effects of commissioned officers and transportation of their dependents on change of station, $1,000,000.

The amendment was agreed to.

The next amendment was, under the subhead "Social Security Board," on page 14, line 17, after "Survivors Insurance", to strike out "$1,682,500" and insert "$1,850,750."

The amendment was agreed to.

The next amendment was, on page 15, line 3, after the numerals "1946", to strike out "$125,000" and insert "$140,000."

The amendment was agreed to.

The next amendment was, under the subhead "Federal Works Agency—Office of the Administrator," on page 16, line 5, after the numerals "1946", to strike out "$12,500,000" and insert "$25,000,000"; in line 6, before the word "shall", to strike out "$375,000" and insert "$675,000"; in line 9, after the word "by", to strike out "$40,000" and insert "$50,000"; and in line 10, after the amendment just above stated, to strike out the colon and the following proviso: *"Provided,* That no loans shall be made or participated in by any Federal agency for the construction of any public works, plans for which have been wholly or partly financed out of this appropriation, except in pursuance of a specific authorization."

The amendment was agreed to.

The next amendment was, on page 16, line 17, after "'Virgin Islands public works'", to strike out "$554,000" and insert "$1,878,420."

Mr. McKELLAR. I simply wish to say concerning this amendment that it will be remembered that we bought the Virgin Islands from Denmark for purposes largely of defense. We had much testimony before the committee on this subject, and after a very careful examination the committee felt that these items should go into the bill.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WHERRY. Mr. President, have we gone past the amendment on page 16, beginning in line 5?

Mr. McKELLAR. We will return to it if the Senator desires.

Mr. WHERRY. I want to ask a question of the distinguished Senator. The Senate committee increased the amount from $12,500,000 to $25,000,000 for the Federal Works Agency. I was not present at the time that was done. Was a satisfactory showing made before the committee?

Mr. McKELLAR. The Bureau of the Budget asked for $50,000,000, and a contract authorization for $57,000,000 more. The Federal Works Agency already had applications for more than $25,000,000. The committee very carefully considered this matter.

Mr. WHERRY. Did the applications come in after this appropriation bill left the House?

Mr. McKELLAR. No; they came in before, but the House did not grant the amount asked for. The Senate committee, however, felt that after cutting off the contractual authority for $57,000,000, and after cutting down the Budget authorization of $50,000,000 to $25,000,000, we had done a fair and reasonable job.

Mr. WHERRY. The Senator feels that a satisfactory showing has been made, in view of the fact that applications have been filed which would amount to $25,000,000, and therefore that Congress should appropriate that much money?

Mr. McKELLAR. Yes; that the Congress should contribute that much.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, on page 16, after line 22, to insert:

PUBLIC BUILDINGS ADMINISTRATION

Federal office building, Nashville, Tenn.: For the acquisition of a site in Nashville, Tenn., by purchase, condemnation, or otherwise, and the construction thereon of a new Federal office building for the use and accommodation of the United States, including the Veterans' Administration, $5,575,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public Roads Administration," on page 17, line 22, after the word "in", to insert "Senate Document No. 109, and"; and in line 23, after the word "Congress", to strike out "$296,867.45" and insert "$473,528.31."

The amendment was agreed to.

The next amendment was, under the subhead "Interstate Commerce Commission," on page 18, line 25, after the numerals "1946", to strike out "$206,000" and insert "$306,000"; and on page 19, line 3, after the word "to", to strike out "$2,688,000" and insert "$2,788,000."

The amendment was agreed to.

The next amendment was, on page 19, after line 8, to insert:

Motor transport regulation: For an additional amount, fiscal year 1946, for "Motor transport regulation," including the objects specified under this head in the Independent Offices Appropriation Act, 1946, $164,000.

The amendment was agreed to.

The next amendment was, under the subhead "National Housing Agency—Office of the Administrator," on page 19, after line 19, to strike out:

Veterans' housing: To enable the National Housing Administrator to carry out the purposes of title V of the act of October 14, 1940, as amended, $24,500,000.

And in lieu thereof to insert the following:

Veterans' housing: To enable the National Housing Administrator to carry out the purposes of title V of the act of October 14, 1940, as amended (42 U. S. C. 1501), $191,900,000, to remain available until expended: *Provided,* That, without regard to the provisions of any other law, but subject to the removal of provisions of section 313 of said act, said Administrator may transfer, for such consideration and subject to such terms and conditions as he deems feasible under the circumstances, any temporary housing (intact or in panels suitable for reuse) under his jurisdiction to any educational institutions, State or political subdivision thereof, local public agency, or nonprofit organization, for use or reuse in providing temporary housing for families of servicemen and for veterans and their families, or, in the discretion of the Administrator, for single veterans attending educational institutions.

Mr. McKELLAR. Mr. President, I offer an amendment to correct the amendment just stated by striking out the word "of", on page 20, in line 3, where it first appears. The word "of" appears twice in that line. The "of" I ask to have stricken appears between the words "removal" and "provisions." The language should be "removal provisions." I ask further to correct the amendment in line 8, by striking out the letter "s" in the word "institutions." The word should be singular instead of plural.

The PRESIDING OFFICER. The question is on agreeing to the amendment to the committee amendment.

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The next amendment was, under the subhead "National Labor Relations Board," on page 22, after line 8, to insert:

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, National Labor Relations Board, War Labor Disputes Act," including the objects specified under the appropriation for this purpose in the National Labor Relations Board Appropriation Act, 1946, $300,000, for reimbursement to the appropriations "Salaries" and "Miscellaneous expenses," National Labor Relations Board, fiscal year 1946.

The amendment was agreed to.

The next amendment was, under the subhead "Veterans' Administration," on page 25, line 8, after the figures "$5,000,000", to insert a semicolon and "the limitation under the above appropriation upon the number of passenger-carrying vehicles which may be purchased during the fiscal year 1946 is hereby increased from '55' to '284'; the limitation under the above appropriation upon the amount which may be available for the preparation, shipment, installation, and display of exhibits, photographic displays, moving pictures, and other visual educational information and descriptive material is hereby increased from '$50,000' to '$99,500'; and notwithstanding the provisions of section 106 of the above act, the appropriation shall be available for the purchase of newspapers (other than legal) and periodicals in an amount not exceeding $975. Subparagraph (c) of section 201 of the Independent Offices Appropriation Act, 1946, is hereby amended by striking therefrom the words following the words 'Veterans' Administration' and substituting in lieu thereof the following words and figures, 'the amount available for such purpose shall be $10,000.'"

The amendment was agreed to.

Mr. WHERRY. Mr. President, referring back to the language of the amendment on page 20. Does it provide primarily for veterans' housing?

Mr. McKELLAR. Practically all is for veterans.

Mr. WHERRY. I thought that ought to be stated and clearly understood.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the heading "District of Columbia—Health Department," on page 28, after line 1, to insert:

Capital outlay, Glenn Dale Tuberculosis Sanatorium: For preparation of plans and specifications for the construction of a building for employees' living quarters, $4,600, which amount may be credited to the appropriation account, "Office of Municipal Architect, construction services."

The amendment was agreed to.

The next amendment was, on page 29, after line 12, to insert:

MENTAL REHABILITATION SERVICE

Capital outlay, District Training School: For the construction of a third floor and a permanent roof to the hospital and administration building, $70,000.

The amendment was agreed to.

The next amendment was, under the subhead "Public works," on page 29, after line 17, to insert:

Motor Vehicle Parking Agency: For all expenses necessary in carrying out the provisions of the District of Columbia Motor Vehicle Parking Facility Act of 1942 (56 Stat. 90), including personal services and printing and binding, payable from the highway fund, fiscal year 1946, $5,000.

The amendment was agreed to.

The next amendment was, on page 30, line 2, after the figures "$320,000", to insert a comma and "and in conducting a survey for city relief sewers the Commissioners are authorized to employ engineering and other professional services by contract or otherwise, without regard to section 3709 of the Revised Statutes and civil-service and classification laws."

The amendment was agreed to.

The next amendment was, on page 30, after line 6, to insert:

SPECIAL EMERGENCY FUND

For all expenses necessary to enable the Commissioners of the District of Columbia to maintain public order and protect life and property in said District during the period of public recognition extended to returning military or naval personnel or visiting dignitaries, including the cost of removing and relocating streetcar loading platforms, roping of streets, erection of stands, printing of signs, and operation of temporary comfort stations, fiscal year 1946, $15,000: *Provided*, That the certificate of the Commissioners shall be sufficient voucher for the expenditure of $1,000 of this appropriation for such purposes as they may deem necessary.

The amendment was agreed to.

The next amendment was, under the heading "Department of Agriculture—Agricultural Research Administration—Bureau of Entomology and Plant Quarantine", on page 31, line 14, after the numerals "1946", to strike out "$125,000" and insert "$250,000."

The amendment was agreed to.

The next amendment was, on page 31, after line 14, to insert:

FOREST SERVICE

National-forest protection and management: For an additional amount, fiscal year 1946, for national-forest protection and management, including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, $300,000.

The amendment was agreed to.

The next amendment was, under the subhead "Forest roads and trails," on page 32, after line 9, to insert:

WAR FOOD ADMINISTRATION

Salaries and expenses: The limitation on the amount which may be expended for the agricultural wage stabilization program under the appropriation "Salaries and expenses, War Food Administration," in the Department of Agriculture Appropriation Act, 1946, is hereby increased from "$275,000" to "$373,700."

The amendment was agreed to.

The next amendment was, on page 32, after line 23, to insert:

SCHOOL LUNCH PROGRAM

The limitation of $50,000,000 for the objects and for the purposes of the item "School lunch program" contained in the Department of Agriculture Appropriation Act, 1946, is increased by $15,000,000.

The amendment was agreed to.

The next amendment was, on page 33, after line 3, to insert:

MARKETING SERVICE

Insecticide Act: For an additional amount, fiscal year 1946, for "Insecticide Act," including the objects specified under this head in the Department of Agriculture Appropriation Act, 1946, $26,500, and the limitation on the amount which may be expended for departmental personnel services in the District of Columbia is hereby increased from "$1,228,446" to "$1,235,446."

The amendment was agreed to.

The next amendment was, under the subhead "Farm labor-supply program," on page 33, line 22, after the word "of", to strike out "$14,000,000" and insert "$22,000,000."

Mr. TYDINGS. Mr. President, in connection with the committee amendment on page 33, line 22, striking out $14,000,000," and inserting in lieu thereof "$22,000,000," at the bottom of the page the language is "Not less than $5,000,000 of such additional funds shall be apportioned among the several States," to provide for farm labor. I am advised that the farm organizations whose representatives appeared before the committee are very desirous of obtaining a $7,000,000 foundation for this fund. The Senator will recall the testimony.

Mr. McKELLAR. Mr. President, let me explain this situation. The committee heard a great deal of testimony on this question. There is no doubt that there is great need for farm labor. So far as the information of the committee is concerned—and we received a great deal of it—during the war this practice has been of tremendous service, and we think it will be of tremendous service in the future.

Mr. TYDINGS. Mr. President, will the Senator allow me to interrupt him?

Mr. McKELLAR. In a moment. As the Senator will note, on page 33, the language is "Not less than $5,000,000." We thought that if more than that amount were required, even to the extent of $7,000,000, those who administered the act would be authorized to use that much, or even a larger sum.

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

Mr. McKELLAR. I yield.

Mr. TYDINGS. I do not believe that anyone has any quarrel with what the Senate Appropriations Committee has done. It has provided that not less than $5,000,000 shall be available. Therefore it is assumed that if six, seven, eight, nine, or ten million dollars were needed, it would be available. However, the position of those who are dependent upon the farm labor for which provision is made in the bill is that $5,000,000 will not be sufficient.

What I should like to have the Senator agree to—and I know he will give it his usual careful attention—is to establish a floor of $7,000,000, and take the item to conference. If it seems unwise to raise the floor, that is one thing, but I should like to have the question considered.

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

Mr. McKELLAR. I yield.

Mr. HAYDEN. The testimony before the committee was that there must be imported into the United States at least 75,000 foreign workers. The money to do that is included in the $22,000,000.

Mr. TYDINGS. That is correct.

Mr. HAYDEN. There is also in the $22,000,000 an estimate of approximately $6,000,000 to provide for what the Senator is talking about, namely, interstate transportation of American workers.

Mr. TYDINGS. That is correct.

Mr. HAYDEN. To the extent that we increase the limit, we take away money which possibly could be used for the importation of badly needed foreign labor from the West Indies, Mexico, and other countries.

Mr. BANKHEAD. Why not increase the $22,000,000 figure?

Mr. HAYDEN. If we wish to increase the figure $5,000,000 to $7,000,000, we ought to increase the figure $22,000,000 to $25,000,000.

Mr. McKELLAR. We should increase both amounts. Unless we should do so, the Administrator would be placed in a very awkward position.

Mr. TYDINGS. Mr. President, I am not desirous of wasting a single cent of the appropriation. However, anyone who has any knowledge of conditions in the farming States must realize that for a long time they have been dependent upon transitory labor within our own country and labor imported from outside the country. If the labor situation on the farms should improve so that we would not need this money, that would be one thing. But up to date there is no evidence of such an improvement. For example, farmers in Maryland—and I suppose farmers in many other States—are advertising for labor at very high wages, offering the inducement of fine houses with electric lights, baths, and many other facilities, but they are unable to attract farm labor. With the world in its present condition, I suggest that we err on the side of producing food.

Mr. HAYDEN. It is more or less of an insurance policy.

Mr. TYDINGS. I suggest that there be taken to conference an amendment which would further increase the $22,000,000 to $25,000,000, and also increase the $5,000,000 in line 24 to $7,000,000, and see whether or not, on further examination, those figures are warranted.

Mr. McKELLAR. Mr. President, I have no objection to that suggestion if the Senate will agree to it. When the matter goes to conference we may have to change those figures. Probably it would be wise to increase both figures.

Mr. TYDINGS. I offer an amendment on page 33, line 22, in the committee amendment, to strike out "$22,000,000" and insert "$25,000,000"; and I shall also offer an amendment in line 24, on the same page, to change the figure "$5,000,000" to "$7,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland to the committee amendment on page 33, line 22.

Mr. JOHNSON of Colorado. Mr. President——

Mr. McKELLAR. Mr. President, before the amendment is adopted, the Senator from Colorado wishes to be heard, and should be heard.

Mr. JOHNSON of Colorado. Mr. President, I know that all the Senators from Western States appreciate the attitude of the Senator from Tennessee in agreeing to increase these amounts, because they are vital. I have before me a telegram which was sent to all the Senators of the 11 Western States by the chairman of the Regional Western Cooperative Extension Service, Mr. F. A. Anderson. I ask unanimous consent to have the telegram printed in the RECORD at this point as a part of my remarks.

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

FORT COLLINS, COLO., *December 14, 1945.*

Senator ED C. JOHNSON,
Senate Office Building,
Washington, D. C.:

Understand Senate Appropriations Committee has recommended an appropriation of twenty-two million for the emergency farm labor program in 1946, of which five million shall be available to States for expenditure by agricultural extension services and seventeen million to Office of Labor, United States Department of Agriculture, for recruitment, transportation, and so forth, of foreign workers, State extension directors of the 11 Western States in which one-half of the deficiency in our national labor supply exists. Do not feel that five million is adequate for the performance of duties assigned to us by Congress and respectfully request that the amount be increased to at least seven million. Our recommendation as submitted to the Senate Appropriations Committee was for a total appropriation of twenty-nine million, of which nine million would be available to the States and twenty million to the Office of Labor. An inadequate appropriation will result in a large reduction in sugar beets and other crops for which a great deal of hand labor is required.

F. A. ANDERSON.

Mr. JOHNSON of Colorado. Mr. Anderson makes the point that the Extension Service has a tremendous responsibility, and is put to great expense in carrying out its part under the cooperative arrangement between the Federal Government and the States, and seeing to it that sufficient labor is provided.

The Secretary of Agriculture has boosted his request for the production of sugar. Of course, sugar cannot be produced without sufficient labor. If the bill is amended as has been suggested by the Senator from Maryland and agreed to by the Senator from Tennessee, who is in charge of the bill, I think the situation will be taken care of.

At this point I should like to yield to my colleague [Mr. MILLIKIN].

Mr. MILLIKIN. Mr. President, I wish very heartily to associate myself with what has been said by the distinguished senior Senator from Maryland and my very able and distinguished colleague the senior Senator from Colorado. I wish, also, to express my appreciation to the distinguished Senator from Tennessee for what I believe to be a very wise and constructive concession. I express the hope that the conferees on the part of the Senate will prevail in maintaining the increased amounts.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland [Mr. TYDINGS] to the committee amendment on page 33, line 22.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. TYDINGS. I now offer an amendment on page 33, line 24, to strike out "$5,000,000" and insert in lieu thereof "$7,000,000."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Maryland.

Mr. WHERRY. Mr. President, I wish to say a word about the amendment before it is adopted. I wish to add to the remarks of both Senators from Colorado the statement that we in Nebraska find ourselves in the same position, especially in the sugar-beet area, so far as the need for labor is concerned.

I deeply appreciate the amendments offered by the Senator from Maryland, and I hope they will go further than the stage of being offered and agreed to here. I hope that when the conferees take all the amendments to conference they will insist upon these particular ones. Of course, I am interested in economy; but food is needed in the United States and in the world, and I think these appropriations are most desirable.

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

Mr. WHERRY. I yield.

Mr. TYDINGS. Probably the Senator from Nebraska has had the experience which I have had. One section of my State produces great quantities of cannable crops. It is most distressing for the farmers who produce crops which are perishable at the time of ripening to find that when they have ripened and are ready to be canned sufficient labor to gather them and get them to the canning houses is not available, with the result that the farmers sustain great losses after having made every possible effort to produce the crops; and of course it has been most difficult to produce them, in view of the shortage of labor and the shortage of machinery. When losses of that kind occur once, the farmers are not likely to make the effort again.

Mr. WHERRY. That is correct. Mr. President, I wish to say, not only for myself but for the senior Senator from Nebraska [Mr. BUTLER], who, if he were here, I know would join me in this statement, that we appreciate very much the efforts which have been made in this connection and we join with other Senators who are endorsing these amendments.

Mr. TAYLOR. Mr. President, I wish to add my voice to those of other Senators who have expressed their endorsement of the amendments, and I desire to express on the part of the farmers of Idaho appreciation for the attention this matter has been given by the Senator

from Maryland. I know it is vital. A number of farmers in Idaho have communicated with me about it. If we are to have the necessary food produced, I know the adoption of the amendments is absolutely necessary.

Mr. LANGER. Mr. President, I wish to add my endorsement of the amendments, in behalf of a number of farmers in North Dakota who have written to me regarding the matter, and I desire to compliment the Senator from Maryland for the action he has taken in connection with the amendments. I am only sorry that the amounts involved are not larger.

Mr. McKELLAR. Mr. President, I think I should say that probably very few items in the bill have received so much consideration as has this particular one. A considerable amount of the attention it has received is attributable to the fact that many of the labor shortages which were shown to have existed were ameliorated during the present year, especially, by the labor of captured soldiers who have been brought to this country from abroad. Of course, they will have to be replaced, and that is a further reason why the committee acted as generously as it could. We are glad to have these amendments offered.

The PRESIDING OFFICER. The Chair withdraws his previous announcement that the amendment is agreed to; and the question, then, is on agreeing to the amendment of the Senator from Maryland to the committee amendment on page 33, in line 22.

The amendment to the committee amendment was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to the amendment of the Senator from Maryland on page 33, in line 24.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 34, line 9, after the word "purposes," to insert "agricultural workers may be admitted into the United States to perform agricultural labor in accordance with the provisions of section 5 (g) of said act during the continuance of this program, notwithstanding any official determination of the cessation of hostilities in the present war."

The amendment was agreed to.

The next amendment was, under the heading "Department of Commerce—Office of the Secretary," on page 35, line 11, after the word "binding," to strike out "$250,000" and insert "$344,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of the Census," on page 35, line 17, after the numerals "1946", to strike out "$1,970,000" and insert "$3,295,000."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Administrator of Civil Aeronautics", on page 35, after line 18, to insert:

Establishment of air-navigation facilities: For an additional amount for "Establishment of air-navigation facilities," fiscal year 1946, including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, $182,000.

The amendment was agreed to.

The next amendment was, on page 36, after line 11, to insert:

BUREAU OF FOREIGN AND DOMESTIC COMMERCE

Departmental salaries and expenses: For an additional amount, fiscal year 1946, for "Departmental salaries and expenses," including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, $350,000, and the limitation on the amount which may be expended for personal services is hereby increased from "$1,929,250" to "$2,241,750."

The amendment was agreed to.

The next amendment was, on page 36, after line 20, to insert:

Field office service: For an additional amount, fiscal year 1946, for "Field office service," including the objects specified under this head in the Department of Commerce Appropriation Act, 1946, $30,000, and the limitation on the amount which may be expended for personal services is hereby increased from "$395,000" to "$421,000."

The amendment was agreed to.

Mr. WHERRY. Mr. President, I wish to ask the acting chairman of the committee to return to the amendment, on page 35, in line 17, in the item dealing with the Bureau of the Census. I wish to have the Senator explain why the item was increased by the committee from $1,970,000 to $3,295,000.

Mr. McKELLAR. Mr. President, the House approved the amount of the Budget estimate. We took considerable proof in regard to this item. The committee was of the opinion that the Budget estimate should be increased—and it was increased—in order to enable the Bureau of the Census to do the work it is required to perform at this time, namely, to compile the census and to report on all the other matters which are required of it.

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

Mr. McKELLAR. I yield.

Mr. BRIDGES. In answer to the Senator from Nebraska, let me tell him, so that there may be no misunderstanding, that the members of the committee were not unanimous in their views in regard to the matter.

Mr. McKELLAR. No; they were not unanimous.

Mr. BRIDGES. Several members of the committee felt that the expense was wholly unwarranted and unnecessary.

Let me also take this opportunity to say that I think the Appropriations Committee is to be commended in regard to certain items in the bill. The committee did cut out many, many hundreds of millions of dollars of proposed appropriations; but I, for one, regret exceedingly that it was found necessary to increase the appropriation items in this bill by $619,260,876.86 over the appropriations voted by the House of Representatives. I think many of these appropriations could well be reduced in amount substantially more than they have been; and the item about which the Senator from Nebraska has raised a question is typical of many others. However, a majority of the committee felt that the increase should be made, and the committee voted accordingly.

If other Members of the Senate feel that the committee has been too liberal, I, as a member of the committee who voted against many of these increases, will be glad to have them discuss the items further.

Mr. McKELLAR. Mr. President, let me say that while there has been an increase in the amount of six-hundred-and-some-odd million dollars, as the Senator from New Hampshire has said, it should be pointed out that the additional $750,000,000 item was adopted by the Senate yesterday as a result of the vote on the UNRRA appropriation.

I wish to say that the Senator from New Hampshire studied this bill as much, perhaps, as any other member of the committee did, and the Senator from New Hampshire rendered a splendid service in helping reduce many items of appropriation. As he will remember, I frequently voted with him in connection with the reduction of appropriations.

Mr. BRIDGES. I acknowledge that, Mr. President.

Mr. McKELLAR. But in connection with the comment the Senator has made about increased items of appropriation, I wish to point out that, of course, the $750,000,000 appropriation which the Senate voted yesterday to add to the bill is an appreciable item in itself.

Mr. BRIDGES. Mr. President, will the Senator yield at this point?

Mr. McKELLAR. I yield.

Mr. BRIDGES. The increase to which I have referred did not include the $750,000,000 appropriation which was added by the Senate yesterday.

Mr. McKELLAR. Yes.

Mr. BRIDGES. That action was taken by the Senate after the bill was reported from the committee. The figures to which I referred, as the Senator well knows, were compiled on the basis of the bill as it was reported by the committee.

Mr. McKELLAR. Let me inquire whether the Senator considered the item of $167,000,000 which the committee unanimously voted to add to the bill, as I recall, for veterans' housing.

At this time I wish to say to the Senator from New Hampshire, and to all other Members of the Senate, that I think all the members of the subcommittee, with the exception of two who were absent—one of whom was absent because of illness and the other because of the necessity of attending another committee meeting—worked on this bill as few committees have ever worked on a bill during the time I have been in the Senate. I cannot say too much about the splendid work which was done by the Senator from New Hampshire and other Senators who felt that there should be economy.

As the matter has been worked out, we all realize that action on the bill will not be completed when the bill is passed by the Senate. I know perfectly well

that it will be necessary for the Senate conferees to make many concessions to the conferees on the part of the House of Representatives; and I feel that when the bill becomes law it will be a measure which even those of us who are economy minded will be glad to endorse.

Mr. BRIDGES. Mr. President, the $400,000,000 item which was reported by the committee on behalf of UNRRA was increased by $350,000,000 on the floor of the Senate yesterday. Perhaps there is no more economically minded Member of the Senate than the Senator from Tennessee. Generally I agree with him. But I would go further than the Senator from Tennessee would go in reducing some of these items. The bill was a difficult one. The appropriations were large, and the committee did its work well. In some instances we felt that some of the House figures could have been reduced. I regret that some of the other members of the committee did not see the situation in that light. Nevertheless, I do not condemn the Senator from Tennessee but, on the contrary, I have great admiration for his courage and his vision.

Mr. McKELLAR. I thank the Senator.

Mr. WHERRY. Mr. President, I should like to ask what is the justification for the item? I understood that had been raised above the Budget estimate.

Mr. HAYDEN. No.

Mr. WHERRY. I understood the distinguished Senator from Tennessee to say so.

Mr. HAYDEN. There are involved four items in the total amount. Three of them were favorably reported by the Senate Committee on Appropriations. We received a Budget estimate of $50,000 for marine statistics, and so forth, which are to be gathered. That is one item.

The other item is the quarterly report on labor forces in the United States. It is highly important.

There is involved also a consumers' income study. All those matters were estimated by the Budget. Three of them were rejected by the House committee. We received an additional Budget estimate and restored them.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was, under the heading "Department of the Interior," on page 38, after line 4, to insert:

BUREAU OF INDIAN AFFAIRS

For payment to certain individual Sioux Indians, their heirs or devisees, in full settlement of their claims against the United States for personal property losses, as authorized by the act of June 30, 1945 (Public Law 97), including payment of attorney fees and other expenses authorized by said act, $111,630, to remain available as provided in said act: *Provided*, That the respective Indian agency superintendents, acting as ex officio guardians, shall have authority to make application for, and to receive, payment of the amounts due the said claimants, their heirs or devisees.

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Reclamation—Reclamation fund, special fund," on page 39, line 4, after "offices)", to strike out "$200,000" and insert "$800,000."

The amendment was agreed to.

The next amendment was, on page 39, line 5, after the words "General investigations", to strike out "$500,000" and insert "$1,500,000."

The amendment was agreed to.

The next amendment was, on page 40, line 1, after the word "fund", to strike out "$20,442,000" and insert "$22,042,000."

The amendment was agreed to.

The next amendment was, under the subhead "General fund, construction," on page 40, line 11, after "Davis Dam project, Arizona-Nevada", to strike out "$5,000,000" and insert "$6,800,000."

The amendment was agreed to.

The next amendment was, on page 40, line 22, after the figures "$550,000", to strike out "switchyards, $1,600,000" and insert "switchyards at Shasta and Keswick Dams, $800,000"; in line 24, after the amendment just above stated, to strike out "transmission lines, Oroville to Sacramento, 230 kilovolt, $730,000, and Sacramento between substations, 230 kilovolt, $50,000"; and on page 41, line 2, after the words "in all", to strike out "$19,215,000" and insert "$17,635,000."

Mr. HAYDEN. Mr. President, I wish to suggest to the acting chairman of the committee that this amendment is a controverted one. We are proceeding so well through the bill that it occurs to me that we might well dispose of the remaining amendments, at least those as to which there will be no objection, and then return to this amendment and consider it. I refer to the amendment beginning in line 22 on page 40, and ending in line 2, on page 41. I refer particularly to the item of switchyards at Shasta and Keswick Dams, and transmission lines from Oroville to Sacramento.

Mr. McKELLAR. Yes. I am agreeable to that amendment being passed over for the time being, but I do not believe there is any necessity for the amendments being passed over pertaining to the Kings River project in California and the Colorado-Big Thompson project.

Mr. HAYDEN. No; I am making a suggestion with reference only to the amendment which I have indicated.

Mr. McKELLAR. I believe that it would be satisfactory to pass that amendment over for the time being.

Mr. TYDINGS. Mr. President, do I correctly understand that the consideration of the amendment is merely being postponed?

Mr. McKELLAR. Yes.

Mr. HAYDEN. I am suggesting that consideration of the amendment be postponed until we have reached the end of the bill.

Mr. TYDINGS. I should like to be on the floor of the Senate when the matter is considered. I should like to get some lunch, and I wondered if I would have time to do so before consideration of the amendment is taken up. My interest in it is a detached one, but I understood from some maps which were sent to my office that the transmission line, which was built by the Government, will, in effect, parallel lines which are already in use.

Mr. HAYDEN. A direct issue of fact is involved which will have to be presented to the Senate.

Mr. TYDINGS. I do not think the Government should go into the power business and compete with private lines which are already in the field. It is all right for the Government to sell power at the switchboard. That is the only interest I have in the matter.

Mr. HAYDEN. I believe the Senator will be interested in hearing the discussion which will take place.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

The next amendment of the committee will be stated.

The next amendment was, on page 41, after line 2, to insert:

Kings River project, California, $197,000.

The amendment was agreed to.

The next amendment was, on page 41, line 4, after "Colorado-Big Thompson project, Colorado", to strike out "$5,000,000" and insert "$6,500,000."

Mr. JOHNSON of Colorado. Mr. President, I should like to ask the Senator in charge of the bill something about the appropriation in line 4 on page 41. The Senator will recall that the junior Senator from Colorado [Mr. MILLIKIN] and I appeared before the committee on behalf of a transmission line known as the Brush, Sterling, and Hollyoke Transmission Line, which extends down into Nebraska, and in which the Senator from Nebraska has considerable interest.

Mr. McKELLAR. Mr. President, I may say that the two Senators from Colorado not only appeared before the committee, but they appeared very effectively and obtained an additional $500,000 for the construction of transmission lines. It had the full approval of the acting chairman of the committee. I hope that the amendment will be agreed to.

Mr. JOHNSON of Colorado. It is understood that the item to which I have referred is included, is it not?

Mr. McKELLAR. It is so understood. It was so understood in the committee, and I hope that the Senate will understand also that $500,000 of this appropriation is to be used for the building of a transmission line from Brush into the southwestern part of Nebraska.

Mr. JOHNSON of Colorado. Yes.

Mr. McKELLAR. In my capacity as the acting chairman of the committee, I make that statement.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment in line 4, on page 41.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

The next amendment was, on page 41, line 7, after "Columbia Basin project, Washington," to strike out "$10,050,000" and insert "$10,500,000."

The amendment was agreed to.

The next amendment was, on page 41, line 9, after "Total, general fund, con-

struction", to strike out "$42,765,000" and insert "$45,132,000."

Mr. McKELLAR. Mr. President, this amendment should be passed over for the time being in view of the fact that several other items in connection with this amendment were also passed over.

The PRESIDING OFFICER. Without objection, the amendment will be passed over.

Mr. BRIDGES. Mr. President, I wish to point out that generally speaking, the appropriations will not represent the total amount that will eventually be appropriated. They are merely a start. I do not wish the Senate to be led astray into believing that this will be the end. Many of these projects will require larger appropriations later on. For example, the Hungry Horse project in Montana involves initially approximately only $1,500,000, but it will take a little later $48,000,000, and later on about $35,000,000, or, roughly speaking, $80,000,000. That same situation is true of many of these projects. The ground work is being laid for the expenditure of large sums of money, and I want the Senate to know what it is doing.

The PRESIDING OFFICER. The clerk will state the next amendment reported by the committee

The next amendment was, under the subhead "Colorado River development fund," page 41, line 21, after "774)", to strike out "$250,000" and insert "$41,000,000."

The amendment was agreed to.

The next amendment was, under the subhead "Fort Peck project, Montana," on page 42, line 1, before the word "to", to strike out "$480,000" and insert "$1,335,000."

The amendment was agreed to.

The next amendment was, under the subhead "Missouri River Basin," on page 42, line 7, after "(58 Stat. 887", to strike out "$10,269,100" and insert "$11,402,300."

The amendment was agreed to.

The next amendment was, on page 42, after line 8, to insert:

ADMINISTRATIVE PROVISIONS

Administrative provisions: The limitation contained in the Interior Department Appropriation Act, 1946, on the number of motor-propelled passenger-carrying vehicles which may be purchased is hereby increased from "280" to "380."

The amendment was agreed to.

The next amendment was, on page 42, after line 14, to insert:

GEOLOGICAL SURVEY

Topographic surveys: For an additional amount, fiscal year 1946, for "Topographic surveys," $13,900.

The amendment was agreed to.

The next amendment was, on page 42, after line 17, to insert:

Geologic surveys: For an additional amount, fiscal year 1946, for "Geologic survey ," $800.

The amendment was agreed to.

The next amendment was, on page 42, after line 19, to insert:

Gaging streams: For an additional amount, fiscal year 1946, for "Gaging streams," including the objects specified under this head in the Interior Department Appropriation Act, 1946, $321,100, and the amount that shall be available only for cooperation with States or municipalities is hereby increased from "$1,300,000" to "$1,620,000."

The amendment was agreed to.

The next amendment was, on the top of page 43, to insert:

Classification of lands: For an additional amount, fiscal year 1946, for "Classification of lands," $800.

The amendment was agreed to.

The next amendment was, on page 43, after line 2, to insert:

Arkansas River compact: For payment of the compensation, without regard to the civil-service and classification laws, including time performed in travel, and expenses, including travel, of the person appointed by the President, pursuant to Public Law 34, Seventy-ninth Congress, to participate as the representative of the United States in the negotiation of a compact between the States of Colorado and Kansas relative to the division of the waters of the Arkansas River and its tributaries, to be available until June 30, 1947, $15,000: *Provided*, That, notwithstanding the provisions of any other law to the contrary, the President is authorized to appoint a retired officer of the Army as such representative without prejudice to his status as a retired Army officer who shall receive such compensation and expenses in addition to his retired pay.

The amendment was agreed to.

The next amendment was, on page 43, after line 17, to insert:

BUREAU OF MINES

Drainage tunnel, Leadville, Colo.: For continuing the construction of the drainage tunnel, Leadville, Colo., including the objects specified under this head in the Interior Department Appropriation Act, 1944, to remain available until expended, $485,000, of which $8,000 shall be available for personal services in the District of Columbia.

The amendment was agreed to.

The next amendment was, under the subhead "National Park Service," on page 44, line 15, after the numerals "1946", to strike out "$100,000" and insert "$123,300."

The amendment was agreed to.

The next amendment was, on page 45, after line 18, to insert:

FISH AND WILDLIFE SERVICE

SALARIES AND EXPENSES

Control of predatory animals and injurious rodents: For an additional amount, fiscal year 1946, for "Control of predatory animals and injurious rodents," including the objects specified under this head in the Interior Department Appropriation Act, 1946, $20,000.

Mr. BRIDGES. Mr. President, I inquire if that item comes under the supervision of the Special Committee on Conservation of Wildlife Resources which is headed by the Senator from Maine [Mr. WHITE].

Mr. McKELLAR. I am afraid it does not, but the Senator from Maine is present, and can no doubt answer the question.

Mr. BRIDGES. The Senator from Maine is chairman of the special committee referred to, and I wondered if this item had his approval.

Mr. WHITE. Mr. President, let me say I never had the item called to my attention before. I take it there are a few rodents and other obnoxious animals in the State of Maine, and if there are, they should be speedily destroyed, and I would unhesitatingly favor an appropriation for that purpose, a part of which would go to my State.

Mr. McKELLAR. Let me say to the Senator from New Hampshire that while the proposal was not well presented to the committee, as he will recall, still in fairness and justice it seemed to the committee that the item should be allowed, and it was allowed, I think, by a vote of the full committee, although I am not absolutely sure as to that.

Mr. GURNEY rose.

Mr. McKELLAR. Perhaps the Senator from South Dakota can tell us about it.

Mr. GURNEY. Mr. President, there was a larger appropriation than this in the regular appropriation bill. This item is for a deficiency, and I believe it should be adopted.

Stockmen and others in the States where coyotes are killing sheep and calves are not at all satisfied with the administration of the fund. It is not spread evenly and the results desired are not obtained.

The Senator from Utah [Mr. MURDOCK] is particularly interested in this item, as I am, for our States have been discriminated against, and, for certain, we are going to require a more efficient program before we give our consent to the next authorization. A proposal has been suggested to the Fish and Wildlife Service which will better the program, and I am sure that it will be forthcoming.

Mr. McKELLAR. I am very happy the Senator from South Dakota has made those remarks on the floor so that the Commission will have due notice of them.

Mr. WHITE. Mr. President, I should like to say a word further. I was out of the Chamber when this item was reached; I came in just in time to hear the distinguished Senator from New Hampshire say something about the State of Maine. I gathered from what he said that this was a matter of peculiar interest to Maine. As a matter of fact, I know nothing of the testimony about this item, as I was not on the subcommittee, but I do know that for a long time those interested in the fish and wildlife resources of the country have been fighting desperately to control rodents and predatory animals and all other forms of life destructive to our useful and worth-while wildlife. This is a small appropriation, and I believe it should be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment reported by the committee on page 45, after line 18.

The amendment was agreed to.

The PRESIDING OFFICER. The next amendment reported by the committee will be stated.

The next amendment was, under the subhead "Government in the Territories—Government of the Virgin Islands," on page 46, line 7, after the numerals "1946", to strike out "$100,000" and insert "$150,000."

Mr. BRIDGES. Mr. President, I trust Senators will appreciate the significance

of this item. It is under the heading "Government of the Virgin Islands," and reads:

Municipal government of St. Croix: For defraying the deficit in the treasury of the municipal government of St. Croix, V. I., because of the excess of current expenses over current revenues for the fiscal year 1946—

The House provided $100,000, and the Senate has increased that amount to $150,000.

Are we not establishing an unsound principle here? I was not in favor of this item in the committee, and I do not know that the distinguished acting chairman of the committee favored it, but I should like to have him explain it, so that we may all understand what we are doing.

Mr. McKELLAR. I shall be very happy to explain it.

We bought the Virgin Islands from Denmark. We also came into possession of Puerto Rico, but not in the same way. We have both those islands. Their principal revenues have been derived from the tax on rum. Puerto Rico is allowed to use the tax she collects on rum, but, on the contrary, in the case of the Virgin Islands the tax on rum is paid into the Treasury of the United States. It amounted to about two and a half million dollars normally, as I recall, but it ran up during the war to a very much larger sum, perhaps $20,000,000——

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

Mr. McKELLAR. I am in error about that. It was about $4,000,000, or double what it had been previously.

Mr. GURNEY. The $20,000,000 figure which the Senator from Tennessee——

Mr. McKELLAR. Which I had in mind was for the whole time.

Mr. GURNEY. No. That was the figure for Puerto Rico.

Mr. McKELLAR. For Puerto Rico?

Mr. GURNEY. Yes; that is correct.

Mr. McKELLAR. I think it was during the whole war that the figure reached about $20,000,000. That was paid into the Treasury of the United States, when, if we had treated the Virgin Islands as we treated Puerto Rico, the Virgin Islands would have had that much money for their own purposes.

Governor Harwood before the House committee had this to say:

Mr. CANNON—

Mr. CANNON is chairman of the Appropriations Committee of the House—

Mr. CANNON. How much revenue would you say will accrue to the United States Government from liquor exported from the islands during the fiscal year?

Governor HARWOOD. During this fiscal year we will not receive as much as in the last year. We had a banner year and paid the United States Treasury upward of $25,000,000. The falling off of sales and revenues had been tremendous. We have been exporting some from St. Thomas, but from St. Croix not much has been exported this year, so the income taxes on profits from liquor sales will be very meager.

We have been paying these deficiencies for a number of years—whether rightly or wrongly, it is no use to consider at this time. We have been paying them. For this purpose the Senate committee has allowed $150,000; we have increased the amount which the House allowed, which was $100,000.

Under the circumstances, since we are treating one island differently from another, and since we have received the rum taxes from the Virgin Islands, which are very poor and their revenues even from rum are going down, as has been shown, it seemed to a majority of the committee that this amount ought to be allowed, and it was allowed. I hope the Senate will approve it.

Mr. BRIDGES. Mr. President, I have not the exact figures here, but in the period of years when WPA relief was being granted we paid out in relief to the Virgin Islands, roughly, twice as much as we paid for the islands in the first place.

Earlier in the bill, on page 16, lines 15, 16, and 17, we recommend $1,878,420 for Virgin Island public works, which is an increase of approximately $1,300,000 over the House figure. Now we come to the point where we are not only dealing with the islands as a whole, but dealing with individual communities of the islands, and it is said we will make up any deficit that occurs.

Mr. McKELLAR. Will the Senator yield?

Mr. BRIDGES. I yield.

Mr. McKELLAR. The Senator will recall that Congress passed a legislative bill authorizing for public works the sum of $10,000,000. This appropriation of $1,878,420 is in part compliance with that authorization. We may have made a mistake in authorizing it, but we did authorize it, and the Committee on Appropriations felt, under the proof before us, that we should make the appropriation. The authorization bill was passed on December 20, 1944, nearly a year ago. That would have been the time to determine whether or not we should appropriate the money.

Mr. BRIDGES. Let me point out that the authorization of money in advance, wholesale, which the Senate and the House have been doing, is a very dangerous practice. When an authorization bill is before us it is said, "This is not an appropriation, it does not obligate us to make an appropriation, we are merely authorizing an appropriation." In most every instance I know of, when we authorize an appropriation, we eventually have to appropriate the money. There are only a few instances where that has not been done.

I have been told by many Members of the Senate and by representatives of the Government that when we authorize that does not bind us to appropriate. If that be true, we are not bound in this case. This is not the time for appropriate action in the matter but it is the time to point to the danger of the practice. I think the distinguished Senator from Tennessee, in his heart, generally speaking, agrees with me.

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

Mr. BRIDGES. I yield.

Mr. WHERRY. Was not that the point the distinguished Senator from New Hampshire brought to the attention of the Members of the Senate with regard to the projects on page 40?

Mr. BRIDGES. Yes.

Mr. WHERRY. Especially the one on line 6, page 41, where we start in with an authorization of $1,500,000 for planning, and we may wind up with an appropriation in the next year or two of $75,000,000.

I should like to say to the distinguished Senator from New Hampshire that I agree with him fully in the statement he has just made. When authorizations come before us those in support of them say, "This is merely an authorization. We have the power to withhold the appropriation, and we need not make the appropriation when the time comes." But after they get their foot in the door with an authorization they come back and say that we are compelled to appropriate, that we have authorized it, and that we must appropriate.

Mr. McKELLAR. Mr. President, I wish to thank the Senator from Nebraska for calling this matter to the attention of the Senate. What he has said is absolutely accurate. In authorization bills, not only the Senate but the Congress as a whole, are wont to say the very things the Senator has repeated, namely, "This is merely an authorization, and we can vote for it," but after we vote for it, it is claimed we are committed, and that argument is made before the Committee on Appropriations. I hope the Senate will view authorization bills with a great deal more care in the future than has been the practice in the past. I take this occasion to thank both Senators for calling this matter to the attention of the Senate.

Mr. CHAVEZ. Mr. President, of course I always endeavor to agree with the Senator from Tennessee, but sometimes, in order to do what we might think is correct, we go even further than waiting for an authorization bill. For instance, last evening—and I think correctly—we appropriated $750,000,000 for UNRRA when we did not have a technical authorization.

Mr. McKELLAR. But that appropriation is dependent on the authorization being passed, and if it should fail to pass, the money would not become available.

Mr. BRIDGES. Mr. President, I think the Senator from New Mexico is to be complimented just as the Senator from Tennessee has complimented the Senator from Nebraska and the Senator from New Hampshire. Regardless of the merits or demerits of UNRRA, to my mind it was improper for us yesterday to appropriate $750,000,000, or any amount, without an authorization. I admit that I offered the motion to appropriate $400,000,000 in the Committee on Appropriations, because we were pressed. I again wish to say that when the Committee on Appropriations is meeting, and doing the best it can, as the chairman knows, for him to be called on the telephone, as he was, and told that an additional amount had to be appropriated, without any hearing before the committee or anything of the kind——

Mr. McKELLAR. Oh, no; Mr. President. The chairman was not told it had to be done. Oh, no. The very strongest kind of hopes were expressed, but there were no orders given or received.

Mr. BRIDGES. I withdraw that statement. No one orders the Senator from Tennessee around. But very strong hopes were expressed that the Committee on Appropriations would act before the Senate had authorized the appropriation. Certainly it was illegal and unethical to do it that way. Yet I was a party to reporting the bill from the Committee on Appropriations with the $400,000,000 provision for UNRRA in it, because of the dire emergency that was urged. I do not approve of the system, and I think we should never again consider anything so urgent that we cannot at least determine the facts before appropriating funds.

I hope the acting chairman of the committee and the committee itself will never again allow themselves to be forced into such a position.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The PRESIDING OFFICER. The clerk will state the next amendment of the committee.

The next amendment was, under the heading "Department of Justice—Legal activities and general administration," on page 46, after line 9, to insert:

Office of the Assistant Solicitor General: For an additional amount, fiscal year 1946, for "Office of the Assistant Solicitor General," $29,350.

The amendment was agreed to.

The next amendment was, on page 46, after line 14, to insert:

FERERAL BUREAU OF INVESTIGATION

Damage claims: For the payment of a claim for damages to privately owned property adjusted and determined by the Attorney General of the United States under the provisions of the act entitled "An act to provide for the adjustment and settlement of certain claims arising out of the activities of the Federal Bureau of Investigation," approved March 20, 1936 (31 U. S. C. 224b), as fully set forth in Senate Document No. 113, Seventy-ninth Congress, $37.50.

The amendment was agreed to.

The next amendment was, under the heading "Department of State," on page 51, after line 18, to insert:

Representation allowances, foreign service: For an additional amount, fiscal year 1946, for "Representation allowances, foreign service," $23,000.

The amendment was agreed to.

The next amendment was on page 52, line 12, after the numerals "1946", to strike out "$4,000,000" and insert "$4,770,000."

The amendment was agreed to.

The next amendment was, under the subhead "International obligations," on page 52, line 22, after the numerals "1946", to strike out "$2,500,000" and insert "$3,000,000."

The amendment was agreed to.

The next amendment was, under the heading "Treasury Department—Bureau of Accounts," on page 54, after line 8, to insert:

Division of Disbursement, salaries and expenses: For an additional amount, fiscal year 1946, for "Division of Disbursement, salaries and expenses," including the objects specified under this head in the Treasury Department Appropriation Act, 1946, $1,000,000.

The amendment was agreed to.

The next amendment was, under the heading "War Department—Military activities—Damage claims," on page 55, line 14, after the word "in", to insert "Senate Document Numbered 107, and."

The amendment was agreed to.

The next amendment was, on page 55, in line 16, after the word "Congress", to strike out "$118,144.91" and insert "$276,627.43."

Mr. McKELLAR. Mr. President, I offer an amendment to the amendment, which I send to the desk.

The PRESIDING OFFICER. The clerk will state the amendment to the amendment.

The CHIEF CLERK. On page 55, lines 16 and 17, in lieu of the sum "$276,627.43" it is proposed to insert "$274,127.43."

Mr. McKELLAR. Mr. President, by mistake a claim of $2,500 was duplicated, and the amendment makes the proper correction.

Mr. SALTONSTALL. Mr. President, I should like to ask the acting chairman of the committee a question in connection with the citizens' military training and the ROTC. I have received several letters from colleges which say their funds for the ROTC will be cut off March 1. Does that activity fall within the classes which will be discontinued because of lack of appropriations? May I inquire into that situation?

Mr. McKELLAR. Mr. President, we have additional information about that. It might be that the Senator or the Senator's constituents are referring to B–12 of the Navy, as I think it is called, which is a similar organization for training. That will be cut off on the 31st of March, but the activity the Senator from Massachusetts is referring to will not be cut off. It will proceed.

Mr. SALTONSTALL. May I ask, is there any method by which it can, or in the mind of the chairman should, be continued until July 1.

Mr. McKELLAR. Does the Senator refer to the Navy program?

Mr. SALTONSTALL. No; to the ROTC program.

Mr. McKELLAR. The ROTC program will continue right along.

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

Mr. McKELLAR. I yield.

Mr. HAYDEN. I think the inquiries which the Senator from Massachusetts has received relate to the bill which was disposed of a few days ago—the bill dealing with rescissions of appropriations. An argument was raised in connection with it as to whether under the rescission sufficient money should be allowed to carry on the work in the colleges up to the 30th of next June or whether it should be stopped in the spring of next year. We provided that the work should continue to the 30th of June. The House insisted upon it being cut off earlier than that—in March or April. That is in another bill, not in this measure.

Mr. WHERRY. Mr. President, the amendment proposed by the Senator from Tennessee in the item for damage claims in connection with military activities, in lines 16 and 17, on page 55, has not been disposed of as yet, has it?

The PRESIDING OFFICER. No; that amendment is pending.

Mr. WHERRY. Mr. President, I should like to ask the distinguished Senator from Tennessee a question, if he will yield.

Mr. McKELLAR. Yes.

Mr. WHERRY. What is the basis of these claims?

Mr. McKELLAR. The claims are for damages resulting from military activities. The language is as follows:

For the payment of claims for damage to or loss or destruction of property or personal injury or death adjusted and determined by the Secretary of War under the provisions of the act entitled "An act to provide for the settlement of claims for damage to or loss or destruction of property or personal injury or death caused by military personnel or civilian employees, or otherwise incident to activities, of the War Department or of the Army," approved July 3, 1943 (31 U. S. C. 223b), as fully set forth in Senate Document No. 107 and House Document No. 349, Seventy-ninth Congress, $276,627.43.

This amount represents all kinds of claims of the smaller character which are filed with the War Department. Congress gave the Secretary of War power to determine them and to submit them to the Congress for payment.

Mr. WHERRY. The statute, as I recall it, fixes a maximum amount of $1,000?

Mr. McKELLAR. That is my recollection. It is a very small amount.

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

Mr. McKELLAR. I yield.

Mr. HAYDEN. The War Department may settle a claim up to $1,000 without reference to Congress. If it is above $1,000 it must be listed in a document sent to Congress.

Mr. WHERRY. And if a claim is for more than $1,000 it comes to the Senate Committee on Claims?

Mr. McKELLAR. Yes.

Mr. WHERRY. I desired to ask the distinguished acting chairman a question, but first I wanted to lay the foundation for it by having an explanation of what the claims are. Is the amount provided in this item to cover the total of the claims, or is it simply for the balance of claims——

Mr. McKELLAR. Claims of this nature represent a continuing transaction. For instance, if a jeep belonging to the War Department runs over a person and hurts him, but not very badly, and the claim is for less than $1,000, it is included with such claims and passed upon by the Secretary of War.

Mr. WHERRY. I should like to have the Senator place in the RECORD a statement showing the number of claims of this character.

Mr. McKELLAR. If I may do so, I should like to give a typical claim of this nature? This is one of them:

William F. Finke, Kittie Finke, and Carris Finke, Route No. 4, Metropolis, Ill. On December 9, 1944—

A little over a year ago—

an Army airplane engaged in operations incident to the noncombat activities of the War Department or of the Army set claimants' house on fire, destroying furnishings and personal property, thereby resulting in a loss to claimants in the amount of $1,954.44.

That is a good illustration of the kind of claims which the Congress very properly, in my judgment, left to the Secretary of War to decide. The Secretary of War is required to pass on such claims.

Mr. WHERRY. We gave him that authority under a previous act which the Senator has just mentioned.

Mr. McKELLAR. Yes.

Mr. WHERRY. But I wanted to know whether the Senator has any idea of the number of claims each fiscal year which the War Department itself passes upon, and for which Congress provides payment. Then I should like to point out to the distinguished Senator that it would be well to have a list of all claims, amounting to more than $1,000, for which Congress provides payment. If a statement of that sort could be presented on the floor of the Senate, it would not only be informative but I believe it would be astounding.

Mr. McKELLAR. I may say to the Senator that we do not have before us the facts with regard to claims, but I will write a letter to the War Department and obtain a list of claims which have been presented during the past year.

Mr. WHERRY. The claims we are now considering are only minor claims. On top of that are the claims in amount of thousands of dollars presented to the House and Senate Claims Committees. The item in the bill is really but a drop in the bucket.

Mr. McKELLAR. The larger claims the Senator referred to are acted upon by the Claims Committees.

Mr. WHERRY. I think the Senate should be given the information I have requested.

The PRESIDING OFFICER (Mr. TAYLOR in the chair). The question is on agreeing to the amendment of the Senator from Tennessee to the committee amendment on page 55, lines 16 and 17, to strike out "$276,627.43" and insert in lieu thereof "$274,127.43."

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The PRESIDING OFFICER. The clerk will state the next committee amendment.

The next amendment was: On page 55, after line 17, to insert:

CITIZENS' MILITARY TRAINING

RESERVE OFFICERS' TRAINING CORPS

The third proviso under the head "Reserve Officers' Training Corps" in the Military Appropriation Act, 1946, is hereby amended by deleting therefrom the words "or for additional motor transport or tank units unless in replacement of existing cavalry units"; and the fourth proviso under said head is hereby amended by deleting therefrom the words "Air Corps."

The amendment was agreed to.

The next amendment was, under the subhead "Flood control," on page 56, line 24, after the numerals "1946", to strike out "$81,759,000" and insert "$84,259,000"; and in line 25, after the word "expended", to strike out "*Provided*, That no part of this appropriation shall be available for constructing the Garrison (North Dakota) Reservoir beyond dimensions which would provide for a higher pool elevation than 1,830 feet or for constructing dikes or levees which would provide for a higher pool elevation than 1,830 feet for operating such dam" and insert "*Provided*, That no part of the appropriation for the Garrison Reservoir herein contained may be expended for actual construction of the dam itself until suitable land found by the Secretary of the Interior to be equal in quality and sufficient in area to compensate the Three Affiliated Tribes shall be offered to the said tribes in exchange for the land on the Fort Berthold Reservation which shall be inundated by the construction of the Garrison Dam."

Mr. BYRD. Mr. President, I should like to ask the Senator from Tennessee to read a list of those projects.

Mr. McKELLAR. There are quite a number of them. Would the Senator be satisfied to have them placed in the RECORD, or would the Senator rather have them read?

Mr. BYRD. It would be very interesting to have them read to the Senate.

Mr. McKELLAR. There is a page or more of them, and I shall put them in the RECORD, if the Senator does not object.

At this point, Mr. President, I ask unanimous consent to place in the RECORD a list of the several projects, as set forth on pages 11049 and 11050 of the CONGRESSIONAL RECORD of November 27, 1945.

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

Data on flood-control reservoirs, including power-generating facilities

The supplemental estimates include 56 reservoir projects, of which the following 13 reservoirs include power-generating facilities:

Project	Total estimated Federal cost of project	Initial power installation (kilowatts)	Estimated cost of power features
Buggs Island Reservoir, Va. and N. C.	$30,900,000	85,500	$5,660,000
Clark Hill Reservoir, Ga. and S. C.	35,300,000	160,000	11,005,000
Allatoona Reservoir, Ga.	17,400,000	66,000	3,220,000
Narrows Reservoir, Ark.	6,470,000	17,000	1,253,000
Blakely Mountain Reservoir, Ark.	11,080,000	42,000	2,647,000
Norfork Reservoir, Ark.	27,500,000	70,000	4,676,000
Bull Shoals Reservoir, Ark.	47,000,000	126,000	6,171,000
Denison Reservoir, Tex. and Okla.	59,315,000	70,000	8,094,000
Fort Gibson Reservoir, Okla.	21,435,000	45,000	6,914,000
Garrison Reservoir, N. Dak.	130,000,000	80,000	5,900,000
Wolf Creek Reservoir, Ky.	52,000,000	135,000	9,522,000
Dale Hollow Reservoir, Tenn. and Ky.	22,739,000	36,000	5,075,000
Center Hill Reservoir, Tenn.	25,400,000	90,000	6,200,000

NOTE.—Based on power market studies made by the Federal Power Commission there is need for power at all of these projects.

I wish to point out for the information of the House that the gentleman from North Carolina, Representative KERR, or the gentleman from Pennsylvania [Mr. SNYDER], chairman of the Civil Functions Subcommittee, will on tomorrow, upon the reading of the bill, offer an amendment which is intended to carry into effect the conclusions of the Civil Functions Subcommittee which had the hearings on these items and is based upon its report to which I have referred.

I shall at this point in the RECORD insert a copy of Judge KERR's amendment. I also shall insert at this point in the RECORD a list of the projects which are involved, some 119 in number, as they appear on pages 4, 5, 6, and 7 of the hearings of the Civil Functions Subcommittee:

"Amendment offered by Mr. KERR: On page 43, after line 2, insert the following:

" 'RIVERS AND HARBORS

" 'For an additional amount, fiscal year 1946, for "Rivers and harbors," including the objects specified under this head in the War Department Civil Appropriation Act, 1946, $25,516,000, to remain available until expended.

" 'FLOOD CONTROL

" 'Flood control, general: For an additional amount, fiscal year 1946, for "Flood control, general," including the objects specified under this head in the War Department Civil Appropriation Act, 1946, $81,759,000: *Provided*, That any dam constructed at the Garrison (N. Dak.) Reservoir site shall not be operated at a higher pool elevation than 1,830 feet above sea level unless operation at a higher pool elevation subsequently is authorized by law, and no part of this appropriation shall be used to design or construct dikes or levees for operating such dam at a higher pool elevation than 1,830 feet above sea level.

" 'For an additional amount, fiscal year 1946, for "Flood control, Mississippi River and tributaries," including the objects specified under this head in the War Department Civil Appropriation Act, 1946, $15,000,000, to remain available until expended.' "

NOTE.—The foregoing accords in form, text, and amount with the Budget submission, with the exception of the proviso limiting the height of the Garrison Reservoir Dam to 1,830 feet above sea level, and the amount for "Flood control, general," which is $6,200,000 less than the estimate because of the proposal of the War Department subcommittee to eliminate the following projects:

Osceola Reservoir, Missouri River Basin, Mo.	$1,000,000
Chattanooga, Tenn., and Rossville, Ga.	200,000
Conemaugh River Reservoir, Pa.	3,000,000
Whittier Narrows Reservoir, Calif.	2,000,000
Total	6,200,000

TABLE I.—*Maintenance and improvement of existing river and harbor works—Supplemental estimate for fiscal year 1946, new work*

Connecticut River below Hartford, Conn.	$75,000
Hudson River, N. Y.	515,000
Great Lakes to Hudson River waterway	2,000,000
Delaware River, Philadelphia to the sea	743,700
Chesapeake & Delaware Canal	645,000
Potomac River water front, District of Columbia	413,000
James River, Va.	652,000
Charleston Harbor, S. C.	185,000
Pearl River, Miss. and La.	1,573,500
Mississippi River between the Missouri River and Minneapolis, Minn.	8,439,500
Missouri River at Fort Peck, Mont.	1,185,000
Monongahela River, Pa. and W. Va.	2,700,000
Keweenaw waterway, Michigan	548,000

Racine Harbor, Wis	$72,300
Lorain Harbor, Ohio	131,000
Black Rock Channel and Tonawanda Harbor, N. Y	967,000
Oswego Harbor, N. Y	571,000
Los Angeles and Long Beach Harbors, Calif	7,100,000
Suisun Canal, Calif	160,000
Sacramento River, Calif	390,000
San Joaquin River, Calif	150,000
Columbia River and tributaries, Celilo Falls to Snake River	100,000
Total new work	24,316,000
MAINTENANCE	
Chesapeake & Delaware Canal	1,200,000
Total	25,516,000

TABLE II.—*Flood control, general—Supplemental estimate for fiscal year 1946*

Franklin Falls Reservoir, N. H	$60,600
Mountain Brook Reservoir, N. H	521,500
Nashua, N. H	195,000
Mansfield Hollow Reservoir, Conn	1,500,000
Norwick, Conn	632,000
Union Village Reservoir, Vt	1,000,000
Surry Mountain Reservoir, N. H	17,000
Knightville Reservoir, Mass	14,000
Hartford, Conn	285,000
Winsted, Conn	132,500
Springfield, Mass. (Mill River)	42,000
West Springfield, Mass. (Agawam)	338,000
Riverdale, Mass	403,000
Chicopee, Mass	170,000
Holyoke, Mass	500,000
Syracuse, N. Y	500,000
East Sidney Reservoir, N. Y	700,000
Whitney Point, N. Y	243,000
Elmira, N. Y	1,000,000
Lisle, N. Y	240,500
Bath, N. Y	295,500
Addison, N. Y	331,100
Almond Reservoir, N. Y	1,000,000
Canisteo, N. Y	250,700
Almond, N. Y	30,500
Sunbury, Pa	500,000
Williamsport, Pa	1,000,000
Wilkes-Barre, Hanover Township, Pa	135,000
Plymouth, Pa	400,000
York, Pa	218,200
Buggs Island Reservoir, Va. and N. C	1,000,000
Clark Hill Reservoir, Ga. and S. C.	1,000,000
Allatoona Reservoir, Ga	3,000,000
Homochitto River, Miss	15,000
Wallace Lake Reservoir, La	193,000
Narrows Reservoir, Ark	1,000,000
Terre Noire Creek, Ark	100,300
Bayou Bodeau, Red Chute, and Loggy Bayou, La	65,000
Bayou Bodeau Reservoir, La	1,000,000
Shreveport, La	500,000
Blakely Mountain Reservoir, Ark	500,000
Memphis, Tenn	1,000,000
Buffalo Bayon, Tex	1,500,000
Columbus, Tex	212,300
John Martin Reservoir, Ark	500,000
Blue Mountain Reservoir, Ark	1,000,000
Nimrod Reservoir, Ark	193,500
Clearwater Reservoir, Mo	1,000,000
Norfolk Reservoir, Ark	1,000,000
Bull Shoals Reservoir, Ark	3,000,000
Fort Smith, Ark	853,600
Little Rock, Ark	548,400
Denison Reservoir, Tex. and Okla	1,500,000
Canton Reservoir, Okla	2,000,000
Fort Gibson Reservoir, Okla	2,000,000
Fall River Reservoir, Kans	1,000,000
Wister Reservoir, Okla	1,000,000
Hutchinson, Kans	500,000
Union Township drainage district levee, Missouri	47,000
Green Bay levee and drainage district No. 2, Iowa	49,300
Dry Run, Iowa	882,500
Lake Traverse and Bois de Sioux River, S. Dak. and Minn	$45,800
Lac Qui Parle Reservoir, Minn	30,900
Kansas Citys, Mo. and Kans	2,000,000
Kanopolis Reservoir, Kans	1,000,000
Osceola Reservoir, Missouri River Basin, Mo	1,000,000
Garrison Reservoir, N. Dak	2,000,000
Council Bluffs, Iowa	500,000
Omaha, Nebr	500,000
Hamburg, Iowa	236,000
Missouri River between Kensler's Bend, Nebr., and the combination bridge at Sioux City, Iowa	500,000
Schuyler, Nebr	64,000
Hot Springs, S. Dak	154,000
Cotton Wood Springs Reservoir, S. Dak	510,000
Wolf Creek Reservoir, Ky	4,000,000
Dale Hollow Reservoir, Tenn. and Ky	1,500,000
Center Hill Reservoir, Tenn	3,000,000
Chattanooga, Tenn., and Rossville, Ga	200,000
Brevoort Levee, Ind	30,000
Muncie, Ind	70,000
Harrisburg, Ill	24,500
Golconda, Ill	29,200
Brookport, Ill	28,500
Mounds and Mound City, Ill	500,000
Newport, Ky	500,000
Delaware Reservoir, Ohio	1,000,000
Muskingum River Reservoirs, Ohio	1,500,000
Bluestone Reservoir, W. Va	3,000,000
Massillon, Ohio	500,000
Parkersburg, W. Va	500,000
Dewey Reservoir, Ky	1,000,000
Dillon Reservoir, Ohio	1,000,000
Tionesta Reservoir, Pa	277,600
Mahoning Creek Reservoir, Pa	360,000
Loyalhanna Reservoir, Pa	494,000
Youghiogheny River Reservoir, Pa	573,000
Crooked Creek Reservoir, Pa	3,000
Conemaugh River Reservoir, Pa	3,000,000
Punxsutawney, Pa	500,000
Elkins, W. Va	500,000
Coal Creek drainage and levee district, Illinois	500,900
Kelly Lake drainage and levee district, Illinois	97,900
Lacey, Langellier, West Matanzas and Kerton Valley drainage and levee district, Illinois	172,900
Sebewaing, Mich	241,800
Lancaster, N. Y	570,400
Mount Morris Reservoir, N. Y	500,000
Santa Fe Reservoir, Calif	900,500
Los Angeles River, Calif	2,000,000
Whittier Narrows Reservoir, Calif	2,000,000
Big Dry Creek Reservoir and diversion, California	435,000
McKensie River, Oreg	62,000
Cottage Grove Reservoir, Oreg	11,500
Detroit Reservoir, Oreg	2,000,000
Dorena Reservoir, Oreg	1,000,000
Mill Creek, Wash	125,600
Mud Mountain Reservoir, Wash	257,000
Tacoma, Wash	700,000
Yakima, Wash	134,000
Snagging	500,000
Round-off	−100
Total	85,159,000

TABLE III.—*Projects requiring additional funds for advance planning in fiscal year 1946*

Bennington Reservoir, N. H	$30,000
Nashua, N. H	7,000
West Peterboro, N. H	8,000
North Andover and Lawrence, Mass	9,000
North Plymouth Reservoir, N. Y	100,000
Genegentalet Reservoir, N. Y	60,000
Philpott Reservoir, Va	150,000
Boeuf and Tensas Rivers and Bayou Macon, Ark. and La	150,000
Big and Little Sunflower Rivers, etc	150,000
East Poplar Bluff and Poplar Bluff, Mo	$15,000
Black River, Poplar Bluff, Mo., to Knobel, Ark	10,000
Creede, Colo	5,000
Louisville, Ky	100,000
Indianapolis, Fall Creek levee, Ind	8,000
Indianapolis, Warfleigh section, Ind	8,000
Bald Hill Reservoir, N. Dak	35,000
Red Lake and Clearwater Rivers, Minn	30,000
Kings River and Tulare Lake Basin, Ind., Pine Flat Reservoir, Calif	
Folsom Reservoir, Calif	
Table Mountain Reservoir, Iron Canyon site, Calif	600,000
Terminus Reservoir, Calif	
Isabella Reservoir, Calif	
Harlan County Reservoir, Missouri River Basin, Nebr	300,000
Panther Mountain Reservoir, N. Y	50,000
Cahe Reservoir, S. Dak. and N. Dak	200,000
Fort Randall Reservoir, S. Dak	100,000
Tuttle Creek Reservoir, Kans	200,000
Success Reservoir, Calif	50,000
New Melones Reservoir, Calif	125,000
Lookout Point Reservoir, Oreg	100,000
Quartz Creek Reservoir, Oreg	150,000
Recreational investigations and plans	50,000
Total	2,800,000

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

Mr. McKELLAR. I yield.

Mr. BRIDGES. Will the Senator at this time point out what total amount this initial appropriation may commit us to, what it is going to cost eventually to complete all these projects?

Mr. McKELLAR. We do not have all of them, because a great many of them are yet in the purely planning stage, and we do not have the estimates. I shall have to say to the Senator, as I said a few moments ago to another Senator, that I shall send for the information.

Mr. BRIDGES. My point is that it would be along the lines of authorization.

Mr. McKELLAR. I understand that, and I will send to the Department and obtain the figures and place them in the RECORD.

Mr. BRIDGES. Take, for example, the Buggs Island project.

Mr. McKELLAR. Yes; the Buggs Island project is provided for in this item, $1,000,000.

Mr. BRIDGES. Let us consider, for example, what it would cost to complete the Buggs Island project.

Mr. McKELLAR. That project, when completed, will cost $30,900,000.

Mr. BRIDGES. The point I wish to make is that when we appropriate $84,259,000 for a series of projects, one of which is Buggs Island, the appropriation for which is $1,000,000 of the $84,259,000——

Mr. McKELLAR. The cost of the project will be $30,900,800.

Mr. BRIDGES. I mean that of the $84,259,000, only $1,000,000 is for this particular project. When we commit ourselves to the extent of $1,000,000 we are committing ourselves to a future expenditure of $29,000,000 more. On just one item in the group.

Mr. McKELLAR. The Senator is in error. We commit ourselves to it when a bill authorizing the construction of these projects is passed. We do not commit ourselves when we appropriate the money for planning. The Congress commits itself to the expenditure of these large sums in the authorization bills which we were discussing a while ago.

Mr. BRIDGES. It would be fair to assume, would it not, that in the case of most of these projects, by a token appropriation of $1,000,000 or $2,000,000, we commit ourselves to the expenditure of many hundreds of millions of dollars? If the projects are eventually completed, they will cost the taxpayers many hundreds of millions of dollars in the aggregate.

Mr. McKELLAR. I think the Senator is fair in that statement.

Mr. BRIDGES. For example, suppose we vote for appropriations for the Buggs Island project, which is in North Carolina, the Center Hill project in Tennessee, the Garrison project in North Dakota, the Wolf Creek project in Kentucky, the Narrows project in Arkansas, the Blakely Mountain project in Arkansas, or the Bluestone project in West Virginia and Virginia. If we vote for token appropriations of $1,000,000, $2,000,000, or $3,000,000, for projects the cost of which runs from $15,000,000 to $130,000,000, does the Senator consider that by voting such token appropriations we are obligating ourselves to put up the rest of the money?

Mr. McKELLAR. No. We are obligated by the act of Congress which authorizes the various projects. This appropriation covers merely the beginning of the carrying out of the authorizations which have heretofore passed the Congress.

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

Mr. McKELLAR. I yield.

Mr. McCLELLAN. I wish to make a statement with reference to these projects. I believe that they are as meritorious as almost any projects for which the Government could spend money.

Mr. McKELLAR. Most of them will be self-liquidating projects. The power projects which the Government has already built, if honestly administered—and I have no doubt they will be eventually, if not now—will return to the Government every dollar that the Government pays for them. There are some reclamation projects, or combined reclamation and reservoir projects, with respect to which a return might not be so certain; but by furnishing additional land for the people to cultivate, in my judgment they will return to the Government every dollar that is appropriated.

Mr. McCLELLAN. In that connection I wish to say that it is not only the power projects which are meritorious. Certainly much revenue will be returned directly to the Government from those projects. Without attempting to argue the merits of any particular power project, I believe that many of them are fully justified. My particular interest in these projects—and particularly those in my State—is flood control. I am not trying to pass upon the merits of all the other projects. There is no direct revenue coming into the Treasury from the operation of flood-control projects, but they contribute to the national economy and to the conservation and development of our national resources, as well as to the enhancement of the use of those resources. In my State there are some of the richest valleys in the world—the Mississippi River Valley, the Arkansas River Valley, the White River Valley, and the Red River Valley. If those valleys are not protected from floods they are practically useless; but as we are able to control the floods those valleys are most productive, and great development is possible. These projects are for that purpose.

With regard to the inquiry made by the able Senator from New Hampshire [Mr. BRIDGES] with respect to our continuing obligation, or the extent of the obligation which we incur by reason of making an initial appropriation, my thought is—and I am speaking only for myself—that certainly we ought not to make any appropriation unless we intend to complete the project. It seems to me that it would be very foolish and wasteful and certainly not the economical thing to do to make an appropriation and spend $1,000,000 on some project which will probably later be abandoned. If there is any thought that such a thing might occur, we ought not to make the initial appropriation.

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

Mr. McCLELLAN. I shall be glad to yield in a moment.

In the processes of developing this character of legislation, after having the projects surveyed and investigated by the most competent agency in the Government for that purpose, the Corps of Engineers, and after receiving a report as to the economic feasibility and justification of the projects, the Congress then authorizes them.

With reference to the projects in my State, from the information which I have I think I can say without reservation or qualification that I honestly believe them to be fully justified economically. I can see no point whatsoever in taking the position that we will appropriate $1,000,000 to start a project when the probability is that later it will be abandoned. If we make the initial appropriation we ought to intend to complete the project; and I vote for this appropriation with that purpose in mind.

Mr. BRIDGES. Mr. President, the Senator from Arkansas is much more straightforward in his approach to this question—and he is always straightforward in his approach to all questions—than are some who advocate such projects. I do not question the meritorious character of many of the projects. I am only making the point that when we appropriate a relatively small amount—and three or four million dollars is not a small amount—we are committing ourselves to total appropriations for a large number of projects which will eventually mean the expenditure of hundreds of millions of dollars. I am only trying to make Senators realize what they are doing.

Mr. McCLELLAN. I believe the Senator's statement is absolutely correct with respect to an initial appropriation for a project of this character, and with respect to many other appropriations which we make as partial payments, or appropriations to start projects. In one sense they are "come-on" appropriations. But I still maintain that we ought not to make any appropriation unless we intend to go through with the project.

In this connection let me say that there has been a great deal of concern about unemployment, full employment, and Government spending and investing to guarantee—or assure—everyone a job. Senators can choose whichever term appeals to them. Many proposals have been offered in that field. I have earnestly supported the authorization of projects of this character, particularly those in my State and those on streams which traverse my State. I have done so with the thought in mind primarily, of course, that they are constructive in character and that they contribute to our national wealth and national economy, and, secondly, because I believe that they are the character of projects in which the Government can well afford to invest, not merely for the purpose of creating jobs, although incidentally such expenditures will create many millions of man-hours of labor; also, appropriations for such meritorious projects will certainly lessen the need for appropriations for experimental projects, many of which will never bring back a dollar of return to this Government. I would much rather appropriate money for projects of this character, which provide men with jobs, when there is some hope of making a contribution to our national wealth, than to make appropriations to pay unemployment-compensation insurance. I think it is much sounder to pursue this policy than to pursue the policy of making appropriations for many other purposes not so worthy.

Mr. BRIDGES. Mr. President, let me point out in this connection that in the Appropriations Committee there was considerable discussion about the reclamation fund, for example. I approve of the reclamation fund; I think the principle which was established was a correct one and that all through the early days the procedure was sound. But I was amazed to find that the earnings of the Grand Coulee Dam go into the reclamation fund and cannot be used from that fund except as authorized by Congress. I was astonished to find that the earnings of that dam and other very large projects similar to it do not go into the general fund in the Treasury. The Grand Coulee Dam and the other large developments cost tremendous sums of money to construct, and the cost of construction was paid for with money from the general funds of the country, accumulated by the taxpayers. We were told—and we all assumed—that the net proceeds from the operation of the dams would go to amortize their cost.

Mr. President, I should think that funds received from the operation of such great projects certainly should go into the general funds in the Treasury. Any Member of the Senate who stands

here and states that any similar project will be paid for by having the money obtained as a result of its operations go into the general fund is going to have to stretch a point even in his own mind to believe that his statement is true. I believe that the money obtained as a result of the operations of these projects should go into the general funds of the United States Treasury. I think the able senior Senator from Tennessee and other Senators who serve on other committees which have the matter under consideration might very well work out such a procedure.

Mr. McKELLAR. Mr. President, I am very happy to hear the Senator say that he thinks all the money obtained from the operations of such projects should be paid into the Treasury of the United States. I agree with him entirely. I think that should be done. What causes me to refer to this matter in the first place is the wonderful hydroelectric power project we have in Tennessee. It consists of many dams, and it brings in a large income. It certainly, beyond any question, will pay back every dime the Government has spent on it. However, the money is not being paid into the Treasury. I hope the Senator will help me in the effort to see that the income from that project is paid into the Treasury of the United States.

Mr. BRIDGES. I agree that that should be done; I think the Senator is absolutely correct.

Mr. GURNEY. Mr. President, I wish to say that contained in the $84,000,000 appropriation is an item of $2,000,000 which is appropriated for the purpose of actually starting construction of the first of the large Missouri River dams authorized in the Flood Control Act of 1944. The money will not be used for the pouring of concrete, but to get ready to pour concrete. This appropriation is not the first one. The first one was, of course, for engineering services; and other appropriations to the Bureau of Reclamation have been made for the dam known as the Garrison Dam, in North Dakota, and for some of the dams in my own State of South Dakota. Those appropriations have been used for preliminary engineering services, on the part both of the Army engineers and the Bureau of Reclamation. So this $2,000,000 appropriation will provide for the commencement of construction.

We have had much information on the floor of the Senate and in committee about the total cost of these worth-while flood-control-irrigation dams. I am sure that with this start of construction at the Garrison Dam there will be a subsequent request by the Army engineers for a larger amount of funds in the regular appropriation bill which will come before the Congress next spring. I agree with the Senator from Arkansas when he says that these projects are worth while. They certainly are worth the money which Uncle Sam spends on them; and we who live in the Dakotas and, I am sure, the people in other States along the Missouri River deeply appreciate the support which the Congress has given by passing the authorization measures. We express our thanks now for making a beginning by providing funds in accordance with the requests which have come from the Army engineers and the Bureau of Reclamation at this time.

The PRESIDING OFFICER. The question is on agreeing to the amendment on page 56, in line 24.

The amendment was agreed to.

Mr. YOUNG. Mr. President, I should like to add a word to what has been said by the able Senator from South Dakota. This project in North Dakota—the Garrison dam and resultant irrigation—will not merely provide jobs during the period following the war, especially jobs for servicemen, but it will stabilize the entire agriculture of North Dakota. That section of the United States is subject to periodical droughts which have occurred throughout our history. In 1934 there was an extremely serious drought which forced our people to sell most of their livestock. If at that time we had had an irrigation project similar to the one provided for by the item which has been under discussion here, our people could have produced enough forage to enable them to keep their herds, and thus it would not have been necessary for so many of our people to go on relief. Shortly after the 1934 drought, 53 percent of the people of North Dakota were on relief. Following that time, during the war we were able to pay off most of the feed and seed loans, at 5-percent interest while ranking first of all States in reaching our E-bond quotas in four bond drives, and we produced more than a billion bushels of small grain and potatoes and nearly 10,000,000 head of livestock. Once again we were able to stabilize our agricultural operations. That extreme variation would not have occurred at all if we had had available irrigation facilities similar to the ones which the appropriation under discussion provides, and would also provide for the generation of vast amounts of cheap electricity so sorely needed by the farmers of North Dakota.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to say that I am in entire accord with the views of Senators who have expressed themselves in favor of irrigation, reclamation, and power projects.

In particular reference to my own State, let me say that the upper section of South Carolina is well developed insofar as industries are concerned. For the information of the Senate and also of the people of the United States and of the world, let me say that last month 26 percent of all cotton spindles running in the United States were to be found in the State of South Carolina. On the other hand, very few were running in the lower section of South Carolina.

In the upper area of our State most of the available hydroelectric power has been developed, and, of course, all industrial plants which are established in that part of the State are located in close proximity to the sources of power. But in the lower part of the State there were very few industrial plants until the Government developed what is known as the Santee-Cooper project. That development occurred a few years ago, and now we find that industries are beginning to be established in the lower part of South Carolina, with the result that millions of dollars are coming into that section of the State and employment is being given to thousands of people there. Before that happened, nothing but agriculture was to be found in that section of our State. However, today we are able to locate industries there.

That means that more tax money will be paid into the Federal Treasury by the people who obtain work. It will also be found that there will be less unemployment. We need a better distribution between industry and agriculture.

I was glad to hear the Senator from North Dakota state the conditions as they prevail in his State. The people in that region are in the same plight as those who reside in the lower area of South Carolina. I believe that much good will result by an appropriation of the sum requested.

I am very pleased to note that approximately $1,000,000 will be devoted to the Clark Hill Reservoir development between South Carolina and Georgia. It will be found that in that section there are no industries, but only 50 miles from there where power is available industries have been located because of the availability of power.

Mr. President, I think the appropriation, if granted, will be well spent and that it will bring to the Treasury of the United States millions of dollars in the form of taxes and that employment will at the same time be afforded.

Mr. LANGER. Mr. President, I join in what has been said by my distinguished colleague [Mr. YOUNG] and the Senator from South Carolina [Mr. JOHNSTON]. During the drought period which my colleague has mentioned, I was the Governor of North Dakota. I found, to my amazement, that practically nothing had been done in the way of obtaining irrigation for North Dakota. At the same time, in Montana, a State west of North Dakota, there were more than a million acres of irrigated land. In North Dakota there are only 21,409 acres of irrigated land. In other words, Congress has taken exceedingly good care of the State of Montana and some of the other Western States, but has neglected North Dakota. During the time I was Governor there was established the first water board in the State of North Dakota. We appropriated money and obtained some of the most competent engineers who could be hired.

Mr. President, at this time I wish to pay tribute to Franklin Delano Roosevelt, who, as President of the United States, came to North Dakota and remained there for a day and a half. He drove in an automobile all over the western section of North Dakota, and saw for himself the desperate plight of the farmers. As my colleague has said, roughly 53 percent of the people of North Dakota were on relief. The farmers could not pay taxes. The public utilities had not been paying them for various reasons until a short time previously. Even the railroads had not been paying their just share of taxes. The result was that more than 1,100 school districts in North Dakota were rendered insolvent or partially so. The President of the United States recommended that

North Dakota receive aid from the Federal Government, and we did receive aid in order to keep our schools open. The people of Montana did not have to lose all their cattle, but only their sheep. However, in North Dakota many farmers who had paid $60 a head for cattle saw their cattle shot, and received for them from the Government $17, $18, $19, and $20 a head when they were killed at the request of the former Secretary of Agriculture.

So, Mr. President, I join in the hope that nothing will be done to reduce the proposed appropriation, and that everything will be done that can be done to see that North Dakota gets the 1,100,000 acres of irrigated land to which the State was entitled a long time ago.

When the original irrigation act was passed North Dakota was the only State which, for some reason or other, never used approximately $12,000,000 which was allocated to it. Instead of that money being spent for irrigation about 35 years ago, it was allowed to revert to the general fund of the United States Government, although every other State in America used the money which was allocated to it. Out of all the vast sum of money which was made avalable to North Dakota the only irrigation project which was built was a small one at Williston, N. Dak., which afterwards fell into disuse.

Mr. President, I certainly wish to commend the Senator from South Dakota and my colleague. We have done everything we could possibly do in order to see that at last, after many years, our representatives in Congress are on the job and seeing to it that North Dakota obtains irrigation for the area of land the State was entitled to have irrigated many years ago. I think that now we shall be on a par at least with the State of Montana.

Mr. WHERRY. Mr. President, I want the RECORD to show that I join with the distinguished Senator from South Dakota [Mr. GURNEY] in the remarks which he made relative to appropriations in particular, for the Missouri River Basin. The appropriation makes possible what is generally known as the so-called Peck plan which has been endorsed by both the senior Senator from Nebraska and myself.

I also endorse the remarks of the distinguished Senator from Arkansas. When we start making these appropriations we should mean what we say. That is what I had reference to when I called attention to the remarks of the distinguished Senator from New Hampshire. If we believe in these projects we should be willing to appropriate for them. As a member of the committee, I wish to have the RECORD made clear that I have done and will continue to do all that I can do in order to see to it that appropriations are made available not only for flood control, and power projects within my State, but reclamation projects as well.

Mr. O'MAHONEY. Mr. President, I thank the Senator from Nebraska for including reclamation projects in his endorsement. It is a very important matter.

Mr. WHERRY. Yes.

Mr. O'MAHONEY. A great deal of sniping has been commenced against reclamation appropriations. I am glad to know that at the present time, as he previously has been, the Senator from Nebraska is in favor of supporting such appropriations.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment beginning in line 24 on page 56, and in line 25 down to line 15 on page 57.

The amendment was agreed to.

Mr. O'MAHONEY. Mr. President, in connection with the Garrison Reservoir I ask unanimous consent to have printed in the RECORD at this point pages 301 to 308, both inclusive, and pages 336 to 338, both inclusive, from the hearings upon this item which is intended for the protection of the Three Affiliated Tribes on the Fort Berthold Reservation.

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

TESTIMONY BEFORE SENATE INDIAN AFFAIRS COMMITTEE ON POSITION OF INDIANS ON GARRISON RESERVATION PROJECT

Senator O'MAHONEY. Mr. Chairman, may I make a brief statement supplementing what I said a little while ago?

Senator MCKELLAR. Certainly, Senator.

Senator O'MAHONEY. I have here a brief statement of what occurred before the Committee on Indian Affairs. It appears from the testimony of Mr. Martin T. Cross, a member of the Gros Ventre Tribe, and chairman of the Tribal Business Council of the Three Affiliated Tribes, which are the Arikara, Mandan, and Gros Ventre Tribes.

Mr. Cross testified that there are in this reservation approximately 600,000 acres of land, of which 221,000 acres would be flooded by the Garrison Dam.

In response to a question which I addressed to Mr. Cross with respect to where the Indians lived, he told me that they have about 500 homes on the reservation, and that of those 500 homes 437 would be inundated.

The chairman of this commiteee remembers very well the state of mind of the people in a historic town in Tennessee, when a dam was to be constructed by the Tennessee Valley Authority which would have flooded out an area in which they lived and a cemetery in which they buried their dead. The Senator from Tennessee and the people from this town yielded finally only on the persuasion that the construction of that dam was essential to the prosecution of the war.

Senator MCKELLAR. That is the only thing in the world that brought it about.

Senator O'MAHONEY. The feeling of the people in this town was akin to the feeling that is expressed by these Indians.

Now, Mr. Chairman, Mr. Martin Fox declared in that hearing—and I am quoting Mr. Fox:

"Years ago, back in 1851, the United States commissioned a number of men to come up and meet us at Fort Laramie, Wyo. We had representatives there and we drew up obligations and agreements and declarations between the United States Government and ourselves. Those agreements and declarations and treaties are still binding with us.

"If there is anything that needs to be amended or needs to be modified in those agreements, it is the people themselves—the soldiers—who should remedy this, if anything comes up. Violations of the treaty have been made, not by this group of men, but by the War Department, and I wonder if the War Department," and I am quoting, General Wheeler.

General WHEELER. All right.

Senator O'MAHONEY. All right.

"I wonder if the War Department is not a little touched in the head."

That is what the Indian said.

He said further:

"All the original declarations and treaties were made between the military personnel and the Indians. I maintain that they are still binding, and I am opposed to this plan."

STUDY OF STATUS OF INDIAN-TREATY OBLIGATIONS

The chairman of the committee then called upon the Assistant Solicitor of the Department of the Interior, who was there representing the Bureau of Indian Affairs, to submit a memorandum to the commitee on the status of the treaty obligations; not having had the opportunity to examine the treaty, the members of the committee felt that it would be well to have a summary of that kind.

I do not intend to make this summary a part of the record, Mr. Chairman, but let me say briefly that it tells this story. That treaties were made with those Indians as far back as 1825, in which the United States recognized this general area as the country of the Indians. To quote the Acting Solicitor:

"Treaties made with the tribes in 1825 referred to the lands which they occupied as 'their country.'"

It was also provided that the Indians agreed to "give safe conduct to all persons who may be legally authorized by the United States to pass through their country."

Now, the boundaries of what was thus referred to as "their country" embraced lands concerning which we are talking about today. It was a large territory which involved millions of acres of land—about 10,000,000 acres, all told.

There were Executive orders, and I find that these Executive orders were not the product of the New Deal, but this language on these orders was employed many years before, in reference to the Indians.

And by an Executive order dated August 8, 1868, one dated April 12, 1870, and one dated July 13, 1880——

Senator OVERTON. That was all under Republican administrations?

Senator O'MAHONEY. I think so.

SUIT BY INDIANS OF NORTH DAKOTA AGAINST THE FEDERAL GOVERNMENT

The interpretation of the order was strict. The lands given to the Indians were diminished by some 9,846,186.93 acres of land.

Senator GURNEY. That is when the Indians of North Dakota filed a suit against the Government.

Senator O'MAHONEY. Yes; the Indians filed a suit, and Congress authorized them to do it, in the Court of Claims, on the theory that they had been damaged by the taking away of their land, and the Court of Claims held that the Indians were entitled to get back the value of the 9,846,186.93 acres of land.

Senator OVERTON. Why did not the Court of Claims allow them to take back their land?

JUDGMENT RENDERED BY COURT OF CLAIMS

Senator O'MAHONEY, Senator OVERTON, I do not know, but it may be that they did not want to take it away from the South Dakotans. The Court of Claims rendered a judgment that the Indians were entitled to recover the value of this land, to the extent of $4,923,093.47. How they figured that 47 cents I do not know.

Now, in 1891 this question arose again, and again the question of the title of the Indians to these lands was recognized when a treaty was negotiated between the United States and the Three Affiliated Tribes, providing for the cession to the Federal Government of certain lands not needed by the Indians, and

for which the Government was to pay the Indians $800,000.

PROTECTION OF CERTAIN NONCEDED LANDS OF FORT BERTHOLD RESERVATION

Now, when the result of this treaty was promulgated—and it was promulgated by President Benjamin Harrison—he said this:

"I particularly notify all persons to observe that a certain portion of the said Fort Berthold Reservation not ceded," and that includes the 274,000 acres which would be flooded by the Garrison Dam "not ceded and relinquished by said agreement, is reserved for allotment to, and also as a reservation for, the said tribe of Indians; and all persons are, therefore, hereby warned not to go upon any of the lands so reserved, for any purpose or with any intent whatsoever, as no settlement or other right can be secured upon said lands, and all persons found unlawfully thereon will be dealt with as trespassers and intruders."

TREATY OF FORT LARAMIE WITH THE INDIANS

Now, in that famous treaty of Fort Laramie, when the Indians agreed to give the right of passage across their country, they authorized the United States to "establish roads, military and other posts"—and I am now quoting, Mr. Chairman, "to establish roads, military and other posts, within their respective territories."

That treaty, Mr. Chairman, has been in force, and it was a right that was granted by the Indians to the Federal Government.

EFFECT OF CONSTRUCTION OF GARRISON DAM ON INDIAN LANDS

That, Mr. Chairman, in brief, is the story which was told by the Indians to the Committee on Indian Affairs about the treaty made at the Fort Laramie Reservation.

It seems to me to be clear that when we appropriate this money to build this dam we will be taking the land of these Indians, and be subjected to another lawsuit, even if we insist upon disregarding the wishes of the Indians not to be compelled to leave their homes. There would be a very interesting legal question here involving just what the Indians could do to protect their rights. They may sue the Chief of Engineers, General Wheeler, or the Secretary of War, to enjoin them from building the dam; or they might wait until condemnation proceedings are instituted—and the Indians deny that under the treaty we have any right to condemn—and then, after condemnation proceedings are begun, they might seek to defend that in the courts.

I think it is my duty, as chairman of the Committee on Indian Affairs, to lay before this committee the very serious question of the alleged invasion of the rights of the Indians by the construction of this dam.

Senator LANGER. And it will flood their lands.

LANDS TO WHICH INDIANS WOULD BE MOVED

Senator O'MAHONEY. Oh, yes; they will have to leave their homes, and they say that the lands constitute the best portion of the reservation; and they will be driven to lands which are not as good grazing lands, and they say that they could not go into any other part of the State of North Dakota which would be as good.

Mr. Chairman, Senator LANGER, who was present at the hearings, calls my attention to a colloquy which took place between myself and Mr. Bateman, a member of the tribal business council, Fort Berthold Indian Reservation. These questions were asked by Senator LANGER of Mr. Bateman:

"Senator LANGER. How many acres of this stuff will you have to have that they are trying to give you, to make a living?

"Mr. BATEMAN. Well, for my part they would have to give me the whole piece to make a living.

"Senator LANGER. In other words, it is rough land?

"Mr. BATEMAN. It is rough land.

"Senator LANGER. Buttes on it?

"Mr. BATEMAN. Yes, sir.

"Senator LANGER. Ravines?

"Mr. BATEMAN. Ravines.

"Senator LANGER. It is not fit for agricultural purposes at all, is it?

"Mr. BATEMAN. No, sir.

"Senator LANGER. It would have to be used entirely for grazing?

"Mr. BATEMAN. Grazing, mostly.

"Senator LANGER. And the land you have now, you have very fine farms?

"Mr. BATEMAN. Yes, sir.

"Senator LANGER. You have places that are level for miles and miles; is not that true?

"Mr. BATEMAN. Yes, sir. Grain will grow in dry seasons.

"Senator LANGER. You have subsoil many feet deep of fine chocolate-colored loam?

"Mr. BATEMAN. Yes, sir."

Senator OVERTON. Mr. Chairman, I want to ask a question.

Senator MCKELLAR. Very well.

Senator OVERTON. Are you opposed to the appropriation?

Senator O'MAHONEY. Not necessarily. This hearing I referred to was held on October 9.

Senator OVERTON. Of what year?

Senator O'MAHONEY. Of 1945.

The counsel for the Bureau of Indian Affairs was not prepared to give us at that time the information with reference to the Indian treaties, and I asked him for this memorandum and I was under the impression that the memorandum was not yet received, but after coming to the hearing room this afternoon I telephoned to the Bureau of Indian Affairs, and I found that it had been submitted. The Committee on Indian Affairs, because of other pressing matters, like hearings before the Committee on Finance, and the Petroleum Committee, has not yet given attention to this matter. I do not want to speak for the committee, but I think the committee does owe an obligation to the Indians to consider this matter and to make a recommendation. I shall endeavor to do that before this matter now before us is taken up.

In the meantime, let me insert in the record here the memorandum submitted by Mr. Cohen, the Acting Solicitor of the Department of the Interior, appearing on pages 20–23 of the hearings held on October 9, 1945.

Senator OVERTON. That may be done.

That record reveals that whenever the Government wanted any of the lands, they took it?

Senator O'MAHONEY. Yes.

Senator OVERTON. And compensated them for it?

Senator O'MAHONEY. That is a conclusion but not my statement of fact.

Senator OVERTON. Thank you, Senator.

(The memorandum referred to is as follows:)

"MEMORANDUM SUBMITTED BY FELIX S. COHEN, ACTING SOLICITOR, DEPARTMENT OF THE INTERIOR

"In response to the request of your committee, I am submitting this memorandum supplementing my statement of October 9 and dealing specifically with: (1) The character of the title of land held by the Three Affiliated Tribes of the Fort Berthold Reservation; and (2) the legal means available to the Indians for the possible protection of such land.

"1. THE INDIAN TITLE

"The Three Affiliated Tribes of the Fort Berthold Reservation, comprising the Arikara, Mandan, and Gros Ventre (the last named are also variously referred to as Hidatsa, Minnetaree, or Balantse-Etoa), occupy an area in which they have lived at least since the time of the earliest white contacts with them (Handbook of American Indians, Bureau of American Ethnology, Bull. 30, pt. 1, p. 548). Treaties made with the Three Tribes in 1825 referred to the lands which they occupied as 'their country' and provided that they would 'give safe conduct to all persons who may be legally authorized by the United States to pass through their country.'[1] The boundaries of what was thus referred to as 'their country' were first set forth in the Treaty of Fort Laramie, September 17, 1851 (2 Kappler 594). Article 5 of that treaty provides, in part:

" 'The territory of the Gros Ventre, Mandans, and Arrickaras Nations, commencing at the mouth of Heart River; thence up the Missouri River to the mouth of the Yellowstone River; thence up the Yellowstone River to the mouth of Powder River in a southeasterly direction, to the headwaters of the Little Missouri River; thence along the Black Hills to the head of Heart River, and thence down Heart River to the place of beginning."

"By this treaty the signatory tribes recognized 'the right of the United States Government to establish roads, military and other posts, within their respective territories.' No other easement or interest was granted to the Federal Government by this treaty.

"Subsequently, by Executive orders dated August 18, 1868, April 12, 1870, and July 13, 1880 (Kappler, vol. 1, p. 883), the territory of these Indians, as originally set out in the Fort Laramie Treaty, was diminished. The land thus taken from the Indians was used in part for governmental purposes and the remainder was disposed of to railroads and individual settlers. This diminution effected unilaterally was later held by the Court of Claims to have been a violation of the possessory rights of these Indians, and on the basis of this decision a judgment was awarded to these Indians in 1930. The Indians were held to be entitled to recover the value of the 9,846,186.93 acres of land taken from them as of the time of the taking, which amounted, at 50 cents per acre, to $4,923,093.47, less offsets for past Federal expenditures amounting to $2,753,924.89, leaving a net judgment in favor of the Indians of $2,169,168.58.

"The Court of Claims found that the Indians 'had never given their consent to the action taken under the authority of the Executive orders of 1870 and 1880 and noted their objection when the facts became known to them' (at p. 327). Taking of lands from the Indians, the Court of Claims found, was a violation of the treaty. The treaty of 1851, the court found, provided that—

" 'The territory of the Indians was to be delimited in accord with their claims and protection assured them within its bounds. * * * Beyond doubt, the Indians so understood the treaty, and the Congress legislated in accord with its amended terms to which the Indians agreed * * *. The Indians' rights are not to be prejudiced by technical construction or words of doubtful import' (at p. 333).

"Because of a delay in submitting to the tribes a minor amendment to the treaty inserted by the Senate, the Fort Laramie treaty was not proclaimed or published in the usual course. Government officials thereafter assumed that no valid treaty existed, and it was in this belief that various portions of the Indian domain were disposed of without Indian consent. The Court of Claims found that the treaty, having been formally ratified, was valid and binding and

[1] Treaty of July 18, 1825, with Ricara Tribe (7 Stat. 259, art. 5); treaty of July 30, 1825, with Balantse-Etoa or Minnetaree Tribe (7 Stat. 261, art. 5); treaty of July 30, 1825, with the Mandan Tribe (7 Stat. 264, art. 5).

that the taking of lands without Indian consent subsequent to this treaty was a violation of its terms, justifying the Indian suit.

"In 1891 further recognition was given to the title of the Indians to the lands here in question when an agreement was negotiated between the United States and the Three Affiliated Tribes providing for the cession to the Federal Government of certain lands not needed by the Indians, for which the Federal Government paid $800,000, and guaranteeing Indian possession of the lands not so ceded. The agreement provides: 'That the residue of lands within said diminished reservation, after all allotments have been made as provided in article 3 of this agreement, shall be held by the said tribe of Indians as a reservation."[2] The significance of this guaranty is elaborated in the Presidential proclamation which followed the ratification of this agreement. That proclamation declared:

"'I furthermore notify all persons to particularly observe that a certain portion of the Fort Berthold Reservation not ceded and relinquished by said agreement, is reserved for allotment to, and also as a reservation for, the said tribes of Indians; and all persons are, therefore, hereby warned not to go upon any of the lands so reserved, for any purpose or with any intent whatsoever, as no settlement or other right can be secured upon said lands, and all persons found unlawfully thereon will be dealt with as trespassers and intruders; * * *' (27 Stat. 979).

"Other agreements and statutes made with the Three Affiliated Tribes of the Fort Berthold Reservation are consistent with the foregoing provisions and guaranties.[3]

"In recent years the possessory rights of the Three Affiliated Tribes in their remaining tribal lands have been recognized and guaranteed in a constitution and charter issued under the act of June 18, 1934 (48 Stat. 984), and ratified by vote of the Indians concerned.

"The constitution of the Three Affiliated Tribes, following the language of the governing statute, authorizes the tribal business council—

"(e) To approve or veto any sale, disposition, lease, or encumbrance of tribal lands, interests in lands, or other tribal assets which may be authorized or executed by any authorized official or agency of the Government, provided that no tribal lands shall ever be sold or encumbered, or leased for a period exceeding 5 years, except that mineral lands may be leased by the tribal business council for such longer periods as may be provided by law.

"This solemn pledge that the United States will not again, without Indian consent, deprive these Indians of any interest in their remaining lands, is further amplified in section 5 of the corporate charter ratified on April 24, 1937.

"The history of our Federal negotiations with these Indians indicates that at all times the guaranties and protections which these Indians asked from the Federal Government and which were granted to them from time to time in consideration of valuable cessions of territory, were not merely guaranties against private trespass, but were preeminently guaranties against any future taking of Indian land for governmental purposes. The spirit in which these guaranties were asked and given is that expressed over a century ago by Attorney General Wirt who, on the question of whether surveying parties might be sent over Indian soil without Indian consent, declared:

"'So long as a tribe exists and remains in possession of its lands, its title and possession are sovereign and exclusive; and there exists no authority to enter upon their lands, for any purpose whatever, without their consent. Of the admission of this principle, the treaty above referred to furnishes a proof. The United States stood in need of a road through the lands of the Senecas from Fort Schlosser to Lake Erie; yet, inasmuch as they had no authority to enter upon the lands of the Senecas, even for the purpose of passing through them, without their consent, their right-of-way became the subject of compact. Although the Indian title continues only during their possession, yet that possession has been always held sacred, and can never be disturbed but by their consent. They do not hold under the States, nor under the United States; their title is original, sovereign, and exclusive. We treat with them as separate sovereignties; and while an Indian nation continues to exist within its acknowledged limits, we have no more right to enter upon their territory, without their consent, than we have to enter upon the territory of a foreign prince' (1 Op. Atty. Gen. 465, 466–467).

"This statement of Federal law and policy has been often repeated but has not been improved upon.[4]

"Since, however, treaty obligations may be violated by act of Congress,[5] the possessory rights of these Indians depend upon whether Congress, in appropriating funds for the construction of the Garrison Dam, or otherwise legislating thereon, will continue to respect the treaty obligations of the United States.

"2. FORMS OF LEGAL PROTECTION

"Assuming that an attempt is made to condemn or otherwise interfere with Indian possession of tribal land in connection with the construction of the proposed Garrison Dam, the Indians desire to know in what way they can challenge the legality of the proposed action. Inasmuch as the whole Garrison Dam project is still in the blueprint stage and apparently no moneys have as yet been appropriated which could be used for the building of the dam or for the condemnation of these Indian lands, it would be premature to discuss the authority of the War Department to condemn these lands or to flood them without condemnation. Assuming, however, that the Indians concerned are satisfied that no legal authority exists for the taking of these lands in derogation of treaty rights, two methods would appear to be available to the tribe for the presentation of such objections. In the first place, the tribe might bring suit to enjoin the Secretary of War from the commission of the acts in question. In the second place, the tribe might await the institution of condemnation proceedings and in those proceedings challenge the legality of the proposed condemnation.

"The legal capacity of the tribe thus to defend its rights is recognized in article VI, section 5 (e) of the tribal constitution and in section 5 (i) of the tribal charter. Its right to employ counsel for such purposes is recognized in article VI, section 3 (a) of the tribal constitution. Under these provisions of its constitution and charter, the tribe has the same right that any American citizen has to challenge construction activities carried on or threatened by the War Department or any other department of the Federal Government, where it appears that such activities are not properly authorized by act of Congress or are in derogation of rights established under Federal law. The propriety of such action, for example, is sustained in *Ryan* v. *Chicago, B. & Q. R. Co.* (59 F. (2d) 137 (C. C. A. 7, 1932)), in which an injunction was issued against the Secretary of War and his subordinates and attorneys to prevent construction of a dam, and condemnation proceedings in support of such construction, where the contemplated dam was in excess of the legislative authority granted by Congress. The court held that such a suit was not a suit against the Federal Government but merely a suit against Federal officials to prevent action in excess of their statutory authority. In that case Congress, after the issuance of the injunction, enacted supplementary legislation specifically authorizing the dam against which the injunction had issued. The case, however, is square authority for the proposition that suit will lie against the Secretary of War to prevent construction activities not clearly authorized by act of Congress. As the court said in that case:

"'The least that can be said is that there is great doubt and uncertainty as to the extent of the authorization of Congress relative to the Alma Dam. The damage which will necessarily result to appellee under plan 2 is so enormous that no uncertainty should be permitted to exist as to appellee's right to compensation' (p. 143).

"Again, in the case of *Barr et al.* v. *Rhodes* (35 F. Supp. 223 (D. C. W. D.; Ky.)), the court declared:

"'The rule seems to be that the courts will not interfere with matters entrusted by Congress to the discretion of the heads of executive departments of the Government, but that they will enjoin acts which are beyond the scope of statutory authority or jurisdiction of executive officers. As was said in *Goldtra* v. *Weeks*, supra (271 U. S. 536; 46 S. Ct. 616; 70 L. Ed. 1074) "by reason of their illegality, their acts or threatened acts are personal and derive no official justification from their doing them in asserted agency for the Government"' (p. 225).

"In the case of *St. Louis & F. R. Co.* v. *City of Tulsa* (213 Fed. 87 (D. C. E. D., Okla.)), a somewhat similar question was discussed in connection with a suit against a municipality to enjoin condemnation proceedings. It was there held that an injunction was a proper remedy to prevent the municipality from interfering, through condemnation proceedings, with rights which it had already granted to a railroad. The court quoted with approval from Elliott on Roads and Streets (2d ed.):

"'Section 219. * * * The intent of the legislature to destroy the rights granted by former statutes must unequivocally appear. A grant of authority to appropriate land seized under former statutes, or previously seized for public use, cannot ordinarily be inferred from a mere general grant. The general rule is that if the two uses are not inconsistent, and both may stand together without material impairment of the first, authority for the second use may be implied from a general grant; but, if they cannot coexist without material impairment of the first, authority to take for the second cannot be implied from a mere general grant of authority to condemn' (p. 93).

"It is clear that the remedy of injunction, which, as the foregoing cases indicate, is available to a non-Indian citizen to prevent unlawful interference with his property, is equally available to the Three Affiliated Tribes of the Fort Belknap Reservation.[6]

"FELIX S. COHEN,
"Associate Solicitor."

* * * * *

EFFECT OF GARRISON DAM ON INDIANS

Senator O'MAHONEY. What do you think about the Indians?

Representative LEMKE. The land that is to be taken away from the Fort Berthold Indians is land where their bread basket is.

Senator O'MAHONEY. The bread basket of the Indians?

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[2] Act of Mar. 3, 1891 (26 Stat. 989, 1035).

[3] See unratified agreement of July 27, 1866 (Kappler, vol. 2, p. 1052); act of June 1, 1910 (36 Stat. 455).

[4] See Cohen, Handbook of Federal Indian Law, pp. 309, 393.

[5] Cherokee Tobacco (11 Wall. 616 (1870)); Chinese Exclusion Case (130 U. S. 581, 600).

[6] *Cherokee Nation* v. *Hitchcock* (187 U. S. 294); *Lane* v. *Pueblo of Santa Rosa* (249 U. S. 110); and see Cohen, Handbook of Federal Indian Law, pp. 283–285.

Representative LEMKE. Yes, sir. It is the river bottom cultivated land. I am not satisfied with the lands that the War Department is attempting to give to the Indians.

Senator MCKELLAR. You cannot have the dam and keep the Indians there.

Representative LEMKE. No. But I am not satisfied with the land the Army has offered to the Indians. I do not think that upland hills is fair compensation, or anywhere near it. I am willing to help the Indians find land that will compensate them.

Senator MCKELLAR. Surely there are local courts out there that will give the Indians what they are entitled to.

Representative LEMKE. In my experience as a legal practitioner I have found this——

Senator MCKELLAR. When I was practicing law I was the trial lawyer of my firm, and I tried a good many condemnation cases. I hardly recall one when the persons were not amply compensated, not in a case that I ever tried, and sometimes they got more than they were entitled to.

Senator O'MAHONEY. The difficulty here as affecting the Indians is this, that the possibility of compensation does not exist, for compensation in money means nothing to them. What they want are homes.

Senator MCKELLAR. But it seems to me the progress of the country rather requires that this dam shall be built, and I think the Indians should be compensated in the fullest measure, because, so to speak, we treat them as the wards of the Nation, and we ought to be generous with them.

PROPOSAL TO COMPENSATE INDIANS NOT ADEQUATE

Senator O'MAHONEY. Congressman LEMKE, you were about to say that in your opinion the proposal made by the War Department to compensate the Indians is not adequate compensation.

Representative LEMKE. No. If I am correctly informed by the Bureau of Indian Affairs, they are trying to push them up in the Killdeer Mountains. But there is land in North Dakota that is productive, and land that probably could be irrigated, and I will try to see that the Indians are given.

Senator O'MAHONEY. Do you think the members of the Committee on Indian Affairs could rely upon any vague promises of that kind as to compensation?

Representative LEMKE. No. I think they might have a fight over it, as you always find when you deal with departments of the Government.

Senator MCKELLAR. Again referring to my personal history—which I ought not to refer to, but sometimes I have to—when I was a trial lawyer for about 17 or 18 years, I learned to know men pretty well by looking at them. I do not believe that the present head of the Bureau of Engineers, General Wheeler, is the kind of man who would see the Indians imposed upon. That is just the way I feel about it.

Senator O'MAHONEY. If that were true, I think the Indians would probably rest very easily, but that is not the case. General Wheeler, able though he is—and I am glad as a member of the Military Affairs Committee to have voted for his confirmation—but he cannot create land to which these Indians are to be moved.

Senator MCKELLAR. But he can see that they are treated fairly and justly.

Senator O'MAHONEY. There is evidence before the Committee on Indian Affairs that the land which is offered in the Killdeer Mountains is not comparable land, and this is now confirmed by Congressman LEMKE.

Representative LEMKE. In dry years there is very little grass on those hillsides. Now it looks nice, and I have no intention of criticizing the War Department, but if they had gone there 3 or 4 years ago they would have found no grass there. It just makes a difference when you see it.

I repeat, and I will agree with the chairman, that the Indians, I believe, will have to give way, because after all, even the city of Williston will have to give way if subsequent events show that it is for the best interest of my State and the Nation.

TIME ELEMENT IN COMPENSATING INDIANS FOR LOST LAND

Senator O'MAHONEY. If you recommend to this committee that it report to the Senate a bill which compels the Indians to go away, do you also desire to say to those Indians that for their compensation they must depend, not upon this committee, not upon the Congress, but upon the future action of some court? Maybe 20 or 25 years may pass before those Indians are compensated for the lands taken away from them by Executive order.

Representative LEMKE. I agree with you absolutely on that. Something should be done before the Indians are moved, that they should get full compensation. Let me give you an illustration: I handled a case at Elwood, Ill. There they took a farm 150 years old and before a Chicago jury I secured $22,000 more than the Government offered.

Senator O'MAHONEY. If you did that before a Chicago jury you ought to be able to do something with a Senate committee.

Representative LEMKE. Then at Omaha, when we had the Frazier-Lemke cases——

Senator O'MAHONEY. Who was that Lemke whose name is mentioned there?

Representative LEMKE. Myself. When we had the Frazier-Lemke cases, then these so-called expert civil-service appraisers came and testified that a home, though used 20 years, is as good as it was when built. But when we had the Omaha condemnation cases these same fellows appeared and testified that a home depreciated 5 percent each year, and at the end of 20 years it was worth very little.

Remember that if you go up against the Federal Government you have all the powerful machinery arrayed against you. I will say this in justification of the Army, that General O'Brien, who was in charge, said, "If I had known you before, we would not have had all these lawsuits." But as to these Indians, with all the power of the Federal Government, there is no way by which they can collect what is due them unless Congress gives them assistance.

SUGGESTED AMENDMENT TO PROTECT INDIANS

Senator O'MAHONEY. Do you recommend that we throw these Indians off the land and trust to luck?

Representative LEMKE. This project has been started, and the Army engineers have made surveys.

Senator O'MAHONEY. It is in the blueprint stage, but the Indians are on the land.

Representative LEMKE. I still feel that before the Indians are removed, we should compensate them and justify our action. They have counsel now, and I think counsel will attempt to get some settlement agreeable to both sides.

Senator O'MAHONEY. Would you see objection to a limitation being placed on this appropriation which would provide that the Indians should not be driven off the land until there is a settlement?

Representative LEMKE. I have no objection to that. That is a limitation on their using it, but they can go ahead with their plans and preparation and construction. I am perfectly in accord with the idea that the Indians of all people have gotten a very bad deal all through the history of the United States of America.

Senator MCKELLAR. Any other questions?

Mr. LANGER. Mr. President——

Mr. O'MAHONEY. I yield to the Senator from North Dakota.

Mr. LANGER. I wish to ask a question, if I may. Was the amendment drawn with the consent and advice and approval of the attorney for the three affiliated tribes?

Mr. O'MAHONEY. I did not have opportunity to consult the attorney for the tribes, but I did consult the Department of the Interior and the Office of Indian Affairs, and I had the assistance of the Office of Indian Affairs in the preparation of the amendment.

Mr. LANGER. I call the attention of the distinguished Senator from Wyoming to line 13, page 57. May I have his interpretation as to what will happen if it should develop that the land offered in exchange that is selected by the Department of the Interior should be unsatisfactory to the Indian tribe?

Mr. O'MAHONEY. If it should be unsatisfactory to the Indian tribe, the question, I think, would then be open for further consideration, because the engineers report as filed in the House contains the provision that the total appropriation shall be sufficient to provide for compensation for the Indians or for moving the Indians.

We also have in this appropriation bill an item of $78,000,000 which will permit the Department of the Interior, through the Office of Indian Affairs, to make a survey of that entire area for the purpose of finding lands of the same quality and suitable for exchange.

Mr. LANGER. I am very much gratified by the explanation, because I know that the distinguished Senator, chairman of the Committee on Indian Affairs, has time and time again seen to it that the Indians were protected. I am very happy to know his interpretation of the item.

Mr. O'MAHONEY. I am grateful to the Senator.

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

Mr. O'MAHONEY. I yield.

Mr. GURNEY. In view of the point made by the Senator from Wyoming and the Senator from North Dakota, I believe it would be well if we could have in the RECORD at this point the pertinent paragraph in House Document 475, which document is the basic background for the whole Missouri River authorization. Therefore, I ask unanimous consent that paragraph 12 of House Document 475 appear in the RECORD at this point.

The PRESIDING OFFICER. Is there objection?

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

12. The proposed reservoirs will inundate Indian lands at several points. The estimates submitted on the over-all cost of the projects include funds to cover the cost of taking such lands and buildings, including relocation of burial grounds. It is to be understood, therefore, that approval of this plan includes authority for the Indians through their tribal councils, with the approval of the Secretary of the Interior, to convey and relinquish such property to the United States, and authority for the Secretary of War to enter into appropriate agreements with the Secretary of the Interior and the Indian tribes concerned for the payment of the fair value of the property taken, or for the contribution of a sum approximating such value toward locating or constructing or toward relocating or reconstructing buildings, works, facilities, or water projects in the

vicinity of the Missouri River or its tributaries.

Mr. O'MAHONEY. I am very glad the Senator has made that request, and I am glad the matter is to appear in the RECORD.

Mr. President, I should like to add that immediately following this insertion, there should be inserted in the RECORD a letter addressed to me by Mr. Felix S. Cohen, Acting Solicitor of the Department of the Interior, dealing with the same subject.

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

UNITED STATES
DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SOLICITOR,
Washington, D. C., December 14, 1945.

Hon. JOSEPH C. O'MAHONEY,
United States Senate.

MY DEAR SENATOR O'MAHONEY: With reference to your telephonic inquiry concerning the meaning and effect of the comments made in paragraph 12 of the letter of the Chief of Engineers, United States Army, dated December 31, 1943 (H. Doc. No. 475, 78th Cong., 2d sess., p. 4), concerning arrangements to be made where Indian lands are inundated by proposed reservoirs, there are two observations that I should like to submit:

1. As a legal matter I should think it very doubtful whether a statement by the Chief of Engineers of the United States Army in a letter to the chairman of the House Committee on Flood Control would be considered a limitation upon any powers of condemnation which may be vested in the War Department by prior legislation, such as the act of March 3, 1901 (31 Stat. 1058, 1084; 25 U. S. C., sec. 357), authorizing the condemnation of Indian allotments with cash payment of damages.

2. Even if the statement in question should be construed as having the force of law, it purports in terms not to limit any legal authority heretofore vested in Federal agencies to carry out condemnation, but rather to spell out authority to handle land transactions with Indians on a basis of agreement and subject to the approval of the Secretary of the Interior. I do not doubt that such a method of procedure is highly desirable. Unfortunately, the language of the statement in question, while purporting to authorize future action on such a basis, does not in terms limit action to any such basis. It thus fails to accord to the Indians any assurance that they will be consulted with regard to the disposition of their lands.

I trust that the foregoing observations appropriately answer your inquiry. Because of the pressure of time these observations have not been submitted to the scrutiny of the Interior Department and they are therefore to be considered merely as the expressions of my own opinion.

Sincerely yours,

FELIX S. COHEN,
Acting Solicitor.

Mr. YOUNG. Mr. President, I should like to address a question to the Senator from Wyoming.

Mr. O'MAHONEY. I yield.

Mr. YOUNG. I should like to ask the distinguished Senator what effect the amendment he had made just a moment ago would have on the disposition of the Indian problem.

Mr. O'MAHONEY. It would have the effect of compelling an immediate study of this problem, so that the Indians would not be removed from that land until an opportunity had been granted to make certain that they were being properly treated.

Mr. YOUNG. I think the distinguished Senator from Wyoming has been very fair with the Indians. Probably this is the first time in 300 years they have gotten such a deal. I think they are in a better situation than are the whites. The whites will have their lands condemned and payment received, and then will have to go and find homes elsewhere. I have no objection to the amendment.

In the Senator's opinion, how long will it take to settle these affairs? How long will construction of the dam be held up?

Mr. O'MAHONEY. I doubt very much whether construction of the dam will have to be held up at all, provided the War Department and the Interior Department undertake, as it is the desire of those who are the sponsors of the amendment, the immediate solution of the problem.

I pointed out in the committee that although a treaty was made with the Indians at Fort Laramie in the middle of the last century, almost a hundred years ago, recognizing the Indians' title to these lands, and although later, in the administration of President Benjamin Harrison, some eight or nine million acres of land were taken by Executive order, the Indians were not compensated for that taking until 20 or 30 years had passed, until they had been authorized by Congress to prosecute a claim in the Court of Claims. That injustice is obviated by this amendment. The responsibility is really placed upon those who desire to construct this dam to deal justly with the Indians, and do it now.

Mr. YOUNG. I certainly am in accord with the Senator's thinking, though I had hoped this might be accomplished in some other way. We have interested in the solution of our affairs out there, and in the construction of these dams, the Bureau of Reclamation, the Army Engineers, the Department of Agriculture, and the Federal Power Commission, and now there is being added the Office of Indian Affairs. I think that places more importance upon the interagency committee there, composed of these Federal departments, together with the governors.

Mr. O'MAHONEY. The Indians are the wards of the Government of the United States. They are the beneficiaries of a treaty. The United States today stands before the world urging justice to all people. It seems to me it cannot support a moral position upon that issue unless it deals justly with its own wards, the Indians of the United States.

Mr. YOUNG. I am in entire accord with the thinking of the Senator from Wyoming.

The PRESIDING OFFICER. The next amendment of the committee will be stated.

Mr. McKELLAR. Mr. President, I ask that the remainder of the amendments in the bill be agreed to en bloc. That is the usual way in which such amendments of their nature are handled. They relate to judgments and claims.

The PRESIDING OFFICER. Without objection, the amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

Under the heading "Title II—Judgments and authorized claims—Property damage claims," on page 57, line 24, after "Sec. 201" to insert "(a).";

On page 59, after line 3, to insert:

"(b) For the payment of claims for damages to or losses of privately owned property adjusted and determined by the following respective departments and independent offices, under the provisions of the act entitled "An act to provide a method for the settlement of claims arising against the Government of the United States in the sum not exceeding $1,000 in any one case," approved December 28, 1922 (31 U. S. C. 215), as fully set forth in Senate Document No. 108, Seventy-ninth Congress, as follows:

"Executive Office of the President:
"Office for Emergency Management:
"War Shipping Administration, $676.57;
"Federal Security Agency, $591.54;
"Federal Works Agency, $100.85;
"Department of Commerce, $609.65;
"Department of the Interior, $149;
"Navy Department, $33,612.21;
"Post Office Department, $598.25;
"Treasury Department, $1,843.08;
"In all, $38,181.15";

Under the subhead "Judgments, United States courts," on page 60, line 8, after the word "in", to insert "Senate Document Numbered 111, and"; and after line 10 to strike out the following:

"Under—
"Independent offices: Veterans' Administration, $60.42;
"Department of Agriculture, $6,287.50;
"Farm Security Administration, $1,702.50;
"Navy Department, $3,000;
"War Department, $7,490.50;
"In all, $18,540.92."

And in lieu thereof to insert the following:

"Veterans' Administration, $60.42;
"Fderal Works Agency: Public Buildings Administration, $1,950;
"United States Maritime Commission, $549.14;
"Department of Agriculture, $6,287.50;
"Farm Security Administration, $1,702.50;
"Navy Department, $3,000;
"Coast Guard, $2,250;
"Office for Emergency Management: War Shipping Administration, $4,750;
"War Department, $18,031.60;
"In all, $38,581.16";

On page 61, after line 8, to insert:

"(b) For the payment of a judgment, rendered against the Government of the United States by a United States district court under the provisions of an act entitled 'An act authorizing suits against the United States in admiralty for damages caused by and salvage services rendered to public vessels belonging to the United States, and for other purposes,' approved March 3, 1928 (46 U. S. C., 781–789), and which was certified to the Seventy-ninth Congress in Senate Document No. 112, $35,144.95";

Under the subhead "Judgments, United States Court of Claims," on page 62, line 11, after the word "in", to insert "Senate Document No. 114";

On page 62, line 16, after "Public Buildings Administration", to strike out "$2,167.89" and insert "$8,383.51";

On page 62, line 18, after "Federal Public Housing Authority", to strike out "$22,350.41" and insert "$72,350.41";

On page 62, after line 19, to insert: "Interior: Indians, $850";

On page 63, line 1, after "Treasury Department", to strike out "$27,804.56" and insert "$32,804.56";

On page 63, line 2, after "War Department", to strike out "$341.58" and insert "$1,294.58";

On page 63, line 3, after "In all", to strike out "$159,752.23" and insert "$222,770.85";

On page 63, after line 5, to insert:

"(b) For the payment of judgment No. 45990 rendered by the Court of Claims in favor of Alfred Oscar Schaffer, in the amount of $4,170.10, and certified to the Seventy-ninth Congress in Senate Document No. 115, together with such amount as may be necessary to pay interest, to be paid from funds of the Reconstruction Finance Corporation";

Under the subhead "Audited claims," on page 64, line 3, after the word "in", to insert "Senate Document No. 106, and"; in line 5, after the words "sum of", to strike out "$3,182,938.53" and insert "$6,225,198.02"; in line 10, after the word "and", to strike out "$911.91" and insert "$1,483.79"; and in line 11, after the words "in all", to strike out "$3,183,850.44" and insert "$6,226,681.81";

On page 65, line 1, after "June 26", to strike out "1944" and insert "1934"; and in line 2, after the word "in", to insert "Senate Document No. 110, and"; and

On page 65, line 6, after the word "property", to strike out "$39.21" and insert "$70.39."

Mr. FULBRIGHT obtained the floor.

Mr. DOWNEY. Mr. President, is the Senator about to speak on the Indian matter which was being discussed a little while ago? I was the one who suggested that the amendment on page 8 be passed over, and I should like to refer to it. I have to leave the floor soon.

Mr. FULBRIGHT. I have a short statement I wish to make.

Mr. DOWNEY. Is it in reference to the pending bill?

Mr. FULBRIGHT. No.

Mr. DOWNEY. I wonder if we could not proceed with the first amendment passed over. I do not think it will take long. It is a matter having to do with the bill itself.

The PRESIDING OFFICER. The clerk will state the first amendment passed over.

The CHIEF CLERK. On page 8, after line 20, it is proposed to insert the following:

CIVIL SERVICE COMMISSION

Salaries and expenses: For an additional amount, fiscal year 1946, for "Salaries and expenses, Civil Service Commission," including the objects specified under this head in the Independent Offices Appropriation Act, 1946, $1,000,000.

Mr. DOWNEY. Mr. President, I might say that after the bill had been considered in the House of Representatives, the President of the United States requested a deficiency appropriation for the Civil Service Commission of $1,600,000. The reason for asking for the additional amount was the very heavy burden cast upon the Commission in its replacement work in the Civil Service in connection with veterans. The obligation of carrying out the provisions of the veterans' preferential law was placed upon the Civil Service Commission, and this money is largely needed for that purpose.

I should like to say to the distinguished acting chairman of the Committee on Appropriations that I am thoroughly acquainted with all the facts, and I have data in my possession which I think show that the President's request should be granted. I am reluctant to detain the Senate on this item, but since the matter will have to be taken up with the House, it being a new item, I wonder if our distinguished chairman will not take the additional item of $600,000 to conference.

Mr. McKELLAR. Mr. President, the committee gave this matter very careful consideration. We had a great deal of evidence in favor of it, we went over it very carefully, and unanimously came to the conclusion that, under all the facts and circumstances, an additional appropriation of $1,000,000 would be sufficient for the remainder of the year.

Under these circumstances, this being a unanimous report of the committee, I feel compelled to leave the matter as the committee decided on it. I am sorry I cannot accede to the Senator's request. I think they are entitled to a million dollars, and I shall certainly fight for that amount in conference. If anything arises of an unusual nature, the Civil Service Commission, being located here in Washington, can always apply to Congress. We are going to be in session constantly, and I do not believe any wrong will be done anyone.

Mr. DOWNEY. Mr. President, I should like to make plain to the Senate, if I may have the attention of Senators, how critical this matter is. It seems to me that what has been done must have been done under some misapprehension.

In April 1945 the Commission had on its rolls 7,552 persons. The number has now been cut to 4,835. Denying this deficiency appropriation will further reduce the personnel of the Commission to 3,969 persons. That was the same number of persons they had in 1941, when the average employment in the Federal service was only 1,100,000, as compared with an average for this fiscal year of 2,500,000. In other words, the per capita burden, under what has been done by the committee, will be two and a half times as great.

Added to that we have the demands upon the Commission for replacement of veterans. All over the United States it has become necessary to take the representatives of the Commission out of the separation centers; they have had to close centers for veterans in almost every city.

Mr. President, the distinguished acting chairman of the committee has just stated to me in an aside that he will take to conference an amendment providing $1,200,000. That is certainly better than $1,000,000, so I shall desist, and express my appreciation. I move that the amendment be amended by increasing the amount from $1,000,000 to $1,200,000.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

DESIGNATION OF STATE DEPARTMENT AS DISPOSAL AGENCY FOR SURPLUS PROPERTY OUTSIDE CONTINENTAL UNITED STATES

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

Mr. FULBRIGHT. Mr. President, will the Senator withhold his suggestion in order that I may make a statement?

Mr. BALL. Very well. I withhold it.

Mr. FULBRIGHT. Mr. President, I have noticed in the newspapers recently several instances where decisions have been made dealing with surplus property, and for that reason I should like to make a statement at this time before we adjourn, and before it is too late.

On September 27, I introduced in the Senate a bill, S. 1440, authorizing use of credits established through the sale of surplus properties abroad for the promotion of international good will through the exchange of students in the fields of education, culture, and science. The bill was referred to the Committee on Military Affairs, and has been under consideration by the Subcommittee on Surplus Property, headed by the Senator from Wyoming [Mr. O'MAHONEY].

The purpose of this bill was to provide a means by which the returns from the sale of surplus materials might accrue to the best interest of America. After World War I war debts incurred by foreign nations became a source of irritation and brought about ill feeling and a disruption in the reestablishment of trade and commerce and affected our political relations with these nations. By legislation such as is proposed in this bill, it is hoped we can, to some degree, avoid a repetition of these conditions.

In connection with the introduction of this bill, it was determined that in order to bring about the orderly dispositions of surplus property abroad full authority vested in the Surplus Property Administrator should be delegated to the Secretary of State, not only to insure conformity with American foreign policies but to utilize these credits to the best advantage in securing the greatest possible benefits to the American people.

The original bill, while containing provisions contingent on such authority being transferred to the Secretary of State, did not specifically delegate the authority of the Surplus Property Administrator to the State Department. In arriving at a method by which this could be properly brought about conferences were held with representatives of the Department of State, Surplus Property Administration, the Bureau of the Budget, and the Office of War Mobilization and Reconversion. As a result of these conferences a new bill was drafted which I introduced on November 30, 1945—S. 1636.

The new bill not only carried out the suggestion of Surplus Property Administrator that these powers relative to the sale of surplus property abroad be transferred to the Secretary of State, but also includes a provision authorizing the Secretary of State to enter into agreements with any foreign governments for the use of currencies, credits for currencies, of such government, acquired as a result of surplus-property disposals in any proper manner and upon such terms and conditions as he may deem proper and to the advantage of the United States Government, including the original provisions under S. 1440.

At the time that the Congress passed the Surplus Property Act of 1944 it was recognized that the problems of surplus property disposal abroad were different in character from the problems here at home. Accordingly, included in that act is a provision (sec. 32 (b)) which empowers the Surplus Property Board, created by the act, to exempt disposals

abroad from "some or all of the provisions" of the statute. This has proved wise, but actual experience has shown that the maximum benefit to the United States cannot be obtained merely by an exemption from the restrictions of the Surplus Property Act, but that positive enabling legislation granting additional disposal powers is needed also.

The first section of S. 1636 relates solely to administration. As I have stated, it transfers the present policy responsibilities of the Surplus Property Administrator with respect to disposal abroad to the Secretary of State. Some time ago it became apparent that the disposal of surplus property must be integrated with lend-lease settlements and with our other foreign economic activities. Accordingly, by Executive order, the Office of Army-Navy Liquidation Commissioner was transferred from the War and Navy Departments to the State Department; and the State Department was designated by the Surplus Property Administrator as disposal agency for surplus property abroad. Progress since that time has shown the wisdom of the move. Nevertheless, there is a remaining defect that can be cured only by congressional action. Under existing legislation the Surplus Property Administrator remains technically responsible for the policies of the State Department in carrying out the foreign surplus disposal program. For obvious reasons, the Surplus Property Administrator cannot have independent access to the facts on which policy must be based unless he largely duplicates the disposal staff of the State Department. At the present time, therefore, the Surplus Property Administrator is in a position where he has responsibility without authority—I may say that is the same position he is in with regard to domestic materials—while the State Department must clear programs and proposals with an agency which is unfamiliar with the changing situation abroad. Both the Secretary of State and the Surplus Property Administrator have recommended this change, and it has the approval of the Director of War Mobilization and Reconversion. There should be wholehearted approval of this consolidation of responsibility and authority.

The next section of the bill clarifies the provisions of the present Surplus Property Act concerning what may be accepted in return for surplus property. Section 15 of the present act was broadly written, so far as domestic disposal is concerned; for example, it permits property to be exchanged for other property. However, the authors of the legislation did not have in mind at this point the peculiar, in fact unique, problem that exists abroad. Basically the question is one of foreign exchange. Many of the countries in which our surplus is located and to which a large part of the surplus will be sold, do not have enough dollars. Accordingly, it is necessary to provide for the acceptance of things other than dollars. To a considerable extent, possibly to a major extent, the difficulty can be overcome by the extension of credit, a practice that is used in this country, although the credit terms abroad may be somewhat different in character from the credit terms here. But there are other possibilities of acquiring benefits for the United States in return for surplus property that are either not clearly defined in the present act, or not covered at all. It is obviously in the national interest to strengthen the hand of the disposal authorities by giving them the necessary power to accept other types of benefits. While specific provision is made for the payment into the Treasury of the United States any such credits as may be converted into dollars, the bill authorizes acceptance of the following; when credits cannot be converted into United States currencies:

First. Foreign currency or credits: In a sense, accepting foreign currency is not unlike extending a dollar credit, but in many cases payment in local currency to be liquidated under agreed conditions may be more acceptable to the foreign governments and at the same time may involve less risk than an ordinary loan or credit.

Second. Intangible rights or benefits: To some extent it may prove possible to obtain concessions from foreign governments—rights and privileges of various sorts—in connection with surplus property disposal that could not easily be obtained in any other way.

Third. Discharge of claims: It is well to note that our claim problem has been vastly reduced during this war by virtue of the reverse lend-lease arrangements we have had with many of our allies. Nevertheless, a certain residue of claims remains, and in some cases our best chance of settling these promptly and satisfactorily is by the use of surplus property.

The third section of the bill provides for the disposal of surplus property abroad to establish educational programs. The Secretary of State is authorized to enter into agreements with foreign countries under which, in return for surplus property or local currency or credits received for surplus property, there will be established the following types of educational programs: Education of foreigners in American schools abroad, such as Roberts College; transportation expenses of foreign students coming to the United States to study; and, most important, transportation and expenses of American students studying in foreign institutions. It is contemplated that in general the agreements to be entered into by the Secretary of State with foreign countries will take the form of trust funds or foundations, so that the activities may continue into the future. The expenditures under these agreements in any one country are limited to $2,500,000 per annum.

It is my firm belief that the interchange of students between countries can play a major role in helping to break down mutual misunderstandings and in furthering the kind of knowledge that leads to mutual confidence. No visitor or traveler can gain as much appreciation of the way and thought of living of foreigners as students can who actually live in the foreign country while they learn. We all now know that no country is far away in the age of airplanes. The necessity for increasing our understanding or others and their understanding of us has an urgency that it has never had in the past. The adoption of this program by the Congress is a vital counterpart of the steps we are taking to increase our participation in world affairs.

In conclusion, I might add that this section S. 1636 does not include authorization in connection with lend-lease settlements because the Lend-Lease Act itself provides sufficient authority. Section 3 (b) of that act states that—

> The benefit to the United States may be payment or repayment in kind, or any other direct or indirect benefit which the President deems satisfactory.

I am advised that the President deems these educational benefits entirely satisfactory. In some countries the State Department will negotiate these agreements on the basis of surplus-property disposals; in others it will rely on the lend-lease settlements; but because of its inability to do the latter in those countries where there is no lend-lease settlement, or where the settlement offers no propitious opportunity for such an agreement, the passage of this bill is essential.

FIRST DEFICIENCY APPROPRIATION ACT, 1946

The Senate resumed the consideration of the bill (H. R. 4805) making appropriations to supply deficiencies in certian appropriations for the fiscal year ending June 30, 1946, and for prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1946, and for other purposes.

Mr. McKELLAR. Mr. President, there is one other amendment which was passed over, which I ask to have stated.

The PRESIDING OFFICER (Mr. CHAVEZ in the chair). The amendment will be stated.

The CHIEF CLERK. On page 40, in line 22, it is proposed to strike out "switchyards, $1,600,000" and insert "switchyards at Shasta and Keswick Dams, $800,000."

Mr. HAYDEN. Mr. President, there are apparently two amendments here, although they both relate to the same subject.

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

Mr. HAYDEN. I yield.

Mr. BALL. I think a quorum should be established before we consider this amendment.

Mr. HAYDEN. I simply wanted to make a unanimous-consent request that the two amendments be considered en bloc.

Mr. BALL. Very well.

Mr. HAYDEN. Senators will notice that the amendment beginning in line 22, on page 40 is to strike out "switch yards, $1,600,000" and to insert in lieu thereof "switch yards at Shasta and Keswick Dams, $800,000;".

Then the following language is stricken out "transmission lines, Oroville to Sacramento, 230 kilovolt, $730,000, and Sacramento between substations, 230 kilovolt, $50,000."

I should like to have the whole subject matter beginning in line 22 on page 40 with the words "switch yards" down

to the end of the amendment on page 41, considered as one amendment.

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

The question is on agreeing to the committee amendment on page 40, beginning in line 22.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Austin	Gurney	Murdock
Ball	Hart	Murray
Bankhead	Hayden	O'Daniel
Barkley	Hickenlooper	O'Mahoney
Bilbo	Hill	Pepper
Brewster	Hoey	Radcliffe
Bridges	Huffman	Reed
Brooks	Johnson, Colo.	Revercomb
Byrd	Johnston, S. C.	Robertson
Capehart	Kilgore	Russell
Capper	Knowland	Saltonstall
Carville	La Follette	Shipstead
Chavez	Langer	Smith
Connally	Lucas	Taylor
Donnell	McClellan	Thomas, Utah
Downey	McFarland	Tydings
Eastland	McKellar	Vandenberg
Ellender	McMahon	Wagner
Ferguson	Maybank	Wherry
Fulbright	Mead	White
Gerry	Millikin	Wiley
Gossett	Mitchell	Willis
Green	Moore	Wilson
Guffey	Morse	Young

The PRESIDING OFFICER. Seventy-two Senators have answered to their names. A quorum is present.

The question is on agreeing to the committee amendment on page 40, beginning in line 22.

Mr. HAYDEN. Mr. President, I should like to address the Senate for a few moments to explain the nature of this amendment.

An examination of the bill will show that the House of Representatives, recognizing the need for transmitting power from Shasta Dam down into the Central Valley, a distance of approximately 200 miles, has approved an appropriation of $730,000 to build a transmission line for that purpose. In the House report the statement is made that the purpose of transmitting this power is to make it available to pump water up to the farm lands in the San Joaquin Valley. Senators who are familiar with the situation in California, know that there rises in northern California the great Sacramento River, in an area where there is much greater rainfall than there is in the area to the south, where the San Joaquin Valley is located. The Sacramento and San Joaquin Valleys combined form what is known as the great Central Valley of California, an area containing some of the richest farm lands in America.

In the Sacramento Valley there is usually an abundant supply of water, but in the San Joaquin Valley the supply of water is deficient, and many of the farmers who depend upon pumping have gradually driven wells deeper and deeper, until the supply has been exhausted. So the only way to meet the critical situation, to meet the actual needs of farmers—not to bring new lands into cultivation, but to afford relief to a great agricultural area aggregating nearly 500,000 acres—is to impound the water of the Sacramento River, let it continue down that stream in a regulated flow, and then pump it over into the San Joaquin Valley with power generated from the stored water. This item provides an appropriation for a transmission line for that purpose, to serve the farmers so that they may obtain water.

All during the war there was no construction of transmission lines in the Central Valley project because of the great need for materials and men. A wartime arrangement was made between the existing power company, which operates in northern California, the Pacific Gas & Electric Co., and the Government, under which the Government arranged to carry over the lines of the power company the power then developed, down to San Francisco and the Bay Cities to be used in war work. The understanding was that there would be no loss to the company and no advantage to the Government as a result of that temporary arrangement. So every proposal which has been made during the past 4 years to construct a transmission line in that area has been set aside by the House of Representatives until the end of the war.

The war being over, the House of Representatives, recognizing the need, placed this appropriation item in the bill, and I believe that the Senate should go along with the House. Therefore I am urging that the Senate reject the committee amendment reducing the appropriation for these transmission lines.

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

Mr. HAYDEN. I yield.

Mr. REVERCOMB. I have listened with great interest to the very clear statement of the Senator. Am I correct in concluding that the entire beneficial effect of construction of this line would occur in one valley within one State? As I understand, the result would not be to benefit a large area of the country. It would not be something of national interest, but would be solely for the purpose of building a transmission line into a valley in California. Is that correct?

Mr. HAYDEN. It so happens that when the good Lord made the world there was only one Central Valley of California. At one end of it water can be stored to make power. At the other end the supply of water is short. With the power developed at one end water could be pumped into the irrigated area. I agree with the Senator, but it all happens to be entirely within the State of California.

Mr. REVERCOMB. I am trying to determine whether this is an undertaking which has a national effect or whether its effect is entirely within one State.

Mr. HAYDEN. We are laying down a principle, I may state to the Senate, which is national in scope. Wherever a dual-purpose dam is constructed in the United States, that is to say, when we construct a dam which controls a stream so as to prevent floods and impounds water in that connection, and the water impounded behind the dam can gradually be let out, through hydroelectric power facilities, thus creating electric power, the Government building the dam and the power plant can receive revenue from it. If we are to say that, having built a dam of that kind, the Government is forbidden by a policy of Congress to transmit the power away from the dam to any other place, if there is an existing public utility which can carry it, that will mean that the Government must not build a transmission system which will compete with or take business from an existing public utility.

In other words, Mr. President, the dispute here really narrows down to this question: Is it necessary to build this transmission line in order that the power generated at Shasta Dam may be carried from that dam into central California, or can that purpose be accomplished by transmitting the power in a roundabout way over the existing transmission lines owned by the Pacific Gas & Electric Co.? That is where the dispute arises. The power company admits that it does not have the lines now, but it claims that by combining its lines with other lines and placing them all under its control, it could handle the matter better and with greater advantage to the community than the Federal Government could do by building transmission lines. I wish to place in the RECORD the proof of the statement that the building of a new transmission line will be required.

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

Mr. HAYDEN. I yield.

Mr. REVERCOMB. I am not advised about the utility companies. I know nothing at all about them and I know nothing about the issue to which the Senator has referred. My question is simply with respect to the scope of the undertaking and whether we are to appropriate Federal funds for a project which will be entirely of local benefit. Heretofore we have appropriated vast sums of money for the purpose of constructing projects which would aid several States or several sections of the United States. I simply wish to be advised whether we are to be called upon to appropriate Federal moneys for strictly local use.

Mr. HAYDEN. Suppose, as is true in many instances, there are streams which rise wholly within one State and on which floods occur which do damage wholly within that State, and suppose the Federal Government steps in and builds a flood-control dam in order to protect the lands within the State. If that were done, the Senator would say the project was wholly local, although it would involve a policy which applies throughout the United States. The item under discussion involves the same theory.

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

Mr. HAYDEN. I yield.

Mr. REVERCOMB. The building of a dam on a stream which is interstate in character or which affects lands in several States, certainly is not a local matter. But the building within a State of a transmission line which affects and benefits only the people of a particular locality is a local matter.

The item we are discussing is quite different from a dam which would protect or benefit the people of perhaps many States.

Mr. HAYDEN. The point is that the Congress authorized the construction of this project for several purposes—for flood control; for improvement of navigation on the Sacramento River; to prevent tidewaters from drowning out lands in the delta, and thus making them salt; to provide hydroelectric power, and for other purposes; and work on the project has been carried on for some time.

In connection with the issue which is presented here, let me say that it is urged on the part of the private power company that it should be the sole purchaser of the power from Shasta Dam, that it is now so situated that it is taking the limited product from the dam—the power there is not fully developed—and that it can expand its transmission-line facilities so as to be able to take all of it.

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

Mr. HAYDEN. I yield.

Mr. WHERRY. The company has offered to buy all the power which the Shasta Dam will provide.

Mr. HAYDEN. I do not question that.

Mr. WHERRY. I understood the Senator to say that the company is not taking all the power.

Mr. HAYDEN. That is because all of it has not yet been developed or generated.

Mr. WHERRY. But I think it should be pointed out that the company stands ready to take all the power.

Mr. HAYDEN. There is no doubt about that.

Mr. WHERRY. If the rate which the company agrees to pay for the power is not satisfactory to the Federal Government, the company will agree to let the Federal Power Commission fix the rates; is not that true?

Mr. HAYDEN. There is no doubt about that.

Mr. WHERRY. Certainly.

Mr. President, a committee of which I was a member went to California and considered this whole matter. We interviewed representatives of both sides of the controversy, and we heard their views. I wish to have the Senator keep the record straight. From what the Senator said, I received the impression that the company would not take all the power.

Mr. HAYDEN. I had no intention of making such a statement.

Mr. WHERRY. I know the Senator did not mean to say so, but I received that impression from his statement.

Mr. HAYDEN. I am sorry that the Senator derived such an impression.

Mr. WHERRY. I know the company is perfectly willing to take all the power which is developed at the Shasta Dam, and is willing to take it at rates which are determined by the Government agency, and the company will distribute all the power over its own transmission lines. The only question is whether the Government wishes to build a competing transmission line.

Mr. HAYDEN. Yes. The Senator has stated the issue better than I have.

Mr. WHERRY. I thank the Senator.

Mr. HAYDEN. The question is whether we are to build a tremendous storage reservoir and a very large power plant—one developing 120,000 kilowatts, which is an enormous amount of power—and whether we then are to arrange to have only one purchaser for the power; in other words, take such action that no one except the public utility which now monopolizes the field in northern California can buy the power. That is the proposition which is presented by those who feel that the Federal Government should not engage in the transmission of power. They honestly believe, as does the Senator from Nebraska, that the private utility can serve the community better than the Government could, and that the Government would thus avoid the expenditure of the money which a transmission line of that kind would cost.

So the issue is whether we wish to make the enormous investment in dams and power plants, with the certainty that we shall have but one purchaser. I do not believe that is good public policy.

The argument goes a little further: The company says, "We are now in position to take whatever power is produced there, and we will expand our lines so as to be able to take any additional power which may be produced."

Mr. President, I wish to make it perfectly clear that the building of the transmission line as provided for by the House of Representatives will not result in a duplication of the facilities which the power company has on hand. I shall read from the record of the hearings which I held as chairman of the subcommittee handling the Interior Department appropriation bill last July. I first read from the testimony of Mr. Warne, who represented the United States Reclamation Service:

> I should like to point out that there are no transmission lines now in existence which would be capable of delivering the 120,000 kilowatts of required power from any source to our proposed pumping plants on the Delta Cross Channel, Delta-Mendota, and Contra Costa Canals.

The Reclamation Service flatly asserts that there are no transmission lines in existence today which can do that job.

When Mr. Black, representing the power company, was on the stand, I asked him about the matter. At that time Senator Burton, of Ohio, quoted from a previous record, as follows:

> "Project pumping plants are future loads and present facilities of the Pacific Gas & Electric Co. do not have the capacity for delivering 150,000 horsepower to serve the Mendota pumps. The project pumping plants are only one of several future loads in the area without facilities for service."
>
> Mr. BLACK. Well, that is not correct. We have facilities for serving any load in the territory, or we will add them as they become necessary.
>
> Senator HAYDEN. If you will do that, that will mean that if the existing transmission lines will not carry the load, you will install additional ones?
>
> Mr. BLACK. Yes; or add to the existing ones.

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

Mr. HAYDEN. I yield.

Mr. GURNEY. I wish to read from page 531 of the Senate hearings on the deficiency appropriation bill. Mr. Black would have answered the question this year along this line, because he made this statement to the committee this year:

> The company has already provided facilities at a cost of $5,000,000 for taking one-third of the project's ultimate power capacity. We can provide the additional facilities required for about $22,000,000. To accomplish the same purpose the Bureau proposes to spend $70,000,000, of which $44,000,000 would be expended on a transmission system and $26,000,000 for a steam plant.

Mr. HAYDEN. I remember that testimony perfectly. The point I wish to make is that the transmission line is not in existence today.

Mr. BALL. Mr. President, will the Senator yield on that point?

Mr. HAYDEN. I yield.

Mr. BALL. In his testimony with regard to this particular item of $730,000 for an extension of the Oroville line to Sacramento, Mr. Black said, on page 525 of the hearings, as follows:

> Moreover, a line from Oroville to Sacramento and to the pumping plants will be a clear duplication of a company line already in operation and now used in connection with the transmission of Shasta power. There is also a vacant position on the towers which carry this line on which the company can install additional wires at a cost of $900,000. With this expenditure the company can do what under the Bureau's estimates would cost the Government $3,500,000. Here is a waste of $2,600,000 which must be carried by the water users on the project or the Federal taxpayers of the Nation.

Mr. HAYDEN. Mr. Black was merely talking about the initial expenditure.

Mr. BALL. No; he stated flatly that this is a line now having a vacant position on the towers. That is what he stated, if I can read English.

Mr. HAYDEN. In order to do the entire job it would cost his company approximately $22,000,000. It was claimed that it would cost the Government more money.

Mr. WHERRY. But the appropriation is one for a transmission line that would duplicate the present system.

Mr. HAYDEN. No. I have presented what evidence I can to the Senate to the effect that there would be no duplication.

Mr. WHERRY. So far as its present location is concerned, there would be a duplication. From now on the question will depend on whether the private company or the Government builds the line.

Mr. HAYDEN. I presume that it will be necessary to go there and look at it.

Mr. WHERRY. I do not have to look at it because I have heard the testimony. That was the testimony of Mr. Black.

Mr. HAYDEN. We are confronted with a flat contradiction between the engineers of the Reclamation Service in stating that there would be no duplication, and the statement of Mr. Black that there would be partly a duplication, but Mr. Black admits that in order to do the job his company would have to spend $22,000,000.

Mr. WHERRY. I agree with the statement that from the present point on to the point where it is to be built, the question to which the Senator has referred may be involved. I am talking about the appropriation which has been

requested in this bill. I contend that there would be a duplication. Here is the testimony, on page 523:

The requests now made are intended to commit Congress to a plan to parallel and duplicate existing facilities of this company.

What language could be plainer than that?

Mr. HAYDEN. The testimony which appears in the next volume of the record which, unfortunately, has not been printed—

Mr. WHERRY. The Senator does not mean to say that Mr. Black has changed his testimony, does he?

Mr. HAYDEN. Not at all. I am merely saying that all along we have had this dispute between Mr. Black and his engineers on the one hand, and the engineers of the United States reclamation service on the other. The question remains, Do we want to insist that at this dam there shall be but one customer for the purchase of power?

If the Senator believes that the Pacific Gas & Electric Co. is a well-managed and well-supervised power monopoly, he will vote to strike out the amendment. If he believes on the other hand that the Federal Government should have more than one customer for its power, he will vote to spend money for the purpose of building a transmission line for a distance of approximately 200 miles in the Central California Valley. In my judgment it would result in a great saving to the landowners and to the farmers.

Mr. SHIPSTEAD. Does not this matter come under the jurisdiction of the Power Commission of the State of California?

Mr. HAYDEN. The public utility does. Every time Mr. Black testified he said in effect, "We admit that we are a monopoly but we think we are a good and well-regulated monopoly. We are regulated by the State of California. We are regulated by the California State Railroad Commission. If anyone has a complaint he can go to that commission with his complaint."

Mr. Black said further that if that were not satisfactory he would submit to regulation by the Federal Power Commission. Mr. Black has said that he and his company alone should be the one purchaser of that power. He wants to say to the people of California, "You must buy power from us. What is the use of your making a contract for any Government power? Inasmuch as Congress has refused to construct the first transmission line, it will not be built. You come to us and we will take care of you and we will get all the business."

Mr. SHIPSTEAD. Has the commission in California made an investigation and a recommendation concerning the project?

Mr. HAYDEN. The California Railroad Commission would have no occasion to do so. The California Central Valley Authority was created by the Legislature of California and it backs this entire project.

Mr. SHIPSTEAD. What do they think about it?

Mr. HAYDEN. There is a division of opinion in California concerning the matter.

Mr. SHIPSTEAD. Concerning the authority?

Mr. HAYDEN. The official representatives of the State of California have indicated—not in the hearing to which reference has been made, but before my other committee—that they preferred to have the Federal Government transmit the power from the dam into central California.

Mr. SHIPSTEAD. The Senator is referring to the State authority?

Mr. HAYDEN. I am referring to the California Central Valley Authority.

Mr. SHIPSTEAD. The proposition now is to have the Federal Government overstep the recommendation which has been made.

Mr. HAYDEN. No; not at all. The proposal here is to do exactly what the Central Valley Authority has recommended, namely, to provide money for the construction of a transmission line.

Mr. MAYBANK. Mr. President, am I correct in understanding the Senator to say that the California Power Authority and local authorities have recommended the amendment upon which the Senate is about to vote?

Mr. HAYDEN. Yes; the authority, which was created by the Legislature of California and which resulted finally in the enactment of legislation by Congress to construct the Central Valley project for navigation, for flood control, power, irrigation, and so on, recommends that the United States Reclamation Service own the transmission line and transmit power to central California.

Mr. MAYBANK. In other words, if we do not vote for this amendment we are voting against California's legally constituted authorities?

Mr. HAYDEN. Yes.

Mr. HILL. Mr. President, when we build a transmission line of any size or consequence we know that it costs a great deal of money. Therefore, when we look at the appropriation it looks rather large. But is it not true that the money which we appropriate for the construction of this transmission line will come back to the Government through the sale of the power which will be carried over the transmission line?

Mr. HAYDEN. That is what the Reclamation Act provides. It provides that all investments in power projects shall be returned eventually to the Government; that the power shall be sold at a rate which will return the entire investment to the Government by the end of 40 years with interest at the rate of 3 percent. That is a directive which goes to the Reclamation Service in connection with the disposal of power.

Mr. HILL. The Government gets its money back with interest, and there would not be any watered stock for which consumers would have to pay.

Mr. DOWNEY. Mr. President, I wish first to answer the question of the Senator from South Carolina by saying that it is my opinion, and of course I must express it with certain reservations, that probably 75 or 80 percent of the citizens who are living in the district to which reference has been made, and the various organizations there, including boards of supervisors, city councils, chambers of commerce, and other municipal bodies, are very much in favor of this appropriation. It would allow the construction of a transmission line by which the people would be in a position to have power conveyed to them from the Shasta Dam.

I should like to try to make it plain to the Senator from West Virginia that I think this is very much a national project. The elevation of the Sierra Mountains is about 12,000 or 13,000 feet, and in some places even as high as 14,000 feet. The Sierra Mountains run generally north and south through California. The waters which fall into the great forests there reach the Pacific Ocean through the Golden Gate, within a distance, I believe, of less than 200 miles. They flow in a westerly direction. There are no other States to the west of California. The Sacramento River is one of the great streams from the standpoint of the volume of commerce which it carries. From the standpoint of the value of its commerce it is one of the greatest of all streams. Of course, its water flows into and makes the great port of San Francisco in which many vessels of the American Navy anchor.

In the past we were devastated by tremendous floods which have been prevented by levees built all along the Sacramento River and other rivers which flow into it. I believe that it is accurate to say that the proprietors along the Sacramento River bore a greater burden of the cost of constructing those levees than was borne by the people of any other great river, including the Mississippi River.

Mr. President, I must in frankness declare that while the Pacific Gas & Electric is almost wholly a monopoly and controls almost all the power and gas of northern California, it is in my opinion a good company. It does provide service at very reasonable rates. I do not think the claim can be made that monopolistic practices by the Pacific Gas & Electric, which desires to take this power at the dam site, has at this time created exorbitant and exaggerated charges.

I must in frankness declare one bit of relationship I have with this whole matter. One of the great areas which the Pacific Gas & Electric serves, and the area traversed by this great river, is the Sacramento Valley, and the heart of the Sacramento Valley is the capital of California, Sacramento, a city of more than 100,000 inhabitants. I practiced law there from the time I was a very young man, much younger, unfortunately, than I am now, until I left the law to go into politics, which was some time before I was elected to the Senate.

I was formerly in partnership there with my brother, Stephen W. Downey, and for the last 5 years he has been representing the people of Sacramento County, who formed the Sacramento Utility District to take over the retail distributing system of the Pacific Gas & Electric, resulting in probably the most severely fought, the longest and hardest fought case, perhaps, that has occurred in the United States in a condemnation suit. The case has gone to the appellate courts of the State and of the Federal Government several times.

On several occasions the State railroad commission, which was the first

forum, passed condemnation judgment in favor of the Sacramento Utility District against the Pacific Gas & Electric. The case was tried upon other issues in the Superior Court of Sacramento County, and again a judgment was given, and that judgment is now on appeal by the Pacific Gas & Electric to the appellate courts of the State of California. But I think there is now no doubt, the people of Sacramento County having invoked the necessary bond issues, and the judgment having been given, this particular part of the Pacific Gas & Electric, the retail distributing system of Sacramento County, will be taken over, and it is the desire of the people in that district that the proposed transmission line be constructed so that they may be in a position to buy public power from the great Shasta Dam for public distribution in the county of Sacramento.

I felt it only fair to disclose the fact that my brother, with whom I was formerly associated in law partnership, is the attorney representing the district, which is very vitally concerned in this matter.

Mr. HAYDEN. Mr. President, will the Senator from California yield?

Mr. DOWNEY. I yield.

Mr. HAYDEN. In order to make the matter perfectly clear, and in order that there may be no misunderstanding, let me say so far as the Corps of Engineers, United States Army, is concerned, that when a dam is built for flood control in the eastern part of the United States, the Engineer Corps has never engaged, and there is no authority of law for it to engage, in the retail distribution of power to consumers. It can sell the power to a municipality, a cooperative, or a private power company.

The United States Reclamation Service has never engaged in the retail sale of power. Congress never granted it such authority. The United States Reclamation Service, under the law, brings power from a dam down to a transmission line, and can sell it to a municipality or a cooperative.

When it comes to the retail distribution of power, I want it thoroughly understood that I do not advocate, and no one who supports this amendment advocates, so far as I know, that the Government shall take power away from one of its dams and go into the business of its retail distribution direct to consumers. It is always a wholesale business. It has never been anything but a wholesale business, and we intend to keep it a wholesale business.

Mr. GURNEY. Mr. President, will the Senator from California yield?

Mr. DOWNEY. I yield.

Mr. GURNEY. Bearing out the Senator's statement about the Sacramento Utility District, in the testimony before the committee, Mr. Black made this statement:

> If the suit were decided tomorrow in favor of the district it would take many months to work out the physical details of transferring the property. Furthermore, the district has stipulated in the condemnation proceedings that it will purchase its power requirements from the company for a period of 2 years after the next June 30 following the acquisition of our property.

Mr. DOWNEY. I thank the Senator from South Dakota.

Mr. WILEY. Mr. President, will the Senator from California yield?

Mr. DOWNEY. I yield.

Mr. WILEY. I must admit my ignorance about the facts, as I am not a member of the committee which has been giving consideration to this matter, but, inasmuch as the distinguished Senator lives in California, I should like to ask him one or two questions.

It is his judgment, I understand, that people in Sacramento will in the near future obtain what is called the distributing system?

Mr. DOWNEY. That is correct.

Mr. WILEY. I have heard the discussion on the floor by several Senators, and I wish to know whether or not in the Senator's opinion the present transmission line adequately supplies power to the communities which need it.

Mr. DOWNEY. I am not certain I thoroughly understand the Senator. There undoubtedly will have to be additional transmission lines constructed to bring the power down from the dam into the valley. In frankness, I must say I think there is no doubt that if the public constructs the transmission line it will, to a certain extent, I would say to a material extent, duplicate the transmission facilities of the Pacific Gas & Electric.

Mr. WILEY. The Senator has anticipated my third question. The fourth question is that the Pacific Gas & Electric is largely owned, is it not, by stockholders in California?

Mr. DOWNEY. I wish I could say that that is true, but there are a great number of stockholders of both common and preferred stock of the Pacific Gas & Electric all over the United States. It is a listed stock, I think, on the New York Stock Exchange, considered one of the blue chip stocks. Its bonds also are considered very high class, and I think they are owned all over the United States.

Mr. WILEY. I could put the matter this way, then, that a large group of citizens of the United States own the stock of this company, and that the stock is largely distributed.

Mr. DOWNEY. I believe it is; yes.

Mr. WILEY. The proposition here, then, as I gather it from the discussion I have heard during the last few minutes is for the Government to spend about $70,000,000 to build transmission lines, and when built——

Mr. DOWNEY. If the Senator will permit me to interrupt him, a stand-by steam plant is included.

Mr. WILEY. And a stand-by steam plant, which, when built, will directly come in competition with the investments of the ordinary citizens in the stock of this company.

Mr. DOWNEY. I would say that there is no doubt of that. I might say to the distinguished Senator that I think one of the strongest arguments for municipal ownership of power plants is that it makes it possible to have a measuring stick by way of competition, so that it may be determined what rates public power companies should charge. I might say we have in Los Angeles the same kind of public ownership as that for which the people in Sacramento and the people in other places in California are seeking, and in the case of Los Angeles the business has been very profitably and very efficiently conducted.

Mr. WILEY. Now I come to probably my last question. Public ownership to a large extent, as indicated, consists in what may be called the distribution of the power to the various localities. If Congress should appropriate $70,000,000, which would result in building this competing transmission line and the erection of a steam plant, and that transmission line and steam plant were utilized by the various communities instead of the properties of the Pacific Gas & Electric Co., is it not true that a very considerable portion of the earnings of the Pacific Gas & Electric Co. would disappear?

Mr. DOWNEY. No, Mr. President; I cannot agree with that.

Mr. WILEY. What percentage?

Mr. DOWNEY. I would doubt whether it would depreciate the Pacific Gas & Electric in the way of any profits it might make in distributing the service at a reasonable rate, because if any particular association of farmers or any community wants to go into the municipal power business, they of course would have to do practically what has been done in Sacramento, that is, condemn the facilities of the Pacific Gas & Electric and pay them a fair price. There is no disposition on the part of anyone in California in any way to injure any equity or right of the Pacific Gas & Electric. If any property is taken over, as it is being taken over in Sacramento, it will be at a fair price, after fair hearings in court.

Mr. WILEY. I think the Senator misunderstood me. I thought the Pacific Gas & Electric owned its distribution system, that its transmission lines were transmitting current to each community, and that the transmission system was owned generally by the Pacific Gas & Electric Co. Am I correct? If that be so, if we take away from the Pacific Gas & Electric Co. the business of furnishing current to these communities, whether the systems are publicly owned or privately owned, we are taking away from it a source of revenue, and thus we are injuring the rights of the citizen in the stock which he may own. That is what I am getting at.

Mr. DOWNEY. Let me express this opinion: Certainly, so far as I know, there will be ample market in northern California for all the power which can be produced by this public project, and likewise by the Pacific Gas & Electric Co. In other words, the mere fact that the public is in operation there will not prevent the Pacific Gas & Electric from finding a market for what it produces.

I will admit that it may be possible to operate a complete monopoly more cheaply and efficiently than if two companies are competing. On the other hand, many of us are of the opinion that competition, to a certain extent, at least, has distinct merit, and I may say to the distinguished Senator from Wisconsin that I think the people of that whole great community who know what this is

all about are pretty well satisfied that they want this competition, and want the Government to assist in building this transmission line.

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

Mr. DOWNEY. I yield.

Mr. WILEY. So far as I know, in the State of Wisconsin, there are no Government-owned transmission lines. But if, as suggested by the Senator from West Virginia, the State of Wisconsin should want to start to build transmission lines, and the Federal Government is going to begin to give to the various States sums up to $70,000,000 with which to build transmission lines in order to compete with companies which are already rendering wonderful service, as the Senator admits is done in California, then I think it would be pretty nice if we in Wisconsin could have $70,000,000 expended by the Federal Government, because when that is done it always means cheaper rates necessarily; it generally means that that much capital is not counted when the rates on electricity are fixed. But in this instance, there is a company which is in existence, which is providing transmission lines which are adequate for present needs, and willing to supplement its lines to meet any future needs, and since there is no criticism respecting company service, why should the Federal Government, when we are now spending so much money, reach out and spend $70,000,000 more? Citizens naturally would be benefited there, but if we are to do the square thing, we should expend $70,000,000 in each of the other 48 States.

Mr. WHERRY. Mr. President——

The PRESIDING OFFICER (Mr. HOEY in the chair). Does the Senator from California yield to the Senator from Nebraska?

Mr. DOWNEY. I yield.

Mr. BRIDGES. A few minutes ago the Senator from Arizona [Mr. HAYDEN] stated on the floor of the Senate, if I understood him correctly, that there is a California Valley State Authority. Did the Senator from California hear him make his statement?

Mr. DOWNEY. Yes.

Mr. WHERRY. Did the Senator so understand him? What did the Senator understand his statement to mean?

Mr. DOWNEY. This project is wholly a Federal project.

Mr. WHERRY. Certainly. This is not a project under a California authority, as stated by the Senator from Arizona, which either endorses or does not endorse this reclamation project. This is simply the Central Valley project which is being built by the Federal Government, possibly being matched by some State funds. I am not sure what is provided in that respect.

Mr. DOWNEY. There is no matching.

Mr. WHERRY. Very well, It is a straight-out Federal project.

Mr. DOWNEY. Let me inform the Senator, in explanation of what the Senator from Arizona said. There is a Central Valley Authority which represents the State of California in determining its policy in this project, but it has nothing to do with raising the money or distributing the water or the power.

Mr. WHERRY. It has nothing to do with the fixing of the rate?

Mr. DOWNEY. No.

Mr. WHERRY. So though the project may have its endorsement, yet if we should not adopt this proposal it would not mean that we would be taking a stand detrimental to the people of California, because as I recall when witnesses testified in San Francisco just as many were favorable to not building the line as were in in favor of building it.

Mr. DOWNEY. Before taking my seat I desire to clarify my own position in respect to one or two matters. Of course the distinguished Senator from Wisconsin understands that this is not a gift from the Federal Government, but is a reimbursable item, and we are quite positive that the installation of this transmission line will be profitable from a financial standpoint.

Mr. WILEY. Is it needed?

Mr. DOWNEY. I know of no reason for going back over everything we said.

Mr. President, the distinguished Senator from Arizona, to whom California is indebted in many ways for assistance in legislative matters, has, I think, summed up and stated the whole proposition and it is unnecessary for me further to detain the Senate.

I merely want to repeat that I think the overwhelming majority of the people in this area desire this projeet. We feel very keenly that with hundreds of millions of dollars invested in this project it would not be wise policy so to bottle up the power that at some future time it would be entirely at the mercy of one monopoly, but it should be so held that the people of the State of California may cause it to be distributed in ways which they may think expedient and desirable.

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

Mr. DOWNEY. I had yielded the floor.

Mr. REVERCOMB. I want to ask the Senator a question.

Mr. DOWNEY. If I still have the floor I will be glad to yield and to answer.

Mr. REVERCOMB. Does the State of California have a public service commission which regulates the utilities?

Mr. DOWNEY. Yes; it has. It is called the State Railroad Commission.

Mr. REVERCOMB. And they have complete authority and regulation over utilities such as the power company referred to?

Mr. DOWNEY. Yes; that is correct.

Mr. REVERCOMB. Argument has been made here that unless this line be built with Federal funds there will be but one taker of the power, namely, the utlity company referred to. There is no question about the utility company taking the power, is there?

Mr. DOWNEY. No. I understand that the Pacific Gas & Electric is willing to sign a binding contract to take all the power as it becomes available.

Mr. REVERCOMB. So failure to build this line with Federal money and to appropriate millions of dollars of Federal money will not prevent the sale of the power which is generated at this dam?

Mr. DOWNEY. I think that is correct.

Mr. REVERCOMB. If I may ask one further question, what position does the railroad commission, which regulates utilities, take upon this matter?

Mr. DOWNEY. They have no right or duty to take a position, and I am very certain they have not done so.

Mr. REVERCOMB. They have taken no position?

Mr. DOWNEY. In this matter; no.

Mr. REVERCOMB. They would, however, have no control whatsoever over the lines built by the Federal Government, will they?

Mr. DOWNEY. I feel sure they would not. They could not control the power that was developed by the Federal Government.

Mr. REVERCOMB. But they can control the rates of the public utilities?

Mr. DOWNEY. Undoubtedly they can.

Mr. BALL. Mr. President, I will be very brief because I think the Senate will try to wind up this bill in the next half hour. I should like to emphasize that there is involved in the pending amendment a $1,580,000 reduction, which is the only reduction which the Senate will make, if it sustains the committee, in this entire bill totaling $2,404,000,000. So far, on the Senate floor, we have increased this bill approximately $1,000,000,000. It seems to me that, as a point of pride, if nothing else, we ought to try to make at least one reduction in a bill so vast as this one.

I do not think the Senator from Arizona stated the issue quite correctly, at least not as I view it. The Senate committee, I might say, unanimously, at the request of the Senator from Arizona, put into the Davis Dam project $1,800,000 specifically for a transmission line from Phoenix to Tucson, which the House had denied. I do not think anyone on this side takes the position that where there is a demonstrated need for a transmission line to reach possible consumers, when there is no other way to reach them, Federal funds to build such a line should be denied.

The point here it seems to me is not that this is a monopoly. We all know that a monopoly in the public-utility field, particularly in the power field where it takes vast sums to build a power grid so that the supply of power can be used efficiently, provides the most efficient and economical method of operation. That is why we have monopolies, and we have them under public regulation. I might say that the testimony before the committee was that the utility rates in California are considerably the lowest average rates in the Nation. The Secretary of the Interior, Mr. Ickes, has publicly stated that the price which Pacific Gas & Electric is paying for Shasta power at the dam site is a fair and equitable price, and it is approved, as I understand, by the California Raliroad Commission and the Federal Power Commission.

The question here it seems to me is this: Is there any evidence whatever that the Pacific Gas & Electric, which admittedly has or is prepared to build whatever facilities are necessary in the next 20 years to transmit all the power

that Shasta Dam will produce wherever it is needed, is trying to gyp the Government either by paying less than it should for the power or by charging consumers more than it should? There is not the slightest bit of evidence on that point.

Mr. President, all the evidence is that the price which Pacific Gas & Electric is paying the Government is fair, that under a contract with the Bureau of Reclamation it is delivering power to the pumping plants wherever it is necessary at rates which actually save the Government money compared to what it would have to pay if it built its own line.

The company has offered to sign a contract to purchase all the power which may be produced at the Shasta Dam and distribute it over its own system at whatever price is determined to be fair, by the California Railroad Commission or the Federal Power Commission.

So it seems to me that before we start spending $70,000,000 we should consider what we are doing. I believe that the opponents of the committee amendment have by implication admitted what was charged in the hearing, namely, that this little $730,000 item is a camel's nose under the tent which will commit the Congress to an eventual expenditure of $70,000,000 for a duplicate transmission system.

Mr. GURNEY. Mr. President, as I recall, I first became a member of the Committee on Appropriations in 1941. At that time there was pending a controversy somewhat similar to this one. The committee held hearings for a few days. There was full testimony and a large attendance. Many representatives from California appeared before the committee. At that time there was a request to build a portion of this proposed transmission line. I visualize a map of California about 12 inches high. There was then a request from the Bureau of Reclamation to build a line down to what is known as the Oroville switchboard or substation. Oroville would be approximately an eighth of an inch down on the 12-inch map. As I remember, the Bureau was then asking for an appropriation of a few million dollars to build that section of the transmission line.

We heard all the testimony, and the committee decided against it. If my memory serves me correctly, the Senate decided against it, and it was specifically agreed in conference, as set forth in the report, that no Federal funds should be used to start building that transmission line. None of the funds appropriated under that act were used, but from unexpended balances previously appropriated the line was built down to Oroville. I believe the record will bear me out in the statement that that is how the transmission line was started.

We now have before us a request to extend the line down along the Sacramento River into the San Francisco Bay area. Why are we asked to do that? Because it is all a part of one project. It is said that irrigation in the Central Valley will be cheaper if the farmers can get power at a low cost. So it is up to Congress to see that they get their electricity for pumping just as cheaply as possible. Otherwise the people of the Central Valley will have to pay more per acre, and for a greater number of years, to pay back into the Federal Treasury the entire cost of the Central Valley project, which I believe amounts to more than $400,000,000. There is a system of canals, dams, and irrigation ditches yet to be built. The entire cost of the project will be approximately $400,000,000; and through the Bureau of Reclamation revenue will come back to the Federal Treasury in the form of annual payments by farmers.

The testimony is quite clear that distribution of power can be done more cheaply by the utility company which is now doing business there. Why would it be cheaper? I think the reason is very clear. Two persons starting to build the same service line could probably build it at about the same cost. But when it comes to the question of production and distribution of electric power the situation is different. The existing companies all have hydroelectric plants and steam plants to firm up the power and make it available 24 hours of the day, 365 days in the year. This new proposal means that should the Government build a transmission line it would have to build a steam plant to make power available at all hours of the day. That is why such a project would cost more. To me it is a matter of simple arithmetic.

This is not a new project. Most of the information has been given in the colloquy today; but I wish to tell the Senate that this is the same project about which our former colleague, Senator Burton, spoke last year. I am sure that the Senate will be doing the right thing if it takes the same action this year that it took last year, when we heard such a fine explanation of the project from our former colleague, Senator Burton.

Mr. HAYDEN. Mr. President, the Senator is mistaken in one respect. Whenever this issue has been presented to the Senate it has always voted in favor of the construction of transmission lines. The House has been opposed, and it has only been in conference that failure to appropriate has resulted. On every occasion on which the question of constructing a transmission line in the Central Valley has been fairly presented to the Senate up to the present time the Senate has voted to proceed with the project. We would go to conference with the proposal, and the House conferees would say, "No; we are not doing it that way." I so stated at the beginning of my remarks.

Now, for the first time, the House has adopted the position of the Senate. It has approved an appropriation for a transmission line. The House having changed its mind, and having adopted what has heretofore been the view of the Senate, I hope the Senate will go along with the House.

Mr. GURNEY. My memory may be in error, but I know that the transmission line project has been turned down by Congress every year since I have been a Member of the Senate. It was turned down in the Senate committee; and while it may have been approved on the floor of the Senate——

Mr. HAYDEN. It was.

Mr. GURNEY. I know that the money was never appropriated for the transmission line.

Mr. HAYDEN. The Senator is quite correct. All I wish to state is that sometimes, as in this instance, the Senate committee has failed to report the item to the Senate, but the Senate has always inserted it in the bill, and I hope it will keep the item in the bill now.

Mr. HILL. In other words, the Senate has always inserted the item in the bill, and the reason why the item did not remain in the bill was that the House did not agree. Today we find ourselves in a situation in which the House itself has inserted the item and all we need to do is to agree with the House, since the House is now taking the position which the Senate has always taken on this matter.

Mr. HAYDEN. That is correct.

Mr. WHERRY. Mr. President, I have not been a Member of the Senate for so long a time as has the distinguished Senator from Alabama. No doubt his statement is correct, and no doubt the statement of the distinguished Senator from Arizona is correct.

All I wish to say is that on every occasion when this question has arisen in the Senate Committee on Appropriations the Senate committee has turned it down. That is where the testimony is taken, and that is where we get a frank expression of the issues at stake. Last year and this year the committee turned down the item, and now it is brought to the floor of the Senate.

The item involves more than merely an appropriation of $730,000. The distinguished Senator from Arizona knows that to be so. This is the beginning of an appropriation to build a steam plant and transmission lines involving appropriations of more than $70,000,000. That is the question on which we are voting this afternoon. So I feel that the Senate ought to know that the Senate committee which has handled this matter and heard testimony on it at least twice since I have been a Member of the Senate, and has voted upon it, has turned it down. As I have said, the evidence is considered before the committee. The witnesses appear before the committee; and the committee has decided that this project should not be approved.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 40, beginning on line 22.

Mr. HAYDEN. I ask for the yeas and nays.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Ball	Connally	Gurney
Barkley	Donnell	Hart
Bilbo	Downey	Hayden
Brewster	Eastland	Hickenlooper
Bridges	Ellender	Hill
Brooks	Ferguson	Hoey
Byrd	Fulbright	Huffman
Capehart	Gerry	Johnson, Colo.
Capper	Gossett	Johnston, S. C.
Carville	Green	Kilgore
Chavez	Guffey	Knowland

La Follette	Morse	Smith
Langer	Murdock	Taylor
Lucas	Murray	Thomas, Utah
McClellan	O'Mahoney	Tydings
McFarland	Pepper	Vandenberg
McKellar	Radcliffe	Wagner
McMahon	Reed	Wherry
Maybank	Revercomb	Wiley
Mead	Robertson	Willis
Millikin	Russell	Young
Mitchell	Saltonstall	
Moore	Shipstead	

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum is present.

Mr. REED. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. REED. Is the pending question on agreeing to the committee amendment striking out the $730,000 appropriation for the building of a transmission line to Sacramento?

The PRESIDING OFFICER. The question is on agreeing to the committee amendment which embraces the matter referred to by the Senator from Kansas.

On this question the yeas and nays have been demanded and ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. HILL. I announce that the Senator from Virginia [Mr. GLASS] is absent because of illness.

The Senator from Florida [Mr. ANDREWS], the Senator from North Carolina [Mr. BAILEY], the Senator from Alabama [Mr. BANKHEAD], the Senator from Kentucky [Mr. BARKLEY], the Senator from Georgia [Mr. GEORGE], the Senator from Louisiana [Mr. OVERTON], the Senator from Tennessee [Mr. STEWART], and the Senator from Delaware [Mr. TUNNELL] are necessarily absent.

The Senator from Missouri [Mr. BRIGGS], the Senator from New Mexico [Mr. HATCH], the Senator from Washington [Mr. MAGNUSON], the Senator from Pennsylvania [Mr. MYERS], the Senator from Nevada [Mr. MCCARRAN], the Senator from Massachusetts [Mr. WALSH], and the Senator from Montana [Mr. WHEELER] are detained on public business.

The Senator from Oklahoma [Mr. THOMAS] is absent on official business.

The Senator from Texas [Mr. O'DANIEL] is detained on official business at one of the Government departments.

I announce further that on this question the Senator from Kentucky [Mr. BARKLEY] is paired with the Senator from Michigan [Mr. VANDENBERG]. If present and voting, the Senator from Kentucky [Mr. BARKLEY] would vote "nay," and the Senator from Michigan [Mr. VANDENBERG] would vote "yea."

I also wish to announce that on this question the Senator from Nevada [Mr. MCCARRAN] is paired with the Senator from Tennessee [Mr. STEWART]. If present and voting, the Senator from Nevada [Mr. MCCARRAN] would vote "yea" and the Senator from Tennessee [Mr. STEWART] would vote "nay."

I announce further that the Senator from Alabama [Mr. BANKHEAD] has a general pair with the Senator from Nebraska [Mr. BUTLER].

Mr. WHERRY. The Senator from Vermont [Mr. AIKEN] has been excused. He is necessarily absent.

The Senator from Nebraska [Mr. BUTLER], the Senator from Oregon [Mr. CORDON], the Senator from Ohio [Mr. TAFT], the Senator from Kentucky [Mr. STANFILL], and the Senator from New Hampshire [Mr. TOBEY] are absent on official business.

The Senator from Delaware [Mr. BUCK] and the Senator from New Jersey [Mr. HAWKES] are necessarily absent.

The Senator from Vermont [Mr. AUSTIN] is detained on official business. If present, he would vote "yea."

The Senator from Michigan [Mr. VANDENBERG] is detained on official business. His pair on this question has been stated.

The Senator from Iowa [Mr. WILSON] and the Senator from South Dakota [Mr. BUSHFIELD] are unavoidably absent.

The Senator from Nebraska [Mr. BUTLER] has a general pair with the Senator from Alabama [Mr. BANKHEAD].

The result was announced—yeas 27, nays 38, as follows:

YEAS—27

Ball	Gerry	Reed
Brewster	Gurney	Revercomb
Bridges	Hart	Robertson
Brooks	Hickenlooper	Saltonstall
Byrd	Hoey	Smith
Capehart	Knowland	Tydings
Capper	Millikin	Wherry
Donnell	Moore	Wiley
Ferguson	Radcliffe	Willis

NAYS—38

Bilbo	Huffman	Mitchell
Carville	Johnson, Colo.	Morse
Chavez	Johnston, S. C.	Murdock
Connally	Kilgore	Murray
Downey	La Follette	O'Mahoney
Eastland	Langer	Pepper
Ellender	Lucas	Russell
Fulbright	McClellan	Shipstead
Gossett	McFarland	Taylor
Green	McKellar	Thomas, Utah
Guffey	McMahon	Wagner
Hayden	Maybank	Young
Hill	Mead	

NOT VOTING—31

Aiken	George	Taft
Andrews	Glass	Thomas, Okla.
Austin	Hatch	Tobey
Bailey	Hawkes	Tunnell
Bankhead	McCarran	Vandenberg
Barkley	Magnuson	Walsh
Briggs	Myers	Wheeler
Buck	O'Daniel	White
Bushfield	Overton	Wilson
Butler	Stanfill	
Cordon	Stewart	

So the amendment was rejected.

Mr. MCKELLAR. Mr. President, the rejection of the amendment will necessitate changing the totals on page 41, and we shall have to change the $17,635,000 figure. I ask that the change be made.

The PRESIDING OFFICER. Without objection, the change will be made.

Mr. MCKELLAR. A corresponding change in figures will be necessary in lines 9 and 10 on the same page.

The PRESIDING OFFICER. Without objection, the totals will be changed accordingly.

Mr. MCKELLAR. The total figure will be $46,712,000.

The PRESIDING OFFICER. Without objection, the change will be made.

The bill is still open to amendment.

Mr. LUCAS. Mr. President, I move that the Senate reconsider the vote by which the amendment on page 56, in line 24, was adopted.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Illinois.

The motion was agreed to.

Mr. LUCAS. In the committee amendment on page 56, line 24, I move to strike out "$84,259,000" and insert "$84,659,000." That will result, Mr. President, in an addition of $400,000 to the amount specified in the committee amendment.

I desire to make a brief explanation of why I seek to obtain the additional appropriation.

Back in 1936 the War Department requested Congress to authorize an appropriation of approximately $122,000 for the purpose of removing logs and debris from the mouth of the Sangamon River. The request was approved by the War Department and was authorized by the Congress. However, the appropriation was not forthcoming. Later, in 1944, once again, upon the recommendation of the War Department, Congress authorized an appropriation of $400,000, not for the purpose of cleaning out the mouth of the river, because of the tremendous expense which would be involved at that time in doing so, but for the purpose of constructing a new channel of approximately 4½ miles in length which would empty the Sangamon River into the Illinois River a short distance above the city of Beardstown, Ill.

In 1943 the highest floods in the history of the Sangamon Valley occurred, and thousands upon thousands of acres of the finest farm land in the country were inundated. One of the major causes of the flood was the debris, the logs, and other materials which clogged the mouth of the Sangamon River.

So important, Mr. President, is the Sangamon River Valley, from the standpoint of producing food for the Nation, that Marvin Jones, who was head of the War Food Administration in 1944, requested that this improvement be made in the Sangamon River Valley in order that we could be assured of more food being produced on the 100,000 acres of land which the floods in the Sangamon River Valley had destroyed from time to time.

Mr. President, this valley is one about which I personally know. It is rich in tradition and in history. It extends from Springfield, Ill., to Beardstown, Ill., a route which Abraham Lincoln traveled when he lived in that section of the country. I was born approximately 8 miles from the town of Chandlerville, which was flooded in 1943 primarily because of conditions at the mouth of the Sangamon River, and I know personally that water stood in some of the homes of that region to a depth of as much as 4 feet. That is one reason why an appropriation should be made, but it should be made primarily because approximately 100,000 acres of the most fertile land which can be found anywhere are affected by what occurs from time to time at the mouth of the Sangamon River.

An appropriation was made to take care of the construction of levees in what is known as the Coal Creek drainage district which lies just across the river from Beardstown, Ill., where the

Sangamon River empties into the Illinois River. A little farther up the stream the Kerton Valley district has been taken care of by appropriations for the purpose of constructing levees for flood control.

Mr. McKELLAR. Mr. President, the Senator has made a very interesting statement. I shall be glad to take the amendment to conference. I think the Senate will agree to have the amendment taken to conference.

Mr. BRIDGES. Mr. President, I realize that what the Senator from Illinois has said has been very interesting. I have listened to his statement with considerable interest. It was an impressive statement but it failed to reveal important reasons for requesting the amendment. I realize that the statement contained some historical background——

Mr. LUCAS. I merely mentioned it.

Mr. BRIDGES. The Senator gave some interesting history of the region and stated that he was born within approximately 8 miles of one of the towns in that section. However, I have not yet heard a great deal of argument in behalf of the need to which he has referred.

Mr. LUCAS. The Senator may eliminate the fact that I was born in that region. I merely mentioned Abraham Lincoln because I thought I could interest the Senator from New Hampshire. I think he is a great admirer of Lincoln who is the patron saint of his party.

Mr. CHAVEZ. Mr. President, I am glad that the Senator from Illinois was born in the particular region of the country to which he has referred, and I should like to help him if I could do so. However, I ask the Senator if the Army authorities or the War Department have asked for a Budget approval of this request, and if so, has such approval been given?

Mr. LUCAS. The Bureau of the Budget did not approve it. For many years the Army authorities have tried to obtain permission to clean out the mouth of the Sangamon River. I have a letter from Major General Reybold, Chief of Engineers, which states in part as follows:

The project for improvement at the mouth of the Sangamon River was authorized by the Flood Control Act approved June 22, 1936, and provides for straightening and enlarging the river channel from its mouth to a point about 5 miles above the mouth.

In May 1944—

And here is the important thing—

the War Production Board, upon the recommendation of the War Food Administration, approved construction of this project during the war emergency as a war food measure. Funds for this project in the amount of $400,000 were included in the War Department civil appropriation bill for fiscal year 1945 as it passed the Senate but were eliminated from the bill by action of the conference committee. The Department is, therefore, unable to proceed with the work at the present time.

I can assure you that the Department fully recognizes the importance of the authorized improvement at the mouth of the Sangamon River to relieve flood conditions in that area, and that it is prepared to undertake construction of the project promptly upon receipt of the necessary appropriation of funds by Congress for that purpose.

Mr. CHAVEZ. Mr. President, I know that the practice of the Committee on Appropriations which handles bills of this character is not to recommend a requested appropriation which has not first been approved by the Bureau of the Budget. I do not like that practice, but nevertheless it is a practice which has been followed. I think Congress should appropriate and not the Bureau of the Budget. But that system has prevailed heretofore, and I do not think it is fair to the Senate for a Member to come here at the last minute with a proposal of this nature, no matter how meritorious it may be. We all have projects of this type in which we are interested, but we do not bring them in at the last moment.

Mr. LUCAS. I appreciate the Senator's statement, but I may make a plea of justification on my part. The Senator knows that I have been fairly well engaged in the investigation of the Pearl Harbor disaster. I called my good friend, the Senator from Tenessee, the other day and told him that I wanted to appear before the Appropriations Committee, and he agreed that I should be permitted to do so. As time went on I found myself not able to appear before the committee. Consequently, as this is the only opportunity I have had to present the matter before the Senate, I hope that the Senate will allow the amendment to go to conference. It involves what is practically an emergency.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Illinois to the committee amendment. [Putting the question.]

The Chair is in doubt.

On a division, the amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be offered, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 4805) was read the third time and passed.

Mr. McKELLAR. I move that the Senate insist on its amendments, request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. McKELLAR, Mr. GLASS, Mr. HAYDEN, Mr. TYDINGS, Mr. RUSSELL, Mr. McCARRAN, Mr. BROOKS, Mr. BRIDGES, Mr. GURNEY, and Mr. BALL conferees on the part of the Senate.

Mr. HAYDEN. I ask unanimous consent that the bill be printed with the Senate amendments numbered.

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

EXECUTIVE MESSAGE REFERRED

As in executive session,

The PRESIDING OFFICER (Mr. HOEY in the chair) laid before the Senate a message from the President of the United States submitting sundry nominations, which was referred to the Committee on Naval Affairs.

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

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

Mr. McKELLAR, from the Committee on Post Offices and Post Roads, reported favorably the nominations of sundry postmasters.

ORDER FOR RECESS

Mr. HILL. Mr. President, I ask unanimous consent that when the Senate concludes its business today it stand in recess until 12 o'clock noon Monday next.

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

SALE OF CERTAIN GOVERNMENT-OWNED MERCHANT VESSELS

Mr. RADCLIFFE. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of House bill 3603, often referred to as the ship-sales bill.

Mr. DOWNEY. Reserving the right to object, provided by unanimous consent we may lay the pending business aside until not later than 12 o'clock Monday, I shall be very glad to have the Senate proceed with the ship-sales bill, which probably can be concluded today.

The PRESIDING OFFICER. Is there objection?

Mr. HILL. If the request of the Senator from Maryland shall be granted, at any time, not only on Monday, but today, all the Senator from California or any other Senator would have to do would be merely to rise and demand the regular order. That would bring the pay bill back before the Senate.

The PRESIDING OFFICER. The Chair would remind the Senate that a special order has been set for Monday at 12 o'clock, namely, the Palestine matter.

Is there objection to the request of the Senator from Maryland?

There being no objection the Senate resumed the consideration of the bill (H. R. 3603) to provide for the sale of surplus war-built vessels, and for other purposes.

Mr. RADCLIFFE. Mr. President, I entered a motion yesterday to reconsider the vote by which the committee amendment was agreed to. Since the Senate has just acted favorably upon my motion to take up the ship-sales bill, I now ask that the motion to reconsider be acted upon.

The PRESIDING OFFICER. The motion pending now is the motion by the junior Senator from Wyoming to recommit the bill.

Mr. ROBERTSON. Mr. President, I ask that that motion be temporarily laid aside.

The PRESIDING OFFICER. Without objection, the motion will be laid aside temporarily.

Mr. WHERRY. Mr. President, the Senator from California was attempting to get recognition.

The PRESIDING OFFICER. The Chair begs the Senator's pardon. The Senator from California.

Mr. KNOWLAND. Is the Senator from Maryland asking for unanimous consent to reconsider the vote by which the committee amendment was agreed to?

Mr. RADCLIFFE. Mr. President, before the Senate recessed Thursday, the committee amendment was agreed to. Therefore, before this subject matter of ship sales can come up for further consideration, there will have to be a reconsideration of the vote by which the committee amendment was agreed to. If that were done, it would open the matter up again for consideration of amendments affecting specific provisions of the general committee amendment. I, therefore, ask that the vote by which the committee amendment was agreed to be reconsidered.

Mr. KNOWLAND. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HILL. If I may have the attention of the Senator from California.

The PRESIDING OFFICER. Does the Senator from Maryland make a motion to reconsider?

Mr. RADCLIFFE. I make a motion to reconsider.

The PRESIDING OFFICER. That motion is in order.

Mr. KNOWLAND. A parliamentary inquiry. Is the motion debatable?

The PRESIDING OFFICER. The motion is debatable.

Mr. RADCLIFFE obtained the floor.

Mr. HILL. Mr. President, will the Senator from Maryland yield?

Mr. RADCLIFFE. I yield.

Mr. HILL. In other words, as I understand, the committee struck out everything in the bill after the enacting clause and reported a substitute amendment, and the substitute amendment constituted the entire bill as reported by the committee. What happened was that when the bill was under consideration the Senate agreed to the substitute amendment, which, in effect, amounted really to agreeing to the bill, certainly up to that stage. What the Senator from Maryland is seeking is a reconsideration of the vote by which the substitute amendment was agreed to, so that the substitute amendment may again be in order for amendment, or such discussion as the Senate may desire to proceed with. Is that correct?

Mr. RADCLIFFE. The Senator from Alabama is entirely correct. That is the only way by which the matter can be brought up on the floor for further consideration of specific provisions of the bill.

Mr. WHERRY. Mr. President, I should like to make an observation for the benefit of those who are interested in the bill. As I understand, the motion to reconsider means a vote upon the bill as amended. Is that correct?

Mr. RADCLIFFE. The Senator is entirely correct.

Mr. WHERRY. Does that mean we would be adopting the bill now if the modified amendments were accepted?

The PRESIDING OFFICER. There is only one amendment that can be acted on.

Mr. WHERRY. And that amendment is the amendment offered by the Senator from California, which the distinguished Senator from Maryland accepted.

Mr. RADCLIFFE. Mr. President, if the vote shall be reconsidered, the result will be that there will be no bar to a further amendment being offered, if it is desired to offer one.

Mr. WHERRY. That is the parliamentary inquiry I was about to propound. If a Senator is opposed to the bill as modified, the only chance he would have would be on this vote to reconsider. Is not that correct?

The PRESIDING OFFICER. The motion is to reconsider.

Mr. WHERRY. The bill as it has been amended?

The PRESIDING OFFICER. As it has been amended. If any Senator desired reconsideration, he would vote in the affirmative, if he did not wish reconsideration, he would vote against it. If the bill shall not be reconsidered, then it stands just as it stood on Wednesday.

Mr. WHERRY. So that if any Senator on either side of the aisle desires to oppose the bill as amended, with the modifications accepted, the only opportunity will be to present his views now on the motion to reconsider?

The PRESIDING OFFICER. Not the only opportunity to present his views. The motion is to reconsider the vote by which the amendment was agreed to.

Mr. WHERRY. Yes; and that is debatable?

The PRESIDING OFFICER. It is debatable. If the motion shall be agreed to, and the vote shall be reconsidered, then the matter comes back before the Senate for further consideration.

Mr. WHERRY. If it comes back, it comes back as a committee amendment, as modified and accepted?

The PRESIDING OFFICER. That is correct.

Mr. RADCLIFFE. Mr. President, I state, in explanation of my motion, that one or more Senators who did not understand that we were up to final passage of the bill had several matters they wished to present for consideration. That is why they have asked me to make the motion to reconsider. I certainly did not and do not wish to do anything to preclude any Senator from having a reasonable time to present his views to the Senate, especially when there was misapprehension as to the parliamentary situation. That is why I have made the motion, so that an opportunity may be afforded to Members of the Senate to bring up matters in which they were interested but were prevented from doing so because they had not realized the bill was on the verge of a vote on final passage.

Mr. BYRD. Mr. President, what is the motion the Senator from Maryland has made? I was out of the Chamber for the moment.

The PRESIDING OFFICER. The motion is to reconsider the vote by which the amendment adopted Wednesday was agreed to and that included the dry-cargo amendment.

Mr. HILL. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HILL. In other words, what the Senator from Maryland is seeking to do is to get the committee substitute amendment, which really constituted the bill which was considered by the Senate, back before the Senate, and if the motion of the Senator from Maryland to reconsider the vote by which the committee substitute amendment was agreed to shall prevail, then the whole substitute amendment will be back before the Senate. Is that correct?

Mr. RADCLIFFE. The Senator is entirely correct.

The PRESIDING OFFICER. That is correct.

Mr. PEPPER. Mr. President, is there a question pending?

The PRESIDING OFFICER. Yes; the question pending now is on the motion to reconsider.

Mr. KNOWLAND. Mr. President, unless the Senator from Maryland is going to discuss the matter further, if it is in order, I should like to make a statement in opposition to reconsideration of the vote at this time.

The PRESIDING OFFICER. The Senator from California is recognized.

Mr. KNOWLAND. The fact of the matter is, Mr. President, that the amendment which I offered a few days ago, and which the able Senator from Maryland, who was handling the bill, accepted, would strike out the word "dry-cargo." The effect would be, as I fully explained when the matter was before the Senate, that it would permit the chartering not only of dry-cargo vessels but also of tankers. It would put them in exactly the same position.

This matter had been up for discussion in the subcommittee, as the Senator from Maryland has already outlined. The subcommittee had before it the language in the bill as it is now with my amendment in it. However, when the matter came before the full committee, by a narrow margin the word "dry-cargo" was put back into the bill which was reported to the Senate. I was not present at that particular meeting, but the Senator from Maryland has stated what happened.

As a matter of fact, in my opinion, there is no justification for putting back the limiting word "dry-cargo." If Senators will examine their copies of the bill, H. R. 3603, section 5 (a), they will find the following:

> SEC. 5 (a). Any citizen of the United States may make application to the Commission to charter a war-built—

Then, as the bill was reported from the committee, came the word "dry-cargo," which my amendment struck out—

> vessel, under the jurisdiction and control of the Commission, for bare-boat use. The Commission may, in its discretion, either reject or approve the application, but shall not so approve unless in its opinion the chartering of such vessel to the applicant would be consistent with the policies of this act.
>
> (b) The charter hire for any vessel chartered under the provisions of this section shall be fixed by the Commission at such rate as the Commission determines to be consistent with the policies of this act, but, except upon the affirmative vote of not less than four members of the Commission, such rate shall not be less than 15 percent per annum of the statutory sales price.

Under the amendment which I offered and which was accepted by the Senator from Maryland, permission is given to the Commission to charter tankers. It is purely permissive. The Maritime Commission is still bound by the general policy to sell these vessels if they can first be sold, and I think we all agree upon that point. But if the Commission have offered these vessels for sale and have not been able to sell them, and it is a question as to whether they shall be tied up in the harbors and rivers of the east or west coast, or whether they shall be chartered and be put to use on the high seas, and afford work for American seamen, then I think the Commission should have the power to charter them and that their hands should not be tied.

The able Senator from Maine [Mr. WHITE] the other day raised as one of his objections to the bill the fact that it did not give sufficient discretionary power to the Maritime Commission. My amendment merely gives them greater discretionary power.

I read into the RECORD the other day, and I wish to read again at this point for the benefit of those who were not present, two telegrams which I received, which I believe express the view of some of the seamen who will be affected adversely if this amendment is not written into the bill. I read:

Your amendment to S. 292—

And I might parenthetically say that Senate bill 292 was the companion bill to this bill, and the amendment would apply in either event—

Your amendment to S. 292, which provides that American operators may charter American oil tankers, in our opinion assures employment for American seamen and should be adopted in the interest of the American merchant marine. We hope that it will be concurred in.

WILLIAM GREEN,
President, American Federation of Labor.

I read the second telegram:

Our organization, composed of 60,000 seamen affiliated with the American Federation of Labor, heartily approve of your amendment to Senate bill 292 allowing chartering of oil tankers to American operators. If bill passes without your amendment, it will result in foreign tankers being chartered by operators and thousands of American seamen who sailed these tankers all during war will face severe unemployment and will be a burden on the taxpayers.

HARRY LUNDEBERG,
President, Seafarers International Union of North America.

The fact of the matter is that this amendment is necessary in order to furnish the smaller operator a chance to have some competition with the larger operator. I can see no consistency in the Senate taking a stand whereby rather than having tankers operated, thereby furnishing employment and stimulating business, they would be tied up in the harbors and the ports of the United States rotting away. Rather should we give the Maritime Commission merely the permissive power to charter them if in their discretion it is found to be good public policy to do so. Therefore I am very strongly opposed to reconsideration at this time.

Mr. ROBERTSON. Mr. President, in support of the motion to reconsider I should like to make a few remarks in regard to the amendment which was submitted by the distinguished Senator from California and on which he has just spoken. I should like to correct him in his statement that this item was adopted in the Commerce Committee by a small majority. I was somewhat doubtful myself as to the actual voting procedure on that point, and I called the clerk of the committee yesterday and asked her to refer to her notes and let me know exactly what happened in the consideration of that amendment, and she advised me that there was no vote taken and that there was no opposition, and it was agreed to. But I would explain to Senators that the Senator from California was not present on that occasion.

Mr. President, I shall quote from page 2 of the report respecting the objectives of the bill:

The measure, reduced to its simplest terms, involves two objectives: (1) The establishment of a firm pricing policy for the sale of war-built merchant vessels, and (2) the establishment of an inactive merchant vessel reserve promptly available for security needs, but frozen so far as commercial use is concerned.

Mr. President, the approach of the Commerce Committee when considering this bill was very definitely one of sale and not of chartering of the surplus vessels, and particularly the tankers. In order to promote sale rather than chartering the percentage of cost on tankers was reduced by the Commerce Committee from 100 percent in the bill to 60 percent in order to encourage the complete sale of the tankers.

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

Mr. ROBERTSON. I yield.

Mr. KNOWLAND. As a matter of fact, is it not the case that the sale price of the tankers is still above the sale price of the dry-cargo vassels?

Mr. ROBERTSON. The dry-cargo vessels were left in at 50 percent and the tankers at 60 percent.

Mr. KNOWLAND. Will the Senator yield again?

Mr. ROBERTSON. I yield.

Mr. KNOWLAND. What consistency is there then in permitting the chartering of dry-cargo vessels which the bill provides for and denying the chartering of tankers?

Mr. ROBERTSON. There are many reasons for that, Mr. President. I shall name but a few. The object in permitting the chartering of dry-cargo vessels is to get rid of a number of old ships which would be noncompetitive so far as the United States is concerned, and which are largely of the coastwise and smaller type of vessels. In the case of the tankers almost every ship is a new ship not over 3 years old. Already 68 of the tankers have been disposed of which leaves approximately 400 tankers to be disposed of, and practically every one a new ship, and which can be readily sold.

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

Mr. ROBERTSON. I yield.

Mr. KNOWLAND. If the statement is correct that there are only 400 left, and they can readily be sold, then it is perfectly obvious that the Maritime Commission, under the powers granted in the bill, will sell the vessels. It is only if they cannot be sold and if in the discretion of the Maritime Commission it would be sound policy to charter them rather than to let them rot, that my amendment would apply in any event.

Mr. HART. Mr. President, will the Senator yield to me for an observation?

Mr. ROBERTSON. I yield.

Mr. HART. The case is not the same for dry-cargo vessels as it is for tankers because of a technical reason which has to do with depreciation. Tankers which are engaged in carrying gasoline, Mr. President, rust very rapidly, whereas that is not so in the case of the so-called dirty trade where the oil film prevents corrosion. If Government-built tankers are chartered, those who charter are not very much concerned about depreciation, because the vessels may readily be turned back as soon as they become in such condition that they can no longer carry kerosene. The result then is, Mr. President, that anyone who wishes to go into the kerosene trade is most likely to charter a Government tanker. Then the Government takes the ultimate loss, and if the operator owns other ships he uses those ships in the dirty trade in which the deterioration is not so great.

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

Mr. ROBERTSON. I yield.

Mr. KNOWLAND. Is it not a fact that the Maritime Commission under this bill which would give them discretionary authority would have the right to set up the rules and regulations under which they would charter, and therefore if any company was proposing to use its own ships in the dirty trade, the oil trade, and to use the Government vessels in the gasoline trade, the Commission itself could provide the safeguards?

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

Mr. ROBERTSON. I yield.

Mr. HART. I doubt that that would be administratively practicable. I do not recall just what provision there is in the bill for that, but I very greatly doubt that the Maritime Commission would charter a tanker on condition that she could only be used in a dirty oil trade.

Mr. ROBERTSON. Mr. President, I might say that during the committee's hearings Admiral Land of the Maritime Commission was present and he expressed himself as confident that with the price based as the committee based it on tankers there would be little difficulty in disposing of all the tankers by sale.

Therefore, Mr. President, I ask that the vote by which the committee amendment, as amended, was adopted, be reconsidered.

Mr. LANGER. Mr. President, we have before us a bill involving approximately $10,000,000,000, and I do not believe we ought to proceed to a vote on the question of reconsideration unless we have a quorum present. Therefore, Mr.

President, I suggest the absence of a quorum.

Mr. HILL. Mr. President, will the Senator withhold his suggestion of the absence of a quorum?

Mr. LANGER. Certainly.

Mr. HILL. If a quorum is obtained, does the Senator expect to speak on the bill for some time?

Mr. LANGER. No.

Mr. HILL. I wonder if the Senator will not let us go ahead without a quorum at this time.

Mr. LANGER. I do not believe that a matter so important as the reconsideration of a committee amendment involving $10,000,000,000 should be taken up unless we have a quorum.

Mr. RADCLIFFE. Mr. President, let me emphasize to the Senator from North Dakota that we have spent several days in the consideration of the bill, and every feature and aspect of it has been given considerable attention. I was sincerely hoping that we might pass the bill tonight and so get it into conference. Every day we delay passage the Federal Government may be losing money. If we do not get the bill into conference and have it enacted this week and therefore are unable to act upon it until next January, the Government may lose many sales of ships, because proposals are now pending for sales and leases which cannot be consummated without this legislation. I do not wish to hurry any Senator in reaching conclusions, but this question has been under consideration for a long time. It has been discussed at great length several times on the floor of the Senate. I sincerely hope that the Senate will send this bill to conference so that we may have a law under which we can operate. We need it most seriously.

Mr. LANGER. Mr. President, I am entirely willing to remain here until midnight if it will help the distinguished Senator from Maryland. However, at the present time only 14 Senators are present in the Chamber. The bill involves a sum amounting to $10,000,000,000. I have no objection to having a quorum call and remaining here until midnight if it will help the Senator.

Mr. RADCLIFFE. Mr. President, let me say to the Senator that on Thursday the bill was practically passed, which fact indicated that Members of the Senate were ready to act upon its final passage. The committee amendment, which means practically the entire bill, as it came from the Commerce Committee as modified, was approved. The only reason why the motion to reconsider was made was, as I have just stated, that there were one or two minor points to which some Members of the Senate desired to give further consideration. So far as I know there is no desire on the part of any Member of the Senate to consider the bill, generally speaking. Only one or two relatively small points are involved at present. Therefore, I believe that we should act on the bill without tying it up until next week, which may mean that the bill will have to go over until January.

Mr. KNOWLAND. Mr. President, will the Senator from North Dakota yield to me so that I may ask the Senator from Maryland a question?

Mr. LANGER. I yield.

Mr. KNOWLAND. As I view the picture, considerable debate occurred the other day. The amendment was very carefully explained. I believe that I have attended the sessions of the Senate as faithfully as almost any other Senator. Several times on the day when the amendment was before us for consideration I made the point of no quorum, so that a good attendance would be maintained.

The distinguished Senator from Wyoming [Mr. ROBERTSON] was in the Chamber at the time I offered my amendment and the Senator from Maryland accepted it. I leaned over backward in order to explain just what the amendment would do. The RECORD will bear me out.

Certainly we shall not make progress on the bill if, after an amendment has been agreed to, we must back-track and reconsider the whole procedure. We have discussed this question. I am perfectly willing to vote to pass the bill through the Senate and send it to conference, where some of the differences can be ironed out. But I do not believe that we shall serve the purposes of expedition if, after we agree to an amendment and place it in the bill, we back-track and do the whole thing over again.

Had the Senator from Wyoming not been in the Chamber at the time, and had the situation been that the amendment had not been explained at the time, I should feel entirely different about opposing the motion. But the Senator from Wyoming was in the Chamber. I explained the situation, and the amendment was accepted. Any Senator had an opportunity at that time to raise an objection, at which time the question could have been fully debated. Under the circumstances I do not believe that we are expediting consideration of the bill by reconsidering the committee amendment.

Mr. RADCLIFFE. Mr. President, let me say to the Senator from California that his expression "back-track" may be appropriate, but I rather question it. If there was a misunderstanding, if any Member of the Senate has some aspect of the legislation in mind which he wishes to present, and he thinks he has not had the opportunity to do so, it seems to me that it is reasonable to give him such an opportunity.

Mr. ROBERTSON. Mr. President, I was in the Chamber during the brief explanation of the amendment which was made, but my attention was distracted by some other matter, and I did not realize until a few moments later that the distinguished Senator from Maryland had accepted the amendment offered by the Senator from California with the agreement to take it to conference. The committee was so definite in its policy of prohibiting the chartering of tankers that I asked for a reconsideration of the amendment.

Mr. LANGER. Mr. President, it is apparent that Senators do not agree. It will require some time for them to straighten out their differences. I believe that we should have a quorum, and I again suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Ball	Hart	Morse
Bilbo	Hayden	Pepper
Brewster	Hill	Radcliffe
Brooks	Hoey	Revercomb
Capper	Huffman	Robertson
Connally	Johnston, S. C.	Russell
Donnell	Kilgore	Saltonstall
Downey	Knowland	Smith
Ellender	La Follette	Taylor
Ferguson	Langer	Tydings
Gerry	Lucas	Wherry
Green	McClellan	Wiley
Guffey	McKellar	Willis
Gurney	McMahon	Young

The PRESIDING OFFICER. Forty-two Senators have answered to their names. There is not a quorum present.

RECESS

Mr. HILL. Mr. President, under the previous order of the Senate, I move that the Senate now take a recess until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 45 minutes p. m.) the Senate took a recess, the recess being under the order previously entered, until Monday, December 17, 1945, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate December 15 (legislative day of October 29), 1945:

IN THE NAVY

Robert J. Hoey, a naval aviator of the Marine Corps Reserve, to be a first lieutenant in the Regular Marine Corps in accordance with the provisions of the Naval Aviation Personnel Act of 1940, as amended, to rank from October 1, 1940.

The following-named naval aviators of the Marine Corps Reserve to be second lieutenants in the Regular Marine Corps in accordance with the provisions of the Naval Aviation Personnel Act of 1940, as amended, to rank from the dates stated:

Charles P. Weiland, from the 10th day of April 1941.

Edward R. Polgrean, from the 4th day of August 1941.

William M. Watkins, Jr., from the 14th day of October 1941.

Richard R. Amerine, from the 16th day of October 1941.

Herbert A. Peters, from the 9th day of February 1942.

Robert R. Ayres, Jr., from the 9th day of February 1942.

Louis F. Ferguson, from the 12th day of March 1942.

Homer S. Hill, from the 12th day of March 1942.

Lawrence L. Herzog, from the 14th day of March 1942.

Jack B. Winters, from the 17th day of March 1942.

Scott G. Gier, from the 25th day of March 1942.

Cloyd R. Jeans, from the 25th day of March 1942.

Dean S. Hartley, Jr., from the 3d day of April 1942.

Wilbur F. Evans, from the 1st day of May 1942.

Robert L. Cremer, from the 15th day of May 1942.
Austin Wiggins, Jr., from the 15th day of May 1942.
James H. Phillips, from the 22d day of May 1942.
Elswin P. Dunn, from the 8th day of June 1942.
John M. Walker, Jr., from the 18th day of June 1942.
David R. Moak, from the 25th day of June 1942.
Edmond P. Hartsock, from the 18th day of July 1942.
Ralph E. Robinson, from the 18th day of July 1942.
Charles E. Call, from the 1st day of October 1942.
Emmett O. Anglin, Jr., from the 1st day of November 1942.
Phillip C. DeLong, from the 16th day of December 1942.
Edwin H. McCaleb III, from the 1st day of February 1943.
Bruce J. Matheson, from the 1st day of February 1943.
Thomas H. Miller, Jr., from the 1st day of March 1943.
John H. Glenn, Jr., from the 16th day of March 1943.
Earl W. Johnson, from the 16th day of March 1943.
George W. Brewer, from the 1st day of April 1943.
Loren K. Bronleewe, from the 1st day of April 1943.
Thomas J. Burnam, from the 1st day of April 1943.
David Cleeland, from the 16th day of April 1943.
Lynn W. Griffitts, from the 16th day of April 1943.
John E. Hansen, from the 16th day of April 1943.
George F. Bauman, from the 16th day of May 1943.
Stewart R. Lauer, from the 16th day of May 1943.
Joseph A. Mitchell, from the 16th day of May 1943.
George E. Jenkins, from the 1st day of June 1943.
Stanley J. Posluszny, from the 1st day of June 1943.
Richard H. Rainforth, from the 1st day of June 1943.
Eddie C. Torbett, from the 1st day of June 1943.
Thomas T. Tulipane, from the 16th day of June 1943.
Boyd "M" Phelps, from the 1st day of July 1943.
Harold D. Shields, from the 1st day of July 1943.
James C. Frew, from the 16th day of July 1943.
Richard M. Moore, from the 16th day of July 1943.
William K. Treynor, from the 16th day of July 1943.
Albert F. Dellamano, from the 1st day of August 1943.
Robert E. Wellwood, from the 1st day of August 1943.
Claude O. Barnhill, Jr., from the 16th day of August 1943.
Robert S. Hemstad, from the 16th day of August 1943.
Elmer E. Luther, from the 1st day of September 1943.
Dwight E. Mayo, from the 1st day of September 1943.
George H. Elias, from the 1st day of October 1943.
Frank K. Reilly, Jr., from the 1st day of November 1943.
Walter E. Daniel, from the 16th day of December 1943.

SENATE

MONDAY, DECEMBER 17, 1945

(Legislative day of Monday, October 29, 1945)

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:

Most gracious Father, we lift up our hearts as again o'er the earth's dark shadows the angels' song is heard. We rejoice with adoring wonder that the skies are aflame with shining glory and vocal with ecstatic anthems of the winged heralds of peace, for over an earth grown old with its burden of care again the voice of the Christ Child rings out with its cheer that we all are the children of God.

With the coming of Christmas everywhere as the only alternative to chaos, grant us such courage that our efforts may never falter; such love that every barrier to brotherhood and equality may be beaten down; such wisdom that every problem of boundary and trade, of language and culture, may be solved; such faith that when the way is long and hard we may yet persevere to the end in the knowledge that Thy sovereign will reigneth, as revealed in the redeeming Word made flesh. We ask it through riches of grace in Christ Jesus our Lord. Amen.

MESSAGE FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

A message in writing from the President of the United States 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 and joint resolutions:

On December 14, 1945:

S. J. Res. 110. 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; and

S. J. Res. 119. Joint resolution to provide for national elections in the Philippine Islands.

On December 15, 1945:

S. 1212. An act to amend section 12 of the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940; and

S. 1278. An act to provide for the taxation of rolling stock of railroad and other companies operated in the District of Columbia, and for other purposes.

THE JOURNAL

Mr. CONNALLY obtained the floor.

Mr. WAGNER. Mr. President, I ask unanimous consent that the Journal of the last session be approved without reading.

Mr. CONNALLY. I have the floor, and I do not yield.

The PRESIDENT pro tempore. The Chair, of his own motion, will state that, without objection, the Journal of the previous session will be approved without reading.

ORDER OF BUSINESS

Mr. WAGNER. Mr. President, under the unanimous-consent agreement——

Mr. CONNALLY. Just a moment. I have the floor, and I am not inclined to yield. The Senator from New York has not asked me to yield?

Mr. WAGNER. Under the unanimous-consent agreement, I am entitled to the floor at the opening of the session.

Mr. CONNALLY. I do not recall the Senator's name being mentioned in the unanimous-consent agreement.

The PRESIDENT pro tempore. The Senator will suspend for a moment while the Chair sees what was done.

Under the unanimous-consent agreement of the 13th instant, the Chair lays before the Senate the concurrent resolution (S. Con. Res. 44) relative to the opening of Palestine for the free entry of the Jews, and the question is on agreeing to the concurrent resolution.

The Chair recognizes the Senator from Texas and will then recognize the Senator from New York.

Mr. CONNALLY. I thank the Chair.

Mr. DOWNEY. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. DOWNEY. I should like to inquire what effect the unanimous-consent agreement has upon the fact that the Federal pay bill is the unfinished business before the Senate?

The PRESIDENT pro tempore. It has no effect on it at all, except that by the unanimous-consent agreement it was agreed that the resolution as to the Jews entering Palestine would come up today.

Mr. DOWNEY. If the Senator from Texas will yield for a further parliamentary inquiry, does that mean that, as chairman of the Civil Service Committee, I am entitled to call for the regular order whenever I desire?

The PRESIDENT pro tempore. The Senator can call for the regular order at any time during the consideration of the concurrent resolution, which is before the Senate under a unanimous-consent agreement of the Senate, made when the present occupant of the chair was not in the chair and did not know about it.

Mr. DOWNEY. Unfortunately, it was made when I was not present.

The PRESIDENT pro tempore. It was made, and must be carried out, of course.

Mr. DOWNEY. I understand that; but if the President pro tempore will further bear with me, am I to understand, then, that I would be entitled to call for the regular order when I desire?

The PRESIDENT pro tempore. The Senator would.

Mr. CONNALLY. Mr. President——

The PRESIDENT pro tempore. The Senator from Texas.

Mr. CONNALLY. I was not present at the time the unanimous-consent agreement was entered into, but I agree that the resolution should come up today. I did not know, however, that the agreement was to be so exclusive and so iron-bound as it seems to have been.