PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1924. By Mr. COLE of Missouri: Petition of the International Union of United Brewery, Flour, Cereal, and Soft Drink Workers of America, Locals No. 93 and 116, of St. Joseph, Mo., protesting present and future restrictions on the quantity of grains available for the manufacture of beer; to the Committee on Agriculture.

1925. By Mr. STEFAN: Petition of Farmers Union, Local No. 319, Saunders County, Nebr.; to the Committee on Banking and Currency.

1926. By the SPEAKER: Petition of Lodge 402, International Association of Machinists, petitioning consideration of their resolution with reference to endorsement of House bill 4051; to the Committee on Military Affairs.

1927. Also, petition of 250 citizens of Wayne, Pa., and vicinity, petitioning consideration of their resolution with reference to request for legislation calling for the establishment by law of certain fundamental principles deemed essential to the health and well-being of our country; to the Committee on the Judiciary.

1928. Also, petition of director, Sixth Annual Model Congress, petitioning consideration of their resolution with reference to various legislation; to the Committee on Education.

SENATE

SATURDAY, JUNE 1, 1946

(Legislative day of Tuesday, March 5, 1946)

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

Rev. Bernard Braskamp, D. D., pastor of the Gunton-Temple Memorial Presbyterian Church, Washington, D. C., offered the following prayer:

Most merciful and gracious God, whose thoughts concerning us are those of love and peace, grant that every thought and purpose of our own minds may be brought into a glad and willing obedience to Thy divine will.

We pray that our hearts may be impervious to the spirit of personal aggrandizement, but we may seek one another's welfare and bear one another's burdens, and so fulfill the law of Christ.

Show us how we may find a just and righteous solution to all the problems of human relationships. Grant that capital and labor, employer and employee, and men everywhere, of whatever creed, class, country, or color, may stand on the high plateau of brotherhood and patriotism and of loyalty to God and human rights.

We pray that at the eventide of each day we may have a conscience that is peaceful and a heart that is happy and worthy to receive Thy benediction and be crowned with the diadem of Thy praise, "Well done, thou good and faithful servant."

Hear us in the name of the Christ. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Friday, May 31, 1946, was dispensed with, and the Journal was approved.

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:

Aiken	Hatch	O'Daniel
Andrews	Hawkes	O'Mahoney
Austin	Hayden	Overton
Ball	Hickenlooper	Pepper
Barkley	Hill	Reed
Brewster	Hoey	Revercomb
Briggs	Huffman	Robertson
Brooks	Johnson, Colo.	Russell
Burch	Johnston, S. C.	Saltonstall
Bushfield	Kilgore	Shipstead
Butler	Knowland	Smith
Capehart	La Follette	Stanfill
Capper	Lucas	Stewart
Connally	McCarran	Taft
Cordon	McClellan	Thomas, Okla.
Donnell	McFarland	Thomas, Utah
Downey	McKellar	Tunnell
Eastland	McMahon	Vandenberg
Ellender	Magnuson	Wagner
Ferguson	Maybank	Walsh
Fulbright	Millikin	Wheeler
George	Mitchell	Wherry
Gerry	Moore	White
Green	Morse	Wiley
Guffey	Murdock	Willis
Gurney	Murray	Wilson
Hart	Myers	

Mr. HILL. I announce that the Senator from North Carolina [Mr. BAILEY] and the Senator from Alabama [Mr. BANKHEAD] are absent because of illness.

The Senator from Mississippi [Mr. BILBO], the Senator from Nevada [Mr. CARVILLE], and the Senators from Idaho [Mr. GOSSETT and Mr. TAYLOR] are absent by leave of the Senate.

The Senators from Maryland [Mr. RADCLIFFE and Mr. TYDINGS] have been excused from attendance in the Senate today in order to be present at the graduation ceremonies at Washington College, Chestertown, Md., where a degree is to be conferred upon the President of the United States.

The Senator from Virginia [Mr. BYRD], the Senator from New Mexico [Mr. CHAVEZ], and the Senator from New York [Mr. MEAD] are detained on public business.

Mr. WHERRY. The Senator from New Hampshire [Mr. BRIDGES] is necessarily absent.

The Senator from North Dakota [Mr. LANGER] is necessarily absent.

The Senator from New Hampshire [Mr. TOBEY] is absent on official business.

The Senator from North Dakota [Mr. YOUNG] is absent by leave of the Senate.

The Senator from Delaware [Mr. BUCK] is necessarily absent.

The PRESIDENT pro tempore. Eighty Senators having answered to their names, a quorum is present.

LEAVES OF ABSENCE

Mr. THOMAS of Utah. Mr. President, because of long-standing speaking appointments, I ask unanimous consent to be excused from the Senate this afternoon and Monday.

The PRESIDENT pro tempore. Without objection, the request is granted.

Mr. GUFFEY. Mr. President, I ask permission to be absent from the Senate, beginning at 2 o'clock next Monday afternoon, for the remainder of that day, and for all day Tuesday.

The PRESIDENT pro tempore. Without objection, the request is granted.

Mr. SALTONSTALL. Mr. President, I ask permission to be absent from the Senate from the hour of 1:15 today for the remainder of the afternoon.

The PRESIDENT pro tempore. Without objection, the request is granted.

Mr. HAWKES. Mr. President, I ask unanimous consent to be absent from the Senate on Monday next.

The PRESIDENT pro tempore. Without objection, leave is granted.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on May 31, 1946, he presented to the President of the United States the enrolled bill (S. 7) to improve the administration of justice by prescribing fair administrative procedure.

NOTICE OF PUBLICATION OF HEARINGS HELD BY THE SENATE SPECIAL COMMITTEE INVESTIGATING PETROLEUM RESOURCES

Mr. O'MAHONEY. Mr. President, the fourth and fifth series of the hearings recently held by the Special Committee Investigating Petroleum Resources, entitled, respectively, "Petroleum Requirements—Postwar" and "War Emergency Pipe-Line Systems and Other Petroleum Facilities," are now available at the United States Government Printing Office, Washington, D. C., for those desiring copies.

Among the subjects mentioned in Petroleum Requirements—Postwar are the following: (a) Supply and Demand in Foreign Areas; (b) Forecast of Future Requirements in the United States; (c) Exploration, Development, and Conservation of Present Petroleum Reserves; and (d) Compilations and Graphs of the Petroleum Industry Growth and Accomplishments. The Superintendent of Documents has advised me that this book, containing 119 pages, may be purchased at 25 cents per copy.

The booklet entitled "War Emergency Pipe-Line Systems and Other Petroleum Facilities," containing a synopsis of petroleum deliveries by war emergency pipe lines, including tanker, tank car, pipe line, and barge; also giving suggestions for the postwar disposal of Government-owned pipe lines, refineries, and tankers, by the industry, as well as Government representatives, and various interested groups, such as the railroads, coal associations, and labor organizations, may be obtained at $1 per copy. This book contains 431 pages, in addition to numerous maps and charts.

REPORT OF BOARD OF ACTUARIES OF THE CIVIL SERVICE RETIREMENT AND DISABILITY FUND (S. DOC. NO. 197)

The PRESIDENT pro tempore laid before the Senate a letter from the president of the United States Civil Service Commission, transmitting, pursuant to law, the Twenty-fifth Annual Report of

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

the Board of Actuaries of the Civil Service Retirement and Disability Fund for the fiscal year ended June 30, 1945, which, with the accompanying report, was referred to the Committee on Civil Service and ordered to be printed.

PETITIONS

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

By the PRESIDENT pro tempore:

A concurrent resolution of the Legislature of the State of Louisiana, favoring the enactment of legislation providing that honorably discharged veterans of World War II may receive a price preference in the purchase of surplus war materials over all competition on a set formula; to the Committee on Military Affairs.

(See concurrent resolution printed in full when presented by Mr. ELLENDER on May 31, 1946, p. 5958, CONGRESSIONAL RECORD.)

A resolution adopted by the Association of Higher Education of West Virginia, Glenville, W. Va., favoring the enactment of legislation to exempt from Federal income taxes all retirement allowances, from whatever source, to the amount of $1,440 per annum; to the Committee on Finance.

A resolution adopted by the ninth regional district of the national office of Machine Dealers' Association, representing the States of Oklahoma, Kansas, and Missouri, in convention assembled at Oklahoma City, Okla., favoring the enactment of legislation to curb strikes; order to lie on the table.

A petition of sundry members of the armed forces stationed at Atsugi Army Air Base, Honshu, Japan, relating to the extension of the Selective Training and Service Act; ordered to lie on the table.

The petition of Eduardo Salazar, Paco, Manila, P. I., relating to his claim against the Government; to the Committee on Military Affairs.

DEVELOPMENT AND CONTROL OF ATOMIC ENERGY—PETITION

Mr. CAPPER. Mr. President, I ask unanimous consent to present for appropriate reference and to have printed in the RECORD, without the signatures attached, a petition signed by members and friends of the First Pilgrim Congregational Church, Kansas City, Kans., praying for the enactment of the so-called McMahon bill, S. 1717, for the development and control of atomic energy.

There being no objection, the petition was received, ordered to lie on the table, and to be printed in the RECORD without the signatures attached, as follows:

Attention Senator CAPPER:

We, the undersigned members and friends of the First Pilgrim Congregational Church of Kansas City, Kans., believing that in the atomic age in which we live the only security is to be found in an understanding that casts out suspicion, in love that casts out fear, and that it is now "one world or none," respectfully submit the following recommendation:

We recommend that support be given the McMahon bill now pending in Congress, which provides for civilian control of atomic energy, in order that the citizens of these United States may know the facts concerning its dangers and its infinite possibilities for good. We further recommend the support of this bill without any crippling amendments. And further, because the possession and use of atomic energy is world-wide in its implications, we urge that an international control commission be set up with power to prohibit its uses for purposes of war and destruction.

BILLS INTRODUCED

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

(Mr. AIKEN introduced Senate bill (S. 2279) to amend the Mustering-Out Payment Act of 1944 so as to remove the time limitation on the filing of applications for benefits by persons who were discharged or released from active duty before the effective date of such act, which was referred to the Committee on Military Affairs, and appears under a separate heading.)

(Mr. JOHNSTON of South Carolina introduced Senate bill 2280, to amend the Federal Farm Mortgage Corporation Act to provide a secondary market for farm loans made under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes, which was referred to the Committee on Banking and Currency, and appears under a separate heading.)

By Mr. SHIPSTEAD:

S. 2281. A bill authorizing the issuance of a patent in fee to Francis E. L. Chase, Sr.; and

S. 2282. A bill to safeguard and consolidate certain areas of exceptional public interest within the Superior National Forest, Minn., and for other purposes; to the Committee on Public Lands and Surveys.

REMOVAL OF LIMITATION ON APPLICATION FOR MUSTERING-OUT PAY

Mr. AIKEN. Mr. President, under the present law any member of the armed forces entitled to mustering-out payment who shall have been discharged or relieved from active service under honorable conditions before the effective date of the Mustering-Out Payment Act—February 3, 1944—must make application therefor within 2 years of the effective date. The final date on which applications could be accepted was February 3, 1946.

There are many cases where men discharged or relieved from active service prior to the enactment of this act are unaware of the existence of this act, and undoubtedly there are many who assume the act does not affect them since they were discharged prior to its passage. The War Department office handling mustering-out matters says that they are still receiving applications for the $60 allowed to veterans of World War I, as there was no limitation on applying for that payment.

I ask unanimous consent to introduce for appropriate reference a bill which would amend the Mustering-Out Payment Act by removing the 2-year limitation, so that those who were discharged before February 3, 1944, may make application for payment.

There being no objection, the bill (S. 2279) to amend the Mustering-Out Payment Act of 1944 so as to remove the time limitation on the filing of applications for benefits by persons who were discharged or released from active duty before the effective date of such act was received, read twice by its title, and referred to the Committee on Military Affairs.

SECONDARY MARKET FOR FARM LOANS

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent to introduce and have referred to the appropriate committee a bill to amend the Federal Farm Mortgage Corporation Act to provide a secondary market for farm loans made under the provisions of the Servicemen's Readjustment Act of 1944—Public Law 346, Seventy-eighth Congress—as amended.

The Servicemen's Readjustment Act, or so-called GI bill of rights, now provides for the guaranty or insurance by the Veterans' Administration of loans made to veterans for the purchase, repair, alteration, construction, or improvement of real and personal property to be used in farming or for operating capital. Correspondence which I have received from many of the smaller banks and other local lenders and from veterans' organizations indicates, however, that some of these responsible lenders may find themselves unable to make such loans in the volume needed by veterans in their local communities, unless the lending agencies have a dependable secondary market where they can sell loans already made, in order to obtain funds with which to make additional loans. A readily available secondary market such as would be provided by the passage of this bill would enable the smaller lending institutions in the agricultural areas to serve the veterans in their own home community. This will further implement the GI bill of rights by permitting the veteran to do business with his own home-town banker whom he knows personally and by whom he is known.

Recently I made a similar recommendation to Mr. George E. Allen, one of the Directors of the Reconstruction Finance Corporation, suggesting therein that he provide a market for veterans' home loans which are guaranteed by the Veterans' Administration. He immediately devised an arrangement which was agreeable to Gen. Omar N. Bradley, Administrator of Veterans' Affairs, under which The RFC Mortgage Company, a wholly owned affiliate of the RFC, will provide the secondary market for these home loans which are guaranteed or insured under the Servicemen's Readjustment Act. No additional legislation was required for authorization of that program.

Those of us who have studied this present proposal, however, feel that transactions of this character for agricultural purposes should be made by some governmental farm lending agency. Thus, this bill, which I propose as a simple amendment to the Federal Farm Mortgage Corporation Act, would establish such a secondary market by authorizing the FFMC to purchase such loans from approved lenders.

The Federal Farm Mortgage Corporation appears to be the appropriate agency to provide this market for farm mortgages. The Corporation is wholly owned by the United States, and operates as part of the Farm Credit System. It is managed by a board of three directors, consisting of the Governor of the Farm Credit Administration, the Land Bank Commissioner, and the Secretary of the Treasury or an officer of the Treasury designated by him. The Corporation was created by the Federal Farm Mortgage Corporation Act, ap-

proved January 31, 1943 (12 U. S. C. 1020) to aid in stabilizing the Federal land bank system. The Corporation's existing functions are principally to provide funds for and service Land Bank Commissioner loans made under section 32 of the Emergency Farm Mortgage Act of 1933, as amended (12 U. S. C. 1016), and to provide a source of loan funds for the Federal land banks, when needed, through the purchase of farm loan bonds issued by the banks or loans to the banks.

The Corporation, in all probability, will not require any additional appropriations of Federal funds to enable it to purchase these GI-insured farm loans. The Corporation has available to it capital funds of $200,000,000 and, with the approval of the Secretary of the Treasury, it may issue bonds guaranteed by the United States up to $2,000,000,000 outstanding at any one time.

For the information of the Senate, I may say that at the present time they are collecting on the loans, and have the money, and have no one to whom they may lend it. But if they are afforded this device they will be able to help out the GI's and at the same time help out themselves.

A secondary market for such loans appears to be needed to provide local lenders with the funds required to make farm loans to veterans. The Federal Farm Mortgage Corporation, by reason of its knowledge and experience in the farm-loan field, its place in the Farm Credit System, and the availability to it of adequate resources, appears to be the proper agency to provide this secondary market.

There being no objection, the bill (S. 2280) to amend the Federal Farm Mortgage Corporation Act to provide a secondary market for farm loans made under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes, was received, read twice by its title, and referred to the Committee on Banking and Currency.

EXTENSION OF SELECTIVE TRAINING AND SERVICE ACT—AMENDMENTS

Mr. THOMAS of Utah (by request) submitted two amendments intended to be proposed to the bill (S. 2057) to extend the Selective Training and Service Act of 1940, as amended, until May 15, 1947, and for other purposes, which were ordered to lie on the table and to be printed.

AWARD OF MEDAL OF MERIT TO THOMAS E. WILSON

Mr. BROOKS. On Wednesday, May 22, Mr. Thomas E. Wilson, the head of Wilson Packing Co., of Chicago, was awarded the Medal of Merit by the Government of the United States for exceptionally meritorious conduct in the performance of outstanding services to the United States.

Thomas E. Wilson has contributed, I suppose, as much as any man in America to the development of the character and the ability of the young men and women on the farms of this country. He is known quite widely as the father of the 4-H Clubs.

When war came, out of his wealth of experience as a packer, he realized the necessity for saving fats. He organized civilian salvage of fats. Since Pearl Harbor, more than 500,000,000 pounds of fat have been salvaged, and the city of Chicago, in which he lives and where he was the head of this particular activity, has contributed by collecting more per capita than any other large city in America.

Mr. President, I ask that the citation accompanying the awarding of the medal be printed at this point in the RECORD as a part of my remarks.

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

Thomas E. Wilson, for exceptionally meritorious conduct in the performance of outstanding services to the United States.

A few days after December 7, 1941, recognizing the critical shortage of fats vitally needed in the manufacture of medicine, munitions, soaps, and other items which would result in the loss of importation of vegetable fats from the Philippines and Dutch East Indies, Mr. Wilson, with characteristic foresight and vigorous resourcefulness, conceived and, as Assistant Coordinator of Civilian Defense, pioneered in the organization of a fat-salvage program for the metropolitan area of the city of Chicago under which collections were commenced January 19, 1942. The success of the fat-salvage program in the Chicago area under Mr. Wilson's leadership demonstrated that such a program could be followed with success in metropolitan centers throughout the country, and the War Production Board, with the advice and assistance of Mr. Wilson, and with the approval of the Departments of Agriculture, War, and Navy, sponsored a national fat-salvage program which was begun in July 1942. With the cooperation of the American housewife, related industries, and the press and radio, many millions of pounds of vitally needed fats were collected. Under the Department of Agriculture the fat-salvage program is still being conducted to help meet the continued need of fats during the reconversion period. Mr. Wilson's selflessness, devotion to his country, and his energetic leadership in the fat-salvage program have immeasurably contributed to the welfare and the security of the United States during the period of emergency, and the habits of thrift thereby engendered will substantially contribute to the national economy for years to come.

THE LIFE STORY OF JOSEPH MEDILL PATTERSON

[Mr. BROOKS asked and obtained leave to have printed in the RECORD the life story of Capt. Joseph Medill Patterson, as printed in the Chicago Tribune, which appears in the Appendix.]

INDEPENDENT BUSINESSMEN LOOK AT COOPERATIVES—SPEECH BY GREY DRESIE

[Mr. CAPPER asked and obtained leave to have printed in the RECORD a speech entitled "The Independent Businessmen Look at Cooperatives," delivered by Grey Dresie, executive secretary, Kansas Independent Businessmen's Association, in answer to a radio address by Representative VOORHIS of California, which appears in the Appendix.]

AGAINST THE WHOLE PEOPLE—EDITORIAL FROM THE OREGONIAN

[Mr. CORDON asked and obtained leave to have printed in the RECORD an editorial entitled "Against the Whole People" from the Oregonian, Portland, Oreg., of Wednesday, May 22, 1946, which appears in the Appendix.]

PROPOSED AMENDMENT OF PRICE CONTROL ACT

Mr. WILLIS. Mr. President, yesterday I sent to the desk an amendment to the bill proposing to amend the Price Control Act, and did not make any introductory remarks. I should like to take 2 or 3 minutes to explain what the proposed amendment provides for. I should also like to have unanimous consent to have the amendment printed in the RECORD at this point in my remarks.

The PRESIDENT pro tempore. Is there objection?

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

Amendment intended to be proposed by Mr. WILLIS to the bill (S. 2028) to amend the Emergency Price Control Act of 1942, as amended, and the Stabilization Act of 1942, as amended, and for other purposes, viz: At the proper place in the bill insert the following new section:

"SEC. —. (a) The Office of Price Administration and all of its functions, except those transferred by this section, are hereby abolished.

"(b) All functions of the Office of Price Administration and the Price Administrator relating to food commodities are hereby transferred to and shall be exercised by the Secretary of Agriculture.

"(c) All functions of the Office of Price Administration and the Price Administrator relating to rents and building materials are hereby transferred to and shall be exercised by the Civilian Production Administrator.

"(d) Such of the records, property (including office equipment) and unexpended balances of appropriations as have been used or available for use by the Office of Price Administration and the Price Administrator in the exercise of the functions transferred by this section and as may be determined and specified by the President shall be transferred to and available for use by the Secretary of Agriculture and the Civilian Production Administrator, respectively, in the exercise of the functions transferred to them by this section.

"(e) All regulations, policies, determinations, authorizations, requirements, designations, and other actions of the Price Administrator, made, prescribed, or performed in the exercise of the functions transferred by this section and before the transfer of such functions under this section shall, except to the extent rescinded, modified, superseded, or made inapplicable by the Secretary of Agriculture or the Civilian Production Administrator, have the same effect as if such transfer had not been made; but functions vested in the Price Administrator by any such regulation, policy, determination, authorization, requirement, designation, or other action shall, insofar as they are to be exercised after the transfer, be considered as vested in the Secretary of Agriculture or the Civilian Production Administrator, as the case may be."

Mr. WILLIS. Mr. President, the Office of Price Control appears to be in the hands of individuals who do not understand the fundamental principles of practical production and distribution of goods. Their policies are threatening a break-down of our American economy, and we will not have an adequate supply of needed goods under an administration like that which has been in force. Therefore, I have offered in the Senate to the bill proposing to amend the Price Control Act, an amendment which would, after July 1, 1946, place the control of food in the Department of Agriculture,

and the control of rents and building materials in the Office of Civilian Production Administration. The Office of Price Control would be abolished on July 1, under the provisions of the amendment.

Mr. President, we will not have prosperity in this country until we establish freedom in production and distribution. The planned economy has been given too long a trial, and has proved to be an expensive failure. Let us get down to production quickly as an indispensable remedy for inflation.

Since February the OPA's principal effect in most areas has been to push 80 percent of the beef and lumber business into the black market, so the real price levels are not OPA prices at all, but the regularly quoted prevailing black-market prices. Business is done on that level. Beef is butchered behind the barn, under the oak tree, over the hill. The hides are buried. The valuable byproducts for vitamins and medicines and fertilizer are all wasted. For that waste the American public pays. A free market would save them, and reduce the price of steaks. This is merely one evidence of the operation of the Office of Price Administration.

I further assert, Mr. President, that the Office of Price Administration is violating the law in its expenditure of huge sums of the taxpayers' money for carrying on false propaganda designed to set up Mr. Bowles as the indispensable man.

I ask unanimous consent to have printed in the RECORD a report upon the cost of food products which was published in the Washington Post.

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

A Washington housewife would pay today at least $18 for the same bundle of groceries she could buy in 1939 for less than $11, the Republican Congressional Food Study Committee reported yesterday.

If she shopped at a higher-priced, so-called class 1 store she would pay $26.20 for the same groceries, the report said.

Representative JENKINS (Republican, Ohio), chairman of the study group, made the report public. He said the price survey was made to refute OPA claims that it had held the line on food prices during the war.

The comparative price figures represented the theoretical purchase of 73 food items. In April 1939 the total cost of the items based on chain-store price lists at the time was $10.94.

Today the minimum purchase price for the same bundle would be $18.06—or an increase of more than 60 percent, the report said.

This percentage increase was higher than indicated by Bureau of Labor Statistics figures. A spokesman said the Bureau of Labor Statistics food index, based on 61 market items, showed a 51-percent increase from August 1939 to April 1946 in Washington. He said their figures did not compare April 1939 with April this year, but that the August 1939 prices were somewhat lower than those of April 1939.

JENKINS' study emphasized that the 73-item total of $18.06 was the lowest price for the least expensive brand of each food item found in Washington chain markets. Many of the prices are below OPA ceilings.

Far higher legal prices for the same commodities are charged in individual or class 1 stores. At actual selling prices in these stores, the 73 items now cost the housewife a minimum of $26.20—an increase of approximately 140 percent over 1939.

In 1939 Washington stores were running full-page ads begging housewives to buy butter at 23 cents a pound, sliced bacon at 24 cents a pound, sugar-cured ham at 23 cents a pound, and big red winesap apples at 6 cents a pound.

The survey showed the price on these items has nearly doubled under OPA and they are now practically unobtainable at any price. Bureau of Labor Statistics average-price figures in Washington for 1939 showed butter then selling at 31 cents, bacon 32 cents, and sliced ham, 50 cents.

DEVELOPMENT AND CONTROL OF ATOMIC ENERGY

Mr. BARKLEY. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside, without prejudice, and that the Senate proceed to the consideration of Calendar No. 1251, Senate bill 1717, a bill for the development and control of atomic energy.

The PRESIDENT pro tempore. The clerk will state the bill by title.

The CHIEF CLERK. A bill (S. 1717) for the development and control of atomic energy.

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

Mr. GURNEY. Mr. President, I should like to ask the majority leader if it is completely understood that the selective-service bill, Senate bill 2057, is laid aside only temporarily for this afternoon.

The PRESIDENT pro tempore. That is the request.

Mr. BARKLEY. That is the fact. I will say to the Senate that we hope to dispose of the atomic-energy bill and also the agricultural appropriation bill today, and then recess until Monday at which time the consideration of the selective-service bill will be resumed.

Mr. GURNEY. I thank the Senator.

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

There being no objection, the Senate proceeded to consider the bill (S. 1717) for the development and control of atomic energy, which had been reported from the Special Committee on Atomic Energy, with an amendment, to strike out all after the enacting clause and to insert:

DECLARATION OF POLICY

SECTION 1. (a) Findings and declaration: Research and experimentation in the field of nuclear chain reaction have attained the stage at which the release of atomic energy on a large scale is practical. The significance of the atomic bomb for military purposes is evident. The effect of the use of atomic energy for civilian purposes upon the social, economic, and political structures of today cannot now be determined. It is a field in which unknown factors are involved. Therefore any legislation will necessarily be subject to revision from time to time. It is reasonable to anticipate, however, that tapping this new source of energy will cause profound changes in our present way of life. Accordingly it is hereby declared to be the policy of the people of the United States that, subject at all times to the paramount objective of assuring the common defense and security, the development and utilization of atomic energy shall, so far as practicable, be directed toward improving the public welfare, increasing the standard of living, strengthening free competition in private enterprise, and promoting world peace.

(b) Purpose of act: It is the purpose of this act to effectuate the policies set out in section 1 (a) by providing, among others, for the following major programs relating to atomic energy:

(1) A program of assisting and fostering private research and development to encourage maximum scientific progress;

(2) A program for the control of scientific and technical information which will permit the dissemination of such information to encourage scientific progress, and for the sharing on a reciprocal basis of information concerning the practical industrial application of atomic energy as soon as effective and enforceable safeguards against its use for destructive purposes can be devised;

(3) A program of federally conducted research and development to assure the Government of adequate scientific and technical accomplishment;

(4) A program for Government control of the production, ownership, and use of fissionable material to assure the common defense and security and to insure the broadest possible exploitation of the field; and

(5) A program of administration which will be consistent with the foregoing policies and with international arrangements made by the United States, and which will enable the Congress to be currently informed so as to take further legislative action as may hereafter be appropriate.

ORGANIZATION

SEC. 2. (a) Atomic Energy Commission:

(1) There is hereby established an Atomic Energy Commission (herein called the Commission), which shall be composed of five members. Three members shall constitute a quorum of the Commission. The President shall designate one member as Chairman of the Commission.

(2) Members of the Commission shall be appointed by the President, by and with the advice and consent of the Senate. In submitting any nomination to the Senate, the President shall set forth the experience and the qualifications of the nominee. The term of office of each member of the Commission taking office prior to the expiration of 2 years after the date of enactment of this act shall expire upon the expiration of such 2 years. The term of office of each member of the Commission taking office after the expiration of 2 years from the date of enactment of this act shall be 5 years, except that (A) the term of office of the members first taking office after the expiration of 2 years from the date of enactment of this act shall expire, as designated by the President at the time of appointment, one at the end of 3 years, one at the end of 4 years, one at the end of 5 years, one at the end of 6 years, and one at the end of 7 years, after the date of enactment of this act; and (B) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term. Any member of the Commission may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Each member, except the Chairman, shall receive compensation at the rate of $15,000 per annum; and the Chairman shall receive compensation at the rate of $17,500 per annum. No member of the Commission shall engage in any other business, vocation, or employment than that of serving as a member of the Commission.

(3) The principal office of the Commission shall be in the District of Columbia, but the Commission or any duly authorized representative may exercise any or all of its powers in any place. The Commission shall hold such meetings, conduct such hearings, and

receive such reports as may be necessary to enable it to carry out the provisions of this act.

(4) There are hereby established within the Commission—

(A) a General Manager, who shall discharge such of the administrative and executive functions of the Commission as the Commission may direct. The General Manager shall be appointed by the President by and with the advice and consent of the Senate, and shall receive compensation at the rate of $15,000 per annum. The Commission may make recommendations to the President with respect to the appointment or removal of the General Manager.

(B) a Division of Research, a Division of Production, a Division of Engineering, and a Division of Military Application. Each division shall be under the direction of a Director who shall be appointed by the Commission, and shall receive compensation at the rate of $14,000 per annum. The Commission shall require each such division to exercise such of the Commission's powers under this act as the Commission may determine, except that the authority granted under section 3 (a) of this act shall not be exercised by the Division of Research.

(b) General Advisory Committee: There shall be a General Advisory Committee to advise the Commission on scientific and technical matters relating to materials, production, and research and development, to be composed of nine members, who shall be appointed from civilian life by the President. Each member shall hold office for a term of 6 years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed, shall be appointed for the remainder of such term; and (2) the terms of office of the members first taking office after the date of the enactment of this act shall expire, as designated by the President at the time of appointment, three at the end of 2 years, three at the end of 4 years, and three at the end of 6 years, after the date of the enactment of this act. The Committee shall designate one of its own members as Chairman. The Committee shall meet at least four times in every calendar year. The members of the Committee shall receive a per diem compensation of $50 for each day spent in meetings or conferences, and all members shall receive their necessary traveling or other expenses while engaged in the work of the Committee.

(c) Military Liaison Committee: There shall be a Military Liaison Committee consisting of representatives of the Departments of War and Navy, detailed or assigned thereto, without additional compensation, by the Secretaries of War and Navy in such number as they may determine. The Commission shall advise and consult with the Committee on all atomic energy matters which the Committee deems to relate to military applications, including the development, manufacture, use, and storage of bombs, the allocation of fissionable material for military research, and the control of information relating to the manufacture or utilization of atomic weapons. The Commission shall keep the Committee fully informed of all such matters before it and the Committee shall keep the Commission fully informed of all atomic energy activities of the War and Navy Departments. The Committee shall have authority to make written recommendations to the Commission on matters relating to military applications from time to time as it may deem appropriate. If the Committee at any time concludes that any action, proposed action, or failure to act of the Commission on such matters is adverse to the responsibilities of the Department of War or Navy, derived from the Constitution, laws, and treaties, the Committee may refer such action, proposed action, or failure to act to the Secretaries of War and Navy. If either Secretary concurs, he may refer the matter to the President, whose decision shall be final.

RESEARCH

SEC. 3. (a) Research assistance: The Commission is directed to exercise its powers in such manner as to insure the continued conduct of research and development activities in the fields specified below by private or public institutions or persons and to assist in the acquisition of an ever-expanding fund of theoretical and practical knowledge in such fields. To this end the Commission is authorized and directed to make arrangements (including contracts, agreements, grants-in-aid, and loans) for the conduct of research and development activities relating to—

(1) nuclear processes;

(2) the theory and production of atomic energy, including processes, materials, and devices related to such production;

(3) utilization of fissionable and radioactive materials for medical, biological, health, or military purposes;

(4) utilization of fissionable and radioactive materials and processes entailed in the production of such materials for all other purposes, including industrial uses; and

(5) the protection of health during research and production activities.

The Commission may make such arrangements without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and may make partial and advance payments under such arrangements, and may make available for use in connection therewith such of its equipment and facilities as it may deem desirable. Such arrangements shall contain such provisions to protect health, to minimize danger from explosion and other hazards to life or property, and to require the reporting and to permit the inspection of work performed thereunder, as the Commission may determine; but shall not contain any provisions or conditions which prevent the dissemination of scientific or technical information, except to the extent such dissemination is prohibited by law.

(b) Research by the Commission: The Commission is authorized and directed to conduct, through its own facilities, activities, and studies of the types specified in subsection (a) above.

PRODUCTION OF FISSIONABLE MATERIAL

SEC. 4. (a) Definition: As used in this act, the term "produce," when used in relation to fissionable material, means to manufacture, produce, or refine fissionable material, as distinguished from source materials as defined in section 5 (b) (1), or to separate fissionable material from other substances in which such material may be contained or to produce new fissionable material.

(b) Prohibition: It shall be unlawful for any person to own any facilities for the production of fissionable material or for any person to produce fissionable material, except to the extent authorized by subsection (c).

(c) Ownership and operation of production facilities:

(1) Ownership of production facilities: The Commission shall be the exclusive owner of all facilities for the production of fissionable material other than facilities which (A) are useful in the conduct of research and development activities in the fields specified in section 3, and (B) do not, in the opinion of the Commission, have a potential production rate adequate to enable the operator of such facilities to produce within a reasonable period of time a sufficient quantity of fissionable material to produce an atomic bomb or any other atomic weapon.

(2) Operation of the Commission's production facilities: The Commission is authorized and directed to produce or to provide for the production of fissionable material in its own facilities. To the extent deemed necessary, the Commission is authorized to make, or to continue in effect, contracts with persons obligating them to produce fissionable material in facilities owned by the Commission. The Commission is also authorized to enter into research and development contracts authorizing the contractor to produce fissionable material in facilities owned by the Commission to the extent that the production of such fissionable material may be incident to the conduct of research and development activities under such contracts. Any contract entered into under this section shall contain provisions (A) prohibiting the contractor with the Commission from subcontracting any part of the work he is obligated to perform under the contract, and (B) obligating the contractor to make such reports to the Commission as it may deem appropriate with respect to his activities under the contract, to submit to frequent inspection by employees of the Commission of all such activities, and to comply with all safety and security regulations which may be prescribed by the Commission. Any contract made under the provisions of this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under such contracts. The President shall determine at least once each year the quantities of fissionable material to be produced under this paragraph.

(3) Operation of other production facilities: Fissionable material may be produced in the conduct of research and development activities in facilities which, under paragraph (1) above, are not required to be owned by the Commission.

(d) Irradiation of materials: For the purpose of increasing the supply of radioactive materials, the Commission is authorized to expose materials of any kind to the radiation incident to the processes of producing or utilizing fissionable material.

CONTROL OF MATERIALS

SEC. 5. (a) Fissionable materials:

(1) Definition: As used in this act, the term "fissionable material" means plutonium, uranium enriched in the isotope 235, any other material which the Commission determines to be capable of releasing substantial quantities of energy through nuclear chain reaction of the material, or any material artificially enriched by any of the foregoing; but does not include source materials, as defined in section 5 (b) (1).

(2) Government ownership of all fissionable material: All right, title, and interest within or under the jurisdiction of the United States, in or to any fissionable material, now or hereafter produced, shall be the property of the Commission, and shall be deemed to be vested in the Commission by virtue of this act. Any person owning any interest in any fissionable material at the time of the enactment of this act, or owning any interest in any material at the time when such material is hereafter determined to be a fissionable material, or who lawfully produces any fissionable material incident to privately financed research or development activities, shall be paid just compensation therefor. The Commission may, by action consistent with the provisions of paragraph (4) below, authorize any such person

to retain possession of such fissionable material, but no person shall have any title in or to any fissionable material.

(3) Prohibition: It shall be unlawful for any person, after 60 days from the effective date of this act to (A) possess or transfer any fissionable material, except as authorized by the Commission, or (B) export from or import into the United States any fissionable material, or (C) directly or indirectly engage in the production of any fissionable material outside of the United States.

(4) Distribution of fissionable material: Without prejudice to its continued ownership thereof, the Commission is authorized to distribute fissionable material, with or without charge, to applicants requesting such material (A) for the conduct of research or development activities either independently or under contract or other arrangement with the Commission, (B) for use in medical therapy, or (C) for use pursuant to a license issued under the authority of section 7. Such material shall be distributed in such quantities and on such terms that no applicant will be enabled to obtain an amount sufficient to construct a bomb or other military weapon. The Commission is directed to distribute sufficient fissionable material to permit the conduct of widespread independent research and development activity, to the maximum extent practicable. In determining the quantities of fissionable material to be distributed, the Commission shall make such provisions for its own needs and for the conservation of fissionable material as it may determine to be necessary in the national interest for the future development of atomic energy. The Commission shall not distribute any material to any applicant, and shall recall any distributed material from any applicant, who is not equipped to observe or who fails to observe such safety standards to protect health and to minimize danger from explosion or other hazard to life or property as may be established by the Commission, or who uses such material in violation of law or regulation of the Commission or in a manner other than as disclosed in the application therefor.

(5) The Commission is authorized to purchase or otherwise acquire any fissionable material or any interest therein outside the United States, or any interest in facilities for the production of fissionable material, or in real property on which such facilities are located, without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable, and partial and advance payments may be made under contracts for such purposes. The Commission is further authorized to take, requisition, or condemn, or otherwise acquire any interest in such facilities or real property, and just compensation shall be made therefor.

(b) Source materials:

(1) Definition: As used in this act, the term "source material" means uranium, thorium, or any other material which is determined by the Commission, with the approval of the President, to be peculiarly essential to the production of fissionable materials; but includes ores only if they contain one or more of the foregoing materials in such concentration as the Commission may by regulation determine from time to time.

(2) License for transfers required: Unless authorized by a license issued by the Commission, no person may transfer or deliver and no person may receive possession of or title to any source material after removal from its place of deposit in nature, except that licenses shall not be required for quantities of source materials which, in the opinion of the Commission, are unimportant.

(3) Issuance of licenses: The Commission shall establish such standards for the issuance, refusal, or revocation of licenses as it may deem necessary to assure adequate source materials for production, research, or development activities pursuant to this act or to prevent the use of such materials in a manner inconsistent with the national welfare. Licenses shall be issued in accordance with such procedures as the Commission may by regulation establish.

(4) Reporting: The Commission is authorized to issue such regulations or orders requiring reports of ownership, possession, extraction, refining, shipment, or other handling of source materials as it may deem necessary, except that such reports shall not be required with respect to (A) any source material prior to removal from its place of deposit in nature, or (B) quantities of source materials which in the opinion of the Commission are unimportant or the reporting of which will discourage independent prospecting for new deposits.

(5) Acquisition: The Commission is authorized and directed to purchase, take, requisition, condemn, or otherwise acquire, supplies of source materials or any interest in real property containing deposits of source materials to the extent it deems necessary to effectuate the provisions of this act. Any purchase made under this paragraph may be made without regard to the provisions of section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5) upon certification by the Commission that such action is necessary in the interest of the common defense and security, or upon a showing that advertising is not reasonably practicable and partial, and advance payments may be made thereunder. The Commission may establish guaranteed prices for all source materials delivered to it within a specified time. Just compensation shall be made for any property taken, requisitioned, or condemned under this paragraph.

(6) Exploration: The Commission is authorized to conduct and enter into contracts for the conduct of exploratory operations, investigations, and inspections to determine the location, extent, mode of occurrence, use, or conditions of deposits or supplies of source materials, making just compensation for any damage or injury occasioned thereby. Such exploratory operations may be conducted only with the consent of the owner, but such investigations and inspections may be conducted with or without such consent.

(7) Public lands: All uranium, thorium, and all other materials determined pursuant to paragraph (1) of this subsection to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the public lands are hereby reserved for the use of the United States; except that with respect to any location, entry, or settlement made prior to the date of enactment of this act no reservation shall be deemed to have been made, if such reservation would deprive any person of any existing or inchoate rights or privileges to which he would otherwise be entitled or would otherwise enjoy. The Secretary of the Interior shall cause to be inserted in every patent, conveyance, lease, permit, or other authorization hereafter granted to use the public lands or their mineral resources, under any of which there might result the extraction of any materials so reserved, a reservation to the United States of all such materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby. Any lands so patented, conveyed, leased, or otherwise disposed of may be used, and any rights under any such permit or authorization may be exercised, as if no reservation of such materials had been made under this subsection; except that, when such use results in the extraction of any such material from the land in quantities which may not be transferred or delivered without a license under this subsection, such material shall be the property of the Commission and the Commission may require delivery of such material to it by any possessor thereof after such material has been separated as such from the ores in which it was contained. If the Commission requires the delivery of such material to it, it shall pay to the person mining or extracting the same, or to such other person as the Commission determines to be entitled thereto, such sums, including profits, as the Commission deems fair and reasonable for the discovery, mining, development, production, extraction, and other services performed with respect to such material prior to such delivery, but such payment shall not include any amount on account of the value of such material before removal from its place of deposit in nature. If the Commission does not require delivery of such material to it, the reservation made pursuant to this paragraph shall be of no further force or effect.

(c) Byproduct materials:

(1) Definition: As used in this act, the term "byproduct material" means any radioactive material (except fissionable material) yielded in or made radioactive by exposure to the radiation incident to the processes of producing or utilizing fissionable material.

(2) Distribution: The Commission is authorized to distribute, with or without charge, byproduct materials to applicants seeking such materials for research or development activity, medical therapy, industrial uses, or such other useful applications as may be developed. In distributing such materials, the Commission shall give preference to applicants proposing to use such materials in the conduct of research and development activity or medical therapy. The Commission shall not distribute any byproduct materials to any applicant, and shall recall any distributed materials from any applicant, who is not equipped to observe or who fails to observe such safety standards to protect health as may be established by the Commission or who uses such materials in violation of law or regulation of the Commission or in a manner other than as disclosed in the application therefor.

(d) General provisions:

(1) The Commission shall not distribute any fissionable or source material to any person for a use which is not under or within the jurisdiction of the United States or to any foreign government.

(2) The Commission shall establish by regulation a procedure by which any person who is dissatisfied with the distribution or refusal to distribute to him, or the recall from him, of any fissionable or byproduct materials or with the issuance, refusal, or revocation of a license to him for the transfer or receipt of source materials may obtain a review of such determination by a board of appeal consisting of three members appointed by the Commission. The Commission may in its discretion review and revise any decision of such board of appeal.

MILITARY APPLICATIONS OF ATOMIC ENERGY

SEC. 6. (a) Authority: The Commission is authorized to—

(1) conduct experiments and do research and development work in the military application of atomic energy; and

(2) engage in the production of atomic bombs, atomic-bomb parts, or other military weapons utilizing fissionable materials; except that such activities shall be carried on only to the extent that the express consent and direction of the President of the United States has been obtained, which consent and

direction shall be obtained at least once each year.

The President from time to time may direct the Commission to deliver such quantities of weapons to the armed forces for such use as he deems necessary in the interest of national defense.

(b) Prohibition: It shall be unlawful for any person to manufacture or produce any device or equipment designed to utilize fissionable material as a military weapon except as may be (1) incident to research and development activities or (2) authorized by the Commission. Nothing in this subsection shall be deemed to modify the provisions of section 4 of this act.

UTILIZATION OF ATOMIC ENERGY

SEC. 7. (a) License required: It shall be unlawful, except as provided in sections 5 (a) (4) (A) or (B) or 6 (a), for any person to manufacture any equipment or device utilizing fissionable material or atomic energy or to utilize fissionable material or atomic energy with or without such equipment or device, except under and in accordance with a license issued by the Commission authorizing such manufacture or utilization. No license may permit any such activity if fissionable material is produced incident to such activity except as provided in sections 3 and 4. Nothing in this section shall be deemed to require a license for the conduct of research or development activities relating to the manufacture of such equipment or devices or the utilization of fissionable material or atomic energy, or for the manufacture or use in accordance with such promedical therapy.

(b) Report to Congress: Whenever in its opinion any industrial, commercial, or other nonmilitary use of fissionable material or atomic energy has been sufficiently developed to be of practical value, the Commission shall prepare a report to the President stating all the facts with respect to such use, the Commission's estimate of the social, political, economic, and international effects of such use and the Commission's recommendations for necessary or desirable supplemental legislation. The President shall then transmit this report to the Congress together with his recommendations. No license for any manufacture or use shall be issued by the Commission under this section until after (1) a report with respect to such manufacture or use has been filed with the Congress; and (2) a period of 90 days in which the Congress was in session has elapsed after the report has been so filed. In computing such period of 90 days, there shall be excluded the days on which either House is not in session because of an adjournment of more than 3 days.

(c) Issuance of licenses: After such 90-day period, unless hereafter prohibited by law, the Commission may license such manufacture or use in accordance with such procedures and subject to such conditions as it may by regulation establish to effectuate the provisions of this act. The Commission is authorized and directed to issue licenses on a nonexclusive basis and to supply to the extent available appropriate quantities of fissionable material to be consumed; (2) who proposed activities will serve some useful purpose proportionate to the quantities of fissionable material to be consumed; (2) who are equipped to observe such safety standards to protect health and to minimize danger from explosion or other hazard to life or property as the Commission may establish; and (3) who agree to make available to the Commission such technical information and data concerning their activities pursuant to such licenses as the Commission may determine necessary to encourage similar activities by as many licensees as possible. Each such license shall be issued for a specified period, not to exceed 1 year, shall be revocable at any time by the Commission in accordance with such procedures as the Commission may establish, and may be renewed upon the expiration of such period. Where activities under any license might serve to maintain or to foster the growth of monopoly, restraint of trade, unlawful competition, or other trade position inimical to the entry of new, freely competitive enterprises in the field, the Commission is authorized and directed to refuse to issue such license or to establish such conditions to prevent these results as the Commission, in consultation with the Attorney General, may determine. The Commission shall report promptly to the Attorney General any information it may have with respect to any utilization of fissionable material or atomic energy which appears to have these results. No license may be given to any person for activities which are not under or within the jurisdiction of the United States or to any foreign government.

(d) Byproduct power: If energy which may be utilized is produced in the production of fissionable material, such energy may be used by the Commission, transferred to other Government agencies, or sold to public or private utilities under contracts providing for reasonable resale prices.

INTERNATIONAL ARRANGEMENTS

SEC. 8. (a) Definition: As used in this act, the term "international arrangement" shall mean any treaty approved by the Senate or international agreement approved by the Congress, during the time such treaty or agreement is in full force and effect.

(b) Effect of international arrangements: Any provision of this act or any action of the Commission to the extent that it conflicts with the provisions of any international arrangement made after the date of enactment of this act shall be deemed to be of no further force or effect.

(c) Policies contained in international arrangements: In the performance of its functions under this act, the Commission shall give maximum effect to the policies contained in any such international arrangement.

PROPERTY OF THE COMMISSION

SEC. 9. (a) The President shall direct the transfer to the Commission of all interests owned by the United States or any Government agency in the following property:

(1) All fissionable material; all atomic weapons and parts thereof; all facilities, equipment, and materials for the processing, production, or utilization of fissionable material or atomic energy; and all contracts, technical information of any kind, and the source thereof (including data, drawings, specifications, patents, patent applications, and other sources) relating to the processing, production, or utilization of fissionable material or atomic energy; all processes and agreements, leases, patents, applications for patents, inventions and discoveries (whether patented or unpatented), and other rights of any kind concerning any such items;

(2) All facilities, equipment, and materials, devoted primarily to atomic energy research and development; and

(3) Such other property owned by or in the custody or control of the Manhattan Engineer District or other Government agencies as the President may determine.

(b) In order to render financial assistance to those States and localities in which the activities of the Commission are carried on and in which the Commission has acquired property previously subject to State and local taxation, the Commission is authorized to make payments to State and local governments in lieu of property taxes. Such payments may be in the amounts, at the times, and upon the terms the Commission deems appropriate, but the Commission shall be guided by the policy of not making payments in excess of the taxes which would have been payable for such property in the condition in which it was acquired, except in cases where special burdens have been cast upon the State or local government by activities of the Commission, the Manhattan Engineer District, or their agents. In any such case, any benefit accruing to the State or local government by reason of such activities shall be considered in determining the amount of the payment. The Commission, and the property, activities, and income of the Commission, are hereby expressly exempted from taxation in any manner or form by any State, county, municipality, or any subdivision thereof.

CONTROL OF INFORMATION

SEC. 10. (a) Policy: It shall be the policy of the Commission to control the dissemination of restricted data in such a manner as to assure the common defense and security. Consistent with such policy, the Commission shall be guided by the following principles:

(1) That information with respect to the use of atomic energy for industrial purposes should be shared with other nations on a reciprocal basis as soon as the Congress declares by joint resolution that effective and enforceable international safeguards against the use of such energy for destructive purposes have been established; and

(2) That the dissemination of scientific and technical information relating to atomic energy should be permitted and encouraged so as to provide that free interchange of ideas and criticisms which is essential to scientific progress.

(b) Dissemination: The Commission is authorized and directed to establish such information services, publications, libraries, and other registers of available information as it may deem necessary or desirable to provide for the dissemination of information in accordance with subsection (a).

(c) Restrictions:

(1) The term "restricted data" as used in this section means all data concerning the manufacture or utilization of atomic weapons, the production of fissionable material, or the use of fissionable material in the production of power, but shall not include any data which the Commission from time to time determines may be published without adversely affecting the common defense and security.

(2) Whoever, lawfully or unlawfully, having possession of, access to, control over, or being entrusted with, any document, writing, sketch, photograph, plan, model, instrument, appliance, note or information involving or incorporating restricted data—

(A) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with intent to injure the United States or with intent to secure an advantage to any foreign nation, upon conviction thereof, shall be punished by a fine of not more than $20,000 or imprisonment for not more than 20 years, or both;

(B) communicates, transmits, or discloses the same to any individual or person, or attempts or conspires to do any of the foregoing, with reason to believe such data will be utilized to injure the United States or to secure an advantage to any foreign nation, shall, upon conviction, be punished by a fine of not more than $10,000 or imprisonment for not more than 10 years, or both.

(3) Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, acquires or attempts or conspires to acquire any document, writing, sketch, photograph, plan, model, instrument, appliance, note or information involving or incorporating restricted data shall, upon conviction thereof, be punished by a fine of not more than $20,000 or imprisonment for not more than 20 years, or both.

(4) Whoever, with intent to injure the United States or with intent to secure an advantage to any foreign nation, removes,

conceals, tampers with, alters, mutilates, or destroys any document, writing, sketch, photograph, plan, model, instrument, appliance, or note involving or incorporating restricted data and used by any individual or person in connection with the production of fissionable material, or research or development relating to atomic energy, conducted by the United States, or financed in whole or in part by Federal funds, or conducted with the aid of fissionable material, shall be punished by a fine of not more than $20,000 or imprisonment for not more than 20 years or both.

(5) No person shall be prosecuted for any violation under this section unless and until the Attorney General of the United States has advised and consulted with the Commission with respect to such prosecution.

(6) This section shall not exclude the applicable provisions of any other laws, except that no Government agency shall take any action under such other laws inconsistent with the provisions of this section.

(d) Inspections, records, and reports: The Commission is—

(1) Authorized by regulation or order to require such reports and the keeping of such records with respect to, and to provide for such inspections of, activities and studies of types specified in section 3, and of activities under licenses issued pursuant to section 7 as the Commission may determine;

(2) authorized and directed by regulation or order to require regular reports and records with respect to, and to provide for frequent inspections of, the production of fissionable material in the conduct of research and development activities.

PATENTS AND INVENTIONS

SEC. 11. (a) Production and military utilization:

(1) No patent shall hereafter be granted for any invention or discovery which is useful solely in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon. Any patent granted for any such invention or discovery is hereby revoked, and just compensation shall be made therefor.

(2) No patent hereafter granted shall confer any rights with respect to any invention or discovery to the extent that such invention or discovery is used in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon. Any rights conferred by any patent heretofore granted for any invention or discovery are herebly revoked to the extent that such invention or discovery is so used, and just compensation shall be made therefor.

(3) Any person who has made or hereafter makes any invention or discovery useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon shall file with the Commission a report containing a complete description thereof, unless such invention or discovery is described in an application for a patent filed in the Patent Office by such person within the time required for the filing of such report. The report covering any such invention or discovery shall be filed on or before whichever of the following is the latest: (A) The sixtieth day after the date of enactment of this act; (B) the sixtieth day after the completion of such invention or discovery; or (C) the sixtieth day after such person first discovers or first has reason to believe that such invention or discovery is useful in such production or utilization.

(b) Use of inventions for research: No patent hereafter granted shall confer any rights with respect to any invention or discovery to the extent that such invention or discovery is used in the conduct of research or development activities in the fields specified in section 3. Any rights conferred by any patent heretofore granted for any invention or discovery are hereby revoked to the extent that such invention or discovery is so used, and just compensation shall be made therefor.

(c) Nonmilitary utilization:

(1) It shall be the duty of the Commission to declare any patent to be affected with the public interest if (A) the invention or discovery covered by the patent utilizes or is essential in the utilization of fissionable material or atomic energy; and (B) the licensing of such invention or discovery under the subsection is necessary to effectuate the policies and purposes of this act.

(2) Whenever any patent has been declared, pursuant to paragraph (1), to be affected with the public interest—

(A) The Commission is hereby licensed to use the invention or discovery covered by such patent in performing any of its powers under this act; and

(B) Any person to whom a license has been issued under section 7 is hereby licensed to use the invention or discovery covered by such patent to the extent such invention or discovery is used by him in carrying on the activities authorized by his license under section 7.

The owner of the patent shall be entitled to a reasonable royalty fee for any use of an invention or discovery licensed by this subsection. Such royalty fee may be agreed upon by such owner and the licensee, or in the absence of such agreement shall be determined by the Commission.

(3) No court shall have jurisdiction or power to stay, restrain, or otherwise enjoin the use of any invention or discovery by a licensee, to the extent that such use is licensed by paragraph (2) above, on the ground of infringement of any patent. If in any action for infringement against such licensee the court shall determine that the defendant is exercising such license, the measure of damages shall be the royalty fee determined pursuant to this section, together with such costs, interest, and reasonable attorney's fees as may be fixed by the court. If no royalty fee has been determined, the court shall stay the proceeding until the royalty fee is determined pursuant to this section. If any such licensee shall fail to pay such royalty fee, the patentee may bring an action in any court of competent jurisdiction for such royalty fees, together with such costs, interest, and reasonable attorney's fees as may be fixed by the court.

(d) Acquisition of patents: The Commission is authorized to purchase, or to take, requisition, or condemn, and make just compensation for, (1) any invention or discovery which is useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon, or which utilizes or is essential in the utilization of fissionable material or atomic energy, or (2) any patent or patent application covering any such invention or discovery. The Commissioner of Patents shall notify the Commission of all applications for patents heretofore or hereafter filed which in his opinion disclose such inventions or discoveries and shall provide the Commission access to all such applications.

(e) Compensation awards and royalties:

(1) Patent Compensation Board: The Commission shall designate a Patent Compensation Board, consisting of two or more employees of the Commission, to consider applications under this subsection.

(2) Eligibility:

(A) Any owner of a patent licensed under subsection (c) (2) or any licensee thereunder may make application to the Commission for the determination of a reasonable royalty fee in accordance with such procedures as it by regulation may establish.

(B) Any person seeking to obtain the just compensation provided in subsections (a), (b), or (d) shall make application therefor to the Commission in accordance with such procedures as it may by regulation establish.

(C) Any person making any invention or discovery useful in the production of fissionable material or in the utilization of fissionable material or atomic energy for a military weapon who is not entitled to compensation therefor under subsection (a) and who has complied with subsection (a) (3) above may make application to the Commission for, and the Commission may grant, an award.

(D) Any person making application under this subsection shall have the right to be represented by counsel.

(3) Standards:

(A) In determining such reasonable royalty fee, the Commission shall take into consideration any defense, general or special, that might be pleaded by a defendant in an action for infringement, the extent to which, if any, such patent was developed through federally financed research, the degree of utility, novelty, and importance of the invention or discovery, and may consider the cost to the owner of the patent of developing such invention or discovery or acquiring such patent.

(B) In determining what constitutes just compensation under subsection (a), (b), or (d) above, the Commission shall take into account the considerations set forth in paragraph (A) above, and the actual use of such invention or discovery, and may determine that such compensation be paid in periodic payments or in a lump sum.

(C) In determining the amount of any award under paragraph (2) (C) of this subsection, the Commission shall take into account the considerations set forth in paragraph (A) above, and the actual use of such invention or discovery. Awards so made may be paid by the Commission in periodic payments or in a lump sum.

(4) Judicial review: Any person aggrieved by any determination of the Commission of an award or of a reasonable royalty fee may obtain a review of such determination in the Court of Appeals for the District of Columbia by filing in such court, within 30 days after notice of such determination, a written petition praying that such determination be set aside. A copy of such petition shall be forthwith served upon the Commission and thereupon the Commission shall file with the court a certified transcript of the entire record in the proceeding, including the findings and conclusions upon which the determination was based. Upon the filing of such transcript the court shall have exclusive jurisdiction upon the record certified to it to affirm the determination in its entirety or set it aside and remand it to the Commission for further proceedings. The findings of the Commission as to the facts, if supported by substantial evidence, shall be conclusive. The court's judgment shall be final, subject, however, to review by the Supreme Court of the United States upon writ of certiorari on petition therefor under section 240 of the Judicial Code (U. S. C., title 28, sec. 347), by the Commission or any party to the court proceeding.

GENERAL AUTHORITY

SEC. 12. (a) In the performance of its functions the Commission is authorized to—

(1) establish advisory boards to advise with and make recommendations to the Commission on legislation, policies, administration, research, and other matters;

(2) establish by regulation or order such standards and instructions to govern the possession and use of fissionable and byproduct materials as the Commission may deem necessary or desirable to protect health or to minimize danger from explosions and other hazards to life or property;

(3) make such studies and investigations, obtain such information, and hold such hearings as the Commission may deem necessary or proper to assist it in exercising any authority provided in this act, or in the

administration or enforcement of this act, or any regulations or orders issued thereunder. For such purposes the Commission is authorized to administer oaths and affirmations, and by subpena to require any person to appear and testify, or to appear and produce documents, or both, at any designated place. No person shall be excused from complying with any requirements under this paragraph because of his privilege against self-incrimination, but the immunity provisions of the Compulsory Testimony Act of February 11, 1893 (U. S. C., title 49, sec. 46), shall apply with respect to any individual who specifically claims such privilege. Witnesses subpenaed under this subsection shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States;

(4) appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Commission. Such officers and employees shall be appointed in accordance with the civil-service laws and their compensation fixed in accordance with the Classification Act of 1923, as amended, except that to the extent the Commission deems such action necessary to the discharge of its responsibilities, personnel may be employed and their compensation fixed without regard to such laws. Attorneys appointed under this paragraph may appear for and represent the Commission in any case in any court. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee;

(5) acquire such materials, property, equipment, and facilities, establish or construct such buildings and facilities, and modify such buildings and facilities from time to time as it may deem necessary, and construct, acquire, provide, or arrange for such facilities and services (at project sites where such facilities and services are not available) for the housing, health, safety, welfare, and recreation of personnel employed by the Commission as it may deem necessary;

(6) with the consent of the agency concerned, utilize or employ the services or personnel of any Government agency or any State or local government, or voluntary or uncompensated personnel, to perform such functions on its behalf as may appear desirable;

(7) acquire, purchase, lease, and hold real and personal property as agent of and on behalf of the United States, and to sell, lease, grant, and dispose of such real and personal property as provided in this act;

(8) contract for the expenditure of funds for the purposes specified in section 10 (b) without regard to the provisions of section 87 of the act of January 12, 1895 (28 Stat. 622), and section 11 of the act of March 1, 1919 (40 Stat. 1270; U. S. C., title 44, sec. 111); and

(9) without regard to the provisions of the Surplus Property Act of 1944 or any other law; make such disposition as it may deem desirable of (A) radioactive materials, and (B) any other property the special disposition of which is, in the opinion of the Commission, in the interest of the national security.

(b) Security: The President may, in advance, exempt any specific action of the Commission in a particular matter from the provisions of law relating to contracts whenever he determines that such action is essential in the interest of the common defense and security.

COMPENSATION FOR PRIVATE PROPERTY ACQUIRED

SEC. 13. (a) The United States shall make just compensation for any property or interests therein taken or requisitioned pursuant to sections 5 and 11. The Commission shall determine such compensation. If the compensation so determined is unsatisfactory to the person entitled thereto, such person shall be paid 50 percent of the amount so determined, and shall be entitled to sue the United States in the Court of Claims or in any district court of the United States in the manner provided by sections 24 (20) and 145 of the Judicial Code to recover such further sum as added to said 50 percent will make up such amount as will be just compensation.

(b) In the exercise of the right of eminent domain and condemnation, proceedings may be instituted under the act of August 1, 1888 (U. S. C., title 40, sec. 257), or any other applicable Federal statute. Upon or after the filing of the condemnation petition, immediate possession may be taken and the property may be occupied, used, and improved for the purposes of this act, notwithstanding any other law. Real property acquired by purchase, donation, or other means of transfer may also be occupied, used, and improved for the purposes of this act, prior to approval of title by the Attorney General.

JOINT COMMITTEE ON ATOMIC ENERGY

SEC. 14. (a) There is hereby established a Joint Committee on Atomic Energy to be composed of nine Members of the Senate to be appointed by the President of the Senate, and nine Members of the House of Representatives to be appointed by the Speaker of the House of Representatives. In each instance not more than five members shall be members of the same political party.

(b) The joint committee shall make continuing studies of the activities of the Atomic Energy Commission and of problems relating to the development, use, and control of atomic energy. The Commission shall keep the joint committee fully and currently informed with respect to the Commission's activities. All bills, resolutions, and other matters in the Senate or the House of Representatives relating primarily to the Commission or to the development, use, or control of atomic energy shall be referred to the joint committee. The members of the joint committee who are Members of the Senate shall from time to time report to the Senate, and the members of the joint committee who are Members of the House of Representatives shall from time to time report to the House, by bill or otherwise, their recommendations with respect to matters within the jurisdiction of their respective Houses which are (1) referred to the joint committee or (2) otherwise within the jurisdiction of the joint committee.

(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, to sit and act at such places and times, to require, by subpena or otherwise, the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, to procure such printing and binding, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The provisions of sections 102 to 104, inclusive, of the Revised Statutes shall apply in case of any failure of any witness to comply with a subpena or to testify when summoned under authority of this section.

(e) The joint committee is empowered to appoint and fix the compensation of such experts, consultants, technicians, and clerical and stenographic assistants as it deems necessary and advisable, but the compensation so fixed shall not exceed the compensation prescribed under the Classification Act of 1923, as amended, for comparable duties. The committee is authorized to utilize the services, information, facilities, and personnel of the departments and establishments of the Government.

ENFORCEMENT

SEC. 15. (a) Whoever willfully violates, attempts to violate, or conspires to violate, any provision of sections 4 (b), 5 (a) (3), or 6 (b) shall, upon conviction thereof, be punished by a fine of not more than $10,000 or by imprisonment for not more than 5 years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation shall, upon conviction thereof, be punished by a fine of not more than $20,000 or by imprisonment for not more than 20 years, or both.

(b) Whoever willfully violates, attempts to violate, or conspires to violate, any provision of this act other than those specified in subsection (a) and other than section 10 (c), or of any regulation or order prescribed or issued under sections 5 (b) (4), 10 (d), or 12 (a) (2), shall, upon conviction thereof, be punished by a fine of not more than $5,000 or by imprisonment for not more than 2 years, or both, except that whoever commits such an offense with intent to injure the United States or with intent to secure an advantage to any foreign nation shall, upon conviction thereof, be punished by a fine of not more than $20,000 or by imprisonment for not more than 20 years, or both.

(c) Whenever in the judgment of the Commission any person has engaged or is about to engage in any acts or practices which constitute or will constitute a violation of any provision of this act, or any regulation or order issued thereunder, it may make application to the appropriate court for an order enjoining such acts or practices, or for an order enforcing compliance with such provision, and upon a showing by the Commission that such person has engaged or is about to engage in any such acts or practices a permanent or temporary injunction, restraining order, or other order shall be granted without bond.

(d) In case of failure or refusal to obey a subpena served upon any person pursuant to section 12 (a) (3), the district court for any district in which such person is found or resides or transacts business, upon application by the Commission, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, or both, in accordance with the subpena; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

REPORTS

SEC. 16. The Commission shall submit to the Congress, in January and July of each year, a report concerning the activities of the Commission. The Commission shall include in such report, and shall at such other times as it deems desirable submit to the Congress, such recommendations for additional legislation as the Commission deems necessary or desirable.

DEFINITIONS

SEC. 17. As used in this act—

(a) The term "atomic energy" shall include all forms of energy liberated in the transmutation of atomic species.

(b) The term "Government agency" means any executive department, commission, independent establishment, corporation wholly or partly owned by the United States which is an instrumentality of the United States, board, bureau, division, service, office, officer, authority, administration, or other establishment, in the executive branch of the Government.

(c) The term "person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, the United States or any

agency thereof, any government other than the United States, any political subdivision of any such government, and any legal successor, representative, agent, or agency of the foregoing, or other entity, but shall not include the Commission or officers or employees of the Commission in the exercise of duly authorized functions.

(d) The term "United States", when used in a geographical sense, includes all Territories and possessions of the United States.

(e) The term "research and development" means theoretical analysis, exploration, and experimentation, and the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials, and processes.

APPROPRIATIONS

SEC. 18. (a) There are hereby authorized to be appropriated such sums as may be necessary and appropriate to carry out the provisions and purposes of this act. The acts appropriating such sums may appropriate specified portions thereof to be accounted for upon the certification of the Commission only. Funds appropriated to the Commission shall, if obligated by contract during the fiscal year for which appropriated, remain available for expenditure for 4 years following the expiration of the fiscal year for which appropriated. After such 4-year period, the unexpended balances of appropriations shall be carried to the surplus fund and covered into the Treasury.

(b) Such part as the President may determine of the unexpended balances of appropriations, allocations, or other funds available for expenditure in connection with the Manhattan Engineer District are hereby transferred to the Commission and shall be available for expenditure for the purpose of carrying out the provisions of this act.

SEPARABILITY OF PROVISIONS

SEC. 19. If any provisions of this act, or the application of such provision to any person or circumstances, is held invalid, the remainder of this act or the application of such provision to persons or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SHORT TITLE

SEC. 20. This act may be cited as the "Atomic Energy Act of 1946."

Mr. McMAHON. Mr. President, I rise to propose to the Senate that it adopt Senate bill 1717, as amended and reported by the Special Committee on Atomic Energy. The bill provides for the development and control of atomic energy. Your committee, constituted at the end of last October, has engaged in more than 5 months of continuous study of a problem which challenged the complete attention, the intelligence, and the earnestness of the committee members. I wish to pay tribute to the members of the committee who worked morning and afternoon on this subject, which was entirely new to them when they commenced, as it was to me, and who pored over every detail of the bill. I am happy to tell the Senate that after this 5 months of work, in which there was not even for 1 moment a scintilla of partisanship, the committee has agreed on every word, and every line, and every clause of the bill.

I have said, Mr. President, that it is a challenging subject. It is complicated. Atomic energy can make or destroy America. So, I should like to speak for a few moments about the result of the committee's endeavors and about the bill as it finally shapes up before us.

It was soon concluded that there could be no private production of fissionable material within the boundaries of the United States. It was concluded that national safety and national welfare demanded that all facilities producing fissionable material, of which atomic bombs are composed, should be under the sole management and control of the Government. We also concluded that it was necessary at this time to impose certain security restraints in regard to this subject.

Those security restraints will be found written into the bill. This was one of the most difficult subjects with which we had to deal, because we realized that if we were to progress, as we must progress in this science, the maximum amount of freedom had to be allowed to scientists. At the same time, it was appreciated that during the pending state of the world's affairs it was absolutely necessary that we impose some restrictive clauses. We discovered that the espionage act as it was written would not do, so S. 1717 was written so as to strengthen the provisions of the Espionage Act and thus cover the subject.

I should like to take a few moments to refer to the patent features of the bill. Obviously if all production of fissionable material is to be under Government control and management there is no field for private patents on the production of such material. However, the bill provides that anyone who makes such an invention shall be properly compensated. It is provided that there shall be no patents on the invention of atomic weapons. Obviously, this is a wise provision of the bill; but compensation is provided for the discovery.

Mr. President, what is the treatment that we have given to inventions of what might be termed atomic-energy devices? In such cases the bill provides that patents shall be issued by the Patent Office, but a license must be secured from the Commission, which I shall describe later in my remarks. After the application for the license is made to the Atomic Energy Commission, under the terms of the bill the Commission must submit to the Congress a complete study of the economic, social, and international consequences of the issuance of such license, and the Congress shall have 90 days in which to enact any legislation which it feels may be necessary in the premises. That is a distinct departure from our usual way of doing things; but we must remember that atomic energy makes its own rules. It is sui generis. After the Congress has 90 days in which to act and either acts or does not act, the Commission, as the case may be, may issue a license to the patentee to use the atomic-energy device.

I should like to describe the administrative organization of the Commission. The Commission is composed of five members, to be appointed by the President, with the advice and consent of the Senate, the chairman to be paid $17,500 a year and the members $15,000 a year. This is the over-all policymaking commission.

Under this Commission, provision is made for a military liaison committee composed of members of the armed forces, to be appointed, respectively, by the Secretary of War and the Secretary of the Navy, to advise and consult with the Commission on military matters relating to atomic energy. This committee has the right, if it so desires, to appeal to the Secretary of War and the Secretary of the Navy on any matters pertaining to military affairs and the way they are being handled by the Atomic Energy Commission.

The bill further provides for a technical advisory committee, to be appointed by the President, which shall meet four times a year, and which shall be on a part-time basis, to advise and consult with the Commission on scientific and technical matters relating to materials, production, research, and development.

Finally, the bill provides for the establishment of a new standing committee——

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

Mr. McMAHON. I yield.

Mr. DOWNEY. Is the technical advisory committee which the Senator has mentioned to be composed of scientists and technicians?

Mr. McMAHON. The Senator is correct. The bill also provides for a new standing committee, to be composed of nine Members of the Senate and nine Members of the House of Representatives, who will act in all respects as the agent of the Congress for the purpose of keeping in congressional touch with the developments of atomic energy and the actions of the Commission.

The bill makes provision for free mining. We have not attempted to take over all the uranium in the United States. We have provided the Commission with the power to condemn and pay just compensation for any uranium supplies which it is unable to buy in the open market. We believed that it was important and necessary to see to it that the independent mining system which now exists in the United States should not be disturbed any more than was absolutely imperative for the security of our country. We have tried to provide for free science and free research, because we realized that unless we left men's minds free to research, invent, and discover in this field we would be doing a disservice not only to nuclear physics, but to science as a whole.

Mr. President, there are two kinds of security. One kind comes from locking the doors, pulling down the shades, watching the files, and seeing that this man does not talk with that man—compartmentalization, as it is called in Army circles. Then there is the kind of security which I call security by achievement; in other words, security which will come from a more speedy, more complete, and more efficient way of producing atomic energy.

Security by achievement cannot be realized if we try to encompass by stringent security rules the minds and intellects of our scientists. So we have left our scientists free to think and free to produce. We have had to impose some restrictions which perhaps we might

wish we did not have to impose. Yet, Mr. President, until there can be international control of atomic energy we could not do otherwise than see to it that any possible enemy of our country should not receive information which, in the absence of safeguards and controls, might be used for aggression against us.

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

Mr. McMAHON. I yield.

Mr. TUNNELL. I should like to ask the Senator what the license which the Commission grants authorizes to be done?

Mr. McMAHON. I assume that the Senator is asking me about the license in connection with an atomic-energy device.

Mr. TUNNELL. That is correct.

Mr. McMAHON. Under such a license the owner of the invention may proceed to manufacture, further develop, and use the device.

For instance, let us assume that there was an atomic-energy device which was capable of being placed in a locomotive and hauling a train from Washington to New York. Let us assume that the Pennsylvania Railroad was the licensee. The Senator will appreciate, as was so well said by the Senator from Michigan during the conduct of our deliberations, that if we were to wake up some morning and were to read in the Washington newspapers a story that that development had come about overnight, without the proper amount of planning and forethought, it might precipitate the economy of the country into chaos.

Mr. TUNNELL. Then, as I understand the Senator, in order to manufacture devices for the use of atomic energy, it will be necessary, will it not, to have a license from the Commission?

Mr. McMAHON. The Senator is exactly correct.

Mr. TUNNELL. Very well.

Mr. McMAHON. I reiterate that the Commission cannot grant a license until it reports to the Congress on the basis of a thorough and complete study of what the Commission believes will be the economic, social, political, and international consequences of the use of the device.

Mr. TUNNELL. The Commission, then, will report to Congress in the case of each device?

Mr. McMAHON. Exactly so.

Mr. TUNNELL. I thank the Senator.

Mr. THOMAS of Utah. Mr. President, will the Senator yield to me, to permit me to ask a question at this point?

The PRESIDING OFFICER (Mr. JOHNSTON of South Carolina in the chair). Does the Senator from Connecticut yield to the Senator from Utah?

Mr. McMAHON. I yield.

Mr. THOMAS of Utah. That does not mean, does it, that Congress would put a lid upon progress or upon improvement? No provision is made or method prescribed which would require the showing of economic necessity for the use of a lighter metal than steel, for instance, or something of that sort which might affect the steel industry, just as the use of stronger energy might affect industries which are now using energy of another kind? It does not mean that Congress would be the judge and would weigh the problem of a proposed change, and would, therefore, be found in a position to renounce progress or to keep it static? It merely means that all the people will know what is happening. Is not that the idea?

Mr. McMAHON. There will be no disposition, I am sure, to restrict the use of atomic energy in our industrial life. We have tried to write the bill with the idea in mind of promoting the further invention, the further discovery, and the further use of atomic energy. All we have tried to do is to set up certain safeguards against throwing atomic energy into our economy in such a haphazard way or such an overnight way as to cause consternation, chaos, and even, perhaps, the destruction of our economy.

Let me say to the Senator from Utah, suppose there was no such provision as the one contained in the bill; suppose a license were to be granted, upon application, to the Pennsylvania Railroad, and suppose that railroad proceeded to use it. What would happen? Certainly the coal mines would immediately decrease their production. Perhaps hundreds of thousands of miners would be thrown out of work. The railroad itself, inasmuch as it secures a large income from the transportation of coal, might be seriously affected. As the Senator knows, the securities of the railroad companies are owned in large part by the insurance companies of the United States. Such a change might undermine the values of all such stocks and securities held by the insurance companies; their present values might be reduced 80 percent, so that overnight we would have economic chaos.

I wish to emphasize to the Senate that the committee wrestled long and seriously with this problem just as it did with every other problem involved. Every facet was examined. Every argument was met. So, the bill as reported by the committee is the unified conclusion of the 11 Senators who spent 5 months on this bill.

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

Mr. McMAHON. I yield.

Mr. HUFFMAN. Then the purpose, as the committee conceives it, is to bring about evolution in the use of atomic energy in our industrial life, rather than to bring about revolution by a sudden substitution of atomic energy for our existing forms of energy. Is that correct?

Mr. McMAHON. We went to school to the scientists, as I am sure Senators will realize, and we talked with just about everyone whom we thought could help us with this problem. I say to the Senator that I have great faith in the future of atomic energy, industrially as well as medicinally; indeed in those respects it is here today. Let us consider an example of perhaps lesser importance: As an aid, for instance, in the discovery of new oil wells, it has been used recently. However, after all, we now have an economy which is built upon water power and upon coal and upon an integration of our natural resources as they are today. If overnight a cessation of one of those great industries were to occur, we might lose the benefits of atomic energy because of the very destruction of the base of our Government, which is economic stability.

Mr. HUFFMAN. Yes. And if we were to be plunged into the use of atomic energy overnight, it would, in the Senator's opinion, would it not, completely wreck our present economic system?

Mr. McMAHON. I can say to the Senator that it is my conviction that if what I cited in the example to the Senator from Delaware were to occur, without any previous planning with respect to how to provide for the employment of the men who would be thrown out of work by even the one use which I then suggested, we would be playing with fire.

Mr. HUFFMAN. I thank the Senator.

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

Mr. McMAHON. I yield.

Mr. HATCH. I have been reading the provisions relating to public lands, as found on page 43 of the bill. I should like to have a little information about the provisions, if the Senator is able to give it to me. I observe in subsection (7), on page 43, a provision that all fissionable materials in the public lands "are hereby reserved for the use of the United States."

First, I observe that there is a provision that all fissionable material is reserved to the United States—that is to say, such material which is in the public lands of the United States. Then there follows an exception.

Mr. McMAHON. Yes.

Mr. HATCH. That exception is in the language—

> Except that with respect to any location, entry, or settlement made prior to the date of enactment of this act no reservation shall be deemed to have been made, if such reservation would deprive any person of any existing or inchoate rights or privileges to which he would otherwise be entitled or would otherwise enjoy.

Mr. McMAHON. If a man takes out a patent on a piece of public land and spends the necessary $100 a year in order to perfect his right, he has title to the uranium which may be mined until he separates it from its place in Nature. When he separates it from its place in Nature he must receive a license from the Commission before he may dispose of or remove the material.

Frankly, there is only this difference between the Senator from New Mexico, who after the passage of the bill takes a patent on a piece of land, and myself, if I have heretofore obtained in the State of Colorado, let us say, a patent on a piece of land containing this material: In the Senator's case, when he goes to the Secretary of the Interior he will have placed in his patent a reservation to the title of all the uranium, thorium, and all the materials which are later determined by the Commission to be capable of producing atomic energy, whereas the Senator from Connecticut, who had previously acquired his patent, will have the title, but will be unable to sell any of the source materials to anybody except the Commission when he takes them from their place in Nature.

Mr. HATCH. Suppose that subsequent to the general release to the public

of the discovery and uses of atomic energy, numbers of persons have gone into the Western States and have merely filed mining claims on lands which proved later to be capable of producing sufficient material of the kind to which the Senator has referred. They have no patent now, but they do have the right which was acquired by the filing of the claim in the first instance. They have done nothing from that time to the present date, but all the fissionable material in all those lands——

Mr. McMAHON. The source material.

Mr. HATCH. The source material belongs, under this bill, to those individuals.

Mr. McMAHON. It may seem that the right is worth money, but allow me to point out that the minute the individual digs the source material from the ground and separates it from its place in nature, he has only one customer, namely, the Commission which is created under this bill. He must receive a license before he may move that source material from above the ground, where he has separated it from its place in nature, to the smelting mill.

Mr. HATCH. I am sure that a license would not be denied arbitrarily. He would receive the license and he would sell to the Commission.

Mr. McMAHON. He would receive just compensation as provided under the bill.

Mr. HATCH. There is another clause in the same section which causes me to question the meaning of it. Suppose the Commission did not wish to buy material.

Mr. McMAHON. That situation is provided for in the last sentence of the paragraph. The language there is:

> If the Commission does not require delivery of such material to it, the reservation made pursuant to this paragraph shall be of no further force or effect.

Mr. HATCH. Under those circumstances, the individual would have a complete right to sell or otherwise dispose of his material?

Mr. McMAHON. Yes.

Mr. HATCH. Is that what the committee wants to accomplish?

Mr. McMAHON. Yes; because if the Commission should ever take the position that it did not want any specific amount of thorium or uranium, the Senator may be assured that it would be of such concentration that it would not be feasible to use it for the production of fissionable material.

Mr. HATCH. Then, there is no absolute reservation to the United States. It is subject to the will of the Commission.

Mr. McMAHON. The reservation which is made by the Secretary of the Interior is in favor of the Government—in this case, the Commission. The Commission has the right to purchase every single ounce of the material at a fair and just price. If the Commission should decide that it did not want to buy the material, theoretically the miner would have the right to sell it to someone else. Such right, I believe the Senator from New Mexico will agree with me, is illusory and is worth nothing. If the Commission does not buy the source material, the man who separates it from the ground does not, under the terms of the bill, have any right to export it. Under this bill, the exportation of source material would be a crime punishable by imprisonment. What will the miner do with it? Will he go to the labor of digging it and bringing it above the ground if he may not export it or sell it to the Commission? The result will be that the material will remain in its place in nature.

I can conceive of the Commission saying to the Senator from New Mexico and to the Senator from Connecticut, who may be working a deposit in the State of New Mexico, for example, "We do not want to buy it. For the purposes of conservation we do not want to touch it. We shall refuse you a license to remove your uranium." Very well; since we may not export it or sell it to the Commission, would the Senator from New Mexico proceed to dig the uranium and thorium out of the ground?

Mr. HATCH. Perhaps he would not, but I am trying to understand what the bill means, and I am already convinced that there is not a complete reservation of title to the United States Government in the Government-owned lands.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. JOHNSON of Colorado. One further difficulty which the Senator from Connecticut has not mentioned lies in the fact that uranium ore is a complex material. In our area of the country, at least, it is usually found with vanadium. There are times when it is very necessary to have vanadium production. If the restrictions which the Senator from New Mexico is insisting upon are to be placed in the bill, not only would the production of uranium be stopped but also the production of any of the ores which are found with it, such as vanadium. That would be a very serious matter. The vanadium industry in the States of Arizona, New Mexico, Colorado, and Utah—the only States in the United States which meet together at four corners—is very important. The area formed by the joining of the four States holds deposits of vanadium and uranium. Vanadium is highly desirable in the steel industry. If there is to be an absolute restriction to the removal of uranium from its natural place in the earth, the production of vanadium will be brought to an end.

Mr. McMAHON. I thank the Senator.

Mr. HATCH. I have not insisted on any restrictions whatever, I may say to the Senator from Colorado. I am trying to find out what the bill means. However, I repeat that an absolute reservation has not been made to the United States. A reservation has been made which may or may not be effective on the commission. That may be a wise course to follow, but that is the effect of the language, as I read it.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me?

Mr. McMAHON. I yield to the Senator from Iowa.

Mr. HICKENLOOPER. I may suggest to the Senator from New Mexico that this matter was very thoroughly studied by the members of the committee from the Western States. First, the object was to give the United States a preemptive right in the material itself, reserving the greatest possible freedom for private exploration and mining development. In other words, we discussed the fact that if we were to insist upon too many restrictions it would perhaps discourage, if not put an end to, mining development and exploration.

It will be noticed that in paragraph (5) on page 42, under the heading "Acquisition," the Commission is directed—the bill uses the word "directed"—to purchase uranium that is discovered on already patented property or property in which rights have already been acquired. In paragraph (7), on page 43, referring to public lands, there is first a preemption of such material; in other words it is reserved primarily in place for the Government of the United States subject to the Government through this Commission, being able, if it is of no value to the Government, to divest itself eventually of uranium that might be a drug on the market at some time in the future. It was an attempt, first, as I understand—and I wish to be corrected by the chairman of the committee if my statement is not correct—to reserve uranium in any public lands for the undisputed use, control, and acquisition by the Government, and the right of the Government to fix just compensation for its separation from other ores, so that it would not necessarily disturb the discovery and production of other metals. Consequently—and this is, perhaps, rather important—it allows the Government at some time in the future to divest itself and to get out from under the responsibility of buying, if, as, and when, it may not be desirable on the part of the Government to do so. That time may never come, but I can assure the Senator from New Mexico that a very great deal of thought was devoted to this question by the two Senators from Colorado, who are vitally interested in the mining industry, and I believe they are both satisfied with this provision.

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

Mr. McMAHON. I yield.

Mr. HATCH. Did the committee have any witnesses from the Bureau of Mines of the Department of the Interior?

Mr. McMAHON. Yes, we did. I do not recollect whether they came from the Bureau of Mines, but I remember talking with the Solicitor, Mr. Gardner, about these provisions. The Department made no objection to them. The only suggestion they made was that if this bill was to be long delayed, they would like to see put in operation the general bill which the Senator reported some days ago and which is on the calendar. The then Secretary of the Interior, Mr. Ickes, also appeared and testified. I do not recollect that his testimony went into detail as to the treatment of the public lands, but I do remember the subject was referred to in the testimony. I know of no objection, by the Secretary of the Interior.

Mr. HATCH. The general bill?

Mr. McMAHON. Yes, that is correct.

Mr. HATCH. That is the present Secretary of the Interior?

Mr. McMAHON. Yes, Mr. Krug.

Mr. HATCH. The Senator is aware, is he not, that under Executive order all these lands are withdrawn from any development or exploration?

Mr. McMAHON. That is true.

Mr. HATCH. It was considered so important at that time that they were absolutely withdrawn.

Mr. McMAHON. That is correct.

Mr. HATCH. And they have been withdrawn by another Executive order which I think was issued later, because it was deemed that the first one was not sufficient, and it was thought that they should be withdrawn prior to the Congress enacting the provisions contained in this bill.

Mr. McMAHON. That is why the particular provision is in the bill.

Mr. HATCH. There are involved monopoly practices, and the absolute control of western lands, as against those who have gone out and secured prior rights. I did not want to raise any question about it, but I did want to point out what I think may happen under the bill. The Senator and his committee have probably given consideration to the matter, but there still is perhaps a private monopoly created by the bill.

Mr. McMAHON. Let me give the Senator the other side of the picture. Upon the sources of these materials may well rest the very security of this Nation. We must, as the committee sees it, make any effort to encourage the independent prospector to go out and develop. That is the basis of the committee's action.

I learned, I may say parenthetically to the Senator, many lessons in mining law from the Senators from Colorado, who are on the committee, and I learned much about the way independent prospectors carry on their operations. So we weighed this problem from every angle, and decided it was better to encourage the independent prospector to find and discover other deposits and to see to it that when they were discovered the commission would be the only buyer of them at a price fixed by the commission.

I might add that in the case of the public lands, where uranium and thorium are dug out of the earth, the Senator will see that there is no compensation to be paid for the mineral per se, but only to reimburse for the discovery and the digging of it and the necessary work involved in getting it out of the ground.

Mr. CORDON. Mr. President——

Mr. McMAHON. I yield to the Senator from Oregon.

Mr. CORDON. I do not quite understand how exploration would be encouraged under the terms of paragraph 7, on pages 43 and 44, in view of the fact that the Commission is given the power of determining, first, that it will purchase source materials, or, second, that it will not. In other words, a prospector is faced with a contingency that, no matter what the discovery, he cannot do anything with it.

Mr. McMAHON. That may be a correct conclusion, but before the prospector goes out, there is no question but that the Commission will have a standing offer for so much uranium at such and such a price, so that the prospector will go out looking for and digging uranium with that offer in mind. We certainly cannot force the Commission, leaving them without discretion to purchase all the uranium that may be offered to them, because that might result in moving the material from its place in nature, where maybe it ought to be kept for the time being, and only so much taken out as is necessary for the proper development of this science.

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

Mr. McMAHON. I yield.

Mr. CORDON. Would it be the Senator's view, then, if the Commission desires the source materials and advertised that it was in the market for the materials, that that holding out on the part of the Commission would represent any liability on the part of the Government to purchase in case the prospector, relying upon that statement, had expended his time and money and made a discovery and produced the source materials.

Mr. McMAHON. I think that if the Commission posted a price of "X" dollars a ton for uranium and while that price was posted the Senator were to go out and dig a ton of uranium, certainly the ethics of the situation, if nothing else, would require the Commission to take over the ton of uranium.

Let us assume that after the Senator has dug his ton of uranium the Commission says, "Now, Brother CORDON, that is all we want. If you dig any more you will have to store it on top of the ground." Then the Senator would go ahead and dig at his own risk.

Mr. CORDON. The question, if I may call the Senator's attention to it again, was, in the Senator's opinion, is there any legal obligation upon the Commission to purchase, if it has held itself out as being prepared to purchase, and has, as the Senator suggested, placed its purchase price or offer price on the ore? The Senator says that on the ground of ethics there may be an obligation, but it has been my experience that the Government of the United States may desire that its people be ethical, but it does not always follow suit.

Mr. HART. Mr. President——

The PRESIDING OFFICER (Mr. HUFFMAN in the chair). Does the Senator from Connecticut yield to his colleague?

Mr. McMAHON. I yield.

Mr. HART. Mr. President, I think it should be said that it is not so simple as to be merely a question of ore that contains only uranium. Uranium ores are always complex. Vanadium is almost always found in the same ore, and up to the time when we began to use uranium, the ore was picked over for the extraction of vanadium and uranium went out on the dump. Mining development should and will go on even if the uranium is not used.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. JOHNSON of Colorado. The uranium deposits in the United States are very limited. As a matter of fact, the only uranium ores we have discovered so far are very low grade, with only a trace of uranium. We wanted to be certain, in writing this section on public lands, that under the theory that there might be uranium in complex ores, the Government might restrict all ores in the United States, simply under the theory that there was a trace of uranium. So we had to protect the mining laws, as well as protect the Government in the acquisition of uranium ores. It is not so simple a problem as one might think. If we put in our law an absolute prohibition with respect to the mining of uranium ores, we are going to stop the mining of all ores, and, of course, that would be a very great disadvantage to the country, and to the West particularly.

Mr. McMAHON. I thank the Senator.

Mr. HATCH. If the Senator will yield, to some extent that did happen when the withdrawal order of the President was issued. We stopped much prospecting in the Western States. My point was simply to see, if possible, if the Government was protected. I am wondering whether it has not been proposed by an international authority that all ores should be somewhat controlled by that authority.

Mr. McMAHON. The bill provides for outright ownership of the material itself.

Mr. HATCH. Wherever it may be located?

Mr. McMAHON. That is correct. I might say to the Senator that there is a provision in the bill that any arrangement made internationally on this subject shall take precedence over any provision in the bill.

Mr. HATCH. I thank the Senator for his explanation.

Mr. JOHNSON of Colorado. Will the Senator yield further?

Mr. McMAHON. I yield.

Mr. JOHNSON of Colorado. I should like to call attention to the fact that once this source material is removed from its natural place in the earth the bill provides for an absolute confiscation of it. That is, if the Commission wants to confiscate it, it takes it over at its own price. But the thing we wanted to be careful about was placing a prohibition against its development while it was in place, for fear of doing violence to other metals and other resources, and to the development of our whole mining area. That is the thing we had to guard against. But the committee did not hesitate, and this bill provides that when the source material has been removed from its natural place in the earth it shall go to the United States Government. It goes to the Commission directly, and at the Commission's own figures and own price.

Mr. HATCH. I would not quite agree with that statement if it were not for the last sentence that was used, that if the Commission does not desire the material, then the reservation is no longer effective. That would leave it wide open to sale, export, or anything else, if it were not for the other provisions of the bill, which I assume, from what the Senator from Connecticut said, do prohibit sales and export.

Mr. McMAHON. That is true. Not only is the export of source material prohibited, but the export of fissionable material is also prohibited. We also in the amendment prohibit the export of

any important component part of any device to produce fissionable material.

I may say, Mr. President, that there are one or two industries in the United States which use thorium today, though not in very great quantities. I talked with the president of one of these companies recently. It interested me very much to discover what a wide market there still was for gas mantles, and there is some thorium used for that purpose.

Let us assume that the Senator from New Mexico owns a claim and produces a ton of thorium. He offers it to the Commission, and the Commission says, "We have enough thorium, but we will let you sell it to the X Manufacturing Co., which in turn has to get a license for that purpose.

Mr. President, I think I have pretty well gone through the bill.

Mr. CORDON. Mr. President, will the Senator from Connecticut yield?

Mr. McMAHON. I yield.

Mr. CORDON. I thought the Senator was going through the bill section by section. I have a couple of questions to ask, if I may.

Mr. McMAHON. I yield.

Mr. CORDON. I note on page 58 of the bill this provision:

It shall be the duty of the Commission to declare any patent to be affected with the public interest if—

Then certain conditions are set out. Does the Senator take the view that it is within the power of the legislative body of the United States by statute to determine what is or is not affected with public interest? Is not that purely and solely within the province of the courts?

Mr. McMAHON. No; I think not. If the Senator will turn to the policies and purposes of the proposed Act, as set out at the beginning of the bill, he will find, I think, a very cogent statement of the policies and purposes of the proposed act contained on pages 26, 27, and 28.

The Commission would be bound, in exercising its power under the section to which the Senator has referred, to turn to the policies and purposes set forth in the bill. What are those policies and purposes? I read from the bill:

(b) Purpose of act: It is the purpose of this act to effectuate the policies set out in section 1 (a) by providing, among others, for the following major programs relating to atomic energy:

(1) A program of assisting and fostering private research and development to encourage maximum scientific progress;

(2) A program for the control of scientific and technical information which will permit the dissemination of such information to encourage scientific progress, and for the sharing on a reciprocal basis of information concerning the practical industrial application of atomic energy as soon as effective and enforceable safeguards against its use for destructive purposes can be devised;

(3) A program of federally conducted research and development to assure the Government of adequate scientific and technical accomplishment;

(4) A program for Government control of the production, ownership, and use of fissionable material to assure the common defense and security and to insure the broadest possible exploitation of the field.

Mr. CORDON. The point I make is that in the last analysis, if it comes down to a purely legal question of the power of the Government to control these patents by license or otherwise, the decision as to whether this activity, or the rights under the patents, as the case may be, are affected with public interest, would rest in the court, and the court would not be bound by any legislative declaration.

Mr. McMAHON. I think not. I do not agree with the Senator. I think when the Commission is authorized to declare a patent affected with the public interest, it would of course only do so provided the patent used atomic energy, and provided it used fissionable material, and before it granted a license to use the invention it would first have to come to the Congress with a thoroughgoing report on the whole subject.

Mr. CORDON. Will the Senator further yield?

Mr. McMAHON. I yield.

Mr. CORDON. The question is going to arise, I think, sooner or later, and I want to call attention to the decision of the Supreme Court, I believe, in the AAA case, in which Congress attempted to regulate agriculture, and the Supreme Court found that the act was unconstitutional because agriculture was not affected with public interest, even though the Legislature had attempted to say that it was.

Mr. McMAHON. I will say to my good friend from Oregon that, with all due deference to him, I would attempt to draw from the Butler case, frequently referred to as the AAA case, no analogies which would govern the interpretation of this subject, which has within its being the power to destroy us or make for a better world in the future.

Mr. CORDON. I have no doubt that that determination will be made by the Court, but the point is that I think it is up to the Court to make it.

Mr. McMAHON. I tried to emphasize to the Senate when I started that the committee became convinced that this subject wrote its own rules. It writes them out of the compulsion of logic. It writes them out of the sheer necessity that is inherent in this tremendous force. I say to the Senator that included in this bill are some things which the committee accepted only reluctantly, because I would be less than frank with the Senate if I did not emphasize that in some respects we have departed from our former method of handling public questions. I say to the Senator that logic compels our conclusion.

Mr. MILLIKIN. Mr. President, will the Senator yield to me?

Mr. McMAHON. I yield.

Mr. MILLIKIN. I should like to emphasize further the thought that the distinguished Senator from Connecticut has just expressed. This bill is full of provisions which I would not subscribe to in any other connection. I could not possibly regard what has been done here as a precedent in any other direction. I think it would be useful for the RECORD to have the distinguished chairman of the committee say that that was the sense of the committee, and that it was thoroughly understood in the committee that these extraordinary measures shall not be considered as a precedent for other legislation.

Mr. McMAHON. I stated, as the Senator from Colorado knows, my opinion during the deliberations of the committee exactly to the effect just stated by the Senator from Colorado. I think it is all bound up in the thought that logic compelled and necessity required that we should do what we have done in respect to mining, in respect to patents, in respect to the question of Government ownership of the production facilities of fissionable material, and in the requirements that no one shall be permitted to have at his disposal material which might constitute a private army or the force of a private navy. It was the realization that this material contained within itself that from which great blessings might flow, but also, unhappily, unless we handle it correctly and unless it is internationally controlled, unless we get effective—and I emphasize "effective"—methods of control of atomic energy, I say to the Senators that I for one will feel most discouraged as to our future. It is because we realized all that, that we decided that it had to be treated as we have treated it.

Mr. CORDON. Sui generis.

Mr. McMAHON. Sui generis, as I previously stated to the Senate today.

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

Mr. McMAHON. I yield.

Mr. MURDOCK. Realizing that the distinguished Senators from Colorado, as I understand, have both participated in the consideration and framing of the bill in committee, and due to the fact that I have not had time to give it extensive study, I ask what is the effect of the bill on the status of a prospector who goes out and locates a lode claim, or a placer claim for that matter, prior to patent or prior to the issuance of a license or permit of any kind by the Department of the Interior? What effect does it have on the status of the ordinary prospector who goes forth looking for ore of any kind?

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

Mr. McMAHON. I shall be glad to refer that question to one of the mining experts on the committee, the other being the senior Senator from Colorado [Mr. JOHNSON].

Mr. MURDOCK. Realizing that we had two such experts I wanted their opinion on this question.

Mr. MILLIKIN. I think my distinguished colleague the senior Senator from Colorado will agree that we were both very meticulous to see that if a man has a valid mining claim, if he has made a valid location, the reservation shall not apply as against him.

Mr. MURDOCK. As I understand the Senator, if the location of the claim has been perfected before the effective date of this act, then the Senator says any locator in that situation is fully protected by the provisions of the bill. But having in mind the prospector who does not have a perfected location on the effective date of this act, but has one

after its enactment, after it becomes effective, what is the effect of the bill on his activities as a prospector and a locator on a valid lode claim or placer claim after the effective date of the act?

Mr. MILLIKIN. I should say that if he does not have those vested and inchoate rights which a locator on the public domain acquires from making a valid location and doing the things subsequently required by law—if he is not in that status, if he has not reached that status—he continues to have his exploratory rights, but if he should find fissionable material, then it would be subject to the reservation which applies to the public domain which has not been validly entered for mining purposes.

Mr. MURDOCK. If the Senator will indulge me for a further question or two, let us assume, as has been suggested by the distinguished Senator from Connecticut [Mr. HART], that uranium is found in complex ores. Let us assume that the prospector, after the effective date of this act, discovers a ledge or a lode of lead ore. The large percentage of commercial value is in lead, but his assay shows at least some values in uranium or other fissionable material. What does that mean so far as the locator of the claim is concerned?

Mr. MILLIKIN. Has he made a valid location?

Mr. MURDOCK. We will assume that after the effective date of the act he makes a valid location. He has perfected the location, so far as it can be perfected, but it still is a location, and has not proceeded to patent. In the extraction of his ores from the lode, he finds that among other values it has some values in fissionable materials.

Mr. MILLIKIN. Under the case stated, it is my judgment that the uranium part of his ore would belong to the United States Government, but that that would not prevent him from exploring and developing the other ores.

Mr. MURDOCK. Of course, the mine locator is not in a position to separate the fissionable material from other material. Will he be interfered with at all in his regular processes or procedure of shipping the ore to the smelter and handling it as he handled it prior to the enactment of the law?

Mr. MILLIKIN. In my judgment some regulatory power would have to be exercised to see that such a situation did not arise. The Commission proposed to be established would prescribe certain rules and standards regarding the protection and handling of source materials. It seems to me that the Department of the Interior, on its part, could make rules which would not hinder the prospector, but would allow him to develop those things which were not fissionable; and that between the two bodies it would be possible to enable him to mine complex ores, and at the same time not allow fissionable materials to get out of control.

Mr. MURDOCK. In the opinion of the distinguished Senator from Colorado, is there anything in the proposed legislation which would discourage prospecting for ores on public lands?

Mr. MILLIKIN. I will say to the distinguished Senator that we tried scrupulously to accomplish what we had to accomplish in this bill, and at the same time encourage prospecting, because we all realize that we want to obtain fissionable materials, and that the only way we can get them is to encourage prospecting. We received many suggestions which would have locked up this whole thing in the public domain; wherever there was a suggestion of a fissionable material, it would at once become locked up and taken away, removed from the opportunity of the prospector. But we all decided that since we want fissionable materials we should encourage the production of such materials. That is one of the reasons why we were so careful to exempt the rights of a man who has a valid location. We felt that so far as we could draw an analogy there should be preserved the same kind of freedom in the prospector to find the fissionable ores as we want to preserve in the scientist to develop fissionable ores.

Mr. MURDOCK. I thank the distinguished Senator for his answer. Coming from him, it is a sufficient assurance to me as to the rights of the prospector. I think I realize as keenly as does anyone else that in the mining, production, and treatment of fissionable materials there is a problem. I heartily approve what the Senator from Connecticut has said, but I thoroughly agree with the Senator from Colorado that we want to encourage the discovery and location of fissionable materials. I believe that we can repose full confidence in the American prospector. He will be just as anxious and just as willing as any other part of our population to cooperate in safeguarding this material.

I thank the Senator.

Mr. MILLIKIN. I should like to ask my distinguished colleague the Senator from Colorado [Mr. JOHNSON] if he is in accord with the expressions which I have made.

Mr. JOHNSON of Colorado. Yes; I am in full accord with them. Any claims which are located prior to the enactment are not in any way interfered with, as is shown in the language which appears on page 43, paragraph (7), beginning in line 10 after the semicolon:

> Except that with respect to any location, entry, or settlement made prior to the date of enactment of this act no reservation shall be deemed to have been made, if such reservation would deprive any person of any existing or inchoate rights or privileges to which he would otherwise be entitled or would otherwise enjoy.

That takes care of the man who already has a claim or title to a claim. The next sentence is:

> The Secretary of the Interior shall cause to be inserted in every patent, conveyance, lease, permit, or other authorization hereafter granted to use the public lands or their mineral resources, under any of which there might result the extraction of any materials so reserved, a reservation to the United States of all such materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby.

The reservation in that second sentence goes only to the fissionable material. If there is a trace, the Government could control that trace. If there is a considerable quantity, the control extends to the considerable quantity. If the owner of the claim should not wish to mine the fissionable material, if he should adopt a dog-in-the-manger attitude and refuse to mine it, then under this provision the United States Government could go in and mine the fissionable material and pay him for such damage as it might cause to his holdings.

I completely agree with the statement of my colleague.

Mr. McMAHON. I thank the Senator.

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

Mr. McMAHON. I yield to the Senator from Oregon.

Mr. CORDON. First, let me compliment the members of the committee on a magnificent job in a field of substantially original research. I have run through the bill, and while I realize that no cursory attention to it could put one in possession of even an outline of the amount of research, study, and application necessary before this bill could be drafted, I do recognize that it is a magnificent piece of work.

Mr. McMAHON. I thank the Senator on my own behalf and on behalf of the other members of the committee.

Mr. CORDON. Even so, may I be critical again for a moment?

On page 61, continuing on page 62, are provisions in connection with the power to take patent rights. I find there standards for determining fair compensation. It has always been my understanding of the law that that is solely the judicial province, and that standards may not be established by the legislative body. I should like to have the view of the chairman on that question.

Mr. McMAHON. I regret to say that I cannot agree with the Senator's contention that the legislative body has not the right to establish standards for fair compensation. In this bill we have tried to establish fair and just standards in every case in which we provide for the taking of private property, and standards which can be wisely administered.

Mr. CORDON. Please understand that I have no criticism of the standards which have been established, or of the good faith and intention of the committee in establishing them; but that question arose in my mind, and I desired to have the Senator's view on it. I thank the Senator.

Mr. McMAHON. I thank the Senator from Oregon.

Mr. HICKENLOOPER. Mr. President, will the Senator yield to me?

Mr. McMAHON. I yield.

Mr. HICKENLOOPER. May I suggest to the Senator from Oregon that on page 62 there is provided an ample judicial review for anyone who is aggrieved by the application of the standard rule by the Commission?

Mr. McMAHON. Mr. President, there are only two more matters which I wish to refer to briefly, because time goes apace and, under the agreement, for this all-important matter we have only 2

hours in which to conclude its consideration.

I wish to refer, first, to the fact that in the bill we have made ample provision for the promotion of research, because, as I have previously indicated, we realized that unless we have progress in this field, we shall certainly drop back into a second-place position. So, under section 3 of the bill the Commission is directed to exercise its powers in such manner as to continue the conduct of research and development activities. Under the bill the Commission is empowered to conduct its own research operations. I call attention to the fact that the Commission is also authorized and directed to make arrangements, including contracts, agreements, grants-in-aid, and loans, for the conduct of research and development activities relating to atomic energy.

I desire to refer briefly to the fact that in section 6 of the bill we have carefully considered the subject of military applications of atomic energy, and under that section we provide for the complete monopoly of production of atomic weapons within the proposed Commission. That does not mean that the Navy and the Army will not have a right to conduct research in the field of atomic energy and atomic weapons. That does not mean that any citizen may not, independently of Government or of grants in aid of the Army or the Navy, proceed to use his inventive genius for the purpose of bringing about an improvement in the science.

Mr. President, I wish further to call attention to the fact that your committee realized that what we were writing was in a new field—a field in which there had been no experience. So we wisely, I think, concluded to write into the bill a recognition of that fact. If Senators will examine the bill, they will see that we specifically declare that we are writing interim legislation. I certainly would not be one who would believe that this bill may not have to be amended within a short period of time, because, although I think the committee has labored wisely and well, I think it would be impossible for any group of Senators to sit down and try to write a bill which would be a permanent blueprint in this new science.

Mr. President, it is my sincere conviction that this bill deserves the immediate and favorable action of the Senate. It is in every sense a nonpartisan bill. The subject was of too great importance to receive anything but consideration from the point of view of the national interest. It was approved, as I have indicated, after months of study and preparation, by men of both parties whose only concern was the best interests of our country and the people who compose it. That was the anvil on which every action was hammered out. That was the criterion by which every word was judged.

The bill comes to the Senate with unanimous committee approval. No section, no paragraph, no word was adopted except by unanimous consent. The achievement of unanimity on every phase of a subject so complex and so vital merits the approbation of Senators.

I believe it is an enlightened, forward-looking, common-sense bill, based on the realities of the world in which we live, the peculiarities of atomic energy, and the fundamental principles of our Government. It is a bill based on careful study and extended consideration. Aware of their unique responsibility as builders of the atomic age, the committee members labored long and arduously to forge in the fires of democratic action the finest instrument they could devise in the discharge of their grave assignment.

Mr. President, it strikes me that right here is an appropriate time to express again my profound sense of appreciation of the support and consideration shown by members of the committee to its chairman.

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

Mr. McMAHON. I yield.

Mr. VANDENBERG. The Senator is very kind in his comments in respect to the members of the committee.

I should like to say at this point in the RECORD that I am sure the committee reciprocates the chairman's feelings. One of the amazing things about this report upon this highly technical and involved subject is the fact that it is unanimous. That does not mean that there have not been the sharpest differences in the course of the consideration during the last 5 months. On the contrary, there have been almost bitter differences in the committee in the course of the evolution of the final product.

I wish to say that in my 18 years of service in the Senate and in my service on many committees, I have never known a committee which more zealously and faithfully and loyally undertook its task than this one, nor a committee which more earnestly explored every avenue of its responsibilities. For that net result the chairman of the committee himself is entitled to a very large share of credit. I wish the RECORD to show that, despite all the interim differences, the net report is not only unanimous on paper, but it is unanimous in fact and in spirit. I think that is a great compliment to the chairman, and I present him with this orchid.

Mr. President, I should like to have the RECORD show, in this connection, what the membership of the committee was. It was headed by the Senator from Connecticut [Mr. McMAHON], and the other members were the Senator from Georgia [Mr. RUSSELL], the Senator from Virginia [Mr. BYRD], the Senator from Colorado [Mr. JOHNSON], the Senator from Maryland [Mr. TYDINGS], the Senator from Texas [Mr. CONNALLY], the Senator from Vermont [Mr. AUSTIN], the Senator from Colorado [Mr. MILLIKIN], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Connecticut [Mr. HART], and the senior Senator from Michigan [Mr. VANDENBERG].

Mr. President, my time is running out and I do not intend to prolong the debate, but I wish to add before taking my seat that not only were there tremendous differences within the committee but also in the scientific world, as well as differences between the scientific world and the congressional viewpoint. Those differences often flamed during the course of the 5 months into what sometimes promised to be almost a fatal difficulty. But there again we reached unanimity of conclusion at the end of our consideration, and I think the scientific world approves the proposed legislation as completely as does the committee. I merely make that statement inasmuch as the Senate, on a matter of this utterly technical character, must necessarily accept the judgment of its committee, and must act substantially on the basis of confidence and faith in the committee's work, although in this instance confidence and faith are justified.

I express only the prayer and hope that the success which we have had in thus meeting the domestic problem may soon be paralleled in the larger area where, under the auspices of the United Nations, we must find an international formula for the international control of atomic energy on a basis which will effectively prohibit the use of atomic energy for destructive purposes anywhere in the world, and which will dependably police such situation against anyone who exercises bad faith. Except as we can move from this unanimous action to the larger unanimous action in the world itself, we shall hereafter confront the kind of destruction which may involve a war which will last minutes instead of months, and in which the first casualty list will be the last.

Mr. McMAHON. Mr. President, I am very grateful to the Senator from Michigan for his most generous remarks. I appreciate them very much.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McMAHON. I yield to the Senator from Colorado.

Mr. JOHNSON of Colorado. I wish to concur in the eloquent remarks of the Senator from Michigan, and the statement of the Senator from Connecticut, the very able chairman of the Special Committee on Atomic Energy.

While we are passing out compliments I do not believe that we should overlook our very efficient staff consisting of Dr. Condon, of the Bureau of Standards; James Newman, our counsel; Christopher Boland, the staff director; and other persons who were certainly faithful, and efficient. We had differences of opinion even with them, but all those differences were resolved. One difference of opinion—the Senator from Michigan hinted at it—was between the scientists and the Army. Our committee was able even to resolve that difference to the entire satisfaction, I think, of the scientists and of our highest military authorities. So, in our committee, Mr. President, we have really been doing some resolving.

Mr. McMAHON. If we could only get the Senate to resolve the bill, we would be entirely satisfied. I thank the Senator from Colorado.

Mr. WHERRY. Mr. President, I have not been on the floor during all the debate concerning the pending measure, and during the time when orchids were being handed out, but I should like to

add my appreciation to the services of the members of the committee and its staff. At the same time, I should like to bring them all back to the realities of the bill.

Has there been any statement made with reference to international arrangements?

Mr. McMAHON. Yes.

Mr. WHERRY. Is there any limitation which is to be placed upon the authority in respect to whatever arrangements may be made by the Commission, and are those arrangements to be referred back to the United States Senate in the form of a treaty to be ratified by the Senate?

Mr. McMAHON. Of course, we must appreciate that this bill deals with atomic energy within our own country. It is the business of the executive department, under the Constitution, to conduct negotiations looking to international arrangements. As the Senator knows, a very eminent and distinguished American, Mr. Bernard Baruch, was appointed by the President and confirmed by the Senate as our delegate to the United Nations Committee which will try to reach an agreement on this subject. When that agreement is reached—and may God be willing that it shall be reached—it will have to come back to the Senate for ratification.

I may say further that the Special Committee on Atomic Energy has kept in constant touch with the State Department and with Mr. Baruch. Next week the committee will confer with Mr. Baruch for the purpose of discussing his conclusions with regard to the exact course which should be pursued in the coming negotiations.

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

Mr. McMAHON. I yield.

Mr. VANDENBERG. I should like to make one further answer to the Senator from Nebraska. The point which I wish to make is an utterly fundamental one and has been, so far as the Senator from Michigan is concerned, ever since the bomb was dropped upon Hiroshima.

The United Nations Atomic Energy Committee has been set up under the action of the General Assembly of the United Nations. During the course of that action the record was clearly and distinctly made that every nation reserves to itself, by its own constitutional process, the approval of the ultimate recommendations of the committee.

When Mr. Baruch was appointed as the American member of the United Nations Atomic Energy Committee, and before he was confirmed by the Senate, I sent him a questionnaire in order to be perfectly sure that there could be no doubt with reference to the subject. One of the questions was the one which has been asked by the Senator from Nebraska this afternoon, and Mr. Baruch's categorical reply was that the Senate of the United States must pass upon the ultimate treaty which will contain the ultimate arrangements for the international control of atomic energy and, I hope, for the outlawry of its use for destructive purposes.

Mr. WHERRY. I thank the distinguished Senator from Michigan, and also the distinguished Senator from Connecticut for their statements relative to the question which I propounded. I feel that they have cleared up satisfactorily the point which I had in mind.

Mr. McMAHON. Mr. President, when the opportunity came to present this very necessary bill to the Senate we found that we had only 2 hours in which to do so. I had prepared and was ready to deliver a very extensive and minute analysis of each section of the bill. The committee report was filed with the Senate on April 19. It has been widely distributed to newspaper editors and to the public. I believe the subject has been so well discussed in the public press, and the proceedings of the committee have been so thoroughly understood, that it is not necessary for me longer to trespass upon the time of the Senate by making a more detailed explanation.

I ask unanimous consent, however, to have printed in the RECORD at the close of debate as a part of my remarks the explanation which I had intended to make, had more time been available.

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

(The explanation appears in the RECORD at the conclusion of the debate on the bill.)

Mr. McMAHON. Mr. President, I close my remarks by saying that I hope that we may, with all possible speed, conclude consideration of this bill. It is my opinion that consideration of the matter has already been delayed too long. I should have been delighted if the Commission, which is provided for in the bill, had been appointed a month ago so that it could have been in conference with Mr. Baruch and with the State Department in aiding and helping in the project of preparing a proposal for the international control of atomic energy. When the bill has been passed we shall have taken a historic step in a solution of one of the greatest problems which ever challenged the mind of man. I hope it will be found the committee has done its work well, and I trust that Senators can see their way clear to vote for the bill.

Mr. SMITH. Mr. President, will the Senator yield for a question before he takes his seat?

Mr. McMAHON. Will not the Senator permit me to offer several committee amendments to the amendment now pending? They provide for prohibition of the export of the component parts of atomic energy production devices. I call up the amendments.

The PRESIDING OFFICER. The amendments will be stated.

The CHIEF CLERK. On page 37, after line 19, it is proposed to insert the following new subsection:

(e) Manufacture of production facilities: Unless authorized by a license issued by the Commission, no person may manufacture, produce, transfer, or acquire any facilities for the production of fissionable material. Licenses shall be issued in accordance with such procedures as the Commission may by regulation establish and shall be issued in accordance with such standards and upon such conditions as will restrict the production and distribution of such facilities to effectuate the policies and purposes of this act. Nothing in this section shall be deemed to require a license for such manufacture, production, transfer, or acquisition incident to or for the conduct of research or development activities in the United States of the types specified in section 3, or to prohibit the Commission from manufacturing or producing such facilities for its own use.

On page 47, strike out lines 4 through 10, and in lieu thereof insert the following:

(b) Prohibition: It shall be unlawful for any person to manufacture, produce, transfer, or acquire any equipment or device utilizing fissionable material or atomic energy as a military weapon, except as may be authorized by the Commission. Nothing in this subsection shall be deemed to modify the provisions of section 4 of this act, or to prohibit research activities in respect of military weapons, or to permit the export of any such equipment or device.

On page 47, line 14, after the word "manufacture" insert "produce, or export."

On page 47, line 19, after the word "manufacture", insert "production, export."

On page 48, line 13, after the word "manufacture", insert "production, export."

On page 48, line 15, after the word "manufacture", insert "production, export."

On page 48, line 23, after the word "manufacture", insert "production, export."

On page 56, lines 5 and 6, strike out "as the Commission may determine" and in lieu thereof insert "as may be necessary to effectuate the purposes of this act."

On page 66, after line 5, insert the following new subsection:

(c) Advisory committees: The members of the General Advisory Committee established pursuant to section 2 (b) and the members of advisory boards established pursuant to subsection (a) (1) of this section may serve as such without regard to the provisions of sections 109 and 113 of the Criminal Code (18 U. S. C., secs. 198 and 203) or section 19 (e) of the Contract Settlement Act of 1944, except insofar as such sections may prohibit any such member from receiving compensation in respect of any particular matter which directly involves the Commission or in which the Commission is directly interested.

On page 69, line 13, after "4 (b)", insert "4 (e)."

On page 71, strike out lines 13 and 14, and in lieu thereof insert the following:

(a) The term "atomic energy" shall be construed to mean all forms of energy released in the course of or as a result of nuclear fission or nuclear transformation.

On page 72, after line 15, insert the following new paragraphs:

(f) The term "equipment or device utilizing fissionable material or atomic energy" shall be construed to mean any equipment or device capable of making use of fissionable material or peculiarly adapted for making use of atomic energy and any important component part especially designed for such equipment or devices, as determined by the Commission.

(g) The term "facilities for the production of fissionable material" shall be construed to mean any equipment or device capable of such production and any important component part especially designed for such equipment or devices, as determined by the Commission.

The PRESIDING OFFICER. The question is on agreeing to the amendments proposed by the Senator from Connecticut on behalf of the committee to the committee amendment now pending.

The amendments to the amendment were agreed to.

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

Mr. O'MAHONEY. Mr. President, I regret very much to rise to ask a question at this moment. Perhaps it has already been covered, but I observe the provision with respect to public lands on page 43. I am wondering whether the committee is of the opinion that the language appearing there is sufficiently broad to prevent any person, corporation, or association which may have had anything to do with the atomic project during the war, and which may have acquired, or sought to acquire, locations or rights, inchoate or otherwise, upon the public domain, from perfecting such claims, would such claims be barred by the provision referred to?

The PRESIDING OFFICER. The Chair will take the liberty of stating that the Senator from New Mexico [Mr. HATCH] asked the same question of the Senator from Connecticut.

Mr. McMAHON. They would not be barred.

Mr. O'MAHONEY. Such claims would not be barred?

Mr. McMAHON. They would not be barred.

Mr. O'MAHONEY. I believe that such claims should be barred, and I shall endeavor to write an amendment which I should like to present for consideration. I think it is rather difficult to conceive that the Senate would be willing to pass a bill which would permit any corporation, association, or individual who participated in the Manhattan project, or any other project, to take advantage of such participation to assert rights upon the public domain.

Mr. McMAHON. Perhaps I did not understand the Senator's question. Let us assume that the Vanadium Corp. of America were digging uranium on the public lands for the purpose of sale to the Manhattan project. Is that the situation the Senator has in mind.

Mr. O'MAHONEY. I have no reference to any corporation at all.

Mr. McMAHON. I understand that; I am merely using that as an illustration because the Vanadium Corp. was a supplier of the Manhattan project.

If the Senator will read carefully the provision written to take care of the public lands, he will find that if there is a perfected claim the owner of such claim can proceed to prospect it and mine it, but when he has separated the uranium from its place in nature, then he must get a license from the Commission to move it, and he must sell it to the Commission. I might say to the Senator that all that he is compensated for is the digging, the exploring, the taking of it out of the ground.

Mr. O'MAHONEY. No compensation is allowed for the value of the material itself?

Mr. McMAHON. To those who go down to the Interior Department today, after the passage of the pending bill and file a perfecting claim, no compensation will be paid for the material itself. In the case of those who have perfected claims on the public lands, the Commission would be empowered to make compensation for the material itself.

Mr. O'MAHONEY. Mr. President, I am talking about a specific class of claimants, namely, claimants who might possibly, for the purpose of acquiring private rights have utilized their access to secret information, and their access to a development which was made possible by the appropriation of billions of dollars of public funds. I cannot believe that the committee would leave the door open to such a raid upon the public domain and upon the Public Treasury. Not that it may have happened; I have no reason to believe that it ever did happen, but certainly the door should not be left open.

Mr. JOHNSON of Colorado. Mr. President, will the Senator from Connecticut yield?

Mr. McMAHON. I yield.

Mr. JOHNSON of Colorado. The Senator will discover, if he reads carefully the provisions of the bill, that the Government itself has a complete monopoly of all fissionable materials.

Mr. McMAHON. All source materials, as well as of fissionable materials.

Mr. JOHNSON of Colorado. All source materials. Of course, we could not do violence, and did not care to do violence, to anyone who had a claim on the public domain, but he cannot market, really, any of this material. There is only one market, and he has to take the price that is offered him by the United States Government.

Mr. O'MAHONEY. I submit that the Senator does not concentrate his attention upon the point I am asking. I have no desire to deprive a person who in good faith made a location upon the public domain of the right to complete the location, provided such a person was not in privity with the atomic project. I think any person who was in privity with the atomic project should not be entitled to any benefit whatsoever.

My thought is, Mr. President, that there should be added at the appropriate place an amendment which would read something like this:

> *Provided, however,* That no person, corporation, partnership, or association which had any part, directly or indirectly, in the development of the atomic bomb project, may benefit by any location upon the public domain taken after such person took part in the project.

Mr. JOHNSON of Colorado. Mr. President, the amendment which the Senator proposes is not necessary at all because there has been no occasion of that kind. No corporation or person, up to the present moment, has made one red cent out of the mining of uranium ore.

Mr. O'MAHONEY. I am not talking about what may have been done in the past; I am talking about what may be done in the future. I know that the air was full of rumors of efforts upon the part of some who were in privity with the project to obtain rights upon the public domain. Whether there is any basis for those rumors, I know not, but certainly the amendment which I now suggest would harm no person who was in good faith. It would deprive no bona fide locator of any right, and it certainly would not be disadvantageous to the Government.

I suggest that the committee accept the amendment and take it to conference, so that the matter may be surveyed.

Mr. JOHNSON of Colorado. Will the Senator yield to me for a moment?

Mr. McMAHON. I yield.

Mr. JOHNSON of Colorado. The holder of such a claim as the Senator described cannot make any profit out of it. He has to sell all the source material to the Government at the Government's price.

Mr. O'MAHONEY. What of it?

Mr. JOHNSON of Colorado. Who is going to make any "killing" on that kind of a proposition? It simply is not within the provisions of the bill for anyone to make a profit.

Mr. O'MAHONEY. Mr. President, all I know about the bill is what I have read in the report, at which I just glanced, and in the print which which appears before us, on page 43, I find this language:

> All uranium, thorium, and all other materials determined pursuant to paragraph (1) of this subsection to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the public lands are hereby reserved for the use of the United States; except that with respect to any location, entry, or settlement made prior to the date of enactment of this act no reservation shall be deemed to have been made—

Mr. JOHNSON of Colorado. "If."

Mr. O'MAHONEY. Mr. President, I think, perhaps, rather than by the proposed amendment I dictated while extemporaneously talking about the matter, the idea I have in mind would be much better by striking out the words "prior to the date of enactment of this act", and substituting in lieu thereof "prior to the date of the beginning of any Government experimentations for the development of the atomic bomb."

Mr. JOHNSON of Colorado. The Senator did not finish the sentence he was reading.

Mr. O'MAHONEY. Very well, I shall finish it.

Mr. JOHNSON of Colorado. Beginning with the word "if" in line 13, I wish the Senator would proceed.

Mr. O'MAHONEY. I read:

> Shall be deemed to have been made, if such reservation would deprive any person of any existing or inchoate rights or privileges to which he would otherwise be entitled or would otherwise enjoy.

In other words, at any time from now on until the bill is signed a right may be asserted, and by this language it is protected, no matter by whom the right is claimed. It may be made by any person who participated in the atomic-bomb project. Certainly, Mr. President, it is not the intention of the committee to grant such a wide-open opportunity for the exploitation of the public domain. I certainly hope the amendment which I

have suggested will be accepted by the committee and taken to conference.

Mr. JOHNSON of Colorado. I wish the Senator would proceed and read at the bottom of page 43, beginning with the word "any"; I wish he would read that language in connection with the language which he has just read.

Mr. O'MAHONEY. Very well.

The Secretary of the Interior—

Mr. JOHNSON of Colorado. No; begin with the word "any", at the bottom of page 43, in line 25.

Mr. O'MAHONEY. Let me read the prior sentence so we may all understand the connection.

Mr. JOHNSON of Colorado. Very well.

Mr. O'MAHONEY:

The Secretary of the Interior shall cause to be inserted in every patent, conveyance, lease, permit, or other authorization hereafter granted to use the public lands or their mineral resources, under any of which there might result the extraction of any materials so reserved, a reservation to the United States of all such materials, whether or not of commercial value, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for, mine, and remove the same, making just compensation for any damage or injury occasioned thereby.

Mr. President, the reading of that sentence to my mind only increases the confusion and proves emphatically the necessity for writing into the bill such an amendment as I suggest.

Mr. JOHNSON of Colorado. The last sentence the Senator read pertains to land which will be filed upon after the passage of this measure.

Mr. O'MAHONEY. Not at all. It does not say that. It merely says "in every patent, conveyance, lease, permit, or other authorization hereafter granted."

Mr. JOHNSON of Colorado. Yes; "hereafter granted."

Mr. O'MAHONEY. Certainly. But the rights which have accrued by allocation heretofore are exempted from that provision, or else there is no meaning in language. By this language a lawsuit is being created.

Mr. JOHNSON of Colorado. Will the Senator proceed and read the rest of the paragraph, beginning with the word "any."

Mr. O'MAHONEY. What I am unable to understand, Mr. President, is why the Senator resists a perfectly simple amendment that can cause no trouble to any person who has acted in good faith. All in the world I want to do is to close the door to a possible wrong, and certainly no member of the committee can take the position that it is the desire of the committee to permit any person who had any part whatsoever in this tremendous public expenditure for the development of fissionable materials to assert and maintain any claim upon the public domain to deposits of such materials.

Mr. JOHNSON of Colorado. While I have no objection to the Senator's amendment, I do not think it is at all necessary. I do not think it will add anything to the monopoly which the Government already possesses of the source materials, and the only fear I have of his amendment is that it may complicate other matters.

Mr. O'MAHONEY. I can see no possibility of it complicating anybody or anything, because all it does it to say that a person who was in privity with this great project shall not gain any advantage thereby. That is a fundamental principle of ethical conduct. If the amendment which I have hastily drafted—I do not want to ask the Senate to delay consideration of the bill—is not sufficient, or if it is too much, it can be perfected in conference. The bill has to go to the House. Now let it go out of the Senate with a clear implication that we do not want to open the door to abuses.

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

Mr. McMAHON. I yield to the Senator from Colorado.

Mr. MILLIKIN. If I understand the purport of the distinguished Senator's suggested amendment, it might put the Congress in the position of retroactively destroying the rights which the Senator knows a man who has made a valid location comes into even against the United States Government. If there is a fraudulent location, no matter by whom made, then the law has many remedies for vacating such a location. If the location is not fraudulent I know of no way whereby we can retroactively exclude a man from those rights which he gets even against the United States Government if he has made a valid location and has done the other things required by law to be done.

Mr. O'MAHONEY. Of course the Senator is quite correct. I have no desire to block any such person, but I do have a desire to say in language that cannot be misunderstood that any person who benefited by the tremendous expenditure of public funds, by the activities of scientists which were carried on in a patriotic effort to defend the Nation, shall be in a position to make a claim after he acquired secret Government information. It seems to me outrageous, Mr. President, that such a possibility should be encouraged.

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

Mr. McMAHON. I yield.

Mr. MILLIKIN. I most respectfully suggest that, it seems to me, if a valid location has been made we cannot upset it by retroactively declaring that because a man has been engaged in atomic energy work his location, because of that fact, retroactively has become fraudulent. I earnestly suggest to the distinguished Senator from Wyoming, who is so well acquainted with our western mining law, that that is something which would not be warranted.

Mr. O'MAHONEY. Mr. President, the Government of the United States made an appropriation and placed it under the highly secret custody of the President of the United States to be expended for the purpose of smashing the atom and developing the atom bomb so as to protect the very life of the Nation. That having been done, the scientists of the Nation, and of the world in some instances, were brought into an organization to search the country for deposits of fissionable material. Now shall we say that the mining law, which was intended to protect prospectors upon the public domain, shall be so interpreted as to permit those who were brought into this project by the Government of the United States in defense of its life to assert title to the public domain?

Mr. President, it seems to me that the question answers itself. I hope the committee will accept the amendment which I originally suggested, and take it to conference. Let us consider this question. Let us put the flashlight of public opinion on it. I cannot understand why the amendment should be resisted. If no wrong has been done, no one will be injured. If no advantage has been taken of the Government and of the private and secret knowledge, no one will be harmed. The amendment which I suggest has only one purpose. It is to protect the public domain of the United States from exploitation by those who, having participated in this project, may have attempted to go out upon the public domain and acquire rights.

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

Mr. McMAHON. I yield.

Mr. MILLIKIN. I should like to suggest to the distinguished Senator from Wyoming that there has been no secret about the growing value of fissionable materials. In Colorado the humble man who has taken up a claim and developed such materials has been able to sell them for the first time and obtain money for them. He proceeds on his own expectations that a certain ore will be profitable if he can find it, and he locates his claims accordingly. I do not know of any facts which would sustain the fear of the distinguished Senator from Wyoming. What I am afraid of is this: I do not believe that we can now say that anyone who has made a valid location under the existing standards at the time he made it can be deprived of the location because he may have had inside information that such a location, if he could find the ore, might be valuable. I appeal to the Senator's wide experience in such matters, and suggest that we would be doing something that is not sound.

Mr. O'MAHONEY. The Senator has answered himself. I say without any reservation whatsoever that no person having inside information—to use the phrase of the Senator from Colorado—should be permitted to profit by such inside information, since he secured it as the result of the appropriation of billions of dollars from the Treasury of the United States.

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

Mr. McMAHON. I yield.

Mr. MILLIKIN. Every mining prospector in Colorado who has produced fissionable material has benefited through the expenditure of Government money for fissionable materials, and they have all acted on the expectation of profit.

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

Mr. McMAHON. I yield.

Mr. HICKENLOOPER. I further suggest to the Senator from Colorado that most of them acted as employees, in one capacity or another, of the Manhattan project. Prospectors were prospecting

for these materials all over the West, financed, in many instances, as I understand, by the Manhattan project itself. We would deprive those men of their livelihood.

If the Senator will further yield, I should like to suggest another phase. Are we to say to the atomic scientist, in a hastily drawn amendment applying to this particular subject, that as a professor in a university in years to come he may not use the information which he gained in the laboratory? Are we to say to the engineer who worked on the Manhattan project or the Hanford project, "You may not, as an employee of private industry, use the engineering techniques which were developed at Government expense, and which form a part of your knowledge and capabilities"? Are we to say to persons who heretofore have validly, and without fraud, as suggested by the Senator from Colorado, located properties in connection with their business, in which some uranium may be found, "We are going to enact a retroactive statute destroying existing legitimate property rights"? I do not believe we can, unless we want to go into the brain of the scientist and deal with the handiwork of the engineer and say to him, "You may not use any of your engineering training or any of the education you have obtained in the Manhattan project, simply because you have obtained that information at Government expense and as a part of the war effort."

I believe that a broad principle is involved, which we should consider very carefully. I am convinced that under the terms of the bill the ownership of this metal and the control over the metal is so reserved in the Government that I do not see how in the world any company or individual could make a really worthwhile profit from the discovery or transfer of uranium.

Mr. McMAHON. I may say to the Senator from Wyoming that I am no more anxious than he is, or than anyone else is, that anyone should profit at the expense of the Government of the United States by taking undue advantage of a holding of public land. However, I invite the Senator's attention to the fact that if X corporation, which has been supplying uranium to the Manhattan project, extended its claims on the public lands for the purpose of obtaining more uranium to sell to the Government, it would not profit to any appreciable or measurable extent, because the Senator will see in section 5, on page 42, that the Commission sets the price. The Commission is the sole effective possible buyer. If X company were not to take the price set by the only purchaser in America, the Government, which price would be based on the work of getting the material out of the ground, it would not be able to profit very greatly under the situation which the Senator has described.

Mr. O'MAHONEY. Why permit the person who had inside information to acquire the title?

What the Senator from Iowa has said in attempting to compare the situation which I have described with that of a scientist is utterly without basis. Of course there is no analogy whatever. I use again the phrase used by the junior Senator from Colorado—"inside information." I suggest that if the language which has been reported by the committee is intended to mean what the junior Senator from Colorado says it ought to mean, this is the way it ought to read:

> Except that with respect to any location, entry, or settlement, made prior to the date of enactment of this act no reservation shall be deemed to have been made, if such reservation would deprive any person, whether or not he was acting as an agent of the Government of the United States, whether or not he had inside information derived from an appropriation made by the Congress of the United States, of any existing or inchoate rights or privileges which he may have asserted after he became associated with the atomic project.

The absurdity of such a position is so apparent that I am utterly unable to understand why the members of the committee resist the suggested amendment.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. JOHNSON of Colorado. I should like to ask the Senator from Wyoming if he has a proviso which he wishes to insert after the word "enjoy" in line 15. Would he state his amendment in the form of a proviso, and what would the language of the proviso be?

Mr. O'MAHONEY. As I stated to the Senator, I dictated a suggested amendment on the floor. Perhaps the official reporter who took down the amendment will come back and reread it. I would insert it precisely at that point.

Mr. JOHNSON of Colorado. I am sure that the committee would not resist such a proviso.

Mr. O'MAHONEY. It would be inserted on page 43, line 15, after the word "enjoy."

Mr. McMAHON. Would it not be possible to repeat, after the word "enjoy" language similar to that which appears in line 18, on page 44? It would then read:

> If such reservation would deprive any person of any existing or inchoate rights or privileges to which he would otherwise be entitled or would otherwise enjoy: *Provided, however,* That no payment made for source materials, as defined in this act, shall include any amount on account of the value of such material before removal from its place of deposit in nature.

Mr. O'MAHONEY. The Senator suggests an amendment which does not deal with the point I have in mind. At that point in the bill it would not cover the defect to which I am referring.

I invite the attention of the committee to the fact that at the beginning of subparagraph (7) on page 43 there is an express and complete declaration of a reservation to the United States of all fissionable deposits. That is followed by an exception. The deposits which are covered by the exception are not reserved to the United States. My only suggestion is that there be withdrawn from that exception all claims and locations of whatever kind or character which might be made by those who were in privity with the atomic-bomb project.

Mr. McMAHON. What is the Senator's specific suggestion?

Mr. O'MAHONEY. I have sent to the official reporters for the language which I dictated. It has not come back.

Mr. McMAHON. I myself see no objection to it. However, I wish to emphasize to the Senator the fact——

Mr. O'MAHONEY. I know that in this bill the committee has exercised every care to protect the rights of the Government. I have the highest admiration for the committee and for the great work it has done.

Mr. McMAHON. I thank the Senator very much; but I am not now engaged in distributing orchids either to myself or to any other members of the committee. I merely wish to point out to the Senator that the so-called chance for great profit which is at the heart and root of what the Senator is pointing out is illusory.

Mr. O'MAHONEY. There is nothing illusory about it, if I may reply to the Senator, because what we are doing here is granting away a title to the public domain. The law which is proposed here may be amended next year. It may be changed in many particulars. The limitations upon profit may be withdrawn. But the title will still be given away.

The official reporters have now furnished a copy of the suggested amendment which I stated. It would be to add, in line 15, on page 43, after the word "enjoy" the following proviso:

> *Provided, however,* That no person, corporation, partnership, or association which had any part, directly or indirectly, in the development of the atomic bomb project may benefit by any location, entry, or settlement upon the public domain made after such person, corporation, partnership, or association took part in such project.

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

Mr. McMAHON. I yield.

Mr. CORDON. I should like to inquire of the Senator from Wyoming, if I may, whether he believes that the Government of the United States can, by statute, take property rights created by a valid and subsisting mining location on the public domain?

Mr. O'MAHONEY. Mr. President, I do not believe that a mining location made under the circumstances which I have described would be a valid mining claim which should be supported. Therefore the suggestion of this amendment is to eliminate law suits. Let us close the door. Let us take this amendment to conference, as I have said over and over again.

The point I make, Mr. President, is simply that where the people of the United States have spent billions of dollars of public money subscribed by the people of the United States who bought the bonds and paid the taxes to develop this program and to develop this project, and where by reason of that expenditure they sent their agents out upon the public domain—I say "their agents"; they are the agents of the people of the United States—then I say that as to those agents, those possessors of inside information, as the Senator from Colorado has so aptly termed them, nothing we write into this bill should undertake

to protect them in obtaining title to the public domain.

Mr. McMAHON. Mr. President, let me say to the Senator that there is no member of the committee who wants any unfair advantage to accrue to anyone who took part in the Manhattan project. Neither do we want any unfair penalties to be applied.

The argument the Senator makes which appeals most to me is that he has offered a suggestion which he believes is necessary to safeguard the public interest. Perhaps the suggestion is a good one; perhaps it is not. Personally, I should like to study it further. I should be quite willing, personally, to accept the amendment, so that we can study it further and talk it over with the Senator when we get into conference on the bill.

Mr. O'MAHONEY. That is precisely what I am suggesting.

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

Mr. McMAHON. I yield.

Mr. MILLIKIN. I should like to make my position a little clearer. I am in accord with every ethical sentiment the Senator from Wyoming has expressed.

Mr. O'MAHONEY. I am sure of that.

Mr. MILLIKIN. I would no more go in the face of those sentiments than either of us would go in the face of the Ten Commandments.

My point is simply that we cannot retroactively attach the quality of fraud to something that was not fraudulent. If at the time of the location of a claim, locating it by inside information, under the circumstances described by the Senator, was fraudulent, then the claim is fraudulent without our saying anything about it. If it was not fraudulent, there is nothing we can say about it now that would make it fraudulent then.

Mr. O'MAHONEY. Mr. President, I will say to the Senator from Colorado that in the history of the development of the West, many a claim jumper paid for taking advantage of inside information by dangling at the end of a rope or standing before a pistol in the hands of an outraged principal.

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

Mr. McMAHON. I yield.

Mr. GURNEY. At the time when the Senate temporarily laid aside the selective-service bill, which had been made the unfinished business for consideration today, there was something of an agreement that consideration of the atomic-energy bill would take only a certain length of time. That time has passed, I may say, and we still have to consider today the agricultural appropriations bill.

So I suggest now that it might be proper to set aside temporarily the pending bill, when those who are most interested could get together on an amendment which they could later, after consideration of the agricultural appropriation bill is concluded, submit for the concurrence of the entire Senate. I make that suggestion in good faith, because the original agreement was, I am sure, entered into in good faith by all of us.

Mr. McMAHON. I say to the Senator from South Dakota that I think we are fairly near a final vote on the bill; I believe it will take only a few minutes more.

If the Senator from Colorado will concur in the suggestion I made to the Senator from Wyoming, I think we could adopt it.

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

Mr. McMAHON. I yield.

Mr. MILLIKIN. I think it is of the utmost importance, almost of vital importance, that this bill pass the Senate promptly and go to the House of Representatives and be passed by the House of Representatives and become the law. I understand, and I do not think we should violate the agreement which permitted the Senate to consider this bill at this time. It is my opinion that if we do not pass the bill on this occasion we probably shall not pass it prior to the summer recess of Congress.

So, merely to get it out of the way, and although I am in complete disagreement with the theory of the Senator from Wyoming, but not with the ethics involved, I am willing to accept the proviso in the hope that the conference will eliminate the amendment, so that we may not have a new crop of litigation, which we hope to avoid by this bill.

Mr. McMAHON. I thank the Senator.

Mr. MURDOCK. Mr. President, will the Senator yield to me?

Mr. McMAHON. I yield.

Mr. MURDOCK. I think the matter is too important to pass over hurriedly. In my opinion, the Senate of the United States simply should not, for the sake of expediency, adopt an amendment which would be retroactive as to vested rights.

I agree largely with what the Senator from Wyoming has said; but when rights are vested under any law of the United States, as they have been vested, according to the statement of the Senator from Wyoming, then how can we, as the Senator from Colorado has well pointed out, by statute do anything about them? I am a little surprised that any Senator would ask, for the sake of expediency or anything else, that the Senate put its stamp of approval upon that type of legislation.

Mr. McMAHON. Mr. President, I should like to answer the Senator from Utah, if I may, with the permission of the proponent of the amendment, by saying that if the theory of the Senator from Wyoming is correct, namely, that as a result of the acquisition of inside information persons went out on the public lands and filed claims for future use and for future development I do not think that with regard to the legalities of the situation we are doing any violence to the laws based on ethics as to the amount of profit which such a proponent of a claim may have.

Mr. MURDOCK. Mr. President, I will say to the Senator that we may have a perfect right, so far as fissionable material is concerned, to reach out and take it when it becomes personal property of the miner who has located the claim. But if we take the position today that we can retroactively destroy a vested title or a vested possessory right merely for the sake of expediency, then we can do it on any occasion for the sake of expediency. Mr. President, I simply do not believe the Senate of the United States should engage in that type of legislation, regardless of ethics or anything else.

Mr. FERGUSON and other Senators addressed the Chair.

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

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

Mr. FERGUSON. Mr. President, it appears to me that we should take a little more time and should devote a little more attention to the problem now before the Senate; namely, this amendment. I agree wholeheartedly that if any person, corporation, partnership, or association by fraud has acquired land or property rights in our public domain, we have the power, under this amendment, to take those rights from him. If one has committed a fraud upon the Government by entering upon the public domain and obtaining rights, he should not be entitled to them. If he has, however, at the time he acquired his rights obtained them legally under the law, we should not attempt to take them away without due process of law. We cannot by the adoption of this amendment take away such rights legally acquired merely because the person who acquired them was an employee. To do so would be taking private property without just compensation in violation of the fifth amendment of the Constitution which provides, in part, "nor shall private property be taken for public use, without just compensation."

This bill could not take away legally vested rights without just compensation, and what is just compensation is a judicial and not a legislative question.

Mr. McMAHON. Mr. President, I am sorry that I cannot yield any further time to the Senator. I am working under a limitation of time.

Mr. HATCH. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HATCH. Was a unanimous consent reached limiting the time of speakers?

The PRESIDING OFFICER. No such unanimous-consent agreement has been reached.

Mr. McMAHON. There was, however, a statement on behalf of the senior Senator from Michigan and myself to the majority leader, and to the Senator from South Dakota, and the Senator from Georgia, to the effect that we believed we would be able to conclude action on the bill within 2 hours. I ask unanimous consent that we have until 3 o'clock to discuss further the matter and see if we cannot come to a conclusion.

Mr. RUSSELL. Mr. President, I am willing to withhold any demand for the regular order until 3 o'clock, but if we cannot reach a vote on the bill by then, I shall demand the regular order so that I may be in position to move that the Senate take up and consider the agricultural appropriation bill.

Mr. JOHNSON of Colorado. Mr. President, will the Senator yield?

Mr. McMAHON. I yield.

Mr. JOHNSON of Colorado. Mr. President, I have tried to consider the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY] within the few minutes at my disposal. I see no harm in the amendment, because there simply is no such case as he describes. He is trying to cover what is only a theory. Therefore, I see no harm in accepting the amendment and allowing it to go to conference. I agree wholeheartedly with what my colleague has said, and with what has been said by the Senator from Michigan. But inasmuch as the amendment is entirely harmless, I see no reason why it should not be agreed to.

The PRESIDING OFFICER. Will the Senator from Connecticut state whether or not the committee accepts the amendment which has been offered by the Senator from Wyoming [Mr. O'MAHONEY]?

Mr. McMAHON. We accept the amendment.

Mr. O'MAHONEY. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming [Mr. O'MAHONEY].

The amendment was agreed to.

(The explanation of Senate bill 1717, for the development and control of atomic energy, submitted by Mr. McMAHON, and ordered to be printed in the RECORD at the close of the debate on the bill, is as follows:)

Mr. President, in delivering my remarks on the pending bill, I would appreciate being permitted to proceed without interruption until I conclude. I ask this because the bill under discussion deals with a subject which is not only new but extremely technical and difficult. In addition, the bill is so much of one piece that the significance of its various parts may be apparent only in the light of the whole and, therefore, can be explained clearly if I am permitted to describe the whole bill, without stopping to answer questions. If the Senators have any questions when I get through, I shall be glad to answer them to the best of my ability.

THE PROBLEM

Mr. President, on August 6, 1945, a single American plane flew over Hiroshima, in Japan, and dropped a single American-made bomb. That bomb destroyed the city, knocked Japan out of the war, and served notice on the world that science had at last harnessed "the basic power of the universe" and made available to man the giant force of atomic energy—for good or for evil. In war it had given us the most fearful of weapons. In peace it might bring us greater freedom than we had dared dream of before—greater freedom from toil, from hunger, and from disease.

In the blinding flash of that bomb men saw the birth of a new era in the history of civilization. When the smoke and the dust had settled over the rubble men discerned in the red sky above the ruins the shape of a huge question mark: What can be done to control this powerful giant of the split personality?

Today, almost a year later, this problem is still with us. In the light of its importance, all other problems seem insignificant, for on our answer depends not only whether we go on living, but more importantly, whether or not we have any civilization to hand down to our children and our children's children.

It is now, in the infancy of the atomic age, that the form of the future will be shaped. It is now, before the atomic fire grows too hot, that we can make the mold and pour the steel which will harden into set patterns of thought and behavior. It is now while the age of atomic power stretches before us, like an undeveloped continent, that we can still set our compass by the light of human intelligence and decide in which directions humanity will travel.

Although the problem of controlling the use of atomic energy is one which fronts the whole world, it is particularly an American problem for we wrought it and we were the first to use it. The responsibility may be great, but thank God that responsibility is ours and not that of our recent military adversaries.

In the light of that responsibility this body established a special committee, sent it out to study the problem, and instructed it to return with some answers. That committee is now reporting back. It has studied the problems and it is providing the best answer it is capable of giving. It is unanimously recommending the immediate passage of S. 1717, as amended in committee.

COMMITTEE WORK

Mr. President, your committee did not take its task lightly. Impressed with the gravity and the magnitude of the job to be done, it labored long and arduously at the task assigned to it by the Senate.

In acquiring a background of information and in the consideration of legislation, the committee met in almost daily session from November 27, 1945, through April 11, 1946. It listened to well over a million words of testimony in open and executive sessions from more than 100 witnesses. In conformity with the democratic process, it also gave consideration to points of view expressed by citizens and their organizations in more than 70,000 letters, telegrams, petitions, and resolutions which were addressed directly to the committee, in addition to those sent to its individual members.

Instead of beginning its work with consideration of specific legislation, the committee held public hearings of a general nature in order to acquire the scientific background and the basic technical facts necessary to an understanding of the problems involved. In a procedure which has been described as "unique in the history of Congress," committee members literally went to school to the only people who knew the answers—the men who had split the atom, released atomic energy and made the atomic bomb—the scientists. Perhaps never in the history of education have pupils gone to school to a more distinguished and more cooperative faculty, for the men of science had looked upon their handiwork, they were filled with fear, and they wanted us to understand why.

As they taught us what they knew, as they revealed to us what they had done, their fear communicated itself to us, too. "There are men living," we were told by Dr. Edward U. Condon, Director of the National Bureau of Standards and scientific adviser to the committee, "who know how to make a single bomb as destructive as 1,000,000 10-ton blockbusters. One such bomb, dropped on Washington or any other major city, may be expected to destroy its buildings utterly and wipe out its population."

In consideration of such testimony, and the testimony of scientific and military experts who had carefully measured what was left of the atomized cities of Japan, we would have been less than human had we failed to extend our imaginations from Hiroshima to Hartford, from Nagasaki to New York.

Nor could we find any comfort in the knowledge that the monopoly we now hold in the production of atomic weapons is precarious and certain to be short-lived. But most alarming of all was the conviction brought home to us by the scientists, and confirmed by our military witnesses, that there is no real military defense against the atomic bomb, nor is any defense in sight.

Having bombs of our own may give us the satisfaction of knowing that if some other nation wipes out our cities, we can wipe out theirs. That may be a grim sort of satisfaction, but it is not security.

The words of the great blind poet of Paradise Lost became meaningful for us:

"What if the breath that kindled those grim fires,
Awaked, should blow them into sevenfold rage,
And plunge us in the flames?"

Mr. President, when there is no military defense against a military weapon, then men must look elsewhere for their safety. The more we studied the problem the more it became obvious that our true security must rest on a much broader foundation than purely military might.

To be secure we need economic and industrial strength.

To be secure we need scientific advancement and achievement.

To be secure we need a people strong, healthy, and prosperous in the enjoyment of the fruits of such achievement.

To be secure we need a people whose patriotic fiber is fortified through constant reinforcement of their traditional forms of civilian government and their free institutions.

To be secure we need an international control strong enough and effective enough to keep war out of the world, entirely.

As the mass of evidence accumulated before the committee, it became apparent to us that our need for security in this dangerous age of atomic weapons, and our desire as a people to share in the benefits which atomic energy might bring to our daily lives, were not antithetic but, on the contrary, were collateral.

Our desire to put the powerful giant of atomic energy to work for the common good grew more and more impatient with the realization that we now have in our hands keys to health and plenty in a world that is rife with disease and starvation. How could we stop our ears to the cries of agony all around us, knowing that every day of delay in deciding what to do about the uses of atomic energy is a needless prolongation of human suffering in our own land and across the face of the earth? Last year one of every nine of all the men and women who died in the United States, died of cancer. This terrible scourge takes a toll year by year far in excess of the worst of our military casualties. In 1943, we had five times as many deaths from cancer as from combat. Yet the scientists tell us that radioactive iodine can be used to treat thyroid cancer, that radioactive strontium can treat bone tumors and that phosphorus made radioactive is a specific for leukemia.

We know that the availability of cheap radioactive materials makes them a promising research tool in fields of medicine, biology, chemistry, metallurgy, botany, and other sciences, as well as in industrial applications of these sciences.

The scientists assured us, too, that radioactivity can be used, in conjunction with detecting instruments, to map underground oil pools, to speed industrial analysis of metals in steel plants or refineries, to replace expensive X-ray apparatus in the analysis or testing of large metal pieces, to trace a specific molecule through a chemical reaction, to investigate the complex structure and properties of organic chemicals, to discover how therapeutic drugs work, to study plant growth and photosynthesis, to follow a liquid through a maze of pipes, to trace the

course of underground water, and in a host of other applications.

The possibilities of this new energy as a source of power are tremendous. The heat released from time to time during the operations at Hanford, Wash., raised perceptibly the temperature of the Columbia River. What could this kind of energy, properly harnessed, do for us in our daily lives, in the heating and lighting of our cities, in running engines and turbines? What could it do, this energy-releasing uranium, this portable, packaged source of power, if it were introduced in those rich and remote regions of the earth now far removed from sources of power? The possibilities are almost beyond imagination, but the scientists assured our committee, they will certainly come to pass within our own lifetimes if free development in atomic energy is able to continue.

Knowing all this health and wealth and happiness for our people is at our fingertips, I ask you, Mr. President, how could we do otherwise than apply ourselves with vigor and determination to the devising of the controls which will release this flood of God-given goodness to a world in dire need?

It was indeed fortunate in the framing of such controls through the writing of this bill, that the means to greatest national security coincided so largely with the desire of the committee to foster and promote research and development for the benefit of all the people. The scientific advancement which will give us these benefits, will also make us strong and secure.

In this day and age the thing which will bring us the greatest measure of security is to give our scientists the green light. To have them move forward, advancing the endless frontiers of science, developing new sources of power, and new ways of using power. To help them in every possible way to keep for America the lead we now have in the race for knowledge, which is the only real source of power and the only real guarantee of freedom. For today, as in the time of our Lord, the road to freedom is illuminated by the words: "And ye shall know the truth and the truth shall make you free." Today, more than ever, security is something dynamic.

In the final analysis, however, we can have complete and perfect security only in a world without war. And such a world can be brought about only through international cooperation and control among nations determined to preserve the peace.

Mr. President, as long ago as September 6, 1945, only 1 month after the bomb fell on Hiroshima, I publicly urged international control over atomic weapons. And I have found no reason since then for changing my mind. This bill, which you are being urged to enact into law, was specifically written to give maximum effect to policies agreed to by the United States and formulated by international agreement for the control of atomic energy.

Just what forms such international agreements should take it is not the function of this bill to determine, for it is confined entirely to domestic controls. However, to avoid any future conflict between domestic and international controls the bill provides for future changes and makes agreements automatically become void.

The committee's studies made it apparent that domestic legislation would have to be provided which did three things:

First. Give the country the greatest security.

Secondly, make available to the people the benefits of atomic science and its applications.

And, thirdly, promote and facilitate international cooperation for the control of atomic energy.

Mr. President, it is my sincere conviction that S. 1717, as amended and as unanimously approved by the committee, accomplishes the job which needs to be done. It does this, in the opinion of the committee, in the most efficient, most effective, and most far-sighted manner possible.

I would now like to examine the bill in the light of these objectives.

I turn first to a consideration of the powers granted the organization set up in this bill. Throughout my consideration I beg the Senators never for a moment to forget that these legal powers are being granted to equip a strong organization for controlling a physical power that can remake or destroy the world.

POWER TO CONTROL

This bill takes strong measures to protect us against a great menace. First of all, it prohibits any private ownership of the explosive material in an atomic bomb, the so-called "fissionable" material. It absolutely prohibits export of such material and prohibits its import by private persons. It prohibits private ownership of facilities producing this material. It prohibits private patents on production processes or on military devices using atomic energy. It prohibits unauthorized dissemination of information regarding production processes or regarding uses of atomic energy that have military importance. The production and ownership of this explosive material is to rest exclusively in the Atomic Energy Commission established in this bill. The Commission is to hold all patents on production processes and on military devices, paying just compensation to inventors and patent owners. The Commission alone is permitted to release information from the restricted category set up in the bill and to permit its free dissemination.

In approving this bill our committee agreed unanimously on the powers granted. They are the minimum powers necessary to protect this Nation, this city, this building itself against an atomic bomb manufactured within our own borders, or from the misuse of information or material in our possession.

Is there anyone among you who will contend that the times are now so propitious, the world so well-intentioned, and America so supremely secure that we can permit any Tom, Dick, or Harry to play ball with the stuff annihilation is made of? When a push button may destroy a city can we afford to leave such buttons in private hands? If not, then we cannot allow private persons to own the facilities for producing fissionable material.

Would you allow anyone to own the rights to an atomic weapon now?

This bill prevents anyone from holding patents on the explosive material in atomic weapons.

Would you spread before the world the blueprints of the atomic bomb now?

This bill keeps military information secret until its release can no longer injure our national security.

Furthermore, by providing that only the Atomic Energy Commission shall own and operate the plants producing fissionable material and atomic bombs, the bill insures that current production processes are known intimately only by Government workers or by the employees of firms under direct Government contract.

Even if these provisions occasioned financial loss to many private persons, even if their enforcement required the confiscation of extensive properties, mortal danger would still provide the grim necessity for their enactment. In fact, however, these provisions simply extend powers already held by the Government and they continue a legal situation which already exists.

Atomic energy was developed by the people's money, $2,500,000,000 of it. The Government now owns all fissionable materials and the plants where these materials are made. The Government guards those plants and the technical information about them, as secrets of national importance. To maintain these rights of ownership and the essentials of these secrecy provisions under the Atomic Energy Commission does violence to no one. It is not merely a step toward the conversion of our atomic energy installations to peaceful purposes; it is a necessary measure to insure their continued development and operation for all purposes.

The contention which I made at the outset of this speech, that this bill provides first of all for the security of this Nation, would be a mere bundle of hollow words if these provisions were any less strong or less comprehensive. These provisions for a Government monopoly over the information, the patents and the productive facilities required for making fissionable material and over the material itself, the patent provisions and those controlling information, are inseparable from one another. They are made to support and reinforce one another. Together they constitute our only immediate defense.

If anyone should say to me, "Such controls are extensive," I will agree with him. But if he should say to me, "Such controls are more extensive than necessary," then I will be forced to conclude that he has not realized, or has forgotten, the power of the atomic bomb. And I would want to paste up on the inside of his brow, where his mind could always see it, the sobering slogan: "Remember Hiroshima!" And to this I would add that the atomic bomb of Hiroshima is but a model T version. The scientists who made the bomb testified before our committee that the atomic bomb of the future may be a thousand times more powerful, may kill or maim everyone within 5 miles of where it strikes, and may affect every building within 40 miles. So far as we know now, such a bomb has not yet been built, but the scientists tell us it is perfectly feasible.

I have said that S. 1717 provides, first of all, for the national security. I have shown how the bill contains the controls necessary to avert immediate and sudden catastrophe. But the committee in approving S. 1717 was not so short-sighted as to think that we can achieve security by stagnation. A Government monopoly protects us only from dangers within our own borders. But any nation in time can learn our secrets—if not from us, then from that same book of Nature from which we learned them. We can be secure only by everlasting progress. This bill provides the means for the continuous development of atomic energy in all its aspects and applications.

The Atomic Energy Commission, as organized in the bill, is perhaps, first of all, a production agency. It is the agency empowered to produce materials releasing atomic energy and to make them into military weapons, if needed. There is nothing unusual in this assignment of duties. In time of peace, and for the most part in wartime too, the task of production is a civilian job. Production has never been a military function, and it is not a job for which military men are well equipped. The Atomic Energy Commission will in this bill bear roughly the same relation to the Army and Navy's procurement programs that any private industry—the steel, or the automotive industry, for instance—has always borne. It will receive orders for fissionable material and for atomic weapons from the Commander in Chief of the armed forces, the President; it will fill those orders; it will deliver on those orders as authorized by the President.

Like any good production agency, the Commission is also charged in its other divisions with research and development; it can devise new techniques of production; it can assist the armed forces in devising new weapons. Production and research in production, military work and research on military weapons

are activities of the organization which complement and strengthen one another. The bill establishes a Division of Military Applications in which military research is to be carried on, but nothing in this bill prevents any other person or agency in the United States from developing new designs for atomic weapons. The Atomic Energy Commission is expressly directed, under section 3 of this bill, to encourage such research by grants of money and loans of facilities and equipment. The only restrictions on military work apply to the manufacture of atomic weapons and to the use and manufacture of atomic explosives.

FREEDOM OF RESEARCH

Mr. President, if our national security depended merely upon our progress in the military arts, if this bill could stand or fall on how well it protects and promotes this progress, if simple military strength had been all our committee was concerned with, our task would have been simple indeed and we would have reported a bill back to you months ago. For surely nothing that makes for military strength is lacking from the provisions I have been discussing.

But the fact is—and I cannot repeat it too often—this bill is not a good bill because of the precautions it takes, because of the controls it establishes, because of the limitations it places on free development of atomic energy. This bill is a good bill because of the freedom it allows and because of the encouragements it gives to this development. Let me read from section 1 of the bill:

"Accordingly, it is hereby declared to be the policy of the people of the United States that, subject at all times to the paramount objectives of assuring the common defense and security, the development and utilization of atomic energy shall, so far as practicable, be directed toward improving the public welfare, increasing the standard of living, strengthening free competition in private enterprise, and promoting world peace.

"(b) Purpose of act: It is the purpose of this act to effectuate the policies set out in section 1 (a) by providing, among others, for the following major programs relating to atomic energy:

"(1) A program of assisting and fostering private research and development to encourage maximum scientific progress;

"(2) A program for the control of scientific and technical information which will permit the dissemination of such information to encourage scientific progress, and for the sharing on a reciprocal basis of information concerning the practical industrial application of atomic energy as soon as effective and enforceable safeguards against its use for destructive purposes can be devised;

"(3) A program of federally conducted research and development to assure the Government of adequate scientific and technical accomplishment."

There follow the other programs of the bill directed toward assuring the national security through atomic-energy control. Throughout the bill, provision is made for independent work by private individuals and for encouragement of this work by the Commission. Let me mention a few sections where these features are most obvious.

Along with the organization's own research conducted under its division of research, the bill provides in section 3 for assistance of all sorts to the research of other Government agencies, of private academic institutions and industrial establishments. The Atomic Energy Commission is authorized and directed to give financial assistance and loans of equipment and facilities for such research. In the distriubution of fissionable material under section 5, it is to give priority to applicants requiring this material in research.

DISSEMINATION OF INFORMATION

Providing a program for the control of scientific and technical information was one of the most difficult of the problems which came before the committee. We were faced with a dilemma: To provide, on the one hand, for our immediate military security, and, on the other hand, for the freedom necessary for scientific research and development on which our long-range national security depends.

It became apparent in the early stages of our work that existing legislation was inadequate to protect those secrets which all agreed should be safeguarded. Under the Espionage Act, an agent may be prosecuted for the transmittal of secret documents, but the transmittal of "information" as such is not limited by that act. Thus, according to the Attorney General's office, a foreign agent could receive or transmit top-secret information concerning the atomic bomb and not suffer any consequences.

Because of the immediacy of the problem and the changing nature of the types of information to be safeguarded, amending the Espionage Act was not the answer. Neither was it to be found in trying to draw, by legislation, a distinction between "basic scientific information" and "related technical information." It would be possible to empower the Commission to issue regulations on what information can and cannot be freely disseminated, but there were objections to this method; constitutional guaranties of free speech and press might be endangered; the Commission would be empowered to act arbitrarily and capriciously and a heavy burden would be placed on everyone to become familiar with all the changing regulations of the Commission.

How, then, could the problem be solved?

The committee became convinced that customary legislative devices could not suffice and only after much hard work was the solution evolved which would obviate all the difficulties I have mentioned.

Section 10 of the bill establishes certain categories of information which are designated as restricted data. Briefly, one who transmits or receives restricted data with intent to injure the United States or intent to give advantage to a foreign power will be subject to a penalty of not more than 20 years' imprisonment, $20,000 fine, or both. One who transmits such information with reason to believe that his action will have such a consequence is subject to a penalty of not more than 10 years' imprisonment, $10,000 fine, or both.

The Commission is empowered to withdraw, from time to time, any data which may be published without adversely affecting the common defense and security. Thus, the outside limits of the crime have been affirmatively established, placing everyone on notice as to what kinds of information are classified. It will then be a simple matter to find out whether any particular piece of information has been withdrawn from the restricted category. The Commission's withdrawal power can only reduce—it cannot enlarge—the scope of the crime.

Section 10 also establishes the Commission as the top authority in the Government with reference to what will or will not remain as restricted data, except in any case where a decision of the Commission concerning information is appealed by the Military Liaison Committee through the Secretary of War or Secretary of the Navy to the President.

Section 10 satisfies the needs of both military security and scientific progress and is consequently acceptable to military men and scientists alike.

FREE MINING PRIVILEGES

In section 5 of the bill, provision is made for the control of source materials, the uranium ores from which the fissionable material is made. This material is at the foundation of all atomic energy production. A supply of this material is indispensable to the Atomic Energy Commission's production program. To keep track of our supplies of this material and to prevent their export or diversion into unauthorized channels, S. 1717 requires that all transfers of source material be licensed by the Commission. To assure an adequate supply of source material for the Commission's production program, the bill enables the Commission to acquire stocks of this material or lands containing deposits of this material by purchase or through exercise of the right of eminent domain. Title to source materials on public lands is reserved to the Commission and the Commission is authorized to make investigations to determine the existence of deposits of this material on private property but is not authorized to explore on private property without the owner's consent. Thus far the bill goes—and no farther. There is no substantial interference in this bill with the rights of private mining interests. It is not the intent of the committee to authorize the Commission to engage in mining operations in competition with private mining activity unless such operations are necessary to insure to the Commission a supply of source materials adequate for carrying out its duties and responsibilities under the provisions of the bill. There is no discouragement to the individual private prospector who, as Senator MILLIKIN has reminded us, goes out with nothing else but "beans, bacon, and independence" and on whom the real burden of discovery of our mineral deposits has always rested.

FREEDOM OF INVENTION

There is a third great area in the development of atomic energy which this bill keeps free. This is the development of devices using atomic energy for peaceful purposes. There is no restriction in this bill on private invention.

Patent rights are preserved for invention and discoveries that will bring into our daily lives the wonderful benefits that atomic energy promises. Certain limitations are put on these patent rights, it is true. In particular, it is provided that the Congress shall have the opportunity to legislate before any economically revolutionary device is put on the market. This is only a sensible, necessary provision to protect our economic system against sudden upheaval. It is only a recognition of the revolutionary possibilities of atomic energy and the need to retain in times of sudden change the firm hand of congressional control.

It is provided, too, that where the patent monopoly of any device using fissionable material would be inimical to the purposes of this bill, the Atomic Energy Commission may make the device available by licenses to the general public, with payment of royalties to the patent owner. This provision constitutes no restriction on the operation of our system of private enterprise under free competition. It is necessary indeed to prevent monopoly and to promote free competition. It is necessary to make generally available, for example, devices using fissionable material in hospitals for the cure of cancer. Surely if one believes in the purposes of this act, he can raise no objections to patent provisions that are expressly designed to effectuate those purposes. The important thing to remember is that this bill provides incentives to inventors in the form of financial rewards and wherever possible in the form of traditional patent rights. This bill puts no damper on that private inventive genius which has helped to make our country powerful and rich and which is one source of our future security and wealth.

Mr. President, I have taken considerable time in expounding the philosophy behind this bill—showing what it seeks to do and why. But I have as yet said nothing about the means to accomplish its aims—the instrument for doing the job. That instrument is the organization which this bill would bring into being. This organization is not only the most efficient and effective instrument for doing the job to be done—it is, in fact, part and parcel of the objectives of the bill. The committee, after months of study, could find no other way to protect national security, foster scientific advancement for a prosperous economy and promote international cooperation for control of atomic energy while at the same time preserving and strengthening our traditional forms and institutions of government.

Let me begin my explanation of this organizational structure by going at once to the very heart of it—the Atomic Energy Commission.

THE COMMISSION

To accomplish objectives as broad as these, in a field of human activity as new and complicated as atomic energy, to handle powers as extensive as required is a task demanding the full-time attention of wise, experienced and independent men. The committee, seeing the problem in this light, rejected all proposals for an Atomic Energy Commission which might become a conglomeration of part-time representatives of special groups. To make policies affecting our lives, our safety, and the whole shape and substance of our future demands constant attention to the whole problem of atomic energy in our society. This is no job for part-time executives or a single administrator, either in the Army or outside it, no matter how long may have been his practical engineering experience; how brilliant his recent success, or how complete his understanding of our atomic energy development in all its scientific, technological and administrative detail.

S. 1717 would give the principal responsibility for the control and development of atomic energy to a Commission of five civilians of unquestionable caliber appointed by the President, with the advice and consent of the Senate and responsible to the President and the Congress. These men would devote their complete time and attention to the responsibilities of their high position. They would serve at salaries comparable to those on the highest level of government. As a special precaution, it is provided that the President shall submit to the Senate the qualifications of nominees for these positions at the time that their names are submitted for confirmation.

This bill, in short, considers the making of American atomic policy more than a problem in science, in military technology, or in production techniques; it considers it primarily as a problem in statesmanship.

Under the Commissioners, the bill sets up an organization with two main purposes: the efficient execution of the Commission's policies and programs and the proper participation of other groups, military and scientific, that have legitimate interests and responsibility in the atomic energy field.

I would like now to explain these two aspects of the organization structure. They are fundamental in understanding how this bill provides for our national security without retarding unnecessarily the peaceful economic progress of the country or endangering our chances for a lasting peace.

GENERAL MANAGER

It is essential that the organization subordinate to the Commission be able to operate efficiently. It should operate, as any other organization in business or Government operates, under the administrative direction of one man, who has some independence and power in his office and is responsible for the faithful execution of policies. S. 1717 provides for a General Manager to be appointed by the President to carry out the plans and policies laid down by the Atomic Energy Commission.

This General Manager, it is expected, will have the same administrative authority over the plant, equipment, and employees of the organization that the head of any old-line Government department has where efficient administration is the administrator's real job.

FOUR DIVISIONS

The framework of the four divisions subordinate to the General Manager can be judged only in relation to the powers which the organization is to exercise and the problems it is expected to meet. These four divisions are Production, Engineering, Research, and Military Applications.

The Division of Production will carry out production programs—the running of plants and the provision of raw materials for this work.

Problems in the construction of new plants or redesign of existing plants or engineering problems related to industrial uses of atomic energy will come under the supervision of expert engineers of all kinds in the Division of Engineering. This work was set up in a separate division as the result of testimony in committee hearings on the experience of the Manhattan district project and the many unusual and difficult engineering problems involved.

The research programs of the organization itself are placed under the Division of Research, but this Division is given no power over private research and no responsibility for extending the many aids to private research provided for under the bill. These responsibilities are left with the Commission.

The military applications of atomic energy are set up in a Division of Military Applications. This Division is to carry on the development work on atomic weapons which the organization is directed to undertake, though not to the exclusion of the armed forces or of any person or agency.

These divisions were set up in the bill after a thorough study of the duties and anticipated problems of the organizations. They are designed to make the organization operate efficiently both in its immediate job of production and control and in its long-range task of developing both military and peacetime applications of atomic energy. They reflect clearly the intention of the bill to provide for both the military security and the peaceful progress of the United States.

I now turn to the other aspect of the organization's structure: The provisions for participation by skilled scientists and technicians and by the armed forces.

ADVISORY COMMITTEE

A General Advisory Committee is set up to be composed of nine civilians appointed by the President. They are to meet at least four times a year to advise and consult with the Commission on scientific and technical matters. There can be no doubt that this Committee will make it possible for scientists to participate in this work as a matter of right and will make it impossible for the Commission to go astray in its policies because of lack of scientific information.

MILITARY LIAISON

The Military Liaison Board is the principal avenue for military participation in the organization. This Board, to be composed of Army and Navy representatives appointed by their department heads, is given power beyond the mere advisory power granted to the General Advisory Committee. The Commission is to advise and consult with the Military Liaison Committee on all matters relating to military applications of atomic energy. On any matter which the Committee believes relates to military applications it has the right to protest to the heads of the Departments of War and Navy. Upon their discretion these Department heads may carry the protest to the President for final decision.

Surely no fairer or more proper method could be devised for enabling the armed forces to guard its legitimate interests in the work of the Commission. Furthermore this bill permits the armed forces to carry on research on atomic weapons. Subject to the Commission's right to set up safety regulations and to its powers over the actual materials that release atomic energy, research on, but not the manufacture of, atomic weapons is left free and open to all. There is nothing in the bill to hinder the Army's and Navy's military research programs. The Military Liaison Committee is, however, limited strictly to matters of military applications of atomic energy. Lacking the dignity of Presidential appointment, it will at all times be subordinate to the civilian Commission on matters of general policy.

ORGANIZATION SUMMARY

Here then, Mr. President, is the outline of the organization that is to direct this most difficult and critical activity. It provides for an organization equipped to continue whatever production and engage in whatever military research the immediate security of this country requires, while advancing, at the same time, the scientific and technological work on which the long-run security and economic welfare of this country depend.

Mr. President, this is a strong organizational mechanism. It is designed for a heavy load and for difficult operations. It is designed to bear large powers and to work quickly and efficiently in complex and untried fields.

CONGRESSIONAL PARTICIPATION

Mr. President, this bill is written for changing and difficult times. Its main purpose is to strengthen our national security, and one of the ways in which it does this is by reinforcing our traditional institutions of government. It is in line with our traditions that the Congress should play a large part in such an enterprise as this bill contemplates. Nothing could be so necessary as that the Congress should have the means of watching over this new and powerful organization, to assist it with new laws when new laws are required, to assess its operations and alter its powers and structure when necessary, to be ready to adapt it continuously to changing circumstances.

Because of its importance, I have purposely left until now all discussion of the role of Congress in the operation of the atomic energy organization set up by this bill. Section 14 provides for the establishment of a joint congressional committee of 18 members. Nine Members of the Senate are to be appointed by the President of the Senate, and 9 Members of the House are to be appointed by the Speaker of the House of Representatives. In both cases no more than 5 of the committeemen are to be members of the same political party.

This joint committee is to make continuing studies of the activities of the Commission and of problems relating to the development, use, and control of atomic energy. All bills, resolutions, and other matters in the Senate or the House of Representatives relating to the Commission or to atomic energy are to be referred to this joint committee, which is to report back to Congress, by bill or otherwise, from time to time.

There is another provision in the bill for congressional action which I want to mention here. This is the provision in section 7 for congressional control of the licensing of atomic energy devices. It provides the means for a carefully planned and well-considered introduction of this new energy in its civilian uses into our economic system. Before any new use of atomic energy is permitted, the Atomic Energy Commission is to

report to the Congress the probable effects of such an innovation on our economy and on our international position.

After making such a report the Commission must wait 90 days during which the Congress is in session before authorizing the innovation by licensing its manufacture or use. This provision looks into the future, to the time when new uses of atomic energy may make obsolete whole industries and create serious technological unemployment. The bill provides for the free development of industrial uses of atomic energy under private enterprise, with private patents, and a licensing system to prevent the evils of monopoly. But it provides that first the Congress shall be apprised of the full effects of such development and shall have the opportunity, either to let it move along freely or to guide it where its progress threatens to cause sudden hardship or widespread economic shock and suffering. Through these provisions, this bill preserves the prerogatives and the powers of the Congress and provides the means for their wise and effective employment.

Mr. President, I have told you about the powers contained in this bill. I have explained the organization which this bill sets up and I have described how, in the preservation of our traditional forms, provision is made for the active participation of the Congress in the development and control of atomic energy.

Now, there is just one more point I would like to make and I will touch on it only briefly because of the length of my remarks. I want to point out that this bill looks hopefully forward to the day when, through international agreement, or by other means, the magnificent power of atomic energy can be used solely to bring prosperity and progress to the people of a peaceful world.

The bill on the one hand, creates a favorable atmosphere for the achievement of international control, but on the other hand in no way compromises our supreme objective, the defense of the Nation. The bill opens the way for collaboration with other nations on a reciprocal basic, and yet provides complete safeguards for the security of the Militry Establishment. It is expressly stated in the bill that international arrangements approved by the Senate or by Congress will supersede the provisions of this act in case of conflict and furthermore, the Commission is directed to give maximum effect to the policies contained in any such international arrangements.

Mr. President, the development and control of atomic energy is an enormous and complicated endeavor. It has many parts; it can take many shapes; it can affect our lives in many ways—indeed, it can make or destroy us. If we can consider this whole bill in relation to the whole activity it covers, its real spirit and its true wisdom will become clear. This bill provides for free mining, free invention, free science, free industrial research. Even if this bill had been drafted only to provide this Nation with the means of waging war, it would have been a foolish and near-sighted bill if it had failed to provide for these freedoms. Freedom is the source of our strength. And in fact freedom is more than this, it is a precious possession in itself and the source of our wealth and happiness.

At the same time that this bill gives these freedoms it takes the necessary police measures over atomic energy for our troubled and dangerous present. With these police measures, the bill provides us with the means of retaining our immediate military strength and of continuously increasing it as long as the unfortunate necessity for it shall remain.

With all this power of control and develpment, the organization established in this bill is set within the traditional forms of that government we so cherish and we so hope to preserve. The atomic-energy organization is responsible to the courts and to the Congress, not merely in theory but in actual practice, through specific provisions of this bill. The bill is written not only for the world of power politics which we must soon outgrow but it aids that growth by encouraging international agreements and by creating the atmosphere of peaceful cooperation in which such agreements can be formed and successfully executed.

Looking at the problem as coolly as a man can, and keeping in mind all its aspects and possibilities, I can conceive of no other combination of powers and duties and no other structure of organization, no other provisions for contingencies that could be better fitted to this complicated and difficult subject.

Mr. President, it is my sincere conviction that S. 1717 deserves the immediate and favorable action of the Senators.

It is in every sense of the word a nonpartisan bill. The subject was of too great importance to receive anything but considerations of national interest. It was approved, after months of study and preparation, by men of both parties whose only concern was the best interest of our country and the people who compose it. That was the anvil on which every section was hammered out. That was the criterion by which every word was judged.

It is a bill which comes to you with unanimous committee approval. No section, no paragraph, no word was adopted except by unanimous consent. The achievement of unanimity on every phase of a subject so complex and so vital merits the Senators' approbation.

It is an enlightened, forward-looking, common-sense bill based on the realities of the world we live in, the peculiarities of atomic energy and the fundamental principles of our Government.

It is a bill based on careful study and extended consideration. Aware of their unique responsibility as molders of the atomic age, the committee members labored long and arduously to forge in the fires of democratic action the finest instrument they could devise in the discharge of their grave assignment. Mr. President, it strikes me that right here is a good time to do something I have wanted to do for a long time—and that is, to pay public tribute to the devotion, the energy and the zeal with which the members of the committee tackled their job. It required from each one of them many hours of painstaking work in a field new to all of us. Without their selfless application to the complex problems before us, we might still be floundering around in the uncharted seas of atomic energy legislation.

Mr. President, S. 1717 is a single bill. It is a unified structure. Certain provisions are so closely connected with others that amendments to one section might destroy or damage several other sections. Each provision is a necessary strand in the closely knit fabric of the bill as a whole.

Mr. President, it is now within the province of this body to say "Yes" or "No" to this bill—but not to this bill alone. The principles which underlie United States legislation on atomic energy must serve as the foundation stone for the mansion of tomorrow. They are principles which will undoubtedly guide the framing of legislation in many countries. We are faced with a responsibility of immense gravity. In His infinite wisdom, the Almighty God had placed it in the power of the Senators to be architects of the future. That task will require from the men of Government in this Congress wisdom, imagination, and courage to equal the wisdom, imagination, and courage displayed by the men of sciences in giving us atomic power.

Mr. President, now, if ever, time is of the essence, for humanity stands today at the cross roads of history. We hold in trust a power that is capable of unraveling the very fabric of our civilization or of development as a mighty force for human welfare. The "force from which the sun draws its powers" is at the beck and call of man. Shall this force be used for good or for evil? For construction or destruction? For life or death? The Senators must say.

Mr. President, the only power on earth greater than atomic power is the power in the brain of man. I have supreme faith that through the exercise of that power we will refuse to be the engineers of our own destruction. Instead, God willing, we will put the giant of atomic energy to work building a nobler country in a finer world for the benefit of all the people.

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

The amendment as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill (S. 1717) was ordered to be engrossed for a third reading, read the third time, and passed.

AGRICULTURAL DEPARTMENT APPROPRIATIONS, 1947

Mr. RUSSELL. Mr. President, I move that the Senate proceed to consider House bill 5605, the Agricultural Department appropriation bill for 1947.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

Mr. GURNEY. Mr. President, reserving the right to object, it is conceded, is it not, that it is the intention of the Senator from Georgia to conclude consideration of the bill this afternoon, and that on Monday next we shall proceed with the regular order of business?

Mr. RUSSELL. I do not expect that consideration of the bill will require more than a few minutes. I know of no controversial points with regard to the bill which would prevent disposing of it so that we may be able to adjourn by 4 o'clock.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Georgia.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 5605) making appropriation for the Department of Agriculture for the fiscal year ending June 30, 1947, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. RUSSELL. Mr. President, I ask unanimous consent that the formal reading of the bill be dispensed with, that it be read for amendment, and that the committee amendments be first considered.

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

The clerk will proceed to state the committee amendments.

The first amendment of the Committee on Appropriations was, under the heading "Department of Agriculture—Office of the Secretary—Salaries and expenses," on page 3, line 20, after the word "same", to strike out the colon and the following additional proviso: "*Provided further*, That no part of the funds

appropriated by this act shall be used for the payment of the compensation of any officer or employee who authorizes or causes to be authorized the operation and administration of more than one warehouse inspection service under the jurisdiction of the Secretary, and appropriations and funds available for such services shall be transferred and consolidated and expended and accounted for as a single fund."

The amendment was agreed to.

The next amendment was, under the heading "Office of Information—Printing and binding," on page 7, line 22, after the word "provided", to strike out "$1,294,000" and insert "$1,325,000."

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Agricultural Economics," on page 10, line 16, after the word "exceed", to strike out "$1,988,589" and insert "$2,121,589."

The amendment was agreed to.

The next amendment was, on page 11, line 7, after the word "trends", to strike out "$1,923,457" and insert "$2,173,457"; and, on page 12, line 1, after the word "authorizations", to strike out "*Provided further*, That no part of the funds herein appropriated or made available to the Bureau of Agricultural Economics shall be used for State and county land-use planning, or for the maintenance of regional offices, or for conducting social surveys" and to insert "*Provided further*, That no part of the funds herein appropriated or made available to the Bureau of Agricultural Economics shall be used for State and county land-use planning, for conducting cultural surveys, or for the maintenance of more than one professional worker in the respective regional offices, and that all work done by the Bureau in the States shall be done in cooperation with or on the approval of the respective land-grant colleges."

Mr. RUSSELL. Mr. President, on behalf of the committee, I send forward an amendment to the amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. In the committee amendment on page 12, line 7, after the word "Economics," it is proposed to insert "under the heading 'Economic investigations'," and on the same page, in line 11, after the word "States", it is proposed to insert "out of funds appropriated or made available for 'Economic investigations'."

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

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

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

The next amendment was, on page 12, line 21, after "951–957)", to strike out "$2,037,000" and insert "$2,132,000."

The amendment was agreed to.

The next amendment was, under the heading "Agricultural Research Administration—Office of Administrator," page 15, line 23, after the figures "$20,000", to insert "to be immediately available."

The amendment was agreed to.

The next amendment was, under the subhead "Office of Experiment Stations—Payments to States, Hawaii, Alaska, and Puerto Rico," on page 18, line 19, after the name "Territory of Alaska", to strike out "$27,500" and insert "$37,500"; in line 20, after the words "for Alaska", to strike out "$42,500" and insert "$52,500"; and in line 24, after the name "Puerto Rico", to strike out "$7,206,208" and insert "$7,216,208."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Animal Industry—Salaries and expenses," on page 20, line 16, after the word "hatcheries", to strike out "$928,400" and insert "$965,900."

Mr. HAYDEN. Mr. President, I send forward an amendment to the committee amendment, and ask that it be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Arizona will be stated.

The CHIEF CLERK. In the committee amendment, on page 20, line 16, after the figure "$965,900", it is proposed to strike out the period, substitute a comma, and insert the following: "including not to exceed $20,000 for construction of three or more buildings at the Southwest Poultry Experiment Station, Glendale, Ariz."

Mr. HAYDEN. Mr. President, that amendment is necessary, and I hope that it will be agreed to.

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

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

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

The next amendment was, on page 20, line 19, after the word "products", to strike out "$855,000" and insert "$917,986"; and in line 20, after the word "including", to insert "not to exceed $30,000 for construction of a building to be used in conducting investigations of pneumoencephalitis in poultry and."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Dairy Industry," on page 24, line 10, after the word "exceed", to strike out "$474,032" and insert "$520,320"; and in line 20, after the word "butter", to strike out "$956,012" and insert "$1,011,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Plant Industry, Soils, and Agricultural Engineering—Salaries and expenses," on page 25, line 18, after the word "crops", to strike out "including not to exceed $26,800 for investigation in the blackroot disease of sugar beets, $2,364,500" and insert "$2,590,800."

The amendment was agreed to.

The next amendment was, on page 26, line 8, after the word "plants", to strike out "$1,991,000" and insert "$2,136,400."

Mr. MYERS. Mr. President, I send forward an amendment to the committee amendment and ask that it be read.

The PRESIDING OFFICER. The amendment offered by the Senator from Pennsylvania will be stated.

The CHIEF CLERK. In the committee amendment, on page 26, line 8, it is proposed to strike out "$2,136,400" and insert in lieu thereof "$2,151,400."

Mr. WHERRY. Mr. President, may we have an explanation of the amendment?

Mr. MYERS. Mr. President, if this amendment should be agreed to, I shall also propose that, on page 26, line 6, after the word "fruit", the word "mushrooms" be inserted.

Mr. President, I think that half the mushroom industry is located in Pennsylvania, but mushrooms are grown commercially in at least 40 of the 48 States of the Union.

With expansion of the domestic industry following World War I, many cultural problems developed. Lack of knowledge of controls for diseases affecting mushrooms caused heavy losses to farmers. The United States Department of Agriculture appropriation in 1927 provided funds for work on disease study, as well as for insect study. The disease study, pursued in the Bureau of Plant Industry, continued without interruption until 1943, when the investigator was transferred to other work. Since this time, under war conditions, the item was dropped from the Budget. The industry was advised that no request was made by Plant Industry in the 1947 Budget because departmental estimates were made up before VJ-day.

With industry expansion, diseases are an increasing problem, causing both economic and food loss to the grower and the public. The Department investigations have resulted in practical controls of one common disease, "bubbles," or mycogone. However, no controls have been found for several other diseases attacking the growing crop, such as verticillium spot, truffle disease, flock, and verdigris.

At Beltsville there is an experimental mushroom house which, through disuse, needs some repairs and equipment. The $15,000 requested should do this and reinstate adequate research, the findings from which would be of great value to the American mushroom farmer.

Although the bill provides certain funds for insect studies, it provides no funds for disease studies, and that is why I am asking that the committee amendment be increased by $15,000.

The PRESIDING OFFICER. Does the Senator ask unanimous consent that the word "mushrooms" be inserted in line 6 after the word "fruit"?

Mr. MYERS. I do.

Mr. RUSSELL. Mr. President, would that have the effect of amending the text of the bill?

The PRESIDING OFFICER. It is only in connection with the increase of $15,000 in the appropriation.

Mr. RUSSELL. Mr. President, I regret very much to be compelled to oppose the request. The subcommittee went into this matter and conducted hearings on

it. This is an appropriation which a gentleman who is at the head of the mushroom producers and canners of the United States presented to us, but we had absolutely no evidence from the Department that there was any disease that was doing any damage to the mushroom industry at this time.

We did have presented to us evidence to the effect that there were some insects attacking mushrooms, and under the appropriation for the Bureau of Entomology and Plant Quarantine there is an appropriation for research dealing with that phase of the mushroom industry. There was nothing from the Department to show that there was any necessity whatever for this appropriation. I do not feel that we can justify it.

Mr. AIKEN. Mr. President, what amount is allowed for study of insect pests affecting mushrooms?

Mr. RUSSELL. The full amount of the budget estimate was $6,500.

Mr. AIKEN. And they are asking for $15,000?

Mr. RUSSELL. That is for different work altogether. The Department saw the necessity for work on the insects which were attacking the mushrooms, but not for any disease study. From this gentleman who represented the association we obtained no evidence whatever that there was any disease of the mushroom plants.

Mr. AIKEN. My experience with mushrooms is very limited. I spent 50 cents for a brick of spawn when I was about 10 years old, and I never got the 50 cents out of it, and I never learned to like mushrooms very well. But I realize that during the war particularly mushrooms have played an important part in the diet of the American people, and their use has increased tremendously. So I had in mind to support the amendment of the Senator from Pennsylvania. However, if provision is made in another part of the bill for study of insect control, and $6,500 is allowed, but $15,000 is required, I wondered if the Senator from Pennsylvania would ask for an increase. If it is needed, I think it should be provided.

Mr. RUSSELL. Mr. President, our committee certainly has never been charged with being penurious in making appropriations for important research work affecting any farm crop in the United States. I feel sure that, if the committee had thought that this appropriation for study of mushroom diseases had been warranted, the subcommittee would have approved it.

I wish to explain to the Senator from Vermont that the appropriation carried in the bill, and that suggested by the Senator from Pennsylvania, are for wholly different purposes. The appropriation provided is for work in connection with insects which attack the mushroom plant, whereas the Senator from Pennsylvania is requesting an appropriation for study of diseases of the mushroom plant. There are two different divisions in the Department of Agriculture, one dealing with insects and one with plant diseases. Provision is made, and I think the Senator from Pennsylvania will admit that adequate provision is made, for insect study, but he is seeking additional funds for another division of the Bureau of Plant Industry to do some work in connection with diseases of mushrooms.

Mr. MYERS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL. I yield.

Mr. MYERS. Such funds have been provided in the past, and there were provisions in the Budget estimates for 1927 to 1943 for study of diseases. But the item was eliminated due to the war. The investigator was transferred to some other work, and therefore the item was eliminated.

When the industry approached the department, the department replied that their estimates were made up before VJ-day. That was the only reason given for failure to reinstate this item, which had been in the appropriation bills for many years.

Mr. President, this is not a new request, but, as the Senator from Georgia has said, there are two entirely different items. The industry believes that the disease study is much more important to them than the insect study. The provisions of the bill for insect study not only refer to this industry, but refer to many other industries.

Mr. RUSSELL. That is true.

Mr. MYERS. And many other kinds of studies. We are asking only that there again be provided money for studies which had been proceeding for many years. They were discontinued only because of the war.

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

On a divison, the amendment to the amendment was rejected.

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

The amendment was agreed to.

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

The next amendment was, on page 26, line 11, after the word "control", to strike out "$291,200" and insert "$371,500."

Mr. BARKLEY. Mr. President, I have no particular interest in this amendment, but I wish to make an inquiry of the Senator from Georgia.

I have received a number of communications from farmers and farm organizations urging an appropriation in the bill for investigating and developing foreign markets for agricultural products. It seems that the bill contains no item for that purpose, and I am afraid that the matter was brought to the attention of the committee and the Members of the Senate after the hearings had been concluded by the Senate committee. What is the situation with reference to that?

Mr. RUSSELL. Mr. President, the matter was brought to the attention of the committee, as I recall, by the Farm Bureau Federation. They requested that an appropriation be made for that purpose. The committee did not feel that an appropriation of that nature could be justified at this time, when there is such a tremendous shortage of all farm commodities. There is a shortage over the whole world, and in this country we are being called upon now to reduce our consumption of foods in order that we may ship foods abroad. At a time when there is a normal export trade of farm commodities, other than through UNRRA, and through the emergency agencies, we did not feel that the appropriation was justified.

Mr. BARKLEY. Undoubtedly what the Senator says is accurate as to edible products, but there are some farm products as to which it would be very desirable and might become necessary to develop foreign markets, for instance, tobacco, and other products which are not involved in the food situation.

Mr. RUSSELL. So far as I know, there is no question about markets for tobacco today, or for any other agricultural commodity produced in this country. There may be some specialty crops or perishable commodities for which we might find markets abroad, but, generally speaking, there is such a world shortage of all agricultural commodities, of food and others, that there is no question of markets.

Mr. BARKLEY. I think the Farm Bureau Federation, looking forward to the time when there might not be that bulge in the market for products, whether edible or otherwise, felt that it was worth while to undertake to develop and survey the question of foreign markets for these products. I realize the situation now, and the difficulty the committee would have in considering the matter brought to its attention rather late in the consideration of the bill. I should like to have the Senator from Georgia give thought to that problem hereafter, so that in the event it turns out to be necessary that we undertake to develop foreign markets for our own agricultural products, whether edible or otherwise, consideration will be given to the question.

Mr. RUSSELL. I can assure the Senator that if there is ever again a time when we have a surplus in this country for which there is no demand the Appropriations Committee will be more than glad to do anything it can to provide for the finding of outlets. This matter was presented in the most attractive light to me because it was presented as being necessary to find world markets for cotton. When the witnesses looked at the Senator who was presiding over the committee they emphasized the subject of cotton perhaps more than they did that of tobacco, because the Senator from Kentucky was not a member of the committee. I am heartily in favor of doing anything within the power of our Government to find new markets for American farm commodities, but, at a time when we are calling upon our farmers to strain every energy to produce sufficient food and fiber to keep the people of the world from being absolutely naked or from starving to death, we did not feel it necessary to make appropriation of one-quarter of a million dollars for this purpose. When conditions again become normal I feel that an appropriation for such a purpose would be justified, but I do not feel that it is justified at this time.

Mr. BARKLEY. I thank the Senator for his statement.

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

Mr. RUSSELL. I yield.

Mr. REED. I wish to add a statement to that made by the Senator from Georgia. The minority members of the committee designated one member as a key member for each one of the 10 appropriation bills. I was designated as the key minority member on the agricultural appropriation bill, and have worked in the closest harmony with the Senator from Georgia. The Senator from Georgia comes from a section which produces one of the two principal export crops of the country, which is cotton. I come from that section which produces the other most important export commodity under normal circumstances, which is wheat. The Senate may be certain that the Senator from Georgia, who presided so ably over the subcommittee considering the bill, and the Senator from Kansas, who was the key member of the minority, representing a great wheat-producing State, both are sympathetic with finding markets wherever they may be in the world for export surpluses when we have any such surpluses. I agree with the Senator from Georgia that there is no use in spending money at this time for that purpose.

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

Mr. RUSSELL. I yield.

Mr. McKELLAR. I want to say that I fully endorse all that the Senator from Georgia and the Senator from Kansas have so well said about this appropriation at this time. However, in the future at any time when it is necessary for us to go into that subject, I assure the Senator from Kentucky and those who are interested in the matter that our committee bill will do everything we can to see to it that we shall have foreign markets as well as a home market.

Mr. RUSSELL. In years past, as the distinguished chairman of the Appropriations Committee knows, that committee has made available millions of dollars not only to keep investigators abroad seeking to find markets, but to pay subsidies on the export of wheat and cotton. I am most sympathetic to the policy, but at this time it seemed to be rather a useless appropriation of money for the purpose of finding new places to give away food when such a great shortage of food now exists in our own country.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 26, in line 11.

The amendment was agreed to.

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

The next amendment was, on page 22, after the word "management", to strike out "$1,255,000" and insert "$1,455,000."

The amendment was agreed to.

The next amendment was, on page 27, line 7, after the word "products", to strike out "$524,000" and insert "$632,140."

The amendment was agreed to.

The next amendment was, on page 27, line 14, after the word "council", to strike out "$61,000" and insert "$76,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Entomology and Plant Quarantine—Salaries and expenses," on page 28, line 13, after the word "exceed", where it occurs the second time, to strike out "$625,560" and insert "$627,560."

The amendment was agreed to.

The next amendment was, on page 29, line 6, after the word "application", to strike out "$2,620,900" and insert "$2,761,500."

The amendment was agreed to.

The next amendment was, on page 29, line 24, after "(7 U. S. C. 166)", to strike out "$2,791,000" and insert "$3,245,000."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Agricultural and Industrial Chemistry—Salaries and expenses," on page 32, line 25, before the word "for", to strike out "and"; and on page 33, line 2, after the word "investigations", to insert "and for conducting investigations on the extraction and processing of rubber from guayule and other plants, vines, shrubs, or trees possessing natural rubber growing or capable of being grown within the continental limits of the United States, including not to exceed $12,000 for the procurement of services, by contract or otherwise, for the production of guayule or other rubber-bearing plants; the transfer to the Bureau of Agricultural and Industrial Chemistry, without compensation therefor, of real property (located in the vicinity of Salinas, Calif., including approximately 250 acres of land now in guayule production) and personal property, valued at not exceeding a total of $260,000, acquired for and heretofore used in connection with the emergency rubber project; and there shall be included in the next annual Budget a statement in detail of the amount and value of the property so transferred"; and in line 18, after the amendment just above stated, to strike out "$431,900" and insert "$611,500."

The amendment was agreed to.

The next amendment was, under the heading "White pine blister rust control," on page 35, line 3, after the word "elsewhere", to strike out "$5,500,000" and insert "$6,500,000"; and in line 11, after the word "and", to strike out "$2,254,111" and insert "$3,254,111."

The amendment was agreed to.

The next amendment was, under the heading "Forest Service—Salaries and expenses," on page 35, line 21, after the word "exceed", to strike out "$977,710" and insert "$1,064,410"; and on page 37, line 8, after the name "Washington", to insert a colon and the following proviso: "*Provided*, That not to exceed $50,000 of the appropriation for 'National forest protection and management,' and not to exceed $50,000 of the appropriation for 'Forest fire cooperation' may be transferred to the appropriation 'Printing and binding, Department of Agriculture,' for forest fire prevention posters and related printed material."

The amendment was agreed to.

The next amendment was, on page 39, at the beginning in line 10, to strike out "$20,386,000" and insert "$24,165,000."

The amendment was agreed to.

Mr. MURDOCK. Mr. President, in connection with the amendment on page 39, in line 10, I ask unanimous consent to have printed at this point in the RECORD a brief statement made by me before the subcommittee, to be found at pages 322 and 323 of the hearings.

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

STATEMENT OF HON. ABE MURDOCK, A UNITED STATES SENATOR FROM THE STATE OF UTAH

URGES INCREASE IN APPROPRIATION FOR RESEEDING OF FOREST LANDS

Senator MURDOCK. Last year I appeared before this committee and urged an increase in the Forest Service appropriation item so as to provide for actually reseeding range lands. Last year we were asking for $250,000—got $100,000. This year I am here again asking—yes, pleading—for enough money to get this work under way, on a scale that will bring tangible benefits both to the range and the livestock industry. The bill, as reported out by the House committee, allows only $100,000. The Forest Service assures me they can spend effectively an increase of $500,000 on this work this coming fiscal year. Therefore I am urging an increase of $500,000 in the appropriation for national forest protection and management, specifically to increase the item on page 37, line 18, from $20,386,000 to $20,886,000.

I wish the committee members could see with their own eyes what I have seen in my home State of Utah in the way of increased forage production through range reseeding. If they could I am sure there would no longer be any doubt about providing the needed funds just as fast as they could be effectively expended.

RESEEDING WILL AVOID NECESSITY FOR REDUCTIONS IN GRAZING CAPACITY

If the committee members realized what many range users are up against in the way of drastic adjustments in numbers of stock on the range, I am sure they would go all out to provide a program of constructive rehabilitation. I know personally, as do the other western Members of Congress, of the great and widespread interest in reseeding. I heard it time and again from the stockmen themselves during western hearings of the Public Lands Committee last year. Right now we are receiving many letters and resolutions protesting the action of the Forest Service in reducing permitted numbers of livestock. These resolutions point out, and the Forest Service agrees, that many of the reductions could be avoided if funds were available to increase grazing capacity of the range through reseeding.

To be sure, many of our depleted ranges can be restored by nature if we remove all grazing and wait while nature goes about the task in her own way. Her way, as everyone knows, is long and laborious. In some areas it will require decades to do the job if nature is left to her own devices, and even then the results will fall far short of what could be accomplished through artificial means.

REDUCING LIVESTOCK USE IS UNCONSTRUCTIVE APPROACH TO PROBLEM

This idea of reducing livestock use and waiting for nature is what I regard as a most unconstructive approach to the problem. Moreover, I regard it as extreme short-sightedness on the part of the Government when it fails to go ahead and build up these ranges, because the practicability of doing it has already been demonstrated beyond any doubt.

Crested wheatgrass pastures at Benmore gave grazing capacity of 1½ acres per cow-month as compared with 10 acres per cow-month on unseeded range. Four hundred and thirteen cattle over 6 months old gained

193.4 pounds for 64.7 days or 2.99 pounds per day from late April to early June. One hundred and seven calves with their mothers made additional and similar gains—151.8 pounds per head. In the vicinity are 12,000 acres suitable for reseeding. If 7,000 acres were reseeded it would carry all of the 1,100 cattle owned in the community for 4 months and give overgrazed native range a chance to recuperate.

Last fall on the Manti Forest 1,200 acres of rough and brushy lands that would have been very difficult to seed by hand and impossible by drills were seeded in 17 hours by airplane, at a cost of $2.75 per acre.

VALUE OF RESEEDING PROGRAM

I know personally of some areas that required 15 acres to support a cow for 1 month before reseeding—after reseeding, 1 to 2 acres would support a cow for the same period. I have personally visited many of the reseeding experiments in Utah and have seen the results of carefully planned and intelligently carried out tests in range reseeding. Therefore I am satisfied that the Forest Service knows what it is talking about when it says that it would be a good investment to reseed 4,000,000 acres of national-forest range land in the Western States.

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

The next amendment was, on page 40, line 4, after "581f-581i)", to insert a comma and "including the construction and maintenance of improvements."

The amendment was agreed to.

The next amendment was, on page 40, line 11, after the word "elsewhere", to strike out "$2,330,000" and insert "$2,630,000."

The amendment was agreed to.

Mr. MYERS. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I made before the committee, and which appears beginning at page 504 of the committee hearings.

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

STATEMENT OF HON. FRANCIS J. MYERS, UNITED STATES SENATOR FROM THE STATE OF PENNSYLVANIA

Senator RUSSELL. We will hear Senator MYERS at this time.

PROPOSED AMENDMENT TO PROVIDE FUNDS FOR RESEARCH CENTER IN DELAWARE RIVER BASIN

Senator MYERS. I am here today on behalf of my proposed amendment to the agriculture appropriation bill, H. R. 5605, for an increase of $75,000 in the item for forest research on page 38, line 19. The purpose of the amendment is to provide adequate funds for the establishment and maintenance of an experimental forest and forest research center in the Delaware River Basin.

The need for this work was called to the attention of the House Subcommittee on Appropriations by my colleagues, Congressman Walter and Congressman Flood.

NO PROVISION IN HOUSE BILL

From an examination of the House Appropriations Subcommittee report, I discovered that an increase was granted by the committee for the establishment of a series of experimental forests. But among the list of new stations as given on page 985 of the hearings before the House committee, I found that nothing is provided for the northeastern section of the United States and, of course, nothing for work in the Delaware River Basin.

This was a great surprise to me because I was under the impression that local interests in the Delaware River Basin felt that they had clearly established with the United States Forest Service the need for an experimental forest-research center in that area.

INCLUDED IN 5-YEAR PROGRAM

It is my understanding that the Department, in complying with a request by the House committee for a comprehensive forest-and-range-research program, submitted a 5-year plan setting forth a list of recommended locations for the establishment of research centers where various studies would be advantageous. This recommendation called for an increase in the total appropriation of approximately $1,000,000 for the first year of the program.

However, the House committee approved an increase of only $750,000 to provide for the expansion of existing stations and for the establishment of 16 new experimental centers where specific locations had been selected on the basis of preliminary examinations.

Senator RUSSELL. Do I understand that this project was embraced within that 5-year program but left out by the House?

If the House had appropriated the entire amount would that have taken care of the Delaware River Basin?

Senator MYERS. Undoubtedly, because, as I understand it, the Department intended to use the $250,000 included in its recommendation, but not appropriated by the House committee, for the installation of additional stations during the first year in areas where locations had not been definitely decided upon.

The Delaware River Basin was one such area in question since the variety and complexity of the problems requiring technical study in that area did not permit the selection of an exact station location without further examination.

NEED OVERLOOKED BY HOUSE

Inasmuch as Department officials have assured me that the program is virtually needed in the Delaware River Basin, and because I am under the impression that the House Appropriations Subcommittee unwittingly overlooked the needs of the Delaware River Basin, I consider it highly desirable and proper to request further consideration of the matter by this committee.

You gentlemen, undoubtedly, are familiar with this tremendously important interstate watershed. Portions of the States of Pennsylvania, New York, New Jersey, and Delaware comprise this region. These States, by legislative action, have delegated the responsibility of planning for the development of the resources of that basin to a joint governmental agency known as the Interstate Commission on the Delaware River Basin, or, more popularly, as Incodel.

Incodel and the people of the Delaware River watershed feel that proper consideration has not been given in the past to research and to investigation of measures for the control and management of soil and forests; that these matters are closely related to programs for the development, utilization, and conservation of the waters of the Delaware River region.

It has learned enough about the results of watershed studies elsewhere in the United States to appreciate the need for this type of work in the Delaware River Basin in order that a fully comprehensive plan for the control and conservation of the natural resources of this tremendously valuable interstate river system may be developed.

PROBLEMS INVOLVED

I am in full accord with the program which the Forest Service has established in maintaining experimental centers at which such regional problems are being intensively studied. But I believe that no such experimental forest located in any region of the United States involves problems of greater importance than those existing in the Delaware Basin.

Our problems are so large, the need for high quality water so imperative, the necessity for establishing stream flow regulatory measures so pressing that I feel an experimental forest should be established in the Delaware River watershed without further delay.

I am confident that I can assure you that full cooperation will be forthcoming at all times from the States and local governmental agencies, from the schools and research centers, and from the landowners and the people of the Delaware River region.

We are in need of the station now because it will take some time for results to become available, and we need these results at the earliest possible date.

AMOUNT OF APPROPRIATION REQUIRED

I am suggesting that this experimental forest be started with a modest sum of $75,000. This, in our judgment, will be adequate to begin the work and to carry it forward the first year on a modest scale.

I very much hope, Mr. Chairman, that you and members of the committee can give heed to this request, in which I am joined by my colleagues from the four States in the Delaware Basin. I understand that those other Senators will either appear before the committee or send statements.

Now Congressman WALTER, of Pennsylvania, will speak.

Senator RUSSELL. I know he has been very active in behalf of that work.

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

The next amendment was, on page 40, line 15, after the word "elsewhere", to strike out "$1,385,000" and insert "$1,635,000."

Mr. RUSSELL. Mr. President, I have an amendment I wish to offer to the committee amendment at that point.

The PRESIDING OFFICER. The amendment to the amendment will be stated.

The CHIEF CLERK. In the committee amendment, on page 40, in line 15, it is proposed to strike out the period at the end of the line and to insert a comma and the following: "of which at least $10,000 shall be expended for research in the utilization of waste woods."

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.

Mr. LA FOLLETTE. Mr. President, I ask unanimous consent that a very brief statement which I made before the subcommittee, which appears on page 566 of the hearings, may be inserted in the RECORD at this point.

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

STATEMENT OF HON. ROBERT M. LA FOLLETTE, JR., A UNITED STATES SENATOR FROM THE STATE OF WISCONSIN

FOREST SERVICE—NATIONAL FOREST PROTECTION AND MANAGEMENT—RESTORATION REQUESTED OF FUNDS FOR RECREATIONAL FACILITIES

Senator RUSSELL. We will hear now from Senator LA FOLLETTE.

Senator LA FOLLETTE. Mr. Chairman, I was not able to be here yesterday morning.

I would like the record to show that I want to associate myself with a statement

made by Senator CORDON and others with regard to the recreational facilities.

Senator RUSSELL. Senator CORDON explained that.

Senator LA FOLLETTE. I do not know whether he included me. I intended to be in the group.

Senator RUSSELL. Yes. He mentioned you.

FOREST PRODUCTS—INCREASE PROPOSED TO PROVIDE ADDITIONAL UNITS IN ROCKY MOUNTAIN AND IN LAKE STATES AREAS

Senator LA FOLLETTE. Gentlemen, coming to the "Forest production" item, I am here to recommend an increase of $525,000.

Senator WILLIS. Is that above the Budget?

Senator LA FOLLETTE. The Budget did not recommend it, but it would be in order under the McNary Act, if the committee looks on it with favor.

AMOUNT FOR ADDITIONAL UNITS

One hundred and fifty thousand dollars of that would be for the purpose of establishing two more units and strengthening the existing units of the laboratories which are located in different parts of the United States.

As the committee knows, there are now seven stations—one at Missoula, Mont.; Portland, Oreg.; Berkeley, Calif.; New Orleans, La.; Asheville, N. C.; Columbus, Ohio; and Philadelphia, Pa.

And this $150,000 out of the $525,000 would be for the purpose of establishing two more units: one in the Rocky Mountain area and one in the Lake States area.

The purpose of these units, as the committee knows, is twofold: First, to get the results of the Laboratory's activities into actual practice, to disseminate that information, and to get the benefit of that research into operation. Secondly, to act as a receiving station for the problems of the industry which are then worked on in the Laboratory.

AMOUNT FOR UTILIZATION SERVICE

The balance of the amount, about $375,000 is for the continuation and expansion of the chemical utilization and waste utilization, and improved wood uses, including the adoption and promulgation of very important research which the Laboratory did, as this committee knows, during the war, not only with regular funds but with funds which were furnished by the various war agencies who referred their wood problems and wood-utilization and chemical-utilization problems to the Laboratory.

I feel that this is really worthy of the committee's serious consideration in connection with a balanced forest program which the Congress asked the Forest Service to prepare as a plan of forest research.

The 5-year plan, as submitted this year, calls for a step-up in research work in forest production, forest and range management, and the forest-resources investigations, including the forest survey.

ENDORSEMENT OF COORDINATED FOREST RESEARCH PROGRAM

The House bill provides for an $800,000 increase for forest and range management, and more than $800,000 for forest-resources investigation. All of which I am in hearty accord with.

But it seems to me that to have the program properly balanced, this field of utilization of waste materials and new uses of the byproducts of all activities in these two other fields should be stepped up along with it in order that we may have a balanced and economically sound program.

I want to thank the committee very much for giving me this opportunity to appear here.

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

The next amendment was, under the subhead "Acquisition of lands for national forests," on page 43, line 6, after the figures "$10,000", to insert "Ozark and Ouachita National Forests, Arkansas, act of March 5, 1940, Public Law 427, $250,000"; and in line 13, after the words "in all", to strike out "$142,000" and insert "$392,000."

The amendment was agreed to.

The next amendment was, under the heading "Forest roads and trails," on page 43, line 20, before the word "for", to strike out "$12,500,000" and insert "$23,000,000"; on page 44, line 5, after the words "in all", to strike out "$26,214,222" and insert "$36,714,222"; in line 6, after the word "exceed", to strike out "$99,804" and insert "$120,000."

The amendment was agreed to.

The next amendment was, on page 44, in line 18, after the word "Secretary", insert a colon and the following additional proviso: "*Provided further*, That in obligating or expending funds herein contained for 'Forest roads and trails' the provisions of Revised Statute 355, as amended, shall not be applicable to easements or rights-of-way for forest roads and trails constructed under the provision of this section, where the cost of any such easement or right-of-way acquired under a single instrument of conveyance and the estimated cost of the improvements to be constructed thereon does not exceed $40,000."

Mr. BARKLEY. Mr. President, I have a letter from the Attorney General with respect to that amendment which I have shown the Senator from Georgia, and also the Senator from Arizona [Mr. HAYDEN], in which the Attorney General calls attention to the fact that this amendment makes a change in the law with respect to the titles and investigation of titles, and so forth, in regard to roads and trails into forests, and so forth. I should like to ask either or both Senators with respect to that matter because the Attorney General feels that the change ought not to be made.

Mr. RUSSELL. The Senator from Arizona is the expert of the committee on all matters pertaining to forest roads and trails, and I yield to him.

Mr. HAYDEN. Mr. President, representations were made to the committee that, in view of the veterans' housing program, the greatest shortage of material was in lumber, and that the greatest possible source of obtaining lumber was in the national forests. In order to get at the lumber, it is necessary to build truck roads and trails. Under the law—and it is a very proper law—if the Government of the United States acquires a lot somewhere on which to construct a public building, it is not only necessary to take into consideration when examining the title to the lot the value of the land itself but also the value of the building which is to be erected on the lot because the two items represent the total Government investment. The law now provides, and the ordinary procedure is, that if the cost amounts to more than $2,500 the title to that tract of land must be passed upon by the Attorney General. That is the general law. When we come to examine the statute we find in one place in it a reference to various roads and trails which would indicate that it was not the intention to have it apply to forest roads and trails, but in another place—it is quite a rambling sort of statute—the law might be construed the other way.

Our difficulty is that when a minor road of this kind is being built to extend into the forest so as to get timber quickly, if we have to wait 2 or 3 months to have a title cleared in the Attorney General's Office it means just that much delay and impedes the program. So we decided that for this appropriation only—because it reads "obligating or expending funds herein contained"—where the cost of the right-of-way and the cost of the road itself do not amount to more than $40,000, the provisions of the Revised Statutes shall not apply. The purpose is to expedite the housing program. It was the thing to do this year. I am thoroughly in accord with the views of the Attorney General that ordinarily, when there is ample time and his office can get around to it, the other procedure should be followed. Usually 2 or 3 months are required to clear one of these titles. The emergency requires this action in connection with this bill, for this year only.

Mr. BARKLEY. In the Emergency Veterans Housing Act we provided that the Expediter might expend not to exceed $15,000,000 in building access roads to obtain lumber. I understand that that amount has been appropriated independently, so that that $15,000,000 would be available for the building program.

Mr. HAYDEN. It does not make any difference whether it is expended under that act or any other.

Mr. BARKLEY. If that program were carried on by the Housing Expediter, and the $15,000,000 were expended for access highways, would this provision apply to that expenditure, so that the obtaining of titles and the clearing of titles would be expedited?

Mr. HAYDEN. Yes; because the money would be transferred by the Housing Expediter to the Department of Agriculture for expenditure under these provisions.

Mr. BARKLEY. I appreciate the statement of the Senator from Georgia and the Senator from Arizona. I ask unanimous consent to have printed in the RECORD at this point the Attorney General's letter.

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

MAY 24, 1946.

Hon. ALBEN W. BARKLEY,
United States Senate,
Washington, D. C.

MY DEAR SENATOR: I take the liberty of calling to your attention an amendment made by the Senate Committee on Appropriations in reporting the agriculture appropriation bill (H. R. 5605). This amendment (see sec. 1, pp. 44 and 45 of H. R. 5605, Calendar No. 1359) provides "that in obligating or expending funds * * * for 'Forest roads and trails' the provisions of Revised Statute 355, as amended, shall not be applicable to easements or rights-of-way for forest

roads and trails constructed under the provision of this section, where the cost of any such easement or right-of-way acquired under a single instrument of conveyance and the estimated cost of the improvements to be constructed thereon does not exceed $40,000."

The adoption of this amendment would result, I believe, in an unwarranted deviation from a manifestly sound practice. Section 355 of the Revised Statutes now provides in effect for the approval of title by the Attorney General to easements and rights-of-way for forest purposes where the acquisition, together with the costs of any improvement, exceeds $2,500. The increase in this amount to $40,000, as proposed by the amendment, would have the effect of eliminating the requirement of the opinion of the Attorney General as to practically all acquisitions for which appropriations are made in the bill for easements and rights-of-way for forest purposes.

Under section 355 of the Revised Statutes, as amended (40 U. S. C. 255), and the provisions of the joint resolution of September 11, 1841 (5 Stat. 468), the duty of examining the validity of titles to lands and interests in land acquired by the Government has for more than a century been vested in the Attorney General with respect to the vast majority of acquisitions. The President has only recently, with respect to legislation which would place this function as to certain particular acquisitions elsewhere, expressed the view that the approval of land titles is properly the function and responsibility of the Attorney General.

Whether the function of determining the validity of title to the property covered by the amendment should be taken from the Department of Justice ought not to be considered, I believe, without regard to the function of conducting condemnation proceedings. Both functions, with minor exceptions, are now and for many years have been performed by this Department, and there is nothing in the bill which would indicate that condemnation proceedings to acquire the easements or rights-of-way contemplated in the bill would not be conducted by this Department. One of the most valuable lessons learned during this long-continued practice is the close relationship of the two activities. Examination of titles is necessary in performing both of them. Persons engaged in the one type of work are used in the other. Indeed, as far as the field attorneys are concerned, the same attorney frequently is in charge of both the condemnation work and the title work involved in purchases. There can be no question that the maintenance in one department of the Government of title attorneys and in another of condemnation attorneys will result in duplication, additional expense, and less efficient administration.

Another substantial advantage of the long-standing policy of examination of titles in the Department of Justice has been that the agency of the Government acquiring land or interests in land has the independent checking of the title by a disinterested agency. While some relaxation of this proces- has occurred during the war period, I raise the question whether in ordinary times when more care and attention can be given, it is not a wise policy that this practice be continued.

For the foregoing reasons, I recommend that this amendment be stricken from the bill.

I have been advised by the Director of the Bureau of the Budget that there is no objection to the submission of this report.

With kind personal regards,

Sincerely yours,

TOM CLARK,
Attorney General.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment, on page 44, beginning in line 18.

The amendment was agreed to.

The next amendment was, under the heading "Soil Conservation Service," on page 47, line 23, after the word "information", to strike out "$37,800,000" and insert "$40,800,000."

The amendment was agreed to.

Mr. BUTLER. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a brief statement which I have prepared with reference to this particular item.

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

EARTH-MOVING EQUIPMENT FOR SOIL CONSERVATION SERVICE

Mr. President, I want to take just a few moments of the Senate's time to call attention to a very worth-while provision of the pending agriculture appropriation bill for 1947. I refer to the increase of $3,000,000 in the appropriation for the Soil Conservation Service, to be used for purchase of surplus tractors, graders, and other equipment sold by War Assets Administration.

This increase, I might explain, will not in fact require payment of one single penny out of the Treasury. In effect, it will be a sort of loan, the money to be turned over to the Soil Conservation Service, paid by the Service to the War Assets Administration for the equipment, then returned by the War Assets Administration to the Treasury.

The purpose of this provision is to enable the Soil Conservation Service to secure machinery and equipment with which to carry on its work and repair the damages to our soil. Most Senators are, I am sure, familiar with the importance of the work of this Service, and they know as well as I do what a fine job has been done even under the handicaps of war. But now we must permit them to recover the ground we have lost during the war and rebuild what damage we can before it becomes irreparable. It has been estimated that two-thirds of our soil has suffered to at least some degree from erosion. The soil is our greatest asset; we must preserve it.

Last fall the senior Senator from Tennessee introduced a bill, later passed by the Senate, which would have permitted the Secretary of Agriculture to requisition such surplus equipment from the disposal agency without transfer of funds. Unfortunately it does not appear likely that the other House will ever take action on that measure.

The provision to which I have referred will achieve the same result as that bill. It will appropriate $4,000,000 to enable the Soil Conservation Service to buy the equipment. Such equipment will then be distributed around to the various soil-conservation districts for their use.

When hearings were held on this bill by the Senate Appropriations Subcommittee, I appeared before the subcommittee and requested an appropriation of $5,000,000 for this item. The committee has recommended $4,000,000, and I am satisfied with that.

The Senate will uphold the committee's recommendation on this item, I feel sure. I would like to make a special plea, however, that when this bill gets to conference our conferees will point out the urgency of this money to the House conferees and will insist that the House Members yield to us and accept the will of the Senate. After all, both Houses have voted to approve the principle of making such equipment available to the Soil Conservation Service. I believe that there is no item in the entire bill which is of greater practical importance to the farmer than this provision which will enable him to rebuild his soil and repair the exhaustion and erosion resulting from wartime production.

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

The next amendment was, under the heading "Production and Marketing Administration—Conservation and use of agricultural land resources," on page 49, line 18, after the word "periodicals", to strike out "$257,500,000" and insert "$259,246,000"; in line 23, after the words "in all", to strike out "$300,000,000" and insert "$301,746,000"; on page 50, line 9, after the words "in all", to strike out "$312,500,000" and insert "$314,246,000"; in line 10, after the word "exceed", to strike out "$26,942,888" and insert "$28,699,598"; and on page 52, line 18, after the word "farmer", to insert "(or the person entitled to payment in case of death, disappearance, or incompetency of the farmer under regulations issued pursuant to section 385 of the Agricultural Adjustment Act of 1938, as amended (7 U. S. C., 1940 ed., 1385))."

The amendment was agreed to.

The next amendment was, under the subhead "Sugar Act," on page 53, line 22, after the numerals "1948", to strike out the colon and the following proviso: *"Provided, however,* That none of the funds appropriated under this head shall be used for payments in amounts in excess of those determined by the Secretary to be necessary to provide returns to producers equivalent to those contemplated under the 1946 support payment programs approved by the Stabilization Administrator."

The amendment was agreed to.

The next amendment was, under the subhead "Exportation and domestic consumption of agricultural commodities," on page 54, line 19, after the word "exceeding", to strike out "$50,000,000" and insert "$75,000,000."

Mr. RUSSELL. Mr. President, since the committee took action on the appropriation in line 18, on page 54, for the school-lunch program, Congress has enacted permanent legislation on that subject. I wish, therefore, to propose a modification of the language to make the permanent legislation applicable to the administration of this fund.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia [Mr. RUSSELL] to the committee amendment will be stated.

The CHIEF CLERK. On page 54, after line 18, it is proposed to strike out the remainder of the paragraph, down to the period, and insert in lieu thereof the following: *"Provided,* That not exceeding $75,000,000 of the funds appropriated by and pursuant to such section 32 may also be used during the fiscal year 1947, without regard to the 25-percent limitation contained in said section 32, to carry out the purposes and provisions of the National School Lunch Act, Seventy-ninth Congress, second session, such amount to be exclusive of funds expended in accordance with the last sentence of section 9 of the National School Lunch Act."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the subhead "Marketing services," on page 56, line 25, after the word "exceed", to strike out "$2,394,764" and insert "$2,434,764."

The amendment was agreed to.

The next amendment was, on page 57, line 11, after the word "products", to strike out "$1,291,000" and insert "$1,320,972."

The amendment was agreed to.

The next amendment was, on page 58, line 19, after the name "District of Columbia", to strike out "$1,901,500" and insert "$2,251,500, of which not to exceed $350,000 may be expended for the wage stabilization program conducted during the fiscal year 1946 under the appropriation 'Salaries and expenses, War Food Administration,' and, in the absence of other governing statute, the provisions of law applicable to such program during the fiscal year 1946 are continued during the fiscal year 1947"; and on page 59, line 11, after the word "orders", to insert the following additional proviso: *"Provided further*, That no part of this appropriation shall be used for agricultural wage stabilization with respect to any commodity unless a majority of the producers of such commodity within the area affected participating in a referendum or meeting held for that purpose request the intervention of the Secretary."

The amendment was agreed to.

The next amendment was, on page 60, line 3, after "(7 U. S. C. 516)", to strike out "$1,119,000" and insert "$1,319,000."

The amendment was agreed to.

The next amendment was, under the heading "Loans, grants, and rural rehabilitation," on page 63, line 2, after the word "amended", to strike out "$24,000,000" and insert "$24,600,000."

The amendment was agreed to.

The next amendment was, on page 64, line 11, after the word "exceed", to strike out "$67,500,000" and insert "$82,500,000."

The amendment was agreed to.

The next amendment was, on page 65, line 16, after "or (3)", to strike out "the making of loans to any individual farmer in excess of a total outstanding obligation of $2,500 for all such loans" and insert "the making of loans to any individual farmer in excess of $2,500."

Mr. AIKEN. Mr. President, may I ask if the committee gave consideration to the raising of the limit?

Mr. RUSSELL. There was no request that it be raised. The authorities of the Farm Security Administration stated that if we struck out the House language, which limited the total outstanding obligation of any farmer to $2,500, and inserted the language of existing law, they could operate in the Rocky Mountain States. That was the only area really affected by this legislation. The committee's action restored the language as it is in the existing law, for the current year. They have been able to operate very successfully under that provision, all over the country.

Mr. AIKEN. Would this wording permit them to make a total loan amounting to more than $2,500?

Mr. RUSSELL. Yes. In some of the Rocky Mountain States the loans average between $4,000 and $5,000. There is a difference in the requirements of farmers in different areas. In the Southeast the average loan is about $650 or $700. However, in the cattle-growing sections it requires between $8,000 and $10,000 to obtain a sufficient herd to carry on farming operations and rehabilitate the farm.

Mr. AIKEN. In the dairy sections a loan of $2,500 would get a farmer into debt just enough so that he could never get out. It would not enable him to get enough stock to make it possible for him to repay the debt. In many cases a loan of $2,500 would not give much aid.

Mr. RUSSELL. The language which the committee is submitting to the Senate is identical with the language in the present law, and the officials of the administration testified that they could operate under it.

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

Mr. RUSSELL. I yield.

Mr. WHERRY. Is there a limitation at present on the amount of money which can be loaned to any applicant under the Federal Security Administration? Is there such a limitation in the present law?

Mr. RUSSELL. Yes; there is a total limitation of $5,000 in the amount that any one applicant can owe at any one time.

Mr. WHERRY. Is there not a different limitation in the Rocky Mountain region?

Mr. RUSSELL. The average loan in the Rocky Mountain area is between $4,000 and $5,000, whereas in some areas it is between $600 and $700.

Mr. WHERRY. Is there not some provision for a greater indebtedness in the cattle business, so that those in the cattle-raising districts can operate?

Mr. RUSSELL. Yes. There has been no difficulty in the administration of the loans. The Senators from Nevada, Wyoming, Colorado, and Idaho all requested that this language be restored to the bill, as has been recommended by the committee.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment on page 65, beginning in line 16.

The amendment was agreed to.

The next amendment was, under the heading "Farm tenancy," on page 67, line 15, after the words "per annum", to strike out "and no loan, excepting those to eligible veterans, shall be made in an amount greater than 25 percent above the census value of the average farm unit of 30 acres and more in the county or parish where the purchase is made, as determined by the 1940 farm census."

The amendment was agreed to.

The next amendment was, under the heading "Water facilities, arid and semi-arid areas," on page 68, line 23, after "590z-5)", to strike out "$1,500,000" and insert "$2,000,000."

The amendment was agreed to.

The next amendment was, under the heading "Rural Electrification Administration," on page 69, line 15, after the word "reports", to strike out "$4,500,000" and insert "$5,000,000"; and in the same line, after the amendment just stated, to strike out the colon and the following proviso: *"Provided*, That no part of the funds herein provided for the Rural Electrification Administration shall be used for the processing or approval of any loan, the application for which does not stipulate (1) that the borrower shall, in awarding contracts under such loan, award such contracts to the lowest financially responsible and qualified bidder in each case, as determined by the Administrator of the Rural Electrification Administration, (2) that the borrower shall open and consider all bids submitted, and (3) that such stipulation shall be made a part of the loan agreement covering such loan."

The amendment was agreed to.

The next amendment was, under the heading "Farm Credit Administration—Salaries and expenses," on page 71, line 14, after the words "in all", to strike out "$544,000" and insert "$584,000."

The amendment was agreed to.

The next amendment was, under the heading "General provisions," on page 74, line 19, after the word "Budget", to insert "plus 12 additional such vehicles for work in connection with experimental forests and ranges."

The amendment was agreed to.

The next amendment was, on page 75, after line 18, to strike out section 5, as follows:

SEC. 5. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department as may be designated for the purpose by the Secretary are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That nothing in this section shall be construed to require an affidavit from any person employed for less than 60 days for sudden emergency work involving the loss of human life or destruction of property, and payment of salary or wages may be made to such persons from applicable appropriations for services rendered in such emergency without execution of the affidavit contemplated by this section.

And in lieu thereof to insert:

SEC. 5. No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who is a member of an organization of Government employees that asserts the right to strike

against the Government of the United States, or who advocates, or is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided*, That for the purposes hereof an affidavit shall be considered prima facie evidence that the person making the affidavit is not a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or that such person does not advocate, and is not a member of an organization that advocates, the overthrow of the Government of the United States by force or violence: *Provided further*, That such administrative or supervisory employees of the Department as may be designated for the purpose by the Secretary are hereby authorized to administer the oaths to persons making affidavits required by this section, and they shall charge no fee for so doing: *Provided further*, That any person who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States, or who advocates, or who is a member of an organization that advocates, the overthrow of the Government of the United States by force or violence and accepts employment the salary or wages for which are paid from any appropriation contained in this act shall be guilty of a felony and, upon conviction, shall be fined not more than $1,000 or imprisoned for not more than 1 year, or both: *Provided further*, That the above penalty clause shall be in addition to, and not in substitution for, any other provisions of existing law: *Provided further*, That nothing in this section shall be construed to require an affidavit from any person employed for less than 60 days for sudden emergency work involving the loss of human life or destruction of property, and payment of salary or wages may be made to such persons from applicable appropriations for services rendered in such emergency without execution of the affidavit contemplated by this section.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments.

Mr. RUSSELL. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment offered by the Senator from Georgia will be stated.

The CHIEF CLERK. On page 78, after line 14, it is proposed to insert a new section, as follows:

Section 14 (a) of the Federal Employees' Pay Act of 1946 shall not apply to employment of personnel required to do the work authorized by those appropriations for which increased funds are provided by this act.

The amendment was agreed to.

Mr. CONNALLY. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The amendment will be stated.

The CHIEF CLERK. Beginning on page 22, in line 8, it is proposed to strike out the amount "$1,125,000" and insert in lieu thereof "$1,200,000" and the following: "of which not to exceed $75,000 shall be available for the establishment on Swan Island of an international animal quarantine station (including the acquisition of sites by lease or otherwise), in cooperation with other American Republics and with breeders' organizations and similar organizations and individuals within the United States."

Mr. CONNALLY. Mr. President, this amendment is offered in connection with the sanitary work of the Bureau of Animal Industry. It seems there is an island just off the coast of Cuba, called Swan Island, a barren island which belongs to the United States. The cattle interests in my State have particularly advised me that an international quarantine station should be located on that island in order to protect the United States from the shipment into this country of cattle with the hoof-and-mouth disease. As Senators know, the hoof-and-mouth disease is rampant in a number of South American countries, including Argentina and possibly Brazil, Uruguay, and other countries. The cattlemen of the United States are very apprehensive that shipment into the United States of cattle with the hoof-and-mouth disease would be most harmful to our herds of cattle.

So the amendment provides for an item of $75,000 to be available for the establishment of an international animal quarantine station on Swan Island.

Mr. President, I ask unanimous consent to have printed in the RECORD in connection with my remarks—not as my remarks, but as a statement of facts accompanying my remarks—the paper which I herewith submit.

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

REASONS FOR THE ESTABLISHMENT OF AN INTERNATIONAL ANIMAL QUARANTINE STATION ON SWAN ISLAND

SUMMARY

North America is now free of certain destructive livestock diseases, and must be kept so. Present statutes and regulations do not permit the movement of breeding stock from certain countries into the United States.

Importation of new breeding strains of livestock are being asked for by a number of different livestock groups.

Importation of livestock from diseased areas into neighboring countries to the south are threatening our security. Freedom from endemic disease in these countries is imperative as such freedom blankets the United States from infection.

These countries are willing to cooperate in the use of a quarantine station if under United States supervision. Swan Island is a desirable place for the establishment of such quarantine facilities.

Two facts have vividly presented the need of such a station in order to protect the United States livestock industry. These are:

(a) The recent entry into Mexico, under inadequate quarantine safeguards, and under conditions that jeopardize the existing sanitary convention, of two shipments totaling well over 400 head of Brazilian cattle. These animals originated in a country presently under United States exclusion laws because of the existence of foot-and-mouth disease and so present a tremendous hazard to the American livestock industry should they be the means of implanting that most contagious disease so near our own borders.

(b) The freer movement of people and their animals throughout Mexico and Central America with the rapid improvement of a trunk transportation system throughout the area. This means a more rapid advance of any disease that becomes endemic.

The continued freedom of our country from foot-and-mouth disease and other destructive animal diseases is recognized to be of the utmost importance to our livestock interests. In preventing its introduction, we are fortunate in that all other countries of North America, Central America, and the West Indies also are free from the disease. Should foot-and-mouth disease become established in any one of them, it almost certainly would result in the infection reaching our coasts or borders in a relatively short time. Thus, our neighbors constitute a protective zone so long as they remain free of disease and do not become foci of infection.

There is growing interest in the introduction of new, quality blood for the improvement of livestock, both in the countries to the south and in the United States. So far as this country is concerned, the importation of domestic ruminants or swine from countries where it has been determined that foot-and-mouth disease exists is prohibited by law (46,689 approved June 17, 1940). Unfortunately, throughout Central America there are no veterinary resources adequate to exercise control over livestock health or combat disease such as are available in the United States. Up to the present the United States Government, through its representatives, have encouraged these people to avoid importations from regions where destructive diseases exist. However, the demand for breeding animals now has increased to the point that such importations will be inevitable despite the dangers involved. In order that the growing interest in the neighboring countries of Mexico, Central America, and the West Indies in the importation of breeding stock may be met, and because of the vital interest to the United States industry in the continued freedom from destructive diseases in the countries now constituting a "blanket of protection," some satisfactory international quarantine facilities must be provided outside continental waters.

Unless such a station is provided in offshore waters, thus complying with the above-mentioned statute, and for the common use of all the above-mentioned governments, the livestock industry of the United States will continue to be placed in jeopardy each time imports are made by our neighbors to the south. It is known that many such importations from countries where foot-and-mouth disease is enzootic have been made during the last 10 years into Mexico, Guatemala, and El Salvador. It is also known that the ministries of agriculture of the Central American Republics are favorable to the idea of common use of such facilities providing they are under United States supervision.

Swan Island, in the northwest Caribbean Sea, located at about 17.5° north and 84° west, presents good possibility for the installation of such facilities. This island is a United States possession and presently contains permanent Weather Bureau installations. Erecting a quarantine station on Swan Island has the chief advantage that it is approximately 150 miles from the nearest land, and thus is completely isolated from the standpoint of quarantine, and so complies with existing laws. Being a United States possession, the station can be operated wholly under the care and with the vigilance given similar installations on the United States mainland. It has the further advantages that it is reasonably close to trade channels and is also a reasonably convenient point for all the countries concerned.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. CONNALLY].

Mr. RUSSELL. Mr. President, I realize the very great interest of the Senator from Texas in this item; and a number of cattle growers have discussed it with me. However, the matter did not come before the committee in time for the committee to have hearings on it or to go into it. In my opinion, this amendment is clearly legislation. Under rule XVI, I feel constrained to make the point of

order that the amendment proposes legislation on an appropriation bill.

Mr. CONNALLY. Mr. President, I should like to discuss the point of order. I regret very much that the Senator from Georgia feels that it is his duty to make the point of order. It would be very helpful if he would permit the amendment to be taken to conference; and if the House of Representatives objected, then he could let the amendment go out of the bill.

This matter has come to my attention only recently. Had I known of the situation and of the availability of this island, I certainly should have gone before the committee and made the proper representations. The amendment is a preventive measure, and it may save the United States many millions of dollars hereafter, because my recollection is that we have expended a great many million dollars in suppressing various diseases among cattle, such as anthrax and the hoof-and-mouth disease.

I am not sure that the point of order is good, Mr. President. The amendment is in the nature of a limitation. It is true that it would increase the appropriation, but an increase in an appropriation is not necessarily legislation on an appropriation bill.

The PRESIDING OFFICER. The amendment, for one thing, would increase an appropriation contained in the bill. The Chair is of the opinion that the point of order is well taken under rule XVI, paragraph 1.

Mr. CONNALLY. Very well.

Mr. RUSSELL. Mr. President, I regret to be compelled to make the point of order, but I think it is very clear that the chairmen of committees are under instructions to object to proposals to add legislation to an appropriation bill. The amendment clearly is legislation, because it directs the use of the island referred to for the purposes suggested.

The PRESIDING OFFICER. The point of order is well taken.

If there be no further amendments to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The PRESIDING OFFICER. The bill having been read a third time, the question is, Shall it pass?

The bill, H. R. 5605, was passed.

Mr. RUSSELL. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Chair appointed Mr. RUSSELL, Mr. HAYDEN, Mr. TYDINGS, Mr. BANKHEAD, Mr. THOMAS of Oklahoma, Mr. GURNEY, Mr. BROOKS, and Mr. REED conferees on the part of the Senate.

Mr. MAYBANK. Mr. President, I ask unanimous consent to have printed in the RECORD, following the passage of the bill, a short statement which was delivered before the subcommittee by Mr. McArthur, who represented the soil-conservation districts throughout the United States. Mr. McArthur is chairman of various soil-conservation districts.

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

STATEMENT OF E. C. MCARTHUR

SOIL CONSERVATION SERVICE—SOIL CONSERVATION OPERATIONS—PURCHASE OF EARTH-MOVING EQUIPMENT FROM SURPLUS WAR PROPERTY

Mr. MCARTHUR. Mr. Chairman and gentlemen, in order to conserve time I have prepared a short statement here to cover the matter which I wish to take up with you this morning.

With your permission, I will be glad to read it.

Mr. Chairman and members of the committee, I am appearing before you in the interest of soil-conservation districts and the conservation of the agricultural soil and water resources of our Nation. I am appearing as chairman of the governing body of the Broad River Soil Conservation District in South Carolina, as chairman of the board of directors of the South Carolina Association of Soil Conservation District Supervisors, and as temporary chairman of governing officials of soil-conservation districts in 47 States throughout our country.

As you know, these soil-conservation districts are governmental subdivisions or public instrumentalities organized and managed, under State law, by local farmers and ranchers to carry on soil- and water-conservation work for the public good. Each district is governed by a board of five local farmers selected locally by land-owners and operators. The districts help farmers and ranchers plan and apply conservation practices that fit their lands and suit their needs. For carrying on their work, the districts may obtain assistance from any local, State, or national public agency and from private sources. The soil-conservation districts represent true democracy. They get conservation on the land in the public good.

NUMBER OF SOIL-CONSERVATION DISTRICTS

Since 1937, or just 9 years ago, farmers and ranchers have established 1,521 soil-conservaton districts in 46 States. It is possible now for districts to be organized in all 48 States and in Puerto Rico. The districts already organized include over 830,000,000 acres. That is nearly 4,000,000 farms, or about two-thirds of the farms in the Nation. The districts continue to be organized at the rate of between 15 and 20 each month.

URGENT NEED FOR LOAN OR GRANT OF HEAVY EQUIPMENT TO DISTRICTS

The point I want to discuss concerns the appropriation to the Soil Conservation Service for assisting our soil-conservation districts. The Soil Conservation Service is the principal agency assisting the districts. It makes available to the districts the services of trained soil and water conservationists, and a limited amount of field equipment and conservation materials. This assistance has been highly satisfactory in every way, except that the districts need more of it. Especially at this time the districts need more heavy field equipment like tractors, bulldozers, draglines, carry-alls, land levelers, and the like. This is equipment that farmers and ranchers generally do not have and which they cannot afford to buy for their regular farming operations. Yet this kind of equipment is needed to get the conservation job done. And we must have conservation in order that our Nation may produce and continue to produce the food, clothing, and housing materials needed.

The soil-conservation-district governing bodies believe strongly in private enterprise. We believe that landowners and operators should, and desire to, do as much of the conservation work as they can with their own equipment used in regular farm and ranch operations. We think that with their own equipment the farmers can do about one-third of all the conservation work that requires machinery. Then we think that arrangements should be made for contractors and custom-equipment operators to do as much of the conservation job as they can do at prices fair to them and to the farmers. We believe this will represent about one-third of the total.

I might add that many districts already have developed arrangements whereby contractors are doing conservation work. Such work offers opportunity to many returning veterans, and the districts are trying to see to it that the best use is made of these opportunities.

In addition, though, the soil-conservation districts need some equipment under their own control. They need it in order to establish fair prices and to set standards of performance for district work. They also need their own machinery so they can do the small or scattered jobs throughout the districts in which contractors are not interested but which require special equipment.

DISTRICTS WILL ASSUME THE OPERATING COSTS ON EQUIPMENT

We are not asking you to meet the operating costs of the district equipment.

We are just asking you to lend or grant the necessary equipment to the districts.

The districts will operate it and meet the operating costs through charges to farmers and ranchers for its use. Many of the districts already are experienced in operating such equipment. The Soil Conservaton Service likewise is experienced in placing it where it is most needed and will be used to best advantage. The Service has already made available to the districts the small amount of equipment that it has had.

I believe that perhaps we soil-conservation-district governing bodies in our enthusiasm may have been somewhat responsible for delay in legislation—like the Poage or McKellar bills—for lending and granting surplus military equipment to districts. Some of us wrote Members of Congress expressing the equipment needs of our districts. In some cases we may have overstated what the districts are in position to put immediately into wise use. Possibly that created a doubt in the minds of some Members of Congress as to the practicability of such a program. But the fact remains that we still need the equipment, and anything that can be done to expedite getting it to the districts will be most helpful.

I understand that the House of Representatives has passed the appropriation for the Soil Conservation Service with an item of $1,000,000 to be used in obtaining surplus equipment for lending or granting to soil conservation districts. I commend that action. The $1,000,000 however will not come anywhere near meeting the districts' needs.

In my own State of South Carolina, for instance, the 21 soil conservation districts already organized and covering the entire State could easily use 7 or 8 draglines—to say nothing of tractors and bulldozers. I feel sure the draglines would cost around $100,000 or one-tenth of the total amount now carried in the appropriation bill.

INCREASED APPROPRIATION RECOMMENDED FOR PURCHASE OF SURPLUS GOVERNMENT EQUIPMENT

I urge this committee to increase the appropriation for the Soil Conservation Service for lending and granting equipment to soil conservation districts to $5,000,000. I assure you that if you make this amount of equipment available to our districts, they will make effective use of it in the public good.

I thank you.

Senator RUSSELL. The committee has always been very much interested in this work

of these soil conservancy districts, Mr. McArthur. Senator Maybank in particular has been very much interested in it.

The Senate endeavored to pass a bill dealing with the subject, but it got stalled in the House, as you are aware. I believe you referred to the McKellar bill.

Mr. MCARTHUR. Well, sir; we think one reason for that is the fact that some of the governing bodies in the districts in different sections of the country wrote into Congress and estimated their needs as such enormous amounts that it would be impracticable.

Senator MAYBANK. Do you have anything more to say on that?

NATION-WIDE INTEREST IN SOIL CONSERVATION WORK

Mr. MCARTHUR. I would like to make this statement: This soil conservation district movement has swept and is sweeping the country like wildfire. Farmers like it because it gives them an opportunity to participate in solving their own problems. They like it because it means better living conditions for them and their families.

Civic groups like it because it gives them an opportunity to render service to the communities.

Businessmen and bankers and industrialists like it because it means stabilization for them in their effort.

It is very popular, and as I stated in this statement, the districts now being organized are at the rate of 15 or 20 a month in States that have just recently passed enabling acts authorizing setting up of districts.

Senator RUSSELL. It is estimated there will be 1,580 in the whole Nation by the 1st of July.

Mr. MCARTHUR. We have got one-thousand-five-hundred-and-some now.

SUPERVISORS RECEIVE NO COMPENSATION

Senator MAYBANK. There is only one thought I would like to bring out for the record, since Mr. McArthur talked about the 4,000,000 members.

What money is paid to the supervisors?

Mr. MCARTHUR. So far as I know, none of these governing bodies receive a cent of compensation.

Senator MAYBANK. I would like to also ask: For instance, you yourself, you came up here. Are there any funds to pay expenses at all?

Mr. MCARTHUR. No provisions for paying expenses except my own.

Senator MAYBANK. It is all done by the farmers?

Mr. MCARTHUR. Yes, sir.

Senator MAYBANK. And there is no profit?

Mr. MCARTHUR. No profit.

Senator MAYBANK. Thank you, sir.

Senator HAYDEN. I think you have made a very interesting statement.

Mr. MCARTHUR. Thank you, sir.

Senator HAYDEN. It conforms exactly with the information I have from my own State in the West.

Mr. MCARTHUR. Well, I thank you, gentlemen.

Senator RUSSELL. We are glad to have you here, Mr. McArthur.

Mr. PEPPER subsequently said: Mr. President, I wish to say just a word in order that the record may not be void of any protest on my part at the adoption of section 5 of the agricultural appropriation bill which the Senate passed this afternoon.

I realize that with the present temper of the Senate, and the provision of section 5 to which I shall refer having been inserted by the Committee on Appropriations, it is useless to make any actual fight to remove it, but I wish to call attention to the language contained in the following provision:

No part of any appropriation contained in this act shall be used to pay the salary or wages of any person who is a member of an organization of Government employees that asserts the right to strike against the Government of the United States.

Mr. President, that part of the section—not the other part, which condemns those who would overthrow the Government of the United States by force or violence—the first part of that section which I have read I deem to be a violation of the civil right of the citizen of this country who works for the Government to bargain collectively with the Government of the United States, and to exert all the other privileges which pertain to an employee who is also a citizen of this country.

To make every man and woman who work for the United States Government sign affidavits, as a condition precedent to drawing their wages or salaries, that they do not belong to such an organization as asserts the right to strike against the Government of the United States, and their receipt of any wages or salary upon the possibility of being prosecuted for a felony, as is later provided in the section, is in my opinion an affront to the citizenry of this country who happen to be employed by the Federal Government. I think it is an unfair deprivation of their rights as citizens, and I regret to see an extension of such legislation in an appropriation bill. We saw three men pilloried here, for being liberal in principle, in an appropriation statute passed by Congress, stricken down because of the expression of their own civil right to think and to enjoy the rights of free speech.

I regret very much to see the antilabor antipathy directed to the employees of the United States Government, and now incorporated where of all places it should not be, in an appropriation bill, which is used as a vehicle for legislation of this character.

If Congress wants to legislate on that subject, I think it should legislate directly, rather than try to put the legislation in an appropriation bill.

As I said, Mr. President, the policy is being made by others, but I do not want the bill to pass the Senate without a protest being in the RECORD against that particular provision.

JOINT MEMORIAL SERVICES FOR THE LATE PRESIDENT FRANKLIN DELANO ROOSEVELT

The PRESIDING OFFICER (Mr. HUFFMAN in the chair) laid before the Senate House Concurrent Resolution 152, which was read, as follows:

Resolved by the House of Representatives (the Senate concurring), That Monday, the 1st day of July 1946, be set aside as the day upon which there shall be held a joint session of the Senate and the House of Representatives for appropriate exercises in commemoration of the life, character, and public service of the late Franklin D. Roosevelt, former President of the United States.

That a joint committee, to consist of three Senators and five Members of the House of Representatives, to be appointed by the President pro tempore of the Senate and the Speaker of the House of Representatives, respectively, shall be named, with full power to make all arrangements and publish a suitable program for the joint session of Congress herein authorized, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Associate Justices of the Supreme Court of the United States, and such other invitations shall be issued as to the said committee shall seem best.

That all expenses incurred by the committee in the execution of the provisions of this resolution shall be paid, one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives.

Mr. BARKLEY. I move that the Senate concur in the House concurrent resolution.

The motion was agreed to.

EXECUTIVE SESSION

Mr. BARKLEY. I move that the Senate proceed to the consideration of executive business.

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

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the calendar.

DEPARTMENT OF STATE—NOMINATION PASSED OVER

The Chief Clerk read the nomination of Charles Fahy, of New Mexico, to be legal adviser of the Department of State.

Mr. BARKLEY. Mr. President, that nomination and the one following, which have been passed over for several days at the request in each case of a Member of the Senate who is not now present, will have to be passed over again. I wish to state, however, that I am not willing that the nominations remain on the calendar indefinitely without action being taken with regard to them, and I hope that next week we can take action and dispose of them.

The PRESIDING OFFICER. The nomination of Charles Fahy, of New Mexico, to be legal adviser of the Department of State, and the nomination of Charles Ulrick Bay, of New York, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Norway, will be passed over.

The clerk will state the remaining nominations under the foreign service.

FOREIGN SERVICE

The Chief Clerk proceeded to read sundry nominations in the foreign service.

Mr. BARKLEY. I ask that the nominations be confirmed en bloc, and that the President be notified forthwith.

The PRESIDING OFFICER. Without objection, the nominations are confirmed en bloc and, without objection, the President will be notified forthwith.

That completes the nominations on the calendar.

CONVENTION WITH GREAT BRITAIN AND NORTHERN IRELAND WITH RESPECT TO TAXES ON INCOME

Mr. CONNALLY. Mr. President, I ask unanimous consent for the present consideration of Executive D, a convention with Great Britain and Northern Ireland with respect to taxes on estates of deceased persons.

The PRESIDING OFFICER. Is there objection?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the Convention, Executive D, Seventy-ninth Congress, first session, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1945, which was read the second time.

(The convention was printed in the CONGRESSIONAL RECORD, vol. 91, pt. III, p. 3853, Apr. 26, 1945, at the time the injunction of secrecy was removed.)

Mr. TAFT. Mr. President, without questioning the competence of the Committee on Foreign Relations, it occurs to me that possibly the Committee on Finance should have something to say about this matter.

Mr. CONNALLY. The Senator from Georgia [Mr. GEORGE], chairman of the Finance Committee, was chairman of the Subcommittee of the Committee on Foreign Relations which considered this convention. It came under the scrutiny of the chairman and other members of the Finance Committee, and was originally reported by the committee, and later recommitted for further screening.

Mr. TAFT. Who were the members of the subcommittee?

Mr. CONNALLY. I do not know, other than the Senator from Georgia [Mr. GEORGE]. He was the chairman.

Mr. TAFT. Did he recommend favorable action to be taken on the treaty?

Mr. CONNALLY. Yes.

Mr. TAFT. I have no objection, Mr. President.

Mr. WHERRY. Mr. President, reserving the right to object, I ask the Senator from Texas if the Senator from West Virginia [Mr. REVERCOMB] has consulted with him about this convention.

Mr. CONNALLY. I do not know. I have been available for some time, however.

Mr. WHERRY. I understand that the Senator from West Virginia has asked that consideration of one or two of these matters go over, and I was wondering if this was one of them.

Mr. CONNALLY. I am sure that the convention was given very careful consideration.

Mr. TAFT. I have been handed a copy of Executive D which seems to be something entirely different from the Executive D which is on the calendar. It was reported yesterday.

Mr. CONNALLY. Oh, no; this Executive D was reported on the 10th of May.

I may say to the Senator that one of the items which caused Executive D to be recommitted to the committee was the claim which had been made by representatives of the moving-picture industry, including actors, that they were being taxed both in the United States and in the United Kingdom, and that it amounted to double taxation. The convention was recommitted to the committee, and the part about which there had been complaint was rectified. The Senator from Wisconsin [Mr. LA FOLLETTE] is present and he can give assurances to the Senator from Ohio that the convention is in proper shape.

Mr. LA FOLLETTE. Mr. President, insofar as the treaty which has to do with the United Kingdom is concerned, I may say that there was vigorous protest registered on behalf of the actors and motion-picture producers. I do not have a copy of the treaty before me. However, there was one section of it which the actors and motion-picture producers felt discriminated against them. Therefore, the treaties were returned to the committee for further consideration. The procedure which was worked out was to not change the treaties in any respect. We were assured by representatives of the Treasury Department and of the State Department that they had drawn up a protocol which, as I understand, was to have been signed and submitted to the British Parliament with the recommendation on the part of the British Government that it be approved by the Parliament. It will also have to be approved—I am referring now to the protocol—by the Senate after the British Parliament has acted upon it. It is anticipated that since the Government of the United Kingdom has agreed to it there will be no difficulty about a favorable action on their part being taken with regard to the protocol.

Mr. TAFT. The Senator feels, does he, that the treaty does not give any special advantage to the residents of Great Britain?

Mr. LA FOLLETTE. I believe that since we have worked out what we believe will be a procedure to rectify the discrimination which the actors and motion-picture producers contended they were laboring under, and if the protocols are acted upon subsequent to our ratification of the treaty, the situation of the motion-picture people will have been corrected.

While I am on my feet I wish to make a general statement for the RECORD concerning these tax treaties. The procedure which has usually been followed, and which was followed in this case, is to have the State Department, in conjunction with the Treasury Department, draw up tax treaties. Like all other treaties, the drafting and negotiating of them are carried on in secret. They are then submitted to the Senate for ratification. We are always in the position of either having to take the treaties as we receive them or risk delay or, perhaps, rejection if we amend them.

The particular matter which we have just been discussing is a case in point. I believe that the procedure which has been worked out for this particular treaty—the protocol procedure which I have described—will rectify the situation in this particular case. But, as a member of the Committee on Finance and as a member of the Committee on Foreign Relations, I should like to emphasize the statement made in the original report from the Committee on Foreign Relations—that some other procedure should be found in the drafting of tax treaties whereby the Congress will be apprised of what is contemplated and will be advised of what is intended to be incorporated in such treaties, so that we will not be confronted with such situations as we have discovered, not only in connection with this treaty but in connection with other tax treaties which have been drafted.

My own view is that the staff of the Joint Committee on Internal Revenue Taxation should be drawn into these negotiations, so that the members of the Joint Committee on Internal Revenue Taxation will be privy to the matters which are being negotiated, and the drafts of the treaties as they are being made. Thus, we will not be in the position of being confronted with faits accompli when tax treaties are drawn. I think we have a right to make a special differentiation between the methods used when tax treaties are drawn and those employed when other treaties are drawn because the matter of taxation is so peculiarly a responsibility, first of all, of the House of Representatives, where all tax legislation must originate, and, secondly, the Senate, which must also act upon tax matters.

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

Mr. LA FOLLETTE. I yield.

Mr. TAFT. The Senator knows the Finance Committee gives very careful consideration to every detail of a tax bill, it works it all out, then a treaty comes along and the provisions are changed without any consideration by the Committee on Finance itself. It happens in this case that the distinguished chairman of the Committee on Finance is a member of the Committee on Foreign Relations, and has worked on this treaty, and I am willing to take his judgment on it. But in a case, for instance, like that of the reduction in the withholding tax at the source from 30 percent to 15 percent, in the case of dividends moving from the United States to the United Kingdom, with a good deal of care and study we fixed on 30 percent as the rate on dividends going to citizens who are nonresidents of the United States. That is changed, and very properly so, probably, to avoid a duplication of taxation. But it seems to me that the Committee on Finance, through the Joint Committee on Internal Revenue Taxation, should give some consideration to the questions in advance.

Mr. LA FOLLETTE. I appreciate the Senator's reenforcement of what I have said, because so far as I am concerned, I serve notice now that I shall not be restrained in my opposition to any future treaties which are submitted which deal with tax problems, unless the Joint Committee on Internal Revenue Taxation and its staff are taken into the proceedings at a time when we can have something to say about the policies which are to be adopted, because obviously a treaty overrides any law which we may have on the subject.

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

Mr. LA FOLLETTE. I am glad to yield to the distinguished chairman of the Committee on Foreign Relations.

Mr. CONNALLY. I am in hearty agreement with the Senator from Wisconsin in the statement that the Joint Committee on Internal Revenue Taxation, which has been established by the two Houses of Congress to look after tax matters, should be consulted prior to the final negotiations of these treaties.

To explain to the Senator from Ohio my course in the matter, as chairman of the Committee on Foreign Relations I appointed the Senator from Georgia [Mr. GEORGE] chairman of the subcommittee, because of the fact that he was chairman of the Committee on Finance, and would give attention to this particular treaty.

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

Mr. LA FOLLETTE. I yield.

Mr. TAFT. That is the reason why I am not objecting to the treaty, but I still think that the Committee on Finance, which writes tax bills, should pass on modifications of them made by treaty.

Mr. LA FOLLETTE. The point is that although the Senator from Texas did appoint the Senator from Georgia, who is chairman of the Committee on Finance, and one or two other Senators who are members of the Committee on Finance, the situation with which we are confronted is that this treaty has been signed, sealed, and delivered, to the Senate for ratification, and we have either to take the risk of rejecting the treaty or delaying its ratification, or swallowing the bitter with the sweet. Therefore I believe that we are justified in urging upon both the State Department and the Treasury Department that the Joint Committee on Internal Revenue Taxation and its staff be drawn into these negotiations from the beginning, so that we may have an opportunity to have something to say about the policies which are to be worked out in connection with these negotiations at a time when our judgment may have some bearing on the outcome.

The PRESIDING OFFICER. The convention is before the Senate as in Committee of the Whole, and open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive D, Seventy-ninth Congress, first session, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on income, signed at Washington on April 16, 1945.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

CONVENTION WITH GREAT BRITAIN AND NORTHERN IRELAND WITH RESPECT TO TAXES ON ESTATES OF DECEASED PERSONS

Mr. CONNALLY. Mr. President, I move that the Senate proceed to the consideration of Executive E, which relates to the same subject covered by the treaty the Senate has just ratified, except that it deals only with estate taxes. The other dealt with income taxes.

The PRESIDING OFFICER. The question is on the motion of the Senator from Texas.

The motion was agreed to, and the Senate, as in Committee of the Whole, proceeded to consider the convention, Executive E, Seventy-ninth Congress, first session, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons, signed at Washington on April 16, 1945, which was read the second time.

(The convention was printed in the CONGRESSIONAL RECORD, vol. 91, pt. 3, p. 3854, Apr. 26, 1945, at the time the injunction of secrecy was removed.)

The PRESIDING OFFICER. The convention is before the Senate as in Committee of the Whole, and open to amendment. If there be no amendment to be proposed, the convention will be reported to the Senate.

The convention was reported to the Senate without amendment.

The PRESIDING OFFICER. The resolution of ratification will be read.

The legislative clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive E, Seventy-ninth Congress, first session, a convention between the United States of America and the United Kingdom of Great Britain and Northern Ireland, for the avoidance of double taxation and the prevention of fiscal evasion with respect to taxes on the estates of deceased persons, signed at Washington on April 16, 1945.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification. [Putting the question.] Two-thirds of the Senators present concurring therein, the resolution of ratification is agreed to, and the convention is ratified.

ACQUISITION OF SITES AND CONSTRUCTION OF BUILDINGS BY THE FEDERAL WORKS ADMINISTRATOR

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the Senate return to legislative session, so I may ask that the Senate consider a bill which in some of its aspects is urgent legislation.

The PRESIDING OFFICER. Without objection, the Senate will resume the consideration of legislative business.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent that the unfinished business be temporarily laid aside so I may make a request for consideration of the bill.

The PRESIDING OFFICER. Without objection, the unfinished business will be temporarily laid aside.

Mr. FULBRIGHT. I wish to inquire of the Senator from Nebraska [Mr. WHERRY]—and I notice that the Senator from Ohio [Mr. TAFT] is present, and both Senators are members of the Committee on Public Buildings and Grounds—if there is any objection to the taking up of House bill 5407 which I discussed with the Senator from Nebraska yesterday. I also discussed the subject with the Senator from West Virginia [Mr. REVERCOMB].

Mr. WHERRY. Mr. President, I agreed yesterday that I would join with the Senator from Arkansas in supporting the legislation contained in the bill to which he has referred. It really is emergency legislation, and I feel it should be passed promptly. The only thing is that an agreement was made that the Senate take a recess, and I should like to have the Senate take a recess.

Mr. FULBRIGHT. I do not want to press the matter. I simply inquired if the Senator had any objection to taking up the bill.

Mr. WHERRY. I shall not object to the taking up of this one bill, but I wish to say that if request is made for consideration of any other bill this afternoon I shall object. That is not all, Mr. President. As we come closer to the end of the session more such requests will be made. I do not believe in having bills brought up for consideration at the last moment when many Senators have left the Chamber and a sufficient number are not present properly and intelligently to discuss the provisions of the bills brought up. I shall not object to consideration of this measure, because, as I told the Senator, I favor it, and I think it should be passed; but from now on I shall ask that bills be considered at the proper time, and not be brought in when many Senators have left the Chamber.

Mr. FULBRIGHT. Mr. President, I ask unanimous consent for the present consideration of Calendar No. 1199, House bill 5407.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 5407) to grant to the Federal Works Administrator certain powers with respect to site acquisition, building construction, purchase of buildings, and other matters.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

Mr. FERGUSON. I should like to have an explanation of the bill.

Mr. FULBRIGHT. I will say that the bill is of routine character. The part of the bill which is of an emergency nature relates to buildings, one in Kansas City and one in Boston, which the Government has contracted to purchase, and the expiration dates of the contracts are rapidly approaching. The Government is already occupying the buildings in question under lease. The evidence before the committee was very clear that it was highly advantageous to the Government to buy the buildings if it could purchase them. Those are the two principal items which require early action.

There are in the bill some minor items. One, for example, is the disposition of a

building in the District of Columbia which was bequeathed to the United States and it cannot be disposed of without the passage of this legislation. Another item is that of a small piece of land in the Barge Office in New York City, which the Authority must secure in order to complete a tunnel. Another item is the authorization to proceed to complete a heating plant in the District of Columbia. The bill contains a miscellaneous group of items of a routine nature which must be acted on in order that the Government may proceed with its program. I may say that there was a unanimous report of the committee. The Senator from Nebraska [Mr. WHERRY], the Senator from West Virginia [Mr. REVERCOMB], and the Senator from Ohio [Mr. TAFT] are members of the committee and voted to report the bill favorably. The bill was carefully considered.

Mr. FERGUSON. Mr. President, I wish to make another inquiry. Has the money been appropriated to acquire these sites?

Mr. FULBRIGHT. Yes; the money has been appropriated. This bill would provide authority to use the money.

Mr. WHERRY. I should like to say for the RECORD that I attended the hearings, and I agree entirely with what the distinguished Senator from Arkansas has said. I believe the bill should be passed, because it is necessary to obtain the site and buildings provided in it.

Mr. FULBRIGHT. If the bill is not passed quickly the Government will lose the advantage of the contracts it entered into sometime ago, and the time limit on them is rapidly approaching.

The PRESIDING OFFICER. Is there objection to the present consdieration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 5407) to grant to the Federal Works Administrator certain powers with respect to site acquisition, building construction, purchase of buildings, and other matters which had been reported from the Committee on Public Buildings and Grounds, with amendments.

The first amendment was, on page 1, line 9, after "California", to strike out "to purchase and remodel buildings" and to insert "to purchase buildings either unencumbered or subject to existing leases where in his determination it is advantageous to do so and to remodel the same."

The amendment was agreed to.

The next amendment was, on page 2, line 8, after the word "and", to strike out "said sum is hereby authorized to be appropriated for such purposes" and to insert "the unobligated balances of appropriations heretofore made for the construction of projects outside the District of Columbia are hereby made available for this purpose."

The amendment was agreed to.

The next amendment was, on page 2, line 16, after the figure "$2,000,000", to strike out the comma and the words "and said sum is hereby authorized to be appropriated for said purpose" and to insert "Funds for this purpose are hereby made available from the unobligated balances of appropriations heretofore made for the construction of buildings outside the District of Columbia."

The amendment was agreed to.

The next amendment was, in section 7, on page 6, line 8, after the word "apply", to insert "to communications systems for handling messages of a confidential or secret nature, or."

The amendment was agreed to.

The next amendment was, on page 6, line 12, after the word "operated", to insert "or occupied."

The amendment was agreed to.

The next amendment was, on page 6, line 14, to strike out section 8, as follows:

SEC. 8. The Commissioner of Public Buildings shall have exclusive authority in all buildings operated by the Public Building Administration to enter into contracts, upon such terms and conditions as he may find to be in the public interest and without securing competitive bids, for food services in buildings designed to include such facilities or where such services are subsequently found to be necessary to establish rules and regulations for the operation thereof; and to make all sanitary inspections in connection therewith.

The amendment was agreed to.

The next amendment was to change the remaining section numbers.

The amendment was agreed to.

The PRESIDING OFFICER. That completes the committee amendments. 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. 5407) was read the third time and passed.

Mr. FULBRIGHT. I move that the Senate insist upon its amendments, request a conference with the House 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. ANDREWS, Mr. FULBRIGHT, and Mr. TAFT conferees on the part of the Senate.

RECESS TO MONDAY

Mr. CONNALLY. I move that the Senate take a recess until Monday next, at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 18 minutes p. m.) the Senate took a recess until Monday, June 3, 1946, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate June 1 (legislative day of March 5), 1946:

FOREIGN SERVICE

TO BE FOREIGN-SERVICE OFFICERS, UNCLASSIFIED, VICE CONSULS OF CAREER, AND SECRETARIES IN THE DIPLOMATIC SERVICE OF THE UNITED STATES OF AMERICA

Oscar V. Armstrong	Stephen A. Rynas
W. Wendell Blancke	Frederick D. Sharp 3d
William N. Dale	Albert W. Sherer, Jr.
Alfred le S. Jenkins	Levi P. Smith, Jr.
Curtis F. Jones	Gerald Stryker
Francis E. Meloy, Jr.	Richard M. Tynan
Alexander L. Peaslee	Stanley B. Wolff
Howard A. Reed	

SENATE

MONDAY, JUNE 3, 1946

(Legislative day of Tuesday, March 5, 1946)

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

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

O God, who only art our refuge and our strength, to the altar of Thy forgiving mercy we come with starved souls, hungering after Thee. As leap the spires of Thy glory, how low fly the thoughts of our desires, their wings too often brushing the very ground. In the sanctuary of Thy riches how foolish and futile seem the things for which we strive with panting breath; we are of the earth earthy. Lead us now, we beseech Thee, beyond the wonder of the morning to the gates which lead to peace and power. We ask it in the name of that strong and stainless One who without shame and in triumph wore the garment of our afflictions and limitations and who looks at us and through us in these troubled days with eyes majestic and with a smile that bids us hope. Amen.

THE JOURNAL

On request of Mr. BARKLEY, and by unanimous consent, the reading of the Journal of the proceedings of the calendar day Saturday, June 1, 1946, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT

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

SAUNDERS MEMORIAL HOSPITAL—VETO MESSAGE (S. DOC. NO. 198)

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read by the legislative clerk, as follows:

To the United States Senate:

I return herewith, without my approval, the bill (S. 1932) to confer jurisdiction upon the United States District Court for the Eastern District of South Carolina to hear, determine, and render judgment upon the claim of the board of trustees of the Saunders Memorial Hospital.

It appears that in 1942 the Army Air Forces desired to construct a hospital at the Army air base at Florence, S. C., Dr. John D. Smyser, who was the medical director and superintendent of Saunders Memorial Hospital located in that city, offered to lease the hospital to the United States.

A series of negotiations took place between Dr. Smyser and representatives of the War Department, which resulted in the execution by Dr. Smyser of an option to lease the Saunders Memorial Hospital to the United States for the duration of the war and 6 months thereafter, subject to a right of termination by the Government at any time upon 30 days' notice.