1947, to provide for additional functions, duties, and employees in the Office of Selective Service Records, and for other purposes; to the Committee on Armed Services.

By Mr. CURTIS:

H. R. 4185. A bill to provide for the deduction from gross income for income-tax purposes of expenses incurred by farmers for the purpose of soil conservation and leveling land used or to be used in farming operations; to the Committee on Ways and Means.

By Mr. JAVITS:

H. R. 4186. A bill to prohibit and punish the unauthorized use of the official seal, emblem, and name of the United Nations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. KEARNEY:

H. R. 4187. A bill to amend subsection (d) of section 500 of the Servicemen's Readjustment Act of 1944, as amended; to the Committee on Veterans' Affairs.

By Mr. MACKINNON:

H. R. 4188. A bill to provide that Members of Congress may act as notaries public during their terms of office; to the Committee on the Judiciary.

By Mr. SMITH of Wisconsin:

H. R. 4189. A bill to provide for the deportation of certain aliens eligible to citizenship who do not take action to become citizens; to the Committee on the Judiciary.

By Mr. WILSON of Indiana:

H. R. 4190. A bill to amend the General Bridge Act of 1946; to the Committee on Public Works.

By Mr. HOLMES:

H. R. 4191. A bill to authorize the construction of the Klickitat unit of the Wapato project, Yakima Indian Reservation, Wash., and for other purposes; to the Committee on Public Lands.

By Mr. McDONOUGH:

H. R. 4192. A bill to amend paragraph (A) (1) of Public Law No. 662, Seventy-ninth Congress, chapter 869, second session, and for other purposes; to the Committee on Veterans' Affairs.

H. R. 4193. A bill to guarantee that the civil liberties of labor shall not be abridged; to the Committee on Education and Labor.

H. R. 4194. A bill to amend the Labor-Management Relations Act of 1947 to equalize legal responsibilities of labor organizations and employers, and for other purposes; to the Committee on Education and Labor.

By Mr. RAINS:

H. R. 4195. A bill to amend the Reconstruction Finance Corporation Act, as amended; to the Committee on Banking and Currency.

By Mr. REED of Illinois:

H. R. 4196. A bill to incorporate the Society of the First Division; to the Committee on the Judiciary.

By Mr. REES:

H. R. 4197. A bill to further amend the Classification Act of 1923, as amended; to clarify the meaning of references in the act of number of employees supervised and size of organization unit; and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BROWN of Ohio:

H. J. Res. 238. Joint resolution to amend paragraph 1772 of the Tariff Act of 1930; to the Committee on Ways and means.

By Mr. HOFFMAN:

H. Con. Res. 70. Concurrent resolution authorizing the Committee on Expenditures in the Executive Departments of the House of Representatives to have printed for its use additional copies of the hearings on the bill (H. R. 2319) the National Security Act of 1947; to the Committee on House Administration.

By Mr. SEELY-BROWN:

H. Con. Res. 71. Concurrent resolution establishing a joint committee to investigate high prices of consumer goods; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BYRNE of New York:

H. R. 4198. A bill for the relief of Miss Denise Simone Bouttant; to the Committee on the Judiciary.

By Mr. PATTERSON:

H. R. 4199. A bill for the relief of George Haniotis; to the Committee on the Judiciary.

PETITIONS, ETC.

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

741. By the SPEAKER: Petition of Mrs. Johanna Hansjacob, St. Petersburg, Fla., petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

742. Also, petition of Miss Martha Moffitt, Sanford, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

743. Also, petition of Miss Sue Laverents, Jacksonville, Fla., and others, petitioning consideration of their resolution with reference to endorsement of the Townsend plan, H. R. 16; to the Committee on Ways and Means.

744. By Mr. LYNCH: Petition of Catholic War Veterans, St. Helena Post, No. 202, urging enactment of H. R. 1981 to make Good Friday a national holiday; to the Committee on the Judiciary.

SENATE

TUESDAY, JULY 15, 1947

Rev. Clarence Cranford, D. D., minister, Calvary Baptist Church, Washington, D. C., offered the following prayer:

In these days of stress and strain, O God, give us a faith and a wisdom that can match the problems of this hour. Believing it is "not by might, nor by power, but by My Spirit, saith the Lord," help us to give attention to those moral and spiritual goals without which our material progress is in vain and our scientific advancement can become a curse rather than a blessing.

In Jesus' name. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Monday, July 14, 1947, was dispensed with, and the Journal was approved.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had passed, without amendment, the following bills of the Senate:

S. 179. An act for the relief of Maj. Ralph M. Rowley and First Lt. Irving E. Sheffel;

S. 403. An act authorizing the issuance of a patent in fee to Gideon Peon;

S. 484. An act to authorize and direct the Secretary of the Interior to issue to Joseph J. Pickett a patent in fee to certain land;

S. 558. An act for the relief of the alien Michael Soldo;

S. 880. An act for the relief of Rev. John C. Young;

S. 924. An act to credit active service in the military or naval forces of the United States in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia;

S. 1360. An act for the relief of Eric Seddon;

S. 1402. An act to authorize the parishes and congregations of the Protestant Episcopal Church in the District of Columbia to establish bylaws governing the election of their vestrymen; and

S. 1462. An act to authorize the official reporters of the municipal court for the District of Columbia to collect fees for transcripts, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3493) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate Nos. 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, and 110 to the bill, and concurred therein, and that the House insisted upon its disagreement to the amendment of the Senate No. 78 to the bill.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3993) making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate Nos. 14 and 17 to the bill, and concurred therein, and that the House receded from its disagreement to the amendment of the Senate No. 12 to the bill, and concurred therein with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3601) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1948, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. DIRKSEN, Mr. PLUMLEY, Mr. H. CARL ANDERSEN, Mr. HORAN, Mr. PHILLIPS, Mr. CANNON, Mr. SHEPPARD, and Mr. WHITTEN were appointed managers on the part of the House at the conference.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

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

S. 1419. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds;

H. R. 3950. An act to reduce individual income-tax payments; and

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

H. J. Res. 233. Joint resolution authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

ANNOUNCEMENT OF HEARINGS ON FAIR EMPLOYMENT PRACTICE BILL

Mr. DONNELL. Mr. President, yesterday an announcement was made that the subcommittee of the Committee on Labor and Public Welfare which is considering Senate bill 984 will hold an open public hearing in respect to that bill on Wednesday, July 16, 1947, and another hearing with respect to the same bill on Thursday, July 17. Inadvertently, the hour stated for each of those hearings in the notice as set forth in yesterday's RECORD is given as 10 o'clock a. m. I give notice that the hour of each of those hearings is 9:30 a. m.

NEEDS AND REALITIES OF THE AMERICAN MERCHANT MARINE—INVITATION TO SENATORS TO ATTEND PROGRAM

Mr. CAIN. Mr. President, I invite the attention of Senators to an invitation which I hold in my hand. The invitation is signed jointly by the Senator from Maine [Mr. WHITE], chairman of the Senate Committee on Interstate and Foreign Commerce; Hon. ALVIN F. WEICHEL, chairman of the Merchant Marine and Fisheries Committee of the House; and Hon. CHARLES A. WOLVERTON, chairman of the House Committee on Interstate and Foreign Commerce.

Several weeks ago, at a dinner which was given in Washington by the International Union of Marine and Shipyard Workers, a very dramatic and graphic program was presented showing the needs and realities of the American merchant marine. Among the guests were a number of Senators and Representatives. They were exceedingly interested and impressed by the character of the program which they witnessed and of which they were a part.

In consequence, the three gentlemen whose names I have just given have arranged to repeat that program, beginning at 4 o'clock this afternoon, in the House caucus room. I believe that those among us who are able to attend will receive additional information on a subject of rich concern to all of us.

EXECUTIVE COMMUNICATIONS, ETC.

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

TRANSFER BY NAVY DEPARTMENT OF A NAVAL LANDING CRAFT

A letter from the Acting Secretary of the Navy, reporting, pursuant to law, that the Junior Naval Reserve Unit, Sanford, Fla., a nonprofit organization incorporated under the laws of the State of Florida, had requested the Navy Department to transfer a naval landing craft for use in training boys; to the Committee on Armed Services.

FEBRUARY 1947 REPORT OF RECONSTRUCTION FINANCE CORPORATION

A letter from the Chairman of the Reconstruction Finance Corporation, transmitting, pursuant to law, a report of that Corporation for the month of February 1947 (with an accompanying report); to the Committee on Banking and Currency.

PETITION

Mr. CAPPER presented a petition signed by 60 citizens of Wilsey, Kans., praying for the enactment of Senate bill 265, to prohibit the transportation of alcoholic-beverage advertising in interstate commerce, which was referred to the Committee on Interstate and Foreign Commerce.

PROTEST AGAINST SALE OF WYANDOTTE INDIAN BURIAL GROUND, KANSAS CITY, KANS.

Mr. CAPPER. Mr. President, I have a letter from the city attorney of Kansas City, Kans., expressing vigorous opposition of the mayor and the board of commissioners of that city to Senate bill 1372, which would authorize the sale of the Wyandotte Indian burial ground, commonly known as the Huron Cemetery.

Since I was unable to lay this protest before the Senate Committee on Public Lands prior to their reporting the measure to the Senate Calendar, I present the letter for appropriate reference and ask unanimous consent that it may be printed in the RECORD so that my position will be understood when, upon the call of the calendar, I find it necessary to object to the bill.

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

CITY OF KANSAS CITY, KANS.,
July 9, 1947.

Senator ARTHUR CAPPER,
Capitol Building, Washington, D. C.

DEAR SIR: In re H. R. 3685, entitled "A bill authorizing the Wyandotte Tribe of Oklahoma, through its business committee, to sell and convey, subject to the approval of the Secretary of the Interior, the Wyandotte Indian public burial ground in Kansas City, Kans.," introduced by Mr. SCHWABE of Oklahoma.

I am writing this letter at the direction of Mayor Clark E. Tucker and Commissioners Edward W. Becker and Francis Blake, who constitute the governing body of Kansas City, Kans.

Mr. Grant W. Harrington, a lawyer of this city, has prepared a history of what is now called the Huron Cemetery in Kansas City, Kans. He is the author, among other books, of a book entitled "Historic Spots in Wyandotte," which is the name of the county in which Kansas City, Kans., is situated and is the original name of the largest city among five separate cities which are now embraced within the corporate limits of Kansas City, Kans.

It will be noted from Mr. Harrington's history that Wyandotte County was originally settled by the Indians who had moved here from other States by virtue of treaties with the Government.

The Wyandottes who settled in Wyandotte County and their decedents were a progressive and intelligent group of people. Some of their decedents during my time have earned promotion in business concerns of high rank, and have been prominent in the city affairs of the community. The names of some of these progressive people are in some cases preserved by having streets named after them, and the fact that this particular county bears the name of Wyandotte is also a further testimonial of how the people regard it.

There is no public demand on the part of the people residing here now to have this cemetery desecrated and the use of the ground changed from that for which it has been used for more than a hundred years to a commercial use that would destroy it historically as well as desecrate the last resting place of the Indians buried there and the soldiers who fought in the War of 1812 and the others of whom fought in the war to preserve the Union of the States.

The people of this city believe the dead should rest in peace and that it is the duty of the living to see that their resting places are kept in a state of beauty and with proper reverence. This is, we believe, as it should be.

The laws of our State place the burden of the maintenance of abandoned cemeteries upon its public bodies and in the case of private burial grounds place them under the jurisdiction of the probate court of the county with full authority to maintain actions to recover damages when such private burial grounds are desecrated. This statement is made to show that it is a State policy to let the dead rest in peace.

By the agreement made with the United States, this city entered into a solemn contract with the United States to maintain and preserve this cemetery as a cemetery and to give to it the same care that it gives to a park similarly situated. This cemetery is joined on the north and east by Huron Park and the accompanying photograph taken from the air shows that Huron Park and Huron Cemetery together constitute a beautiful place in the very heart of the retail business district.

True, from its location, its Minnesota Avenue frontage would undoubtedly be valuable as a location for retail business, but it must be remembered that it is the last resting place of many of the first settlers of this community. They rest in a place selected by their friends or by themselves during their lifetime. It is private to them—the title has rested.

Those who bought their property from the Delaware Indians were among those who constituted the original planners of Wyandotte—the pioneer city which constitutes Kansas City, Kans. Their chiefs were members and officials in that partnership of the Wyandotte Town Co. They planned their city wisely.

By the treaty of 1855 the Wyandottes who made that treaty and their decedents became loyal citizens of the United States. Many of them are buried there. The people of this city, as represented by the governing body of the city, make the request and express the hope that House Resolution 3685 be not enacted into law, and that this cemetery be never desecrated, but that it may be and remain what it has been, a place of eternal rest. We hope that each of those who represent us in Congress will be diligent in securing the defeat of this resolution.

Respectfully submitted.

ALTON H. SKINNER,
City Attorney.

GENERAL HOUSING LEGISLATION—LETTER FROM NORWALK (CONN.) CITY COUNCIL

Mr. McMAHON. Mr. President, I present for appropriate reference a letter from the Common Council of the City of Norwalk, Conn., relating to the so-called Wagner-Ellender-Taft general housing bill, and I ask unanimous consent that it may be printed in the RECORD.

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

CITY OF NORWALK,
Norwalk, Conn., July 11, 1947.

Hon. BRIEN MCMAHON,
Senator, United States
Senate Building, Washington, D. C.

DEAR SENATOR MCMAHON: In accordance with the action of the Common Council of the City of Norwalk at its regular meeting held July 8, 1947, I am reminding you that said council at its regular meeting held May 14, 1946, voted unanimously to recommend the passage of the Wagner-Ellender-

Taft general housing bill, S. 1592, and the amendment to this bill as introduced in the Senate committee.

In a letter dated May 20, 1946, you were advised of the action of the common council and a reply dated May 24, 1946, was received from you.

In response to a petition received by the council, it was voted that this matter be called to your attention once again and that Senator BALDWIN and Congressman LODGE be advised of the council's action.

With kindest personal regards, I am,

Very truly yours,

EDWIN T. CHARIOTT,
City Clerk.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. ROBERTSON of Virginia, from the Committee on Banking and Currency:

S. 318. A bill to authorize the coinage of 50-cent pieces to commemorate the patriotic services of Patrick Henry and to perpetuate his home as a historic shrine; without amendment (Rept. No. 546).

By Mr. ROBERTSON of Wyoming, from the Committee on Public Lands:

S. 1368. A bill to amend section 2357 of the Revised Statutes to increase the size of isolated or disconnected tracts or parcels of the public domain which may be sold, and for other purposes; with an amendment (Rept. No. 547).

By Mr. BUTLER, from the Committee on Public Lands:

S. 1220. A bill to transfer jurisdiction of certain lands comprising a portion of Acadia National Park, Maine, from the Department of the Interior to the Department of the Navy, and for other purposes; without amendment (Rept. No. 548);

H. R. 175. A bill to confer upon the Governor of Alaska the power to pardon and remit fines and forfeitures for offenses against the laws of the Territory of Alaska; without amendment (Rept. No. 549);

H. R. 187. A bill to amend Public Law 304, Seventy-seventh Congress; without amendment (Rept. No. 550);

H. R. 1554. A bill to amend the act entitled "An act providing for the transfer of the duties authorized and authority conferred by law upon the board of road commissioners in the Territory of Alaska to the Department of the Interior, and for other purposes," approved June 30, 1932; without amendment (Rept. No. 551);

H. R. 1609. A bill to authorize the Legislature of the Territory of Alaska to provide for the exercise of zoning power in town sites on the public lands of the United States; without amendment (Rept. No. 552);

H. R. 2938. A bill to amend section 1 of the act of August 24, 1912 (37 Stat. 497, 5 U. S. C., sec. 488), fixing the price of copies of records furnished by the Department of the Interior; with an amendment (Rept. No. 554);

H. R. 3343. A bill to amend the Alaska game law; without amendment (Rept. No. 553); and

S. Res. 148. Resolution authorizing the Committee on Public Lands to hold hearings at such times and places it may deem advisable; without amendment; and, under the rule, the resolution was referred to the Committee on Rules and Administration.

By Mr. ECTON, from the Committee on Civil Service:

H. R. 1203. A bill to provide compensation to persons performing the duties of postmasters at post offices of the fourth class during annual and sick leave of the postmasters; without amendment (Rept. No. 555); and

H. R. 2857. A bill to extend second-class mailing privileges to bulletins issued by State conservation and fish and game agencies or departments; without amendment (Rept. No. 556).

By Mr. COOPER, from the Committee on the Judiciary:

S. 323. A bill authorizing the Comptroller General of the United States to allow credits to and relieve certain disbursing and certifying officers of the War and Navy Departments in the settlement of certain accounts; with amendments (Rept. No. 557).

By Mr. McGRATH, from the Committee on the District of Columbia:

S. Res. 144. Resolution authorizing an investigation of law-enforcement and police administrations in the District of Columbia; without amendment; and, under the rule, the resolution was referred to the Committee on Rules and Administration.

By Mr. WHITE, from the Committee on Interstate and Foreign Commerce:

H. R. 2331. A bill to amend section 20a of the Interstate Commerce Act; without amendment (Rept. No. 558).

By Mr. VANDENBERG, from the Committee on Foreign Relations:

S. J. Res. 136. Joint resolution authorizing the President to accept on behalf of the Government of the United States the Convention on the Privileges and Immunities of the United Nations; with amendments (Rept. No. 559).

INVESTIGATION OF OPERATIONS OF POST OFFICE DEPARTMENT

Mr. BALDWIN. Mr. President, from the Committee on Civil Service, I report favorably Senate Concurrent Resolution 20, providing for a joint investigation of the operations of the Post Office Department. The resolution contains the names of several Senators as sponsors. I ask unanimous consent to add the names of the Senator from North Dakota [Mr. LANGER] and the Senator from South Carolina [Mr. JOHNSTON] to the concurrent resolution as sponsors.

The PRESIDENT pro tempore. The report will be received and the concurrent resolution will be referred to the Commitee on Rules and Administration; and, without objection, the names of the Senator from North Dakota [Mr. LANGER] and the Senator from South Carolina [Mr. JOHNSTON] will be added as sponsors of the concurrent resolution.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, July 15, 1947, he presented to the President of the United States the enrolled bill (S. 1419) to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

PERSONS EMPLOYED BY COMMITTEES WHO ARE NOT FULL-TIME SENATE OR COMMITTEE EMPLOYEES

The PRESIDENT pro tempore laid before the Senate a report for the months of January through June 1947, from the chairman of a certain committee, in response to Senate Resolution 319 (78th Cong.), relative to persons employed by committees who are not full-time employees of the Senate or any committee thereof, which was ordered to lie on the table and to be printed in the RECORD, as follows:

UNITED STATES SENATE,
SENATE FOREIGN RELATIONS COMMITTEE,
July 15, 1947.

To the Senate:

The above-mentioned committee hereby submits the following report showing the names of persons employed by the committee who are not full-time employees of the Senate for the months of January 1947 through June 1947, in compliance with the terms of Senate Resolution 319, agreed to August 23, 1944:

Francis O. Wilcox, 4323 Albemarle Street NW., Library of Congress, annual salary, $9,975.

Mary G. Sheppard, 3365 Rittenhouse Street NW., Library of Congress, annual salary, $2,770.

Above-named employees have been full-time employees of the committee since January 1947.

A. H. VANDENBERG,
Chairman.

REPORTS OF COMMITTEES ON PERSONNEL AND FUNDS

Pursuant to Senate Resolution 123, Eightieth Congress, first session, the following reports were received by the Secretary of the Senate:

UNITED STATES SENATE,
COMMITTEE ON BANKING AND CURRENCY,
July 15, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 3, 1947, to June 30, 1947, together with the funds appropriated to and expended by it.

Philip Levy, counsel-professional staff, gross annual salary, $8,339.10.

Robert D. L'Heureux, counsel-professional staff, gross annual salary, $7,075.

Robert C. Hill, chief clerk, gross annual salary, $7,075.

Eunice Avery, clerk, gross annual salary, $4,950.79

Caro M. Pugh, stenographer, gross annual salary, $3,543.80.

Edna A. Stewart, stenographer, gross annual salary, $2,964.45.

Pauline C. Beam, stenographer, gross annual salary, $2,964.45.

George P. Richards, Sr., investigator, March 3–8, 10–15, salary, $333.33.

Funds appropriated, $10,000.

Funds expended, $4,501.68.

CHAS. W. TOBEY,
Chairman.

UNITED STATES SENATE,
SENATE CIVIL SERVICE COMMITTEE,
July 11, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution No. 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 3, 1947, to June 30, 1947, together with the funds appropriated to and expended by it.

George D. Riley, staff director, gross annual salary, $10,000.

Frank Vogel, staff member, gross annual salary, $10,000.

John D. Phenix, actuary, gross annual salary, $10,000.

William E. Posey, staff member, gross annual salary, $7,075.06.

Colette E. Homan, clerk, gross annual salary, $5,695.66.

Tom F. Fox, clerical, gross annual salary, $4,288.68.

Dorothy Lynott, clerical, gross annual salary, $3,626.56.

Anna Baca, clerical, gross annual salary, $3,626.56.

Esther Peterson, clerical, gross annual salary, $3,626.56.

Funds appropriated, $10,000.

Funds expended, $4,409.81

WILLIAM LANGER,
Chairman.

UNITED STATES SENATE,
SENATE COMMITTEE ON THE
DISTRICT OF COLUMBIA,
June 30, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned Committee on the District of Columbia, pursuant to Senate Resolution No. 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 3, 1947, to June 30, 1947, together with the funds appropriated to and expended by it.

J. George Stewart, chief clerk, gross annual salary, $8,023.09.

James R. Kirkland, counsel, gross annual salary, $8,971.11.

Edna L. Ward, stenographic secretary, gross annual salary, $3,626.56.

Ruth W. Wood, stenographic clerk, gross annual salary, $3,295.51.

Hart, Alderson, McCabe & Harkins, public reporters.

Dr. Selden D. Bacon, witness at hearing.

Dr. E. M. Jellinek, witness at hearing.

Estate of M. W. Pickering, House majority, cutting stencils, etc.

Funds appropriated, $10,000.

Funds expended, $3,212.86.

C. D. BUCK,
Chairman.

UNITED STATES SENATE,
SENATE COMMITTEE ON FINANCE.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution No. 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 1, 1947, to July 1, 1947, together with the funds appropriated to and expended by it.

Sherwood B. Stanley, clerk, yearly gross salary rate, $7,549.09.

Elizabeth B. Springer, assistant clerk, yearly gross salary rate, $5,116.32.

Janice Everly, stenographer, yearly gross salary rate, $3,626.56.

Bernice Crouze, stenographer, yearly gross salary rate, $3,626.56.

Jesse R. Nichols, document clerk, yearly gross salary rate, $3,129.98.

Samuel D. Mercer (resigned June 15, 1947), research clerk, yearly gross salary rate, $4,619.73.

Contingent fund	$10,000.00
Senographic reporting	2,807.43
Expense of witnesses	1,832.29
Telephone charges	3.96
Total expended	4,643.68

E. D. MILLIKIN,
Chairman.

UNITED STATES SENATE,
SENATE COMMITTEE
ON FOREIGN RELATIONS,
July 15, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 3, 1947, to June 30, 1947, together with the funds appropriated to and expended by it:

Francis O. Wilcox,[1] chief of staff, gross annual salary $9,975.

C. C. O'Day, clerk, gross annual salary $7,549.08.

Emmett M. O'Grady, assistant clerk, gross annual salary $4,040.38.

Mary G. Sheppard,[1] assistant clerk, gross annual salary $2,770.

Isabel M. Smith, assistant clerk, gross annual salary $3,378.27.

Funds appropriated, $10,000.

Funds expended, $2,138.66.

A. H. VANDENBERG,
Chairman.

UNITED STATES SENATE,
COMMITTEE ON INTERSTATE
AND FOREIGN COMMERCE,
July 15, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 3, 1947, to June 30, 1947, together with the funds appropriated to and expended by it.

Edward Jarrett, clerk, gross salary $8,339.10.

Edward Cooper, professional staff member, gross salary $8,339.10.

Halford G. Davis, professional staff member, gross salary $7,075.06.

Vera Rudolph, clerical staff, gross salary $3,792.09.

Harriet Gray, clerical staff, gross salary $3,212.74.

Dorothy Prout, clerical staff, gross salary $3,212.74.

C. H. Dolan, air accident investigator (temporary), gross salary $8,339.10.

Funds appropriated, $10,000.

Funds expended, $6,386.94.

WALLACE H. WHITE, Jr.,
Chairman.

UNITED STATES SENATE,
COMMITTEE ON THE JUDICIARY,
July 14, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned Committee on the Judiciary, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 3, 1947, to June 30, 1947, together with the funds appropriated to and expended by it:

Richard Arens, professional staff (legal), gross annual salary $7,944.09.

Maurice Covert, professional staff (legal), gross annual salary $7,075.06.

Joseph A. Davis, assistant clerk, gross annual salary $7,944.09.

Miriam O. Fox, stenographer, gross annual salary $4,040.38.

Helen W. Ganss, stenographer, gross annual salary $3,461.04.

Margaret Holland, stenographer, gross annual salary $3,047.22.

David Kammerman (no longer employed), professional staff (legal), gross annual salary $7,391.07.

Mary Rogers, stenographer, gross annual salary $4,040.38.

J. Carlisle Ruddy, professional staff (legal), gross annual salary $7,944.09.

Edna E. Vernlund (no longer employed), stenographer, gross annual salary $3,047.22.

H. R. Wilde, clerk of committee, gross annual salary $10,000.

Robert B. Young, professional staff (legal), gross annual salary $7,944.09.

Funds appropriated, $10,000.

Funds expended as of June 30, 1947, $6,879.36.

ALEXANDER WILEY,
Chairman.

UNITED STATES SENATE,
SPECIAL COMMITTEE INVESTIGATING
THE NATIONAL DEFENSE PROGRAM,
June 30, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned National Defense Committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 1 to June 30, 1947, together with the funds appropriated to and expended by it:

Jerome S. Adlerman, assistant counsel, employed June 16, 1947, gross annual salary $6,495.72.

Bernard S. Bercovici, investigator, employed April 15, 1947, gross annual salary, $8,075.76.

Lucille Bruskin, assistant clerk, gross annual salary, $2,798.92.

Margaret B. Buchholz, clerk, resigned February 15, 1947, gross annual salary, $4,040.38.

Janie M. Burkhardt, assistant clerk, resigned January 31, 1947, gross annual salary, $3,047.22.

Frank D. Byrnes, special agent from General Accounting Office, left January 31, 1947, gross annual salary, $7,341.60.

Pauline Chaternuck, assistant clerk, resigned March 30, 1947, gross annual salary, $2,633.40.

William S. Cole, assistant counsel, gross annual salary, $7,285.74.

Walter Connell, special agent from Internal Revenue, left March 24, 1947, gross annual salary, $5,905.20.

Peter J. Connolly, assistant counsel and special assistant to chairman, resigned February 15, 1947, gross annual salary, $9,050.11.

Frederick M. Coughlin, assistant counsel, employed May 9, 1947, gross annual salary, $6,026.72.

Agnes F. Dodge, assistant clerk, employed April 23, 1947, gross annual salary, $2,716.16.

Charles H. Fisher, messenger, resigned February 15, 1947, gross annual salary, $1,931.

Francis D. Flanagan, chief assistant counsel, gross annual salary, $9,655.80.

Thomas F. Flynn, Jr., investigator, gross annual salary, $5,392.22.

Mary Frances Harmer, assistant clerk, resigned January 31, 1947, gross annual salary, $2,798.92.

Minnie B. Horner, assistant clerk, resigned January 31, 1947, gross annual salary, $2,798.92.

Phelps Hunt, editorial clerk, gross annual salary, $1,931.60.

Eleanor B. Keating, assistant clerk, resigned June 15, 1947, gross annual salary $3,212.74.

Joseph B. Kenkel, messenger, resigned February 15, 1947, gross annual salary, $1,089.

Jean F. Kerr, assistant clerk, employed June 27, 1947, gross annual salary, $2,798.92.

Kathryn L. Kohler, assistant clerk, gross annual salary, $2,798.92.

W. Harold Lane, special agent from Internal Revenue, left March 31, 1947, returned June 2, 1947, gross annual salary, $7,102.20.

Lydia Lee, editor, gross annual salary, $5,033.55.

Joseph M. Mannix, investigator, gross annual salary, $5,695.66.

Mary Ellen McFerran, assistant clerk, resigned March 8, 1947, gross annual salary, $2,716.16.

George Meader, chief counsel and consulting counsel, gross annual salary, $10,000.

Gladys E. Montier, assistant clerk, gross annual salary, $3,212.74.

Jeanie Moore, assistant clerk, gross annual salary, $2,798.92.

Constance L. Morris, assistant clerk, employed June 17, 1947, gross annual salary, $2,633.40.

Paul F. Morrison, special agent from General Accounting Office, left January 31, 1947, gross annual salary, $5,403.80.

Thomas Nichol, Jr., special assistant to chief counsel, resigned January 16, 1947, gross annual salary, $7,285.74.

Eric Nordholm, messenger, gross annual salary, $1,188.

Thomas O'Connell, investigator, gross annual salary, $6,495.72.

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[1] Dr. Wilcox and Miss Sheppard are on the pay roll of the Library of Congress.

Franklin N. Parks, assistant counsel, gross annual salary, $6,522.05.

William P. Rogers, chief counsel, employed April 23, 1947, gross annual salary, $10,000.

Haven Sawyer, investigator, gross annual salary, $5,392.22.

James F. Sheridan, investigator, employed June 16, 1947, gross annual salary, $5,392.22.

Mary E. Slack, assistant clerk, resigned January 31, 1947, gross annual salary, $2,633.40.

Dorothy M. Smithson, assistant clerk, gross annual salary, $2,798.92.

M. Louise Spilman, assistant clerk, gross annual salary, $3,957,62.

Eleanor L. Taylor, assistant clerk, gross annual salary, $2,964.45.

Agnes S. Wolf, investigator, gross annual salary, $4,205.91.

Ruth M. Young, clerk, employed February 10, 1947, gross annual salary, $3,626.56.

Funds appropriated: Balance of authorization, January 1, 1947, $56,658; Senate authorization, March 25, 1947, $150,000.

Funds expended, $74,495.73.

OWEN BREWSTER,
Chairman.

UNITED STATES SENATE,
RULES AND ADMINISTRATION,
July 14, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January to June 30, 1947, together with the funds appropriated to and expended by it:

Albert L. Seidel, clerk, gross annual salary, $10,000.

George J. Nilles, assistant clerk, gross annual salary, $6,522.05.

Ela Hathaway, clerk (research), gross annual salary, $3,461.04.

Phyllis Morehead, clerk (stenographic), gross annual salary, $2,964.45.

B. Floye Gavin, clerk (research), gross annual salary, $4,868.02.

Funds appropriated, pursuant to section 134 (a), Public 601 (Reorganization Act, 1946), $10,000.

Funds expended, $585.83.

C. WAYLAND BROOKS,
Chairman.

UNITED STATES SENATE,
SUBCOMMITTEE ON PRIVILEGES AND
ELECTIONS OF THE COMMITTEE ON
RULES AND ADMINISTRATION,
June 30, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned subcommittee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 17 to June 30, 1947, together with the funds appropriated to and expended by it:

Francis T. Kelly (January 18–June 30), chief investigator, gross salary, $2,799.54.

Henry P. Kiley (January 18–June 30), investigator, gross salary, $2,578.82.

Roy A. Moon (January 18–January 31), investigator, gross salary, $205.67.

B. B. Gilchrist (January 18–June 30), investigator, gross salary, $2,578.82.

J. M. Poorbaugh (January 18–June 30), investigator, gross salary, $1,946.41.

Mary L. Walpole (February 1–May 10), administrative assistant, gross salary, $1,101.61.

G. E. Johnson (February 1–June 30), finance clerk, gross salary, $2,476.65.

Camille Jeneau (May 12–June 30), secretary, gross salary, $437.27.

J. William Graham (January 21–31) challenger, gross salary, $100.73.

Henry T. Tarantino (January 21–31), challenger, gross salary, $100.73.

Edward G. Chaney (January 21–31), challenger, gross salary, $100.73.

Frank M. Duval (January 21–31), challenger, gross salary, $100.73.

Samule J. Macaluso (January 21–31), challenger, gross salary, $100.73.

Irma M. Anderson (January 21–31, March 10–22, June 2–30), challenger, gross salary, $624.54.

Elda G. Quast (January 21–31, March 10–22, June 2–30), challenger, gross salary, $624.54.

James O. Onderdonk (January 21–31, February 5–14, June 2–6), challenger, gross salary, $251.82.

Evelyn Kearsey (January 21–31, February 5–14, March 10–22, June 2–13), challenger, gross salary, $452.29.

Sam Schenker (January 27–31), challenger, gross salary, $40.29.

Pearl Podlich (January 21–25), challenger, gross salary, $50.36.

Nicholas Orem, Jr. (February 5–14), challenger, gross salary, $100.73.

Allen Perrie (February 1–14), challenger, gross salary, $100.73.

Percy Wolfe (February 1–14), challenger, gross salary, $100.73.

Elizabeth Shipley (February 1–14), challenger, gross salary, $100.73.

Isabella Purdy (February 1–14), challenger, gross salary, $100.73.

Ralph W. Powers (February 5–14), challenger, gross salary, $100.73.

Ethel C. Babcock (February 7–14), challenger, gross salary, $80.58.

Edwin A. Glenn (February 7–14), challenger, gross salary, $80.58.

Robert J. McElroy (March 10–22, June 1–30), challenger, gross salary, $423.08.

John F. Ford (March 18–25), challenger, gross salary, $80.58.

Thomas A. Warga (March 10–17, June 2–7), challenger, gross salary, $141.02.

Thomas H. Mayfield (March 17–26), challenger, gross salary, $100.73.

Helen C. Earp (March 24–27, June 2–12), challenger, gross salary, $151.10.

Justinius Gould (March 10–12), challenger, gross salary, $30.22.

Richard J. Oppitz (June 17–30), challenger, gross salary, $141.03.

David Halley (June 16–26), challenger, gross salary, $110.81.

John N. Maguire (June 11–30), challenger, gross salary, $182.

Sylvan Katz (June 12–30), challenger, gross salary, $191.40.

Gerald J. Zeller (June 13–20), challenger, gross salary, $181.32.

George D. Solter (June 13–30), challenger, gross salary, $181.32.

M. J. Yamin (June 13–30), challenger, gross salary, $181.32.

Fannie Angelos (June 10–30), challenger, gross salary, $211.54.

Alan M. Winner (June 9–30), challenger, gross salary, $211.62.

Mary D. Allmond (June 1–30), challenger, gross salary, $100.73.

Leah G. Miller (June 17–20), challenger, gross salary, $40.29.

Charles R. Askew (June 2–13), challenger, gross salary, $120.88.

Arianna Blizzard (June 2–30), challenger, gross salary, $292.13.

Andrew J. Hopper (June 2–11), challenger, gross salary, $100.73.

Eva E. Leon (June 2–9), challenger, gross salary, $80.58.

John H. McFaul, Jr. (June 2–16), challenger, gross salary, $151.10.

John A. B. McElveney (June 2–10), challenger, gross salary, $90.66.

Joseph G. Oronson (June 1–30), challenger, gross salary, $362.21.

Anna M. Melvin (June 7–30), challenger, gross salary, $241.76.

Fred A. Rochester (June 2–12), challenger, gross salary, $110.81.

Evelyn Deihl (June 2–16), challenger, gross salary, $151.10.

Marie A. Heid (June 30), challenger, gross salary, $10.07.

Charles M. Hartung (January 21–31, February 1–16), guard, gross salary, $208.11.

Harry Orme (January 21–31, February 1–16), guard, gross salary, $205.67.

Walter M. Garner (February 3–18), guard, gross salary, $128.07.

Everett Garner (February 3–18), guard, gross salary, $128.07.

William W. Williams (February 17–June 30), guard, gross salary, $1,072.62.

Charles E. Lentz (February 17–May 30), guard, gross salary, $832.48.

Philip L. O'Connell (May 21–31, June 1–5), guard, gross salary, $120.06.

John P. O'Toole (May 21–31, June 1–5), guard, gross salary, $120.06.

Theodore P. Mullan (June 1–30), guard, gross salary, $240.14.

James H. Cunningham (May 22–June 30), checker, gross salary, $410.80.

D. J. Laupheimer (June 1–30), checker, gross salary, $316.

R. K. Lyle (June 1–30), checker, gross salary, $316.

David E. Pollock (June 1–30), checker, gross salary, $316.

B. J. Dugan (June 2–30), checker, gross salary, $305.47.

David H. Putnam (June 8–30), checker, gross salary, $242.27.

Jack W. Hardy (March 20–June 30), counsel, gross salary, $2,117.93.

Arthur R. Breor (April 1–June 30), chief investigator, gross salary, $1,279.08.

John H. Fallon (April 1–30), investigator, gross salary, $426.36.

George C. Hartman (April 1–June 30) investigator, gross salary, $1,279.08.

E. P. Roberts (April 1–June 30), investigator, gross salary, $1,279.08.

R. R. West (April 1–May 30) investigator, gross salary, $852.72..

J. M. Hirst (April 1–June 2), investigator, gross salary, $881.14.

W. E. Stevenson (May 1–June 30), investigator, gross salary, $852.72.

J. F. Carr (June 3–30), investigator, gross salary, $397.93.

J. V. McCann (June 4–30), investigator, gross salary, $383.72.

Mary L. Green (May 1–June 30), clerk-typist, gross salary, $535.44.

Martha Pringle (May 6–June 30), secretary, gross salary, $490.82.

Total salaries, $37,487.80.

The amounts in each instance represent gross salaries paid each employee of the subcommittee for the period shown in parentheses.

Funds appropriated pursuant to Senate Resolution 54 agreed to January 17, 1947, as increased by Senate Resolution 114 agreed to May 19, 1947, $120,000.

Funds expended, $53,001.19.

WILLIAM E. JENNER,
Chairman, Subcommittee on Privileges and Elections, Committee on Rules and Administration.

UNITED STATES SENATE,
SPECIAL COMMITTEE TO STUDY
PROBLEMS OF AMERICAN SMALL BUSINESS,
July 15, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned special committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from February 1 to June 30, 1947, together with the funds appropriated to and expended by it.

Bauer, Virginia Lee, file clerk, gross annual salary, $2,633.40.

Dickey, Raymond R., chief counsel, gross annual salary, $9,050.11.

Guyon, Catherine L., consultant, gross annual salary, $6,522.05.

Holshouser, Dorothy J., editorial secretary, gross annual salary, $3,792.09.

Loveland, Ailene J., secretary, gross annual salary, $3,792.09.

McNamara, Catherine G., secretary, gross annual salary, $2,964.45.

Meredith, George F., executive director, gross annual salary, $10,000.

Nichols, Pearl Mae, secretary, gross annual salary, $3,295.51.

Southmayd, Charlotte M., clerk, gross annual salary, $2,964.45.

Wimer, Bertram H., counsel, gross annual salary, $7,812.42.

Wolken, Albert J., investigator, gross annual salary, $7,812.42.

Wynes, Gene, messenger, gross annual salary, $2,004.20.

Youse, Alma M., secretary, gross annual salary, $2,964.45.

Funds appropriated, $50,000.

Funds expended, $29,416.32.

Per diem employees at $25 per day plus additional compensation (Public Law, 390):

Johnson, Albert E., special counsel, 21 days per month.

Broadgate, William C., special counsel, 2 days per week.

Per diem employees at $25 per day without additional compensation:

Rowell, M. W., consultant.

Zopf, Homer, consultant to prepare report on iron and steel exports.

KENNETH S. WHERRY,
Chairman.

UNITED STATES SENATE,
SENATE COMMITTEE ON PUBLIC LANDS,
July 15, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 1, to June 30, 1947, together with the funds appropriated to and expended by it:

Hugh R. Brown, chief clerk, gross annual salary, $10,000.

Albert A. Grorud, professional staff, gross annual salary, $7,022.40.

Nellie D. McSherry, assistant chief clerk, gross annual salary, $6,026.72.

Orville Watkins, clerical assistant, gross annual salary, $5,116.32.

Estelle Bedsworth, clerical assistant, gross annual salary, $3,295.51.

Charlotte Mickle, clerical assistant, gross annual salary, $2,964.45.

Funds appropriated, $10,000.

Funds expended, $2,448.50.

NOTE.—Due to the inability of the stenographic reporter to get word counts from the Government Printing Office, and the vouchers incident thereto, filed in time, it is not possible to give accurate figures as to the actual expenditures of the committee. The committee is advised, however, that statements for stenographic reporting will approximate the balance of our account.

HUGH BUTLER,
Chairman.

UNITED STATES SENATE,
COMMITTEE ON EXPENDITURES
IN THE EXECUTIVE DEPARTMENTS,
July 15, 1947.

To the SECRETARY OF THE SENATE:

The above-mentioned committee, pursuant to Senate Resolution 123, Eightieth Congress, first session, submits the following report showing the name, profession, and total salary of each staff member employed by it for the period from January 16 to June 30, 1947, together with the funds appropriated to and expended by it:

J. H. Macomber, Jr. (employed January 16, 1947), chief clerk, gross annual salary, $9,524.13.

Ann M. Grickis (employed January 16, 1947), clerical assistant, gross annual salary, $5,033.55.

E. B. Van Horn (employed January 27, 1947), staff director, gross annual salary, $9,524.13.

Florence C. LeMan (employed January 27 to February 28, 1947), clerical assistant, gross annual salary, $2,964.45.

Walter L. Reynolds (employed February 1, 1947), professional staff member, gross annual salary, $8,734.11.

Mary L. Michael (employed from March 4 to March 31, 1947), clerical assistant, gross annual salary, $2,964.45.

Mrs. Ellen C. Larson (employed from March 10 to March 31, 1947), clerical assistant, gross annual salary, $2,964.45.

Thomas A. Sappington (employed March 16, 1947), professional staff member, gross annual salary, $7,075.06.

Mrs. Emily I. Tennyson (employed March 24, 1947), clerical assistant, gross annual salary, $3,212.74.

Marie C. Tylor (employed April 7, 1947, clerical assistant, gross annual salary, $3,212.74.

Velda Blanche Holder (employed April 8, 1947), clerical assistant, gross annual salary, $2,964.45.

James F. Carr (employed April 29 to June 2, 1947), professional staff member, gross annual salary, $7,075.06.

Glenn K. Shriver (employed June 3, 1947), assistant chief clerk, gross annual salary, $7,391.07.

Funds appropriated, $10,000.

Funds expended, $1,150.70.

GEORGE D. AIKEN,
Chairman.

BILLS INTRODUCED

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

By Mr. WILEY (by request):

S. 1630. A bill for the relief of Louis L. Williams, Jr.; to the Committee on the Judiciary.

By Mr. TYDINGS:

S. 1631. A bill to confer jurisdiction upon the Court of Claims of the United States to hear, determine, and render judgment upon the claims of Andrew Johnson, Alexander H. Tongue, James F. Sirlouis, James W. Dixon, J. Frank Tongue, Thomas E. Wroten, Halvor H. Hellen, George J. Carey, Robert C. O'Berry, Norman C. Carey, James W. Hungerford, Sarah E. Webster, Nathaniel M. Dare, and Richard J. Johnson; to the Committee on the Judiciary.

By Mr. GURNEY (by request):

S. 1632. A bill to authorize the transfer of certain troop kitchen railway cars to the War Department, and for other purposes; to the Committee on Armed Services.

By Mr. IVES:

S. 1633. A bill to authorize the attendance of the Marine Band at the National Convention of the American Legion to be held in New York, N. Y., August 28 to 31, 1947; to the Committee on Armed Services.

By Mr. REVERCOMB (by request):

S. 1634. A bill to authorize the Federal Works Administrator to construct a building for the General Accounting Office on square 518 in the District of Columbia, and for other purposes; to the Committee on Public Works.

By Mr. JOHNSON of Colorado:

S. 1635. A bill to promote the safety and health of employees engaged in baggage, mail, or express-train service in interstate commerce by requiring common carriers by railroad and any express company to install and maintain all such cars and equipment used or furnished by them for such purposes in safe and suitable conditions for use in the service for which they are put; to the Committee on Interstate and Foreign Commerce.

By Mr. CAPEHART (for himself, Mr. MYERS, and Mr. MCMAHON):

S. 1636. A bill to change the order of priority for payment out of the German special deposit account, and for other purposes; to the Committee on Finance.

By Mr. TAFT:

S. 1637. A bill for the relief of Leo Hamermann; and

S. 1638. A bill for the relief of Elis Holger Lindquist; to the Committee on the Judiciary.

By Mr. HATCH:

S. 1639. A bill authorizing the repair and rehabilitation of irrigation works damaged by flood in the prevention of flood damage in the Fort Sumner irrigation district, and for other purposes; to the Committee on Public Lands.

APPROPRIATIONS FOR GOVERNMENT CORPORATIONS AND INDEPENDENT AGENCIES, 1948—AMENDMENT

Mr. LUCAS submitted an amendment intended to be proposed by him to the bill (H. R. 3756) making appropriations for Government corporations and independent executive agencies for the fiscal year ending June 30, 1948, and for other purposes, which was ordered to lie on the table, and to be printed, as follows:

Strike out the proviso beginning on page 4, line 19, and ending on line 23.

WEST VIRGINIA SENATORIAL ELECTION

Mr. KILGORE presented a motion to dismiss the petition filed by Tom Sweeney contesting his right to a seat in the Senate from the State of West Virginia, together with a verified answer to said petition, which was referred to the Committee on Rules and Administration.

STATEHOOD FOR HAWAII—LETTER FROM FORMER SENATOR HAWES

Mr. DONNELL. Mr. President, I present for the RECORD, and ask to have incorporated therein, a letter which, on November 30 of this year, will have been written 50 years. It is a letter to a distinguished former Senator of my State, the Honorable George Graham Vest. It was written by a man who was then a young man, and who later was himself destined to become a Member of the United States Senate. I am pleased to say that he is still living and is reasonably active, consistent with his health, in Washington, D. C. I refer to the Honorable Harry B. Hawes.

This letter refers to the annexation of Hawaii. I think the letter is appropriately introduced into the RECORD, in view of the current importance of the subject of statehood for Hawaii.

The letter which I have presented for the RECORD was reduced in size by Senator Hawes in order to come within the rules of the Senate.

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

ST. LOUIS, MO.,
November 30, 1897.

Hon. G. G. VEST,
United States Senator,
Washington, D. C.

MY DEAR SENATOR: [After 50 years, 1897, now reduced for discussion, July 14, 1947.] I refer to the annexation of Hawaii, which first pre-

sented itself to my attention when acting as a delegate to the Trans-Mississippi Congress which met in Salt Lake last summer, where I was one of the delegates acting for Missouri. The proposition of annexation came before that body and was thoroughly discussed, the 32 votes of Missouri being cast for annexation.

The discussion was reinforced by an acquaintance and friendship which I formed for the Honorable Lorrin A. Thurston, ex-Minister from Hawaii.

From these various causes, my interest in the subject has led me to make a thorough study of the proposition, and has resulted in my making a number of speeches favoring annexation, as well as writing articles furthering the project. I take this opportunity of presenting to you what I consider to be good reasons why our representatives in the Senate should favor the annexation treaty.

I find that since President Tyler in 1842, every President, Secretary of State, and Secretary of the Navy, down to and including McKinley, have favored a protectorate leading to annexation or annexation itself, with the exception of Lincoln, who was engaged in the Civil War, and the late Grover Cleveland, who devoted his attention more especially to the action of Minister Stevens than to the question of annexation itself.

The men who brought about the revolution in Hawaii are patriotic citizens, who felt that the very existence of their country required the action which they were compelled to take, as the old monarchy was corrupt throughout, finding its main support from foreign adventurers, and the late monarch relying upon the advice and counsel of white men, who had no property interests in Hawaii, and whose advice to the ruling monarch was a combination of flattering adulation, mingled with the advocacy of those measures which would redound to their own selfish benefit and ruin the interests of those natives and citizens who had acquired property, homes, and needed protection against the opium, lottery, and gambling rings, who were fast gaining control of the public affairs in Hawaii.

Taking the condition as we find it today, the Republic of Hawaii is a stable and permanent one, and the little Republic, if left alone, could succeed and prosper in its present form were it not for the insidious encroachments of Japan. Four times within the history of that country has the United States warned foreign powers to leave the country, and every time the request has been complied with as Webster and other statesmen declared that foreign nations should be removed if it took the whole power of our Army and Navy to remove them.

It goes without saying, therefore, that it is but a question of time before the conquest of Hawaii will be accomplished by Japan in the most peaceful and yet the most practical and complete manner possible. The attitude of the Japanese, therefore, threatens the present Republic with overthrow, and presents to American statesmen the prospect of having the strongest strategical point in the Pacific placed in the hands of a nation who has recently grown arrogant because of its victory over a rival, and having within easy sailing of our shores a large naval station in foreign hands.

Turning our attention to the southern waters of the Pacific, we find there Australia and all the South Pacific isles, occupied by the great nations of Europe, fortified as naval posts, and every point of strategical vantage made ready for any conflict that might arise.

Then turn our attention to the center of this vast area of water, we find the island of Hawaii is the only spot in the Pacific from the Equator on the south to Alaska on the north, and between America on the east and Asia on the west, where water, food, or coal can be obtained. It is also on or near the principal trade route across the Pacific. Its unique position is what has given it the name of the "Crossroads of the Pacific," the "Key of the Pacific," and the "Gibraltar of the Pacific."

Captain Mahan, of the United States Navy, one of the highest authorities on naval strategy, says that Hawaii is the most important strategical point in the world, as it stands alone, having no rival and admitting no rival. As my friend Thurston puts it, all of the great powers of Europe lie, or have coaling stations within steaming distance of the Atlantic coast of the United States. On the other hand, no nation, either European or Asiatic, lies or possesses a coaling station near enough to the Pacific coast to be practically available as a base of hostile naval operations against that coast or its commerce.

From the Equator on the south to Alaska on the north, from the coast of China and Japan on the west to the American Continent on the east, there is but one spot where a ton of coal, a pound of bread or a gallon of water can be obtained by a passing vessel, and that spot is Hawaii.

The immensity of this area of the earth's surface is comprehended by but few.

The Atlantic is, comparatively, so narrow, that way-stations are not absolutely necessary; while the islands in the Atlantic north of the Equator, capable of use as way-stations, are so numerous that it is practically impossible for the United States to absorb them all.

A modern battleship without coal is like a caged lion—magnificent, but harmless.

One of the first principles of naval warfare is that an operating fleet must have a base of supply and repair.

Any country in possession of Hawaii would possess a base of operation within 4- or 5-days' steam distance of any part of the Pacific coast.

Without the possession of Hawaii all the principal countries possessing interest in the Pacific are so far away that the distance is practically prohibitory of hostile operations against the Pacific coast. For instance, the nearest English station is 4,600 miles distant from San Francisco. The nearest French station is 3,600 miles distant. The nearest Spanish station is 4,700 miles distant. Russia is 4,700 miles away; Japan 4,500 miles, and China 5,500 miles.

The United States, in possession and control of Hawaii will thereby, by simply keeping other nations out, afford almost absolute protection to her Pacific coast and commerce from hostile naval attack. On the other hand, Hawaii in possession of any foreign country, will be a standing menace against not only the Pacific coast, but against all the ocean-bound commerce to and from that coast, and all American commerce on or across the North Pacific.

It appears that the issue in Hawaii is not between monarchy and the republic, as has been stated. That issue has been settled. There are some persons who do not recognize this fact. There are never lacking those who set their faces backward; who mourn over every lost cause and vainly hope for the restoration of abused and fortified power.

The issue today is the preliminary skirmish in the great coming struggle between the civilization and the awakening forces of the East, and the civilization of the West. The issue is whether, in the inevitable struggle, Asia or America shall have the vantage ground of the control of the naval "key of the Pacific," the commercial "crossroads of the Pacific."

All that has held, and is now holding, Hawaii for the United States, is the indomitable will and pluck of the men of Hawaii, of not only American, but of Hawaiian and European blood, who, against heavy odds, are doing and will continue to do all that is within the bounds of possibility to prevent Hawaii from retrograding into an Asiatic outpost, and to hold the country to that destiny which American statesmen have, for 50 years, regardless of party, outlined for it.

While the tendency of events in Hawaii is against American interests, they have not progressed so far that they cannot be arrested, if the United States will take radical action for its protection. Annexation will accomplish such a result and nothing else will. It is sufficient to say here that the alternative of annexation of protectorate has successively been presented to Presidents Pierce, Harrison, and McKinley, and Secretaries of State Marcy, Foster, and Sherman, in 1854, 1893, and 1897, and has each time been decided in favor of annexation; for the reason that a protectorate imposes upon the United States responsibility without power to control; while annexation imposes practically no more responsibility, but is accompanied with the full powers of ownership.

Whether the Hawaiian population is unfit for incorporation into the American system, depends upon two things: First, the existing facts and, second, the outlook for the future.

First, as to the existing conditions in Hawaii. The foundation of Hawaiian law is the common law of England. The general statute court procedure and legal methods of Hawaii are as much like those of Illinois as those of Illinois are like those of Massachusetts. The laws of Hawaii are based upon—many of them copies of—those of the United States. The two statutes, for example, which Japan is now objecting to, as limiting Japanese immigration, are almost exact copies of the United States immigration laws, restricting the immigration of contract laborers and undesirable persons. All legal documents are modeled on those in use in the United States. Most of the lawyers and judges are either from the United States or educated therein. English is the official language of the schools and courts, and the common language of business. The railroads, cars, engines, water works, water pipes, dynamos, telephones, fire apparatus, are all of American make. United States currency is the currency of the country. All government and private bonds, notes, and mortgages are made payable in United States money. Practically manhood suffrage among all Hawaiian citizens has existed since 1852. All American holidays, Washington's Birthday, Decoration Day, Fourth of July, and Thanksgiving Day are as fully and enthusiastically celebrated in Hawaii as in any part of the United States. This is not the growth of a day, but of two generations, so that even the native Hawaiian appears to think it the natural order of things.

There is not and never has been any color line in Hawaii as against native Hawaiians, and they participate fully and on an equality with the white people in affairs political, social, religious, and charitable. The two races freely intermarry one with the other, the results being shown in a present population of some 7,000 of mixed blood. They are a race which will in future, as they have in the past, easily and rapidly assimilate with and adopt American ways and methods.

The Chinese and Japanese are an undesirable population, from a political standpoint, because they do not understand American principles and government. The Asiatic population of Hawaii consists largely, however, of laborers who are temporarily in the country for what they can get out of it. As soon as they accumulate a few hundred dollars they return home. Shut off the source of supply and in 10 years there will not be Asiatics enough left in Hawaii to have any appreciable effect.

Moreover, most of them are making as much or more money in Hawaii than they can in the United States, and they have no object in trying to come to this country. This is evidenced by the fact that prior to the passage of the Chinese Exclusion Act by Congress there were as many Chinese in Hawaii as there are now, but practically none came to California. The Japanese are now free to come to California from Honolulu, but none come.

The Treaty of Annexation prohibits emigration of the Chinese now in Hawaii to any other part of the United States, and the treaty with Japan, which went into effect in 1899, allows the United States to regulate the immigration of Japanese laborers.

Individually, the Chinese and Japanese in Hawaii are industrious, peaceable citizens, and as long as they do not take part in the political control of the country, what danger can the comparatively small number there be to this country? They are not citizens, and by the Constitution of Hawaii, they are not eligible to become citizens; they are aliens in America and aliens in Hawaii; annexation will give them no rights which they do not now possess, either in Hawaii or in the United States.

The remaining inhabitants in Hawaii are some seven or eight thousand Americans, English, and Germans; strong virile men who have impressed their form of government upon the much larger population living there, and have acquired the ownership of more than three-fourths of all the property in the country. If they were able to do this against the hostility, and in the face of an unfavorable monarchy, why is there any reason to believe that they will be any less strong under the fostering influence of the Republican Government of the United States? No territory of the United States was ever annexed with so strong a leaven of Americanism in it as exists today in Hawaii.

As to the future prospects. Within a hundred years Hawaii possessed a population of 400,000 people, who were supported by the lax methods of cultivation then in effect. With the advanced methods of today, and the irrigation of the heretofore barren plains, there is no reason why Hawaii cannot support a population of a million as easily as it now does 100,000. With stability of government will come immigration, development, and growth, which will as certainly take place in Hawaii as it has in all the other territories heretofore annexed by the United States.

War between the United States and any foreign country may or may not require the fortification of Hawaii, but this question depends not in the remotest degree upon annexation. It depends on whether the United States is to continue its policy of the past 50 years, to wit, the barring out of all other nations from Hawaii. This policy was initiated by President Tyler in 1842, when he said that "it would but create dissatisfaction on the part of the United States at any attempt by another power to take possession."

It was reiterated by Daniel Webster a short time thereafter, upon being informed that the French were contemplating taking possession of the islands, he said:

"I trust the French will not take possession, but if they do, they will be dislodged, if my advice is taken, if the whole power of the Government is required to do it."

In 1894, the House of Representatives formally adopted a resolution, declaring that, "intervention in Hawaii by any foreign power will not be regarded with indifference," while the Senate adopts a resolution embracing stronger language, to the effect, that such intervention "will be regarded as an act unfriendly to the United States."

Having long ago decided that its policy concerning Hawaii should be to keep other countries out, the question now to be decided is, can that policy best be subserved by vesting the legal title in the United States, or by leaving Hawaii as an independent country.

There has been no disfranchisement of votes in Hawaii. The only persons who could vote under the monarchy and who cannot now, are those who disfranchised themselves by refusing to accept the Republic.

The situation then is: First, neither the Constitution or the laws of the United States or Hawaii require a popular vote; second, during 50 years there have been four annexation treaties negotiated by Hawaii with the United States, viz: in 1851, 1854, 1893, and 1897, in which neither, under the monarchy, provisional government, nor the Republic, has any provision been made for the popular vote, either in the United States or Hawaii; third, six annexations of prohibited territory by the United States during the past 100 years, have been made without a popular vote being taken; fourth, the Constitution, in general terms and of Hawaii specifically authorizes the respective President and Senate to conclude a treaty of annexation.

Under the circumstances, what basis is there for claiming that an annexation treaty cannot legally be concluded, except by popular vote?

If it be admitted that the legal right exists, and that the objection is based on a sentimental regard for the Hawaiians, he may well pray: "Deliver me from my friends." America has given him a taste of American liberty and civilization. America-wards lies the full freedom and the proud status of American citizenship. Unless annexation takes place, the only future for the native Hawaiian is retrogression to the status of the Asiatic coolies, who are already crowding him to the wall.

If the excess of my zeal in the advocacy of annexation has led me to extend this argument and statement of facts at too great a length, I trust that you will, nevertheless, give the subject matter of the same that consideration which you accord to an expression of opinion by your constituents.

With high regards and esteem for your great personality, I am,

Respectfully,

HARRY B. HAWES.

PROBLEMS OF SMALL BUSINESS—STATEMENT BY C. WILSON HARDER

[Mr. SPARKMAN asked and obtained leave to have printed in the RECORD a statement prepared by C. Wilson Harder, president of the National Federation of Small Business, and presented before the Joint Committee on the Economic Report by George J. Burger, director in charge of the Washington office of the Federation, which appears in the Appendix.]

THE IDEALS OF AMERICA—ADDRESS BY BISHOP SHEIL, OF CHICAGO

[Mr. MURRAY asked and obtained leave to have printed in the RECORD an address delivered by the Most Reverend Bernard J. Sheil, D. D., auxiliary bishop of Chicago, at the national convention of the American Veterans' Committee, on June 20, 1947, at Milwaukee, Wis., which appears in the Appendix.]

MODERNIZATION OF RAILROADS—EDITORIAL FROM THE WYOMING EAGLE

[Mr. O'MAHONEY asked and obtained leave to have printed in the RECORD an editorial entitled "Come West, Mr. Young," relating to the modernization of railroads, from the Wyoming Eagle of July 4, 1947, which appears in the Appendix.]

EXECUTIVE SESSION

Mr. WHITE. I move that the Senate proceed to the consideration of executive business.

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

EXECUTIVE REPORTS OF A COMMITTEE

Mr. LANGER. Mr. President, from the Civil Service Committee, I report favorably 173 post-office nominations for the Executive Calendar.

The PRESIDENT pro tempore. The nominations will be received and placed on the Executive Calendar.

FEDERAL POWER COMMISSION—REFERENCE OF NOMINATION OF BURTON N. BEHLING

Mr. WHITE. Mr. President, I ask that there be laid before the Senate the resolution to which I made reference yesterday.

The PRESIDENT pro tempore. Under the order of the Senate, the pending question is on agreeing to Senate Executive Resolution 52, which the Clerk will now read.

The Senate proceeded to consider the resolution (S. Ex. Res. 52), which was read, as follows:

Resolved, That the Committee on Public Works be, and it is hereby, discharged from the further consideration of the nomination of Burton N. Behling, of the District of Columbia, to be a member of the Federal Power Commission for the term expiring June 22, 1952, and that it be referred to the Committee on Interstate and Foreign Commerce.

Mr. WHITE. Mr. President, I wish to make a very brief preliminary statement and then submit my views with respect to the proper disposition of the resolution.

Mr. McFARLAND. Mr. President, will the Senator yield so that I may suggest the absence of a quorum?

Mr. WHITE. I prefer not to yield for that purpose. I thank the Senator.

I was about to say that I desire to speak very briefly, in a preliminary way, and then to make my main statement with respect to the proper jurisdiction of the two committees which are involved in the question before the Senate.

Mr. President, the nomination of Mr. Burton N. Behling to be a member of the Federal Power Commission was sent to the Senate by the President while I was in Maine, as I recall. I did not know for a while after my return that the nomination had been sent in, or that it had been referred by the Chair to the Committee on Public Works. Shortly after learning of the situation, I conferred with the Senator from West Virginia [Mr. REVERCOMB] chairman of the Committee on Public Works, about the matter. I discussed with him the propriety of his committee relinquishing jurisdiction, such as it had, and turning the nomination back to the Committee on Interstate and Foreign Commerce, where I insisted it rightfully belonged. We had an arrangement that pending a determination of the ultimate and rightful reference we would maintain the status quo. We went beyond that and submitted to each other briefs in the nature of statements as to the jurisdictional question. I submitted a brief, or statement, to the Senator from West Virginia, I think perhaps two, and he in turn submitted to me a brief prepared by him. A study of those briefs

convinced neither of us that the other was right as to the correct ultimate disposition of the nomination.

Some days ago we reached a definite conclusion that we could come to no agreement by further discussion, and since then we have joined in an effort to bring the matter before the Senate, submit the question to the Senate, the ultimate authority, and take the judgment of the Senate.

Mr. President, with this preliminary statement, let me proceed to my statement of the situation as I believe it to be, and to give my views as to the proper determination of the issue.

The statement I am about to submit is in support of a resolution to discharge the Senate Public Works Committee from the consideration of the nomination of Burton N. Behling to the Federal Power Commission and to re-refer the nomination to the Senate Interstate and Foreign Commerce Committee.

The resolution is submitted because of the belief that the reference of this nomination to the Senate Public Works Committee was in error, and that the provisions and intentions of the Reorganization Act of Congress require the rereference to the Senate Interstate and Foreign Commerce Committee. This conclusion is based upon, first, precedent established by the Eightieth Congress under the Reorganization Act; and, second, the nature and the volume of duties undertaken by the Federal Power Commission.

At the outset, it is pertinent to consider the difference in character of the jurisdiction given to these two Senate committees under the Reorganization Act. Briefly, but I think accurately, the distinction between the two committees may be thus stated in this way: The Senate Committee on Public Works is concerned primarily with construction projects, programs for which a Cabinet officer, such as the Secretary of War, the Secretary of the Interior, or the Secretary of Agriculture, is responsible. Under this general heading of jurisdiction over public works, matters which I admit come under the jurisdiction of the Committee on Public Works are those relating to the Tennessee Valley Authority, the Missouri Valley Authority, and other like agencies having to do with reclamation projects, flood-control works, and other developmental and construction operations.

The Federal Power Commission itself is not engaged in any construction work.

The duties of the Senate Committee on Interstate and Foreign Commerce are fundamentally different from those conferred on the Committee on Public Works. This committee is concerned with regulatory activities of the Government exercised by such agencies as the Interstate Commerce Commission, Federal Communications Commission, Civil Aviation Authority, and other regulatory agencies, which do not direct any construction or have an accountability for construction funds, but which fix rates, and supervise and regulate service, and are responsible directly to the Congress. This important distinction must be borne in mind in considering the matters which should be referred to the respective committees.

The Legislative Reorganization Act consolidated the duties of some previous committees and classified others in new committees created by the act. In these circumstances precedent is not entirely controlling in considering the jurisdiction of the present committees of the Senate. It may be observed, however—and I emphasize this because it is important—that prior to the enactment of the Reorganization Act all basic legislation and all nominations affecting the Federal Power Commission were considered by the Senate Committee on Interstate Commerce. I think there can be no dispute as to that fundamental proposition. The committee report on the Reorganization Act stated that the new Senate Committee on Interstate and Foreign Commerce should assume the duties and the jurisdiction of the old Senate Committee on Interstate Commerce and also certain of the duties of the former Committee on Commerce, with all the other duties of the Commerce Committee assigned to a new committee designated as Senate Committee on Public Works. In neither instance, however, did the report indicate that the jurisdiction over the Federal Power Commission should be in any respect changed.

It follows, Mr. President, that the new Senate Committee on Interstate and Foreign Commerce should continue the jurisdiction of the former Senate Committee on Interstate Commerce, including that over the Federal Power Commission, while the new Senate Committee on Public Works should only have that part of the jurisdiction of the old Senate Committee on Commerce and the new authority expressly conferred by the Reorganization Act. With reference to the Federal Power Commission, the lack of jurisdiction by the former Committee on Commerce was very definitely indicated by the late Senator Bailey, chairman of the former Senate Committee on Commerce, when he wrote former Senator Wheeler on March 8, 1946, advising him that House bill 3704, Seventy-ninth Congress "the term of office bill for the Federal Power Commission" had been mistakenly referred to the Senate Commerce Committee and that rereference should be made of the bill to the then Senate Committee on Interstate Commerce. That course was followed.

Precedents in the Eightieth Congress likewise confirm the distinction between the Senate Committee on Interstate and Foreign Commerce and the Committee on Public Works. Senate bill 289, introduced in the Eightieth Congress on January 20, "A bill to amend section 1 of the Federal Power Act with respect to the terms of office of members of the Federal Power Commission," was referred to the Interstate and Foreign Commerce Committee. The provisions of this bill are basic to the activities of the Federal Power Commission, and thus are of direct concern to the Senate Committee on Interstate and Foreign Commerce. It follows that if the bill providing for the length of the term of office of a Federal Power Commissioner should be referred to the Senate Committee on Interstate and Foreign Commerce, then certainly the designation of the occupant of the office of Commissioner should likewise be referred to that committee. There can be no question that this bill and any nomination to the Federal Power Commission should come under the jurisdiction of the same committee.

The intention that Federal Power Commission legislative matters and nominations should be referred to the Senate Committee on Interstate and Foreign Commerce is also shown by the debates and the committee report on the Legislative Reorganization Act. This report states that the House and Senate committees were intended to be on a parity of equal and identical jurisdiction in the respective bodies. As the committee stated it on page 2:

> The correlation of the committee systems of the Chambers with each other would facilitate joint action on specific measures * * * increase efficiency.

The House enumeration of powers for its committee specified:

> (k) Committee on Interstate and Foreign Commerce.
>
> (1) Interstate and foreign commerce generally.
>
> * * * * *
>
> (6) Interstate oil compacts; and petroleum and natural gas, except on public lands.
>
> * * * * *
>
> (8) Regulation of interstate transmission of power, except the installation of connections between Government water projects.

In the consideration of the jurisdiction of the committees of the Senate, the debates on the floor referred to many committees in general terms. But it is to be noted that the Senate accepted the conclusion of the committee report that both House and Senate committees were to be on a parity. In Senate debates, it was stated thus:

> The Committee on Interstate and Foreign Commerce would take jurisdiction over all interstate commerce (vol. 92, pt. 5, p. 6526, CONGRESSIONAL RECORD).

This broad inclusion of all interstate commerce is illustrated by the recent reference by the Parliamentarian of Senate bill 734 and Senate bill 1028, bills to amend the Natural Gas Act, to the Senate Committee on Interstate and Foreign Commerce. Yet, nowhere in the list of subjects for Senate committee jurisdiction is natural gas mentioned by name; in other words, particularly in description of subjects, is not needed if interstate commerce is affected. The general term, those general words, that general authority fix jurisdiction.

It appears that the Reorganization Act intended that the new Senate Interstate and Foreign Commerce Committee should possess generally the same jurisdiction, which included the Federal Power Commission, had by the former Senate Committee on Interstate Commerce. With emphasis on interstate commerce, it may also be noted that construction projects, such as concern the Senate Committee on Public Works, are generally defined as local projects, whereas, activities involving regulations

of the transmission of electrical power and transportation of natural gas concern interstate commerce and are intended for the Senate and House committees of the same name.

The House of Representatives is making assignments of legislative proposals in accordance with this distinction under the Reorganization Act, and construction projects only are assigned to the House Public Works Committee, whereas the regulatory interstate commerce legislation is assigned to the House committee of that name. The same division between the administrative construction and operating functions, on the one hand, and regulatory duties, on the other, should be maintained in the Senate, as the Reorganization Act clearly intends.

In reference to a determination of the jurisdiction of the Senate committee by an analysis of the Power Commission activities, an attempt has been made to determine a division of duties of the Commission from its annual report. A careful consideration of the annual report of that Commission's activities does not permit a determination of how the personnel are classified, nor what the duties are of any classification. The report sets forth a summary of all Commission activities without specifying what division did the work. Any endeavor to classify—see Revercomb brief, page 3—any percentage of the Commission's activities as natural-gas duties, and to assign the remainder to such power projects as would concern the Senate Public Works Committee is definitely incorrect and misleading. The Power Commission is not engaged in any construction work. And, more important, pursuant to my request, the Power Commission has submitted the figures on the classification of personnel and duties used by the Commission in budget consideration. The figures are reported herewith and are an accurate determination of Commission activity. I cite them because of what has been indicated to be bearing a preponderance of interest in the Interstate Commerce Committee. The figures do not depend upon an undisclosed source of computation for a division of duties. A total of 777 employees is involved. Of that number, general administrative duties common to all Commission duties require 208 employees. In addition, there is a total of 60 clerks, stenographers, and lawyers in the Bureau of Law, an additional 265 people in the Division of Accounts, Finance, and Rates, and 107 persons in the Bureau of Power. Of this latter number of 107 only 46 persons, or 5.9 percent of total Commission employees, are assigned to flood-control matters, and 30 persons, or 4 percent of total employees, assigned to licensed project matters. A combination of these two percentages results in a total of 9.9 percent of the entire Federal Power Commission personnel assigned to matters which would be of some concern to the Senate Public Works Committee, and 90.1 percent of all Federal Power Commission personnel are concerned primarily with matters relating to interstate commerce. Of the 90.1 percent a very large percentage are engaged directly in the regulation of interstate natural-gas transportation companies, that work having increased greatly since the enactment of the Natural Gas Act in 1938, and especially since the major amendment of that act in 1942. Nearly all the rest pertains to the regulation of interstate functions of electric-power companies, which also is a matter for consideration by the Senate Committee on Interstate and Foreign Commerce.

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

Mr. WHITE. I yield.

Mr. OVERTON. What agency fixes or establishes the power rates for distribution of electric power from works established at dams constructed by the United States Government? The Federal Power Commission, does it not?

Mr. WHITE. So far as any agency of the Government having authority over such rates, I think it is true the Federal Power Commission has it.

Mr. OVERTON. The Senator says "insofar as the agency has any authority." The rates are fixed by the Federal Power Commission, are they not?

Mr. WHITE. Yes, I think that is true.

It is respectfully submitted that the nomination of Burton N. Behling to the Federal Power Commission is properly the subject of consideration only by the Senate Committee on Interstate and Foreign Commerce. The only claim by the Senate Public Works Committee originates from two words in the Reorganization Act, namely, "water power." When those words are considered in connection with the type of duty assigned to the Public Works Committee, such as consideration of construction projects of reclamation, irrigation, and conservation undertaken by the United States Government, then those words do not carry jurisdiction over an independent regulatory agency, such as the Federal Power Commission, engaged primarily with the interstate commerce activity of business organizations generating and transmitting electricity, natural gas, and issuing securities, while the Commission regulates rates, and service in all parts of the United States to public and private consumers who rely upon independent agencies to adjudicate their disputes. If the words "water power" were to include all that is claimed, then even the St. Lawrence water power bill should be rereferred to the Senate Public Works Committee. The Senate Committee on Interstate and Foreign Commerce is now considering a part of the basic legislation affecting the Power Commission, as it has always done without exception, and the jurisdiction over nominations is certainly a part of the same consideration.

In my judgment, Mr. President, the Behling nomination should be rereferred to the Senate Committee on Interstate and Foreign Commerce, and I ask the support of the Senate for the resolution which is now before the Senate.

Mr. REVERCOMB obtained the floor.

Mr. MARTIN. 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	Morse
Baldwin	Hawkes	Murray
Ball	Hayden	O'Conor
Barkley	Hickenlooper	O'Daniel
Brewster	Hill	O'Mahoney
Bricker	Hoey	Overton
Bridges	Holland	Pepper
Brooks	Ives	Reed
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Robertson, Wyo.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thye
Downey	McFarland	Tydings
Dworshak	McGrath	Umstead
Eastland	McKellar	Vandenberg
Ecton	McMahon	Watkins
Ellender	Magnuson	Wherry
Ferguson	Malone	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young

Mr. WHERRY. I announce that the Senator from Vermont [Mr. FLANDERS] is necessarily absent.

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

Mr. LUCAS. I announce that the Senator from Pennsylvania [Mr. MYERS] is absent on public business.

The Senator from Utah [Mr. THOMAS] is absent by leave of the Senate.

The Senator from New York [Mr. WAGNER] is necessarily absent.

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

Mr. REVERCOMB. Mr. President, on May 5 of this year the President of the United States nominated Burton N. Behling to be a member of the Federal Power Commission, and the Presiding Officer of the Senate referred the nomination to the Committee on Public Works. On the following day, May 6, as chairman of the Committee on Public Works, I wrote a letter to the Senator from Nevada [Mr. MALONE] advising him that the nomination was before our committee. I wrote to him because he is chairman of the Subcommittee on Water Power. I suggested at that time that a week's notice be given and that the subcommittee proceed with a hearing.

Before the notice was given, the Senator from Maine [Mr. WHITE], the able chairman of the Committee on Interstate and Foreign Commerce, advised me that the members of his committee felt that the nomination should be before that committee. Thereupon I submitted the matter to counsel, because, as I see it, it involves a purely legal question dealing with the interpretation of the law. Counsel prepared an opinion at some length. No request was made to sustain the jurisdiction of the committee, but to give me an opinion as to whether or not there had been a proper reference. I have read the opinion and studied it, and have discussed it with counsel, and have reached the conclusion that the reference was properly made. I am convinced that

it is a proper reference under the Reorganization Act, under which we went into operation at the beginning of this year.

Counsel for the Committee on Interstate and Foreign Commerce then prepared a brief for that committee. He arrived at the conclusion that the nomination should have been referred to the Committee on Interstate and Foreign Commerce.

There has been no arbitrary action whatsoever on the part of the Senator from Maine or myself with respect to this question. It is a serious question. This is the first time it has arisen under the Reorganization Act with respect to a nomination to the Federal Power Commission.

It was pointed out in the argument by the able Senator from Maine that heretofore nominations for positions on the Federal Power Commission have been referred to the old Committee on Interstate Commerce. That is correct. However, when such references were made there was no distinct and direct provision of law upon that subject, such as is contained in the Reorganization Act. I wish to read from subsection (n) of section 102, of the Reorganization Act, wherein the authority and jurisdiction of the Committee on Public Works are explicitly set forth. It provides that the committee shall have jurisdiction over proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Flood control and improvement of rivers and harbors.
2. Public works for the benefit of navigation, including bridges and dams. * * *
3. Water power.

I shall not read further, because I have reached the point which is directly involved in this controversy. It is because the committee has exclusive jurisdiction of every subject dealing with water power that it has the right to the consideration of the nomination which has been referred to.

I call attention to the fact that under the provisions of subsection (n) of section 102 of the Legislative Reorganization Act of 1946 it is provided that all proposed legislation and other matters, as I have pointed out, relating to the subject of water power, shall be referred to the Committee on Public Works. This nomination was so referred.

Section 797, chapter 127, of the Federal Power Act, title 16 of the United States Code sets forth in seven paragraphs the general powers of the Federal Power Commission. The Rivers and Harbors Act of 1946 carries a provision to the effect—

> That penstocks or other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam herein authorized when approved by the Secretary of War upon the recommendation of the Chief of Engineers and of the Federal Power Commission.

To the same effect are sections of the Flood Control Act of 1946.

It was stated by the Senator from Maine [Mr. WHITE] that the work and the scope of work of the Committee on Public Works had to do only with construction. With that I cannot agree. I know of no incident or of no example which refutes that statement more clearly than the Tennessee Valley Authority. The Tennessee Valley Authority is acknowledged to be within the jurisdiction exclusively of the Committee on Public Works. There is not a matter of construction. There, indeed, is a matter of the operation of a vast structural unit.

Quite recently the Senate had under consideration the nomination of the managing director and the president of the board of directors of the Tennessee Valley Authority, which nominations were referred to the Committee on Public Works. So it is not a committee which deals exclusively with construction. It is a committee which deals with water power, whether there is construction or whether a structure already exists. Such subjects, under the Act of Congress, are referred exclusively to the Committee on Public Works.

The important and basic character of water-power activities of the Federal Power Commission is clearly shown in excerpts from pages 2 to 5 of the twenty-sixth annual report of that Commission for the fiscal year ending June 30, 1946. A printed copy of the annual report was referred to the Committtee on Public Works of the Senate on March 27, 1947.

I point out the fact, which seems to me to have the strongest bearing upon this issue, that when the report of the Federal Power Commission which is required to be made each year was filed this very year, it was referred to what committee? It was referred to the Committee on Public Works; not the Committee on Interstate and Foreign Commerce. Congress has recognized, under the Reorganization Act, that subjects dealing with the Federal Power Commission primarily come under the jurisdiction and consideration of the Committee on Public Works.

Let us see what the report itself said. It comes from the Commission with respect to its water power activities:

> The year just closed shows a sharp increase in the demands upon the Commission for participation in the conservation and development of the Nation's water-power resources.

I wish to say at this point that the Federal Power Commission found its birth in the Federal Water Power Act, which was the beginning of the Water Power Commission. Its greatest activity, its broadest scope, is in dealing with Federal power. Later on I shall desire to point out that the members of the Commission, when they went before the Congress on the independent offices appropriation bill for 1948, clearly set forth that the work load in man-years had to do primarily with water power.

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

Mr. REVERCOMB. I yield.

Mr. BREWSTER. In connection with the statement of the Senator regarding legislation with reference to the Federal Power Commission, it may be of interest to note that heretofore that Commission's reports had historically always been filed with the Committee on Commerce, not with the Committee on Interstate Commerce.

Mr. REVERCOMB. That is correct.

Mr. BREWSTER. In the Reorganization Act certain powers, as has been pointed out, were transferred, as shown on page 16 of the Legislative Reorganization Act, from the Committee on Commerce to the Committee on Public Works. There were no powers transferred from the Committee on Interstate and Foreign Commerce to the Committee on Public Works. I think that statement is correct, so far as the Legislative Reorganization Act is concerned.

Bearing on the matter of the reference of a bill dealing with the terms of office of members of the Federal Power Commission, I have a very interesting item which may be familiar to the Senator, in which a bill dealing with the terms of office of the members of the Federal Power Commission was referred, by inadvertence, to the Senate Committee on Commerce. The late Senator Bailey, chairman of the Committee on Commerce, with whom I was at the time serving, immediately and promptly wrote to the then Senator Wheeler, chairman of the Committee on Interstate Commerce, and said:

> The bill has been improperly referred to my committee, and I am asking that it shall be referred to your committee which has sole jurisdiction of matters of this character.

The letter was dated March 8, 1946. The late Senator Bailey was certainly as jealous as anyone regarding matters of jurisdiction, and he recognized very promptly that the bill should have gone to another committee. The bill provided that a member whose nomination was not confirmed should hold over until his successor was named. The fact that the matter was handled by the Committee on Interstate and Foreign Commerce it seems to me is a fairly conclusive reply to the suggestion that the reference of reports of the Federal Power Commission to the Committee on Commerce in any degree established jurisdiction regarding terms of office of members of the Federal Power Commission.

Mr. REVERCOMB. I will say to the able Senator that I do not know of the incident to which he has referred, in connection with which the late Senator Bailey wrote a letter. However, I take it that that occurred before the effective date of the Reorganization Act.

Mr. BREWSTER. Of course, because the Committee on Commerce was eliminated by that act.

But if we examine the Reorganization Act, on page 19 we find that no matters over which the old Interstate Commerce Committee had jurisdiction were transferred to the Public Works Committee. So certainly in the view of the late Senator Bailey, at that time the Interstate Commerce Committee had jurisdiction of this matter, and that would not have been affected, as we understand it, by any provision of the Reorganization Act.

Mr. REVERCOMB. Yes. I point out to the Senator from Maine, however, that the Reorganization Act had for its very purpose the defining of the jurisdiction of these committees, just as much as the dividing of the work load between committees, to decide once and for all where certain legislation and nominations should be dealt with; and, from my

point of view, what might have been done prior to that time as a matter of practice cannot have a great deal of bearing upon what should be done now under the Reorganization Act, if the Reorganization Act itself clearly, as I think it does in this case, can lead to but one conclusion as to the question of jurisdiction.

I say to the able Senator that as a result of the discussions which we have heard from time to time on the floor of the Senate, we know that time after time there was conflict between the committees. Apparently one procedure was followed for a while and then another procedure, but there was no set pattern.

So it seems to be that what might have been done prior to the Reorganization Act itself can have very little bearing, and certainly cannot wipe out the clear subjects of jurisdiction as set forth in the Reorganization Act.

Therefore, I say to the Senator from Maine that when water power is expressly placed in the jurisdiction of the Committee on Public Works, all subjects dealing with water power must come within the jurisdiction of that committee.

Let me read one statement from the Reorganization Act which may put at rest the point which has been raised. In this respect, the act is just as explicit as is any specification of the act with respect to the work and subject matter to come under a committee. Section 137 of the Reorganization Act reads as follows:

DECISIONS ON QUESTIONS OF COMMITTEE JURISDICTION

SEC. 137. In any case in which a controversy arises as to the jurisdiction of any standing committee of the Senate with respect to any proposed legislation, the question of jurisdiction shall be decided by the presiding officer of the Senate, without debate, in favor of that committee which has jurisdiction over the subject matter which predominates in such proposed legislation; but such decision shall be subject to an appeal.

The principle there is that this is a new act; and regardless of where matters may have been referred before or regardless of the jurisdiction which committees may have had before, if the subject is one as in this case, let us say, in which water power predominates, it should be referred to the Committee on Public Works. If, on the other hand, it is a subject in which commerce predominates, then it should be referred to the Committee on Interstate and Foreign Commerce.

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

Mr. REVERCOMB. I yield.

Mr. BREWSTER. I was addressing myself to the intent of the Reorganization Act, which, as it has seemed to me, could not have intended a transfer of jurisdiction which, as this item shows, had clearly been established in the Interstate Commerce Committee prior thereto. Under the Reorganization Act there could not have been an intent to transfer it, or the act would have recited it on page 19, at which point various other functions were transferred to the Public Works Committee, but there were not included any items formerly within the jurisdiction of the Interstate Commerce Committee.

I did not go beyond that point as to other matters; but I think the unbroken line of precedents is that this particular phase of the jurisdiction had always rested in the Committee on Interstate Commerce, and I certainly find no clear indication that a transfer was intended.

Mr. REVERCOMB. Mr. President, I see the Senator's viewpoint in regard to the matter, but I say that, regardless of what the prior practice had been, if that practice is in conflict with the terms of the Reorganization Act, the Reorganization Act must prevail.

With respect to water power, the Senator well knows that that subject was under the jurisdiction of the Committee on Commerce in days gone by. Today it is under the jurisdiction of the Committee on Public Works. Some of the greatest powers of the Public Works Committee are derived from the old Committee on Commerce. But that is not the question before us, at all. Where there is any conflict whatsoever between a former practice and the written terms and prescribed rules of the Reorganization Act, of course the Reorganization Act must prevail.

Mr. President, it will be noted that section 137 provides that the Presiding Officer of the Senate shall decide the question without debate, and that there shall be an appeal. At one time I thought that question might well be raised in arrest of procedure, but that decision was made by the Presiding Officer when the reference was made to the Public Works Committee, to which the nomination goes as a matter of course.

There could have been an appeal from that decision at the time, but the question now arises on a resolution to discharge. I looked into that question, and I became convinced that the resolution to discharge could be properly presented. But, in essence, it is an appeal from the ruling of the Chair. That is all it is. The Chair is directed and bound to make a reference of this nomination—I take it that this rule would apply to all nominations, as well as to bills and other matters dealing with a legislative subject—to the committee which has jurisdiction over the subject matter which predominates.

After going into this subject, I say there is no question at all as to what predominates with respect to the Federal Power Commission. It is water power.

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

Mr. REVERCOMB. I yield.

Mr. McCLELLAN. Is there any other agency of Government that has functions having to do with water power more so than does the Federal Power Commission?

Mr. REVERCOMB. I certainly know of none.

Mr. McCLELLAN. In other words, it is the agency of Government definitely created to deal with the water power which is being developed, is it not?

Mr. REVERCOMB. Exactly so; and let me say, as I have already pointed out, that the Federal Power Commission had its birth and its creation out of the Federal Water Power Act.

Mr. McCLELLAN. And the Reorganization Act definitely places the jurisdiction of water-power matters in the Public Works Committee.

Mr. REVERCOMB. Exactly so.

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

Mr. REVERCOMB. I yield.

Mr. OVERTON. In order further to clarify the point raised by the able Senator from Arkansas, let me quote the law bearing on the subject, relative to the Federal Power Commission.

Mr. REVERCOMB. I shall be glad to have the Senator do so.

Mr. OVERTON. I read section 797, title XVI, chapter 12, United States Code:

SEC. 797. General powers of the Commission.

The Commission is hereby authorized and empowered—

(a) Investigations and data:

To make investigations and to collect and record data concerning the utilization of the water resources of any region to be developed, the water-power industry and its relation to other industries and to interstate or foreign commerce, and concerning the location, capacity, development costs, and relation to markets of power sites, and whether the power from Government dams can be advantageously used by the United States for its public purposes, and what is a fair value of such power, to the extent the commission may deem necessary or useful for the purpose of sections 791-823 of this title.

When the able Senator from Maine was addressing the Senate on the subject, I asked him whether it is not a fact that all rates for surplus power generated at dams created by the United States Government, are fixed by the Federal Power Commission. The Senator from Maine very promptly said that they are. The Federal Power Commission is the one which has jurisdiction over the water resources of the United States, when it comes to power.

Mr. REVERCOMB. That is correct.

Mr. OVERTON. The Public Works Committee is the committee which has jurisdiction over all matters pertaining to water power in the United States. It does not matter what happened under the old regime. I am one of those who think that it was a mistake ever to have the Reorganization Act, for under it we are apt to get into trouble.

Apparently the able junior Senator from Maine is somewhat confused about the matter because the late Senator Bailey, for whom I had the highest regard, wrote a letter giving up the jurisdiction of the Senate Commerce Committee over a certain matter, and referring it to the Senate Interstate Commerce Committee. If the Reorganization Act had been in force I think Senator Bailey would have sent that matter to the Committee on Public Works. I do not think there is any doubt about that.

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

Mr. REVERCOMB. In a moment. Not only does the Federal Power Commission fix the rates on electricity generated by the Federal Government, and which is ancillary, I may say, to water power, but I will say to the able Senator from Louisiana that it more than fixes the rates; it prescribes the surveys, it sets forth the

plans, it grants the permits and the licenses. In other words, it has from the very beginning a control over water-power development. The plans must be supervised, the permits to go ahead must be issued, and then the power is developed, and the Commission fixes the rate on the product. The fact that it may be carried in interstate commerce makes it no less water power, and ancillary to water-power development.

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

Mr. REVERCOMB. I yield.

Mr. BREWSTER. I appreciate what the Senator from Louisiana said, and I am sure he shared with me a very high regard for Senator Bailey, under whom we served as chairman of the committee. Certainly no one was more jealous of the prerogatives of his committee, so I am sure his relinquishment indicated a very carefully considered opinion that it was just, and that his committee was not being robbed in any sense.

I am a little at a loss to understand the contention made, since I have before me a letter from the Federal Power Commission reading in part as follows:

> The Commission's regulation of interstate commerce in the fields of electric power and natural gas derive from three major statutory mandates: The Federal Water Power Act of 1920 (now part I of the Federal Power Act of 1935), involving the licensing and regulation of hydroelectric projects constructed by others than the Federal Government; part II of the Federal Power Act of 1935, providing for the regulation of the interstate transmission and sale at wholesale of electric energy however produced; and the regulation of interstate natural-gas pipe lines under the Natural Gas Act of 1930, as amended.

The interesting fact is that TVA, which I am sure all will agree in the outstanding example of Federal development, was not referred to either of these committees, but was handled, as I have understood, by the Committee on Agriculture and Forestry.

Mr. REVERCOMB. It is now under the Committee on Public Works.

Mr. BREWSTER. I mean in its origin; I am referring to the time of its origin. It was handled originally by the Committee on Agriculture and Forestry. Is not that correct?

Mr. OVERTON. That is correct.

Mr. REVERCOMB. Not only is everything dealing with TVA under the Committee on Public Works, but recently when Gordon Clapp was nominated to be directing head of TVA, the nomination was referred to the Committee on Public Works, which held very extended hearings on it.

Mr. BREWSTER. I was referring to the historical record, because that had seemed to be in question here as to the transfer of functions.

Coming back to the point at issue, there is nowhere in the language referring to the allocation of functions under the Reorganization Act a reference to the taking of power hitherto exercised by the Committee on Interstate and Foreign Commerce.

Mr. REVERCOMB. The able Senator brought up an interesting point with respect to the TVA being under the Committee on Agriculture and Forestry.

Mr. BREWSTER. I said it originated under that committee.

Mr. REVERCOMB. Yes, which demonstrates more forcefully than anything I may say the absolutely unsettled condition, not to say confusion, as to references and distinctions between the committees, so far as jurisdiction was concerned, prior to the Reorganization Act. Therefore what may have been prior to the Reorganization Act I feel can have very little bearing, and certainly cannot do away with the express provisions of the Reorganization Act.

Mr. McCLELLAN. Mr. President, will the Senator from West Virginia yield?

Mr. REVERCOMB. I yield.

Mr. McCLELLAN. Was not the desire to clarify the matter of jurisdiction of committees one of the reasons for the enactment of the Reorganization Act?

Mr. REVERCOMB. Exactly so.

Mr. McCLELLAN. That is why we undertook to spell out, in the Reorganization Act, the jurisdiction of each committee. Much confusion existed prior to the Reorganization Act, and it was difficult, from the terms of a bill, to tell to which committee the bill should go. Different committees would claim it, and in the past a bill might have gone to a committee whose name had no relationship to the subject matter. The purpose was to clarify and to spell out and to place the jurisdiction definitely somewhere, and in spelling it out Congress in the Reorganization Act said that water power should be under the jurisdiction of the Committee on Public Works.

Mr. REVERCOMB. And all things pertaining to water power shall come within that jurisdiction. That is the provision of the Reorganization Act.

Mr. OVERTON. Mr. President, will the Senator from West Virginia yield?

Mr. REVERCOMB. I am delighted to yield to the Senator from Louisiana.

Mr. OVERTON. It seems to me the whole matter is clear when we consider the Reorganization Act. The Reorganization Act vests authority in the Committee on Interstate and Foreign Commerce to handle all subjects relating to inland waterways. It is very obvious that what is meant is transportation over inland waterways—the carrying of commerce over inland waterways—and jurisdiction over that subject should have been vested in the Committee on Interstate and Foreign Commerce.

Note the distinction. The Federal Government is not engaged in the creation of power except through hydroelectric energy, and when we come to water power—and that is what we are dealing with now—there is a separate and distinct provision in the Reorganization Act as to what committee should have jurisdiction over water power—water power in all its ramifications and in its broadest sense. Congress vested authority over water power in the Committee on Public Works.

It seems to me that anyone reading the two provisions in the Reorganization Act must come clearly to the view, as indicated by the Presiding Officer when he referred the nomination, that the nomination was bound to go to the Committee on Public Works, and not to the Committee on Interstate and Foreign Commerce.

Mr. REVERCOMB. I very much appreciate the very able observation of the Senator from Louisiana. I was glad he said "in all its ramifications" because the able Senator from Maine, in presenting his side of the case, said that the Committee on Public Works dealt only with construction. That is erroneous. Let us see what the statute itself says. It does not say that the Committee on Public Works shall deal only with construction of these particular aspects and subjects. It says that to the Committee on Public Works "shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects," and then it mentions "water power," meaning everything relating to water power, not only construction.

As I have said before, the Federal Power Commission, from the very inception of a plan, before the plan is drawn to lay out the project, has authority over water power projects in this country in interstate relations. It issues the permits, it issues the licenses, and has control over the electricity generated. That still comes under water power, and is a water-power product.

Therefore, I say, Mr. President, that we have come in this controversy to this issue: Is the Federal Power Commission a commission which deals with water power? Definitely it is. I read again from the statement filed in the report made to Congress this year:

> The year just closed saw a sharp increase in the demands upon the Commission for participation in the conservation and development of the Nation's water-power resources.

Upon the subject of the extent to which the Federal Power Commission is engaged with the subject of water power, particularly in view of the letter which the able Senator from Maine has just quoted, I wish to point out that in this very year, 1947, when the members of the Federal Power Commission and their staff members appeared before the Committee on Appropriations of the House of Representatives seeking an appropriation for 1948, there is set forth on page 939 of the transcript of the hearings a statement of the work load of the Federal Power Commission. Let us analyze it. On pages 939–941 of the House hearings on the Independent Offices appropriation bill for 1948—that is right up to date, now, while we have this subject pending before us—there appears a statement showing the number of man-years of work applied to the various functions of the Federal Power Commission for the fiscal years 1945, 1946, 1947, and 1948 as proposed. Let us follow through the 1947 column as a typical example, since all the other columns are in approximately the same proportion. The statement is an official statement of the Commission, furnished to a committee of Congress in support of the Commission's request for annual appropriation. The first group of functions is headed "Licensed Hydroelectric Projects," and

shows 117.2 man-years applied to this group. Hydroelectric projects are by definition and in fact water-power projects, so that this group of functions applies entirely to water power.

A lengthy discussion of these functions appears on pages 869–883 of the hearings. Incidentally, the revenues received by the Commission from the licensed hydroelectric projects amount to about $1,000,000 a year, according to the statement of the Chairman of the Commission.

I am discussing the testimony of the Commission itself, as it appears in the transcript of the hearings on the appropriation bill before the Congress this year.

The second group of functions is headed, "Power requirements and supply," and shows 122.1 man-years applied to this group. The discussion of these functions on pages 883–903 of the hearings shows that they are almost entirely water-power functions. In fact, the congressional authority for the power market service—that is section 4 (a) of the Federal Power Act—is quoted on page 895 of the hearings, and I desire to read it into the RECORD:

> The Commission is hereby authorized and empowered (a) to make investigations and to collect and to record data concerning the utilization of water resources of any region to be developed, the water-power industry and its relation to other industries and to interstate or foreign commerce, and concerning the location, capacity, development costs, and relation to markets of power sites, and whether the power from Government dams can be advantageously used by the United States for its public purposes, and what is a fair value for such power, to the extent the Commission may deem necessary or useful for the purposes of this act.

One of the prime reasons for the existence of the Federal Power Commission—I say, its greatest work, its most extensive work; its longest hours are spent upon it—is the water-power projects, and water power by express provision of the statute is under the Public Works Committee.

The third group—and I am again referring to the testimony of representatives of the Federal Power Commission before a committee of the House of Representatives when they were seeking an appropriation this year, and it is their own definition of their work—the third group, headed "River basin service," shows 121.3 man-years applied to its functions for the year 1947 having to do with studies of potential water-power developments on rivers throughout the Nation. A complete description of this work is found on pages 909–912 of the hearings. Here again there can be no doubt as to the classification of the functions. They are water-power functions, pure and simple, and only water-power functions.

On page 941 of the hearings before the House Appropriations Committee this year, we find another group headed "Duties Relating to Federal Hydroelectric Projects," with a work load of 8.8 man-years. Those are purely water-power functions. These four groups of functions come to a total of 369.4 man-years on water power alone. The remainder of the functions shown in the statement—and here is the heart of this whole situation; if one wants to know the duties and work of the Federal Power Commission, here they are, and this is the point which I submit will settle this whole question—the remainder of the functions shown in the statement consist of 140 man-years for gas regulation functions, 239 man-years for general electric-power functions, which pertain both to water power and to steam power. Since the ratio of water-power plants to the total of all electric-power plants in the country is 1 to 3, it can be fairly said that one-third of the 290 man-years applied to general electric-power functions, or 97, plus 5 man-years for water-power functions, for the generation of electricity. This brings the grand total—and to this statement I invite the attention of the Senate—this brings the grand total for water power to 467 man-years, comparing this with a total of all other types of functions for the year 1947 which, as I say, is a year that is in keeping with other years, of the work of the Federal Power Commission. Comparing the 467 man-years with all other types of functions for the year, amounting to 803 man-years, we find that 58 percent of the Federal Power Commission's functions and actual work is for water power—58 percent. That figure is not a figure which is built up in any way by going outside the Federal Power Commission. That conclusion is based upon their own testimony this year before the House Appropriations Committee. Fifty-eight percent of the Federal Power Commission's work in many years—that is, in effort—is water power. The remainder of it is divided between the rate-making for, perhaps, gas, fixing the price of gas in interstate commerce, and other functions it may have.

Mr. BREWSTER. Mr. President, will the Senator yield at that point?

Mr. REVERCOMB. I yield.

Mr. BREWSTER. I am puzzled. I do not know that we want to get into a statistical discussion which may lead us on very long journeys, but I have before me a letter from the Federal Power Commission under date of July 10, 1947, addressed to the chairman of the committee, with this concluding paragraph:

> On the basis of the number of persons directly and continuously utilized on water-power matters, the pay-roll records indicate that slightly under 10 percent of the Commission's personnel is devoted to water power and flood-control projects, as such, including flood control and other construction projects of the Federal Government.

That certainly would seem to be at considerable variance with the figures just cited—under 10 percent.

Mr. REVERCOMB. The letter was written after the controversy arose in the Senate. I do not know the interest of Mr. Nelson Lee Smith, who is Chairman of the Federal Power Commission, in writing the letter. It is certainly at variance, if I may say so, with the testimony given long before the controversy arose, within this year, before the House Appropriations Committee when funds were sought with which to carry on the work of the Federal Power Commission. I am familiar with the letter. I have a copy of it. Let me say, with respect to the last paragraph, the statement of the writer of the letter that only 10 percent of the Commission's personnel works on water-power matters is a qualified statement. It may be misleading unless the qualifications are fully explained. The statement refers to the personnel employed continuously and full time solely on water-power matters. The 10 percent is set aside for continuous employment. According to statements made by representatives of the Commission at hearings before the House Appropriations Committee, a large proportion of their employees, such as engineers, lawyers, and clerical staff, are shifted from job to job as the demands vary and from time to time throughout the year. If the same qualifications were applied to other functions of the Commission, such as rate regulation and natural gas matters we would always find that the percentage employed continuously on any one function would be relatively small.

The statements made by the representatives of the Power Commission before the House committee explain the statement in the letter read by the Senator from Maine. Only a relatively small percent, perhaps 10 percent, are regularly employed all the time upon the function of water power, but as the representatives of the Commission stated before the House committee, and as is shown by the record, their engineers, their clerical staff, are shifted from project to project, and it could likewise be shown that the number of persons employed regularly upon any matter with which the Federal Power Commission dealt, would be relatively small.

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

Mr. REVERCOMB. I shall be glad to yield in a moment. Let me complete my statement. The analysis of functions by work load rather than continuous employment of personnel is, we feel, the only accurate method of classification for functions. There can be no question that the statement of work load in man-years, as shown in the appropriations hearings, is an accurate statement of actual work conditions, since this statement represents the basis for the funds appropriated by Congress for the Commission's work. In other words, in the letter which as I understand, was written to the Senator from Maine when the controversy arose, it was stated that "10 percent of our personnel are employed continuously upon water projects." But the writer does not tell the Senator what a small percentage of employees are employed continuously upon the various divisions of work.

Mr. BREWSTER. Oh, yes, he does.

Mr. REVERCOMB. I do not so understand from the letter, because as the representatives of the Commission say in their statement before the House committee, of the man-years of time devoted to work, 58 percent are shown to be upon water-power projects.

Mr. BREWSTER. I will read further from the letter, if the Senator will per-

mit me, a copy of which he has before him.

Mr. REVERCOMB. Very well.

Mr. BREWSTER. I read further:

On this basis—

Referring now to the part-time basis—

On this basis analysis of the work-load figures for fiscal 1947 shows that approximately 28 percent—

Not 57 percent—

Twenty-eight percent (230 man-years out of a total of 803) of the personnel is accounted for under functions relating in whole or in part to water-power activities. These classifications include licensed project work (the issuance of licenses for determination of costs), power requirements and surveys, river basin surveys, and "duties relating to Federal hydroelectric projects."

He goes on to say:

Allowing further for estimated overhead services, it is indicated that about 40 percent of the Commission's personnel is concerned in some degree with water-power matters.

I submit that if 40 percent of the employees are concerned in some degree with water-power matters—and I emphasize "in some degree"—it would surely be impossible to build up to 57 percent from 40 percent.

Mr. REVERCOMB. I want to say to the Senator that it is very apparent the writer of the letter left out many elements and many topics concerning which the representatives of the Commission testified before the House Appropriations Committee. I have the transcript of the hearing before me, and shall be glad to submit it to the Senator from Maine or any other Senator who desires to consider it.

I have read the figures which were presented. The writer speaks of 40 percent, and of man-years. I have before me a table, and the testimony of the witnesses, showing that for licensed hydroelectric projects the man-years are 117.2, and that for power requirements and supplies the man-years are 122.1.

Mr. BREWSTER. Surveys.

Mr. REVERCOMB. Power requirements and supplies.

Mr. BREWSTER. In the letter it is given as "power requirements and surveys."

Mr. REVERCOMB. Then for river-basin surveys, there are 121.3 man-years. Federal hydroelectric projects, 8.3 man-years. When those figures are totaled up it will be found that they aggregate 369.4 man-years.

Then there is another item of 140 man-years for gas-regulation function. That is purely because it does not come under water power. Also 293 man-years for general electric functions, which pertain both to water and steam power. As I said, taking only one-third, or a 1-to-3 ratio, which is shown in the testimony to be the proper ratio of the steam- and water-power generation, we get 58 percent of the work, in man-years, of the Federal Power Commission, devoted to water-power work.

Mr. President, it seems to me that that should close the whole argument. It seems to me that when we consider together section 137 of the Reorganization Act, which provides that jurisdiction shall be decided in favor of that committee which has jurisdiction over the subject matter which predominates, and the language of the same act, that the Public Works Committee shall have charge of all matters pertaining to water power, and when we have shown the facts we have shown, it seem to me there can be no question that the reference was properly made, and that the reference as made, should be sustained.

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

Mr. REVERCOMB. I yield.

Mr. OVERTON. When the reorganization measure was before the Senate and was debated, it was my privilege to undertake to oppose its enactment.

Mr. REVERCOMB. I recall that.

Mr. OVERTON. Among other things I pointed out was the very confusing provision with reference to the jurisdiction of different committees. One can take the Reorganization Act and pick out one small portion of it and concerning the reference of a bill, say, "The bill ought to be referred to such and such a committee, because here is what the Reorganization Act provides." But the matter must be carefully analyzed. Let me illustrate by analysis. Let us consider the Committee on Interstate and Foreign Commerce. The Reorganization Act provides with respect to that committee as follows:

Committee on Interstate and Foreign Commerce, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

* * * * *

16. Inland waterways.

Therefore the Interstate and Foreign Commerce Committee might be considered to be vested with entire control over inland waterways. But that would mean not only transportation; that would mean improvement of the inland waterways; it would mean flood control; it would mean the harbors on inland waterways; it would mean the rectification of channels, the dredging of channels, anything that would improve inland waterways. If a bill undertaking to authorize flood control projects or river improvement should be introduced, members of the Committee on Interstate and Foreign Commerce could very well say that it should be referred to that committee because it involves inland waterways, just as they are contending that this nomination ought to be referred to the Committee on Interstate and Foreign Commerce. But if they read a little further, as they should have read in connection with this nomination, which has been fully gone into and very ably explained by the Senator from West Virginia, they will find the following:

The Committee on Public Works, to consist of 13 Senators, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

1. Flood control and improvement of rivers and harbors.
2. Public works for the benefit of navigation, and bridges and dams (other than international bridges and dams).
3. Water power.

And so forth. That is the specific, detailed investment of jurisdiction in the Committee on Public Works. It may be contended that all river and harbor improvements ought to be referred to the Committee on Interstate and Foreign Commerce because that committee has full jurisdiction over inland waterways. It may be contended, as is contended in this case, that a nomination should go to the Committee on Interstate and Foreign Commerce. But when we read the act, and read the powers and jurisdiction vested in the Committee on Public Works, we find an entirely different situation.

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

Mr. REVERCOMB. I yield.

Mr. BREWSTER. I certainly welcome the Senator from Louisiana over on this side of the aisle, where he certainly presents a very fine appearance. I am sure that he would be a great addition to our ranks.

Mr. OVERTON. Some of the Members on the Senator's side of the aisle need information and elucidation.

Mr. BREWSTER. I solicit the same generosity of interpretation in the current issue that we have accorded to the Senator in connection with other potential controversies, so that our committee will be allowed the jurisdiction which it has historically enjoyed, even when the Senator from Louisiana and the Senator from Maine were serving on the Committee on Commerce. I ask from the Senator the same generosity of construction that we accord to him in connection with other potential controversies which he points out, but which, as I think the Senator will recognize, we have never had the effrontery to raise.

Mr. OVERTON. Not so far.

Mr. BREWSTER. I am quite sure that we are not going to raise them. So I hope the Senator will be as generous with us as we are seeking to be with him, since the Senator and I are divided in our respective responsibilities.

Mr. OVERTON. If electric power could be transported up and down a river in barges and boats, then I should say that the Senator's committee would have jurisdiction; but that is the only way in which it can obtain jurisdiction.

Mr. REVERCOMB. Mr. President, I wish to proceed further by pointing out and enlarging upon the water-power activities of the Federal Power Commission, according to the Commission's own statement. When the Commission files reports with Congress and makes statements we must accept them as the views of the Commission, and we do so accept them. When the report came to Congress from the Federal Power Commission, was it referred to the Committee on Interstate and Foreign Commerce? No. It was referred directly to the Committee on Public Works, and not to the Committee on Interstate and Foreign Commerce.

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

The PRESIDING OFFICER (Mr. O'CONOR in the chair). Does the Senator from West Virginia yield to the Senator from Maine?

Mr. REVERCOMB. I yield.

Mr. BREWSTER. As I have pointed out, it was historically the case that such reports went to the Committee on Commerce, although jurisdiction as to appointments and terms with respect to the Federal Power Commission was in the Committee on Interstate Commerce. So it seems to me that the precedent has little significance.

Mr. REVERCOMB. As now provided by law, all matters pertaining to water power in connection with the work of the Federal Power Commission must go to the committee having jurisdiction over the predominating subject. Under the new law it cannot be said that appointments can be separated and sent to one committee, and legislation and reports to another. There is no such division under the Reorganization Act. The Reorganization Act explicitly divides the jurisdiction of the committees, and explicitly provides that everything pertaining to a certain subject must go to a certain committee. The fact that prior to the Reorganization Act legislation went to the Commerce Committee and appointments, by practice—there was no rule of law on the subject—went to the Committee on Interstate Commerce, is of no significance. That situation may have obtained prior to the Reorganization Act, but in the Reorganization Act Congress said that everything pertaining to a particular subject should be referred to a particular committee. That did away with the old practice, when jurisdiction could be divided. There is now no division.

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

Mr. REVERCOMB. For what purpose?

Mr. GURNEY. I have conferred with the Senator from Virginia [Mr. BYRD] and other Senators interested in the provisions which were not agreed to the other day when we were considering the appropriations for the Military Establishment for 1948. We have reached an agreement, and I believe that if given an opportunity, we can complete action on the Military Establishment appropriation bill in a few minutes. Will the Senator yield for that purpose?

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

Mr. REVERCOMB. I yield.

Mr. WHITE. Mr. President, I do not feel that we ought to be asked to give way. We have been struggling for a week or more to fix a definite time for the consideration of this jurisdictional question. The question is complex and troublesome. It involves the functioning of the Senate as a whole. It involves the functioning of a committee of the Senate, and it involves Senators who are interested in the question. I believe also that there is some public concern over it.

Mr. GURNEY. I will say to the Senator that I do not believe that more than 2 minutes would be required.

Mr. WHITE. If only 2 minutes were required, that would be one thing; but I am always apprehensive when I hear assurances that a matter will require only a short time.

Mr. GURNEY. Evidently the Senator thinks it would take too long.

Mr. REVERCOMB. Mr. President, the Senator from West Virginia has the floor.

Mr. GURNEY. I shall present my request a little later.

Mr. REVERCOMB. I thank the Senator.

Quoting further from the language of the report made by the Federal Power Commission:

> The river basin surveys carried on during the war have included rivers in all parts of the country. They have provided a basis for the carrying out of the Commission's responsibilities in connection with both the licensing of hydroelectric projects and the recommending of power facilities under the Flood Control and Rivers and Harbors Acts.
>
> The magnitude of the Commission's responsibilities in connection with the licensing of water-power projects is suggested by the fact that 40 percent of all the generating capacity installed in non-federally-owned hydroelectric plants in the United States is operating under Commission license.
>
> The Commission's licensed project work requires determination of the economic feasibility of proposed projects and their adaptation to the comprehensive development of the stream for all beneficial purposes—

I call this specifically to the attention of the senior Senator from Maine [Mr. WHITE] who said that the Public Works Committee dealt only with construction. It deals with everything pertaining to water power. I am now enumerating some of the works and water-power projects over which it would have supervision in dealing with the administrative agency of the Federal Power Commission—

> checking of the adequacy and safety of the project structures; establishment of license conditions safeguarding all Federal interest in lands and waters of the United States, including flood control and navigation; inspection of the projects during construction, and periodically thereafter, to assure safety, efficiency of use of the resource, and conformance with the requirements of the license; fixing of headwater benefits; and investigation of unlicensed water-power projects to determine whether a license should be required.
>
> The Commission also has the responsibility of withdrawing public lands for proposed water-power developments and also restoring such lands and other reserved lands for homesteading, grazing, mining, and other purposes under conditions protecting the ultimate realization of their power values.

I recite this, Mr. President, to show that the work of the Federal Power Commission has to do primarily with water power. I realize that its jurisdiction has grown, under the Lea Act, to dealing with the transportation of gas. Its jurisdiction has been expanded considerably over the years, but it does not yet reach out to the proportions of its work done in connection with water power. As I say, the Federal Power Commission was originally created to deal with water power, and the Commission reports this year that there has been a sharp increase in the demands upon it to deal with water-power subjects.

> The continuing work of the Commission on power requirements and supply is closely associated with its functions in connection with development of the country's water-power resources and is essential to its licensed project work and its participation, under the Flood Control and River and Harbor Acts, in the Federal river basin programs.

When the Commission made the report from which I have been reading it did not know that this condition would arise, but, reading their own statement as to the extent of their work, it will be seen that there is time after time a reference to their work dealing with water power, connected with the improvement of rivers and harbors, which subject is also under the jurisdiction of the Committee on Public Works.

> The greater part of the Commission's work in this field consists of (1) collection, analysis, and compilation of basic engineering data from the entire electric power industry; (2) power utilization and marketing surveys in connection with river development programs; (3) investigations to determine the best interconnection and coordination of electric systems throughout the United States; and (4) investigations of special power problems at the request of governmental agencies, the Congress, and others.

In conclusion, regarding the subject of water power, let me say, if I may, at the risk of repetition, that the testimony of the representatives of the Federal Power Commission was given before the House Committee on Appropriations this year without thought of any controversy and without furnishing any information or evidence upon this issue. Those representatives of the Federal Power Commission have definitely shown that 58 percent of the work of the Commission has to do with water power. If that be true, then there can be no question about this reference being a proper reference, because, if I may reiterate, the Committee on Public Works has exclusive jurisdiction of everything pertaining to water power; not only construction, but every phase of water power comes under the jurisdiction of the Committee on Public Works.

Then, there is the further provision of the Reorganization Act that any subject shall go to the Committee on Public Works as to which the interests and jurisdiction of that committee may predominate.

There are great reclamation projects in the West. Those projects are for the purpose of storage of water to irrigate the land. Where that is the primary function, Mr. President, matters relating to such projects are referred to the Committee on Public Lands, even though there may be flood control and water power involved. Where the primary purpose of the construction of a project and the maintenance of it is irrigation, the matter is referred to the Committee on Public Lands. By the same rule, where the primary purpose of a project is navigation, flood control, or water power, it is referred to the Committee on Public Works.

Here we have an outstanding example—and I say the whole issue should turn upon this—of the nomination of a member of the Federal Power Commission, which Commission deals primarily with water power. If this reference be reversed, I do not know where we shall

find ourselves with respect to the division of jurisdiction of committees. If it be reversed, Mr. President, we shall go back to the old confusion which existed prior to the enactment of the Reorganization Act. It was to eliminate that confusion that the Reorganization Act was enacted. The things done prior to the Reorganization Act have little bearing upon this question, because, Mr. President, no practice prior to that time can override or destroy the express provisions of the act. I repeat that if this reference be reversed, if it be changed, we shall go back to the old confusion that existed in times past. Why do I say that? Let me point out that there is now pending before the Committee on Public Works, referred to it since the effective date of the Reorganization Act, Senate bill 972, a comprehensive bill declaring the policy of the United States with respect to hydroelectric power generated in connection with federally financed water-power projects. That bill, Mr. President, deals primarily with the Federal Power Commission. It gives that Commission authority over the sale of power either at the dam site or at point of production, and over federally owned and operated transmission lines. If this ruling be changed, what will happen to that bill? If this nomination be referred to another committee, to what committee would the bill which is now pending, and which has been referred to the Committee on Public Works, be referred?

So I say that if we take this step we will step back to the confusion of the days that preceded the Reorganization Act which defines the jurisdiction of the several committees.

I point out, Mr. President, that there is pending before the Committee on Public Works Senate bill 1156, which is entitled "A bill to establish a Missouri Valley Authority for the purpose, among other things, of providing unified water control and resource development on the Missouri River, its tributaries, and watersheds, and to stimulate industrial expansion and development of low-cost hydroelectric power." Much of this bill would be under the jurisdiction of the Federal Power Commission. The Federal Power Commission, under the terms of that proposed legislation, is given supervisory duty over the generation, transmission, and disposition of electric power.

I submit, Mr. President, that this whole problem in the last analysis comes to this, that 58 percent of the work of the Federal Power Commission is devoted to water power. That is sustained by the testimony of representatives of that Commission before the House Committee on Appropriations when they asked for an appropriation. That is their own testimony. It comes from evidence adduced prior to the arising of this issue. If it is devoted primarily in its duties and functions to water power, under the express provisions of the statute, anything relating to a subject which predominates shall come under the jurisdiction of the committee which has jurisdiction over that subject. We know that the Committee on Public Works has jurisdiction of water power and of all matters relating thereto.

Therefore, Mr. President, I submit that the reference was clearly correct, that it should be sustained, and that the resolution to discharge the committee should be rejected.

Mr. REVERCOMB subsequently said: Mr. President, I ask unanimous consent to have printed in the body of the RECORD as a part of my remarks on Senate Executive Resolution 52 the matter which I send to the desk.

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

SECTION 797, TITLE 16, UNITED STATES CODE

SEC. 797. General powers of the Commission.

The Commission is hereby authorized and empowered—

(a) Investigations and data.

To make investigations and to collect and record data concerning the utilization of the water resources of any region to be developed, the water-power industry and its relation to other industries and to interstate or foreign commerce, and concerning the location, capacity, development costs, and relation to markets of power sites, and whether the power from Government dams can be advantageously used by the United States for its public purposes, and what is a fair value of such power, to the extent the Commission may deem necessary or useful for the purposes of sections 791–823 of this title.

(b) Statements as to investment of licenses in projects; access to projects, maps and so forth.

To determine the actual legitimate original cost of and the net investment in a licensed project, and to aid the Commission in such determinations, each licensee shall, upon oath, within a reasonable period of time to be fixed by the Commission, after the construction of the original project or any addition thereto or betterment thereof, file with the Commission in such detail as the Commission may require, a statement in duplicate showing the actual legitimate original cost of construction of such project, addition, or betterment, and of the price paid for water rights, rights-of-way, lands, or interest in lands. The licensee shall grant to the Commission or to its duly authorized agent or agents, at all reasonable times, free access to such project, addition, or betterment, and to all maps, profiles, contracts, reports of engineers, accounts, books, records, and all other papers and documents relating thereto. The statement of actual legitimate original cost of said project, and revisions thereof as determined by the Commission, shall be filed with the Secretary of the Treasury.

(c) Cooperation with executive departments; information and aid furnished Commission.

To cooperate with the executive departments and other agencies of State or National Governments in such investigations; and for such purpose the several departments and agencies of the National Government are authorized and directed upon the request of the Commission, to furnish such records, papers, and information in their possession as may be requested by the Commission, and temporarily to detail to the Commission such officers or experts as may be necessary in such investigations.

(d) Publication of information, and so forth; reports to Congress.

To make public from time to time the information secured hereunder, and to provide for the publication of its reports and investigation in such form and manner as may be best adapted for public information and use. The Commission, on or before the 3d day of January of each year, shall submit to Congress for the fiscal year preceding a classified report showing the permits and licenses issued under sections 791–823 of this title, and in each case the parties thereto, the terms prescribed, and the moneys received if any, or account thereof. Such report shall contain the names and show the compensation of the persons employed by the Commission.

(e) Issue of licenses for construction, and so forth, of dams, conduits, reservoirs, and so forth.

To issue licenses to citizens of the United States, or to any association of such citizens, or to any corporation organized under the laws of the United States or any State thereof, or to any State or municipality for the purpose of constructing, operating, and maintaining dams, water conduits, reservoirs, power houses, transmission lines, or other project works necessary or convenient for the development and improvement of navigation and for the development, transmission, and utilization of power across, along, from, or in any of the streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States, or upon any part of the public lands and reservations of the United States (including the Territories), or for the purpose of utilizing the surplus water or water power from any Government dam, except as herein provided: *Provided*, That licenses shall be issued within any reservation only after a finding by the Commission that the license will not interfere or be inconsistent with the purpose for which such reservation was created or acquired, and shall be subject to and contain such conditions as the secretary of the department under whose supervision such reservation falls shall deem necessary for the adequate protection and utilization of such reservations: *Provided further*, That no license affecting the navigable capacity of any navigable waters of the United States shall be issued until the plans of the dam or other structures affecting the navigation have been approved by the Chief of Engineers and the Secretary of War. Whenever the contemplated improvement is, in the judgment of the Commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, a finding to that effect shall be made by the Commission and shall become a part of the records of the Commission: *Provided further*, That in case the Commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license therefor shall be issued until 2 years after it shall have reported to Congress the facts and conditions relating thereto, except that this provision shall not apply to any Government dam constructed prior to June 10, 1920: *And provided further*, That upon the filing of any application for a license which has not been preceded by a preliminary permit under subsection (f) of this section, notice shall be given and published as required by the proviso of said subsection.

(f) Preliminary permits; notice of application.

To issue preliminary permits for the purpose of enabling applicants for a license hereunder to secure the data and to perform the acts required by section 802 of this title: *Provided, however*, That upon the filing of any application for a preliminary permit by any person, association, or corporation the commission, before granting such application, shall at once give notice of such application in writing to any State or municipality likely to be interested in or affected by such application; and shall also publish

notice of such application once each week for 4 weeks in a daily or weekly newspaper published in the county or counties in which the project or any part thereof or the lands affected thereby are situated.

(g) Investigation of occupancy for developing power; orders.

Upon its own motion to order an investigation of any occupancy of, or evidenced intention to occupy, for the purpose of developing electric power, public lands, reservations, or streams or other bodies of water over which Congress has jurisdiction under its authority to regulate commerce with foreign nations and among the several States by any person, corporation, State, or municipality and to issue such order as it may find appropriate, expedient, and in the public interest to conserve and utilize the navigation and water-power resources of the region.

The PRESIDENT pro tempore. The question is on agreeing to the resolution submitted by the Senator from Maine.

Mr. WHITE. 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	Morse
Baldwin	Hawkes	Murray
Ball	Hayden	O'Conor
Barkley	Hickenlooper	O'Daniel
Brewster	Hill	O'Mahoney
Bricker	Hoey	Overton
Bridges	Holland	Pepper
Brooks	Ives	Reed
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Robertson, Wyo.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thye
Downey	McFarland	Tydings
Dworshak	McGrath	Umstead
Eastland	McKellar	Vandenberg
Ecton	McMahon	Watkins
Ellender	Magnuson	Wherry
Ferguson	Malone	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young

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

Mr. REED. Mr. President, I should like to have the attention of the Senate for 10 minutes on the subject now being considered, before we have a record vote. I shall yield to any Senator to make a point of order against me if I do not conclude within 10 minutes.

Mr. President, my experience with the Federal Power Commission goes back further than that of any of the Senators who have spoken today. I was a member of the Kansas Public Utilities Commission in 1920, which was a member of the National Association of State Commissions, and we helped get the Federal Power Commission set up. Primarily it was created for the purpose of controlling the issuance of licenses for water-power sites and the handling of water power. So far as the contention of the Committee on Public Works that it has complete jurisdiction over water power is concerned, there is no question; it should have.

Mr. President, I have watched the progress of this Commission, and am fairly familiar with its operations. I have the same figures before me from which the Senator from West Virginia spoke. The Federal Power Commission, in its application for an appropriation, furnished us the same information it gave the House committee. The difference between the Senator from West Virginia and myself is that I heard the testimony, and he has to pick it out of the House report.

The work of the Federal Power Commission has come to be directed about two-thirds to natural gas and commercial power, made up of power coming from privately operated and owned generators, not public generators, and one-third to water power.

The work of the Federal Power Commission takes about 803 man-years. Some of the classifications could easily be put in one column or the other. There is doubt about some of them, and some of them have to be split, but of the 803 man-years, I figure, the information coming from the same source as that furnished the Senator from West Virginia, 573 man-years must be assigned, clearly, to natural gas and electricity, and about 230 to water power. I freely admit that is an approximation, but it is the best I can do.

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

Mr. REED. In a moment. The Senator from Maine, the chairman of the Committee on Interstate and Foreign Commerce, was home in Maine recuperating when the nomination in question was sent to the Senate and was referred to the Committee on Public Works. Members of the Committee on Interstate and Foreign Commerce came to me, as one of the senior members of the committee, in the absence of the chairman, and suggested I take some interest in the nomination. After the reference had been made I discussed it with the Parliamentarian of the Senate, who had made the recommendation to the Chair. The Parliamentarian and myself, after a discussion of all the facts, agreed that a mistake had been made, and the Parliamentarian suggested that he did not think we need have fear as to future references.

Granting that all water-power matters should go to the Committee on Public Works, Senators should bear in mind that the nomination before us is the nomination of a member of the Commission which deals with everything that comes before the Commission, and I agree with the Senator from West Virginia that these matters should be referred to the committee where the predominant interest lies, and in this case that would be the Committee on Interstate and Foreign Commerce.

Mr. President, I have had long familiarity with this whole question. I helped to create the Federal Power Commission. I am familiar with its work. I am in fairly intimate contact with it, as I am with other commissions of the same character, and I say without hesitation that the nomination, and any matters relating to the over-all jurisdiction of the Commission should go to the committee which handles the business which is the predominant interest of the Commission, and that would be the Committee on Interstate and Foreign Commerce.

Mr. BARKLEY obtained the floor.

Mr. REVERCOMB. Mr. President——

The PRESIDING OFFICER. Does the Senator from Kentucky yield to the Senator from West Virginia?

Mr. BARKLEY. I yield, if the Senator desires to have me yield.

Mr. REVERCOMB. I shall appreciate it very much if the Senator will yield to me just a moment or two, in view of the statement made by the Senator from Kansas when he expressed his view as a member of the Committee on Interstate and Foreign Commerce that he thinks the nomination should go to his committee.

Of course, none of us can be guided by my wishes, or those of any other Senator. We must be guided entirely by the statute, and it says that the reference shall be made to the committee that has jurisdiction over the subject matter which predominantly exists in the proposed legislation.

The able Senator says, with all fairness, that he approximates as best he can the relative water power interest of the Federal Power Commission as compared with the other work it does. Let me say to the able Senator that the Federal Power Commission did not approximate the relative work load. The Federal Power Commission, when it appeared before the Committee on Appropriations of the House of Representatives, gave figures from which it is very clear that 58 percent of the work load it carries is water power.

If the law is to be followed, if the Senate is to follow the statute it passed, it cannot ignore facts which appear before it, not approximations, but figures themselves which are in the hearings presented before the Committee on Appropriations of the House. An appeal by any of us based on what he desires must give way before the law which the Congress itself has passed.

I thank the Senator from Kentucky for yielding.

Mr. BARKLEY. Mr. President, I rise in support of the resolution submitted by the Senator from Maine [Mr. WHITE]. I have not any doubt in my own mind that if the entire facts had been known at the time of the original reference of the nomination, it would have gone to the Committee on Interstate and Foreign Commerce.

I was a member of the Committee on Interstate and Foreign Commerce of the House of Representatives during my entire service in the House. I was a member of the Committee on Interstate Commerce of the Senate from the time of my arrival as a Member of the Senate until the Reorganization Act was passed, when I had to make a choice as between the committees on which I had served. Having been on four major committees, I had to give up two of them, and I chose to remain a member of the Committee on Finance and the Committee on Foreign Relations, for reasons which were impelling to me. I gave up my membership on the Committee on Interstate and Foreign Commerce with great regret and

reluctance, after 34 years of continuous service on that committee in the House and the Senate.

The Federal Power Act is based upon the commerce clause of the Constitution, the power of Congress to regulate commerce among the States. The legislation came from the Committee on Interstate and Foreign Commerce of the House and the Interstate Commerce Committee of the Senate, jurisdiction having been divided in the Senate between the Interstate Commerce Committee and the Commerce Committee; but, now, under the Legislative Reorganization Act, it is the Interstate and Foreign Commerce Committee of the Senate. The jurisdiction of Congress to enact the legislation controlling interstate power is based upon the commerce clause of the Constitution. The legislation came from the committee in the House and the committee in the Senate, and it seems to me indubitable that a nomination to a position involving an exercise of the jurisdiction of the Federal Power Commission ought to go to the Committee on Interstate and Foreign Commerce. Therefore, I shall feel compelled—and I do not do so with any reluctance—to vote to refer the nomination to the Committee on Interstate and Foreign Commerce.

This is not purely a public-works matter; it is not a matter in which we are engaged in an extended program of public works. It is essentially a regulation of interstate commerce, a matter over which that committee has jurisdiction, and it seems to me that nominations for members of the Commission that exercises the power granted by Congress, coming from the same committee, ought to be referred to that committee. Therefore, I shall vote to refer the nomination to the Committee on Interstate and Foreign Commerce.

Mr. WHITE. Mr. President, if no other Senator desires to speak at this time, I call for the yeas and nays on the resolution.

The yeas and nays were ordered.

Mr. REVERCOMB. Mr. President, it has been very definitely called to my attention that under the provisions of the Legislative Reorganization Act setting forth the duties of the Committee on Interstate and Foreign Commerce—and I call it to the attention of Senators because I am appealing to them in this case upon the law and not what any one individual, including myself, may desire—in the Reorganization Act it is very specifically set forth as one of the powers of the Committee on Interstate and Foreign Commerce, dealing with regulations, that that committee shall have power of regulation of interstate railroads, busses, trucks, and pipe lines, communication by telephone, telegraph, radio, and television.

Senators will understand that the only authority for regulation possessed by the Federal Power Commission is over the transportation of power and over gas. It is rather significant, I may say, that in the Legislative Reorganization Act the Committee on Interstate and Foreign Commerce of the House of Representatives, as distinguished from the committee of the Senate, is given specific jurisdiction over legislation as to matters relating to the regulation of interstate transmission of power, but the Senate committee is not. It is limited to specific authority over certain regulations.

There is a rule well known in the law and in the construction of statutes, which is set forth in 2 Sutherland Statutory Construction, third edition, section 4915, page 444, and particularly footnote 7 on page 414, as follows:

> The force of the maxim "expressio unius est exclusio alternius" is strengthened by contrast where a thing is provided in one part of the statute and omitted in another.

I would point out to the Senate upon this subject that the very fact that the statute limits the committee to a certain authority, and is absolutely silent upon the question of the transmission of electric power, the statute itself excludes the idea of the Committee on Interstate and Foreign Commerce having any authority whatsoever over the Federal Power Commission.

The PRESIDENT pro tempore. The question is on agreeing to the resolution offered by the Senator from Maine. On this question the yeas and nays have been ordered.

Mr. BREWSTER. Mr. President, I should like to add one further item in connection with what the Senator from West Virginia has just said. He referred to the fact that the Federal Power Commission had filed a report with the Committee on Public Works. I call attention to the fact that the Federal Power Commission has filed five reports during the current year with the Senate Committee on Interstate and Foreign Commerce dealing in all instances with electrical power.

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

Mr. BREWSTER. Yes.

Mr. REVERCOMB. With what subjects did those reports deal?

Mr. BREWSTER. I shall be happy to itemize them. I made the general statement to conserve time. On January 1 of this year Commission filed a report on production of electric energy and capacity of generating plants. On January 10 the Commission filed a report on industrial electric power in the United States. On March 13 it filed a report entitled "Directory of the Electric and Gas Utilities." On May 19 it filed a report entitled "Statistics of Natural Gas Companies in the United States." On June 25 it filed a report entitled "Report on Electric Utility Depreciation Practices."

Mr. REVERCOMB. I will say to the able Senator from Maine that it is very apparent that the five reports do not deal with any phase of water power.

Mr. BREWSTER. All the reports deal with electricity, which, in large measure, is obtained from hydroelectric energy.

Mr. REVERCOMB. I should like to call the attention of the Senate to the fact that the annual report required to be made to the Congress was not referred to the Committee on Interstate and Foreign Commerce, but was referred to the Committee on Public Works.

The PRESIDENT pro tempore. The question is on agreeing to the resolution submitted by the Senator from Maine [Mr. WHITE], Senate Executive Resolution 52. The yeas and nays have been ordered, and the Clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this vote I transfer that pair to the Senator from Vermont [Mr. FLANDERS] and will vote. I vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Vermont [Mr. FLANDERS], who is necessarily absent, is paired with the Senator from New York [Mr. WAGNER].

The Senator from New Hampshire [Mr. TOBEY] is necessarily absent because of illness in his family. If present and voting, he would vote "yea."

The Senator from South Dakota [Mr. BUSHFIELD], the Senator from Missouri [Mr. KEM], and the Senator from Wisconsin [Mr. WILEY] are unavoidably detained.

Mr. LUCAS. I announce that the Senator from Pennsylvania [Mr. MYERS], who is absent on public business, would vote "yea" if present.

The Senator from Utah [Mr. THOMAS] is absent by leave of the Senate.

The Senator from New York [Mr. WAGNER], who is necessarily absent, has a general pair with the Senator from Kansas [Mr. REED]. The transfer of that pair to the Senator from Vermont [Mr. FLANDERS] has previously been announced by the Senator from Kansas.

The Senator from Nevada [Mr. MCCARRAN] is absent on official business.

The result was announced—yeas 66, nays 19, as follows:

YEAS—66

Aiken	Hawkes	Murray
Baldwin	Hayden	O'Conor
Ball	Hickenlooper	O'Daniel
Barkley	Hill	O'Mahoney
Brewster	Hoey	Pepper
Bricker	Holland	Reed
Bridges	Ives	Robertson, Va.
Brooks	Jenner	Robertson, Wyo.
Butler	Johnson, Colo.	Russell
Byrd	Kilgore	Saltonstall
Capehart	Langer	Smith
Capper	Lodge	Sparkman
Connally	Lucas	Stewart
Cordon	McFarland	Taft
Donnell	McGrath	Taylor
Dworshak	McKellar	Thomas, Okla.
Eastland	McMahon	Thye
Ferguson	Magnuson	Tydings
George	Maybank	Umstead
Green	Millikin	Wherry
Gurney	Moore	White
Hatch	Morse	Young

NAYS—19

Buck	Fulbright	Overton
Cain	Johnston, S. C.	Revercomb
Chavez	Knowland	Watkins
Cooper	McCarthy	Williams
Downey	McClellan	Wilson
Ecton	Malone	
Ellender	Martin	

NOT VOTING—10

Bushfield	Myers	Wagner
Flanders	Thomas, Utah	Wiley
Kem	Tobey	
McCarran	Vandenberg	

So the resolution, Senate Executive Resolution 52, was agreed to.

NOMINATION OF PHILIP B. PERLMAN TO BE SOLICITOR GENERAL

Mr. TYDINGS. Mr. President, I should like to ask the majority leader, after outlining very briefly a condition, if he could give me an answer to my

question. The President of the United States last January sent the name of Philip B. Pelman, of Maryland, to the Senate for the very important position of Solicitor General of the United States. Upon its receipt by the Judiciary Committee, the chairman appointed a committee to look into the qualifications of Mr. Perlman. That was, as I say, in late January of this year. Although the committee was then appointed, no hearrings were held, no work was done on it, until the 13th of May. The committee met on the 13th of May and started investigating Mr. Perlman's fitness. The hearings have dragged on from that date to this; the last hearing having been concluded at 12:15 a. m. today. I have no desire to debate the merits or the demerits of the nomination at this time, nor have I any desire at this time to delay the Senate by commenting on the investigation. But I filed in the Senate yesterday a motion to discharge the committee from further consideration of the nomination, because there are only about 2 weeks of the session left, and it would be a shame to leave the Federal Government without the services of a solicitor general who could represent the Government before the Supreme Court of the United States and elsewhere in important litigation which the Government has on hand.

The subcommittee has set its next hearing for Thursday. It is very probable that the committee will conclude its hearings about that time and make a report to the full committee; in which event the full committee would have an opportunity to vote on Mr. Perlman's nomination, and the Senate would have a chance to vote on it prior to the final adjournment of this session.

So my interrogation directed to the able majority leader is this: Will he give the Senator from Maryland and others interested an opportunity on Thursday, or thereafter, in executive session, to bring up the resolution which is on the desk for consideration by the Senate?

Mr. WHITE. Mr. President, the Senator from Maryland is rather putting it up to the Senator from Maine. I know nothing about this controversy, and in those circumstances I do not feel that the Senator from Maryland ought to ask me to make a categorical statement with respect to when the matter will be considered by the Senate. I may say generally that I am in favor of the most expeditious handling of all these matters that is possible, and I want to see any rights and any interests of the Senator from Maryland given the fullest consideration; but I hope the Senator will not ask me to say categorically that the matter will come up on any particular day.

Mr. TYDINGS. I thank the Senator for his observation, which, I believe, in the nature of things, is as far as he can go at this time. But I may point out to the able Senator, the majority leader, from Maine, that the nomination has been pending before the Senate since last January. During that period of time the nominee has been unable to practice law, for very obvious reasons; during that time the Government has been without a Solicitor General; and during that time there has been ample opportunity for the subcommittee to have made any investigation it wishes to make. I have put my interrogatory to the able Senator from Maine only because, with but 8 or 10 more legislative days available, I feel it incumbent upon me, a part of my duty here, representing in part the State of Maryland, to acquaint the majority leader and other Senators with the situation, and to appeal to their sense of justice, that the Senate be given an opportunity to pass upon this nomination, either one way or the other, either upon the committee's recommendation or, if the committee fails to report it in ample time, then I think I should be entitled to have the committee discharged, and to have those members of the committee who have made the investigation come forward and debate the question on the floor, in order that the whole Senate may pass on it before the time for adjournment. I do not want to be captious, Mr. President; I do not want to be critical of the committee, but I think my request is a fair one. I submit it to the membership of the other side, and I ask their indulgence in giving the nominee an opportunity to have his case determined before Congress adjourns.

I should like to say in conclusion that I have no desire to take the Senator from Maine off guard. I think he has been always eminently fair not only with the Members of his own party but with those of us on this side. I appreciate that he cannot give me a categorical answer, yes or no, to my question, but I am relying on his often-exhibited sense of fair play to see that we get a hearing before Congress adjourns on this important matter, not only in the interest of the nominee but in the interest of the great office which ought to be filled for the welfare of the Government.

MILITARY ESTABLISHMENT APPROPRIATIONS

Mr. GURNEY. Mr. President, I move that the Senate resume the consideration of legislative business, and resume consideration of the Military Establishment appropriation bill, House bill 3678.

The motion was agreed to; and the Senate resumed the consideration of the bill (H. R. 3678) making appropriations for the Military Establishment for the fiscal year ending June 30, 1948, and for other purposes.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendments in section 16, on page 58, which will be stated.

The CHIEF CLERK. In section 16, on page 58, line 9, after the numerals, it is proposed to insert "with respect to War Department personnel"; in line 10, after the words "to the" it is proposed to strike out "ordnance" and insert "war"; in line 13, after the name "Navy" it is proposed to strike out "Department" and insert "Department or"; in line 14, after the word "agencies" it is proposed to insert "if such personnel is charged to a ceiling determination for another agency under 607 (g) (1) of the Federal Employees Pay Act of 1945, as amended"; in line 18, after the name "Army" it is proposed to strike out the semicolon and the words "nor shall said section 14 of the act of May 24, 1946, apply with respect" and insert "or", so as to make the section read:

SEC. 16. The limitation imposed by section 14 of the act of May 24, 1946 (60 Stat. 219), with respect to War Department personnel, shall not apply to the War Department with respect to employment of and payment to personnel engaged on orders and work received from and financed by the Navy Department or other Federal agencies if such personnel is charged to a ceiling determination for another agency under 607 (g) (1) of the Federal Employees Pay Act of 1945, as amended, or the National Guard, and other civilian components of the Army or to employee personnel engaged in demilitarization of ammunition and matériel.

Mr. GURNEY. Mr. President, a few days ago at the time we were considering the Military Establishment appropriation bill we concluded consideration of the bill so far as money matters were concerned. We had still in controversy two sections, one of them printed in the bill as section 16, on page 58, and the other a new section which was to be offered by me on behalf of the committee because it was legislation on an appropriation bill.

I wish to say as to both amendments, addressing my remarks for the moment to section 16, which is presently the pending question, they have to do with ceilings on civilian employees of the War Department. As the bill came from the House section 16, page 58, did not make each department asking the War Department to do work for it charge the War Department work to the agency requesting the War Department to do the work. In other words, if the Treasury, the Department of Agriculture, or some other department of the Government asked the War Department to do the work, the War Department could have done the work, but would have had to charge the civilian employees engaged in the work to the War Department ceilings as specified in the Byrd Act. Therefore the committee amended that part of the House bill, section 16, so that the agency asking that the work be done would have to carry the load of the civilian employees on its own list.

I have had conferences with those who were not in accord with the committee's ideas regarding section 17, and have agreed to modify the language of section 16 as it appears in line 17, page 58. The Senators will notice the words "and other civilian components," that being a general term. It was decided first to have it apply only to the Organized Reserves and not to apply to the other civilian components of the Army, namely, the Reserve Officers Training Corps or the Director of Civilian Marksmanship.

In line 17, page 58, I move that the words "and other civilian components" be stricken out and that in place thereof the words "Organized Reserves" be inserted.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. GURNEY. I now move that the section be approved as amended. It is not my intention to offer the other amendment, although the War Depart-

ment was anxious that it be adopted because of the fact——

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

Mr. GURNEY. I yield to the Senator from Virginia.

Mr. BYRD. The amendment to section 16, by inserting the words "Organized Reserve" in place of the words "and other civilian components" makes that section satisfactory to the Senator from Virginia, with the understanding that the Senator from South Dakota [Mr. GURNEY] will not offer the amendment which is now on the desk. Is that the understanding?

Mr. GURNEY. That is the understanding. It is quite agreeable, and I shall not offer the other amendment.

The PRESIDENT pro tempore. Without objection, the other committee amendments to section 16 are agreed to.

Mr. GURNEY. Mr. President, so that there shall be a full explanation of the reasons why the War Department is asking for the new section, which I am not now offering, I ask that a letter from General Eisenhower be printed in the RECORD at this point, together with an explanation of the War Department's needs for this extra privilege.

There being no objection, the letter of General Eisenhower and the explanation of the War Department's needs were ordered to be printed in the RECORD, as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF STAFF,
Washington, D. C.

HON. CHAN GURNEY,
Chairman, War Department Subcommittee on Appropriations, United States Senate, Washington, D. C.

DEAR SENATOR GURNEY: You will recall that I stated during the hearings before the War Department Subcommittee of the Senate Committee on Appropriations that for the proper discharge of the missions assigned the Army, we need 1,070,000 military personnel and 462,000 civilians. I also pointed out in connection with the determination of the Congress to discontinue selective service, that other things should be done by Congress in order to ameliorate or lessen the risks implicit in that decision.

One of the things we asked when we went to the voluntary system was that the Congress authorize us to the effect that if we could not get all our military personnel, we could take the unexpended money intended for our enlisted men or officers and employ civilians. Insofar as the War Department is concerned, civilians and soldiers alike are men. Under present ceiling limitations, the number of civilians who will be available to assist in accomplishing Army missions during the fiscal year 1948, has been severely curtailed. But it is absolutely incumbent upon the Army to adequately support our overseas forces. This requires an adequate zone of interior complement composed of military and civilian personnel. Any deficiency in the military strength of this complement must be compensated for by civilian personnel.

It is most important to point out that should the War Department be unable to reach its authorized military strength and be left without authority to hire civilians with the unexpended money intended for enlisted men or officers, the Department will find itself in an untenable and desperate position. Accordingly, I urgently request that authority to meet this eventuality be included in the Military Appropriation Act for fiscal year 1948.

To accomplish this, I have submitted for your consideration the following suggested language:

"SEC. 17. The limitation imposed by section 14 of the act of May 24, 1946 (60 Stat. 219), shall not apply to such personnel as the Secretary of War may determine to be necessary in lieu of military personnel authorized and appropriated for to carry out the purposes of this act."

As a matter of national interest, I urge your favorable consideration of my request.

Sincerely,

DWIGHT D. EISENHOWER.

PERSONNEL STRENGTH OF THE WAR DEPARTMENT

In order that the War Department may be capable of performing its missions under all circumstances, it is necessary that authority be granted to employ additional civilians when anticipated military personnel are not available. Public Law 473, Seventy-ninth Congress, approved in June 1946, authorized an Army military strength of 1,070,000 effectives. Noneffectives were to be carried in addition to the 1,070,000 effectives. Consequently, the War Department submitted to the Bureau of the Budget in the fiscal year 1948 Military Establishment estimates, requirements for 1,070,000 effective military personnel and 80,000 noneffectives. The Bureau of the Budget, however, required the Army to absorb the 80,000 noneffectives within the 1,070,000 ceiling. Thus, the effective strength of the Army was reduced by approximately 80,000 man-years below that contemplated in Public Law 473. This reduced number of military effectives should be considered along with the requirements for civilian personnel. As General Eisenhower has emphatically stated, the manpower requirements of the War Department are, for the most part, indivisible. After considerable review and examination of the total personnel requirements, the War Department has determined that it must have 1,070,000 military personnel, including noneffectives, and 455,432 civilians. The War Department has a job to do, and that total number of personnel, military and civilian taken together, is needed to do the job.

If the War Department cannot obtain the military personnel required, on a voluntary enlistment basis, then the only alternative to reactivating the selective service is authority to employ civilians in lieu of military personnel.

The War Department's first requirement is to support the overseas forces and to maintain an active Air Force. Unless the War Department has authority to regulate the employment of civilians so as to maintain the minimum level in the personnel pool, by employing civilians in lieu of military personnel, the major missions of the War Department will be placed in jeopardy.

Realizing fully the significance of this matter and in an earnest effort to assure the Chief of Staff that he had its full support in providing an effective national defense, the Appropriations Committee has recommended the adoption of section 18. This amendment provides that, for 1 year only, the War Department may employ not to exceed 25,000 graded civilian employees in the event voluntary enlisted military personnel cannot be obtained through an all-out recruiting effort.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. MAGNUSON. Mr. President, I offer the amendment which I sent to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Washington [Mr. MAGNUSON] will be stated.

The CHIEF CLERK. On page 50, following section 2, it is proposed to add a new section, as follows:

SEC. 2A. No part of the appropriations made in this act shall be available for contracts, with any person, firm, or corporation to make or cause to be made with a stop watch or other time-measuring device a time study of any job of any employee; no part of the appropriations made in this act shall be available for the salary or pay of any officer, manager, superintendent, foreman, or other person or persons having charge of the work of any employee of the United States Government while making or causing to be made with a stop watch or other time-measuring device a time study of any job of any such employee between the starting and completion thereof, or of the movements of any such employee while engaged upon such work; nor shall any part of the appropriations made in this act be available to pay any premiums or bonus or cash reward to any employee in addition to his regular wages, except for suggestions resulting in improvements or economy in the operation of any Government plant.

Mr. MAGNUSON. Mr. President, long ago, prior to 1912, an engineer by the name of F. W. Taylor, in a paper which was read before the American Society of Engineers, advocated in machine shops in the Government what has become known as the Taylor system. Under that system the management of the shop was divided into two departments, one known as the planning department and the other as the executive department.

The leading functions of the planning department, according to Mr. Taylor, were (a) analysis of all orders for machine work to be attempted by the company; (b) time-study for all work done by hand throughout the shop, including that done in setting work in machines, bench work, vise work, transportation, and so forth; and (c) time-study for all operations done by various machines, and several other features.

That system was adopted by most of the Government departments, mainly by the military, because that is the largest shop-management section of the Government. The Navy is even greater than the Army in that regard.

This time-check system or stop-watch system for workers became so abused that it was the subject of a congressional investigation, which began on July 17, 1912. The investigating committee was headed by the very distinguished late Senator from Idaho, Mr. Borah. A long report was made on the viciousness of the time-checking system, the so-called Taylor system. That report has been printed in many records of many Congresses since 1912. It was again recently printed in the proceedings and debates of this Congress on June 5 of this year, in the House of Representatives. I myself have inserted the so-called Borah report on many occasions. Since the adoption of the precepts of the Borah report, by the Senate, practically unanimously, and in the House, in 1912, every appropriation bill for the military since 1913 has contained the provisions of the amendment which I have just offered. This year the naval appropriation bill contains those provisions. Every Army appropriation bill up to this time

has contained that prohibition against the possible use of the so-called Taylor system. Why that prohibition is omitted from the bill now before us I do not know. I know that on many occasions I have personally, both in the House of Representatives and in the Senate, had to stand on the floor and make a fight to have this prohibition again inserted in the bill. I find no evidence in the hearings before the House committee or in the hearings before the Senate committee to indicate that either the Army or the Navy has asked on any occasion to have this provision deleted.

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

Mr. MAGNUSON. I yield.

Mr. GURNEY. I wish to say that a number of witnesses notified the committee that they would like to be heard on this proposition, provided this amendment were offered at the time when the committee was considering the bill. In other words, they wished to be notified if any effort were made to put this amendment in the War Department bill. No one notified the committee during the hearings that there was any intention to offer this amendment and, therefore, we notified the witnesses that it was not necessary for them to come before the committee.

Mr. MAGNUSON. Who were the witnesses, may I inquire? Whom did they represent?

Mr. GURNEY. Their names were filed with the committee. The clerk of the committee informs me that one of them, at least, was Mr. H. J. Mock, chairman of the Committee of Ex-Army and Ex-Navy Industrial Engineers, and also director of the industrial engineering department of the Ford Motor Co. I do not know the names of the others, but their names are filed with the committee.

Mr. MAGNUSON. There always are so-called efficiency experts on the outside who will take such a position. I know the gentleman the Senator has mentioned. He has previously evidenced a desire to appear on this matter. Of course, it was not necessary to offer this prohibition as an amendment, because it has been part of either the Army appropriation bill or the Navy appropriation bill ever since 1912. The gentlemen to whom the Senator from South Dakota has referred have always been trying to eliminate this prohibition against the so-called Taylor system from the Army and Navy appropriation bills. As I have said before, I cannot find in any of the hearings on the Army or the Navy appropriation bills any evidence which would show that this prohibition ever has been deleted from the appropriation bills since that time.

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

Mr. MAGNUSON. I yield.

Mr. MORSE. First, I wish to say that at the last session of Congress the junior Senator from Oregon joined with the Senator from Washington on this very issue, and I join with him again. The point he has just raised is one upon which I should like to comment briefly.

I should like to know whether there is anyone of high authority in either the Army or the Navy who is opposed to this amendment, because during the war when I was a member of the War Labor Board and when the issue was before us, the Army and the Navy supported the principle of this amendment. So I should like to know whether any of the high officials of the Army or the Navy have changed their opinion from the opinion they had and the position they took before the War Labor Board. Does the Senator from Washington know of any?

Mr. MAGNUSON. I do not know of any.

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

Mr. MAGNUSON. I yield.

Mr. BALL. I do not know about the War Department, but I remember that last year in the Naval Subcommittee of the Appropriations Committee, of which I was a member, the Secretary of the Navy and other naval officials testified that they would like to have the provision omitted from the bill because it handicapped them in trying to improve the efficiency of the Navy yards.

Mr. MAGNUSON. I well remember that testimony. However, they did not say they wanted it stricken out because it impaired efficiency. They said they saw no reason to have it in because they had no intention of using the Taylor system.

Mr. BALL. I am sorry, but my recollection of the testimony is completely different; namely, that they said it did handicap their operations with reference to increasing the efficiency of the navy yards.

Mr. MAGNUSON. Mr. President, the Senator from Minnesota and I may have misunderstood; but I have talked to the Bureau of Yards and Docks and the Bureau of Shore Establishments at least 50 times about this matter. The naval officials always say, "We do not see any need of having that prohibition in the bill, because we do not intend to use the system." In reply, I have said, "If you do not intend to use the Taylor system, why object to having the prohibition in the bill?"

Mr. President, this prohibition has been in the appropriation bills ever since 1912. Of course, in the departments there are those who would like to see this system placed in effect. It is the most vicious system that has been devised. It makes practical slaves out of the workers.

Mr. MORSE. Mr. President, will the Senator yield to me again?

Mr. MAGNUSON. I yield.

Mr. MORSE. So far as I know, no high official of the Army or the Navy wishes to eliminate this prohibition. The Senator from Washington is quite correct in saying that there are those in the lower echelons who are so antilabor in their point of view that they would like to be able to establish in the Army or the Navy some precedent which could be used against free workers in free industry. I think the Senator from Washington is making a great contribution to this debate by taking the position he has taken in regard to this matter, and I certainly wish to join him in it.

Mr. MAGNUSON. I thank the Senator from Oregon.

Mr. President, I hope the chairman of the committee will accept the amendment. It is worded in exactly the same way as the amendment which is in the Navy Department appropriation bill. It is worded in exactly the same way as the amendments which have been placed in all appropriation bills for the Army and the Navy since 1912. No one in the Government has asked that the prohibition be eliminated, so far as I know. As a matter of fact, in the Naval and Military Establishments there are farsighted men who wish to have this amendment placed in the bills because it gives them an opportunity to stop any such practices which might be advocated or used in the so-called industrial end of the Army or Navy Establishments. So I see no reason why the amendment should not be accepted at this time.

Mr. President, the distinguished Member of the House of Representatives from Rhode Island made a long statement on this matter. It covers six pages of the CONGRESSIONAL RECORD. It also interprets the famous Borah report. Away back in 1912 the Senate unanimously agreed with the conclusions of the so-called Borah committee, which was composed of Members from both sides of the aisle, and which investigated the vicious practices instituted under the so-called Taylor system.

For the sake of the efficiency of the industrial establishments of both the Army and the Navy, I hope the amendment will be accepted, because the high-ranking officers who have been in charge of the industrial program of the Military Establishment have stated time and time again, both publicly and privately, that they get better over-all efficiency from their workmen if they do not use the practices and methods that are used under the Taylor system.

When some officer in either the naval or military industrial establishments becomes impressed by the statements of some of the gentlemen who have wished to testify and who have always desired to have this prohibition knocked out of the bill and the officer wants to use the Taylor system in the shops, the amendment gives the leaders of the Naval or Military Establishments who are farsighted an opportunity to say, "You cannot do this; the Congress has said, 'No.'"

Mr. President, I hope the Senator from South Dakota will accept the amendment. If it is not accepted, I feel inclined, if I have to, to read the Borah report and call it to the attention of the Senate. It has been read many times, and it states the viciousness of the practice.

So, as I have said, Mr. President, I hope the chairman of the committee will see fit to accept the amendment.

Mr. BALL. Mr. President, even if the chairman of the committee is willing to accept it, I am still opposed to the amendment. So if the Senator from Washington is threatening to read the report unless the chairman of the committee accepts the amendment, I hope the Senator from Washington will proceed to read the report.

Mr. MAGNUSON. Mr. President, I did not threaten to do anything. I

merely have said that this matter is of such great importance and was so completely gone into by the Borah committee, that I should like to call the attention of the Members of the Senate who are not familiar with the report to certain salient features of it.

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

Mr. MAGNUSON. I yield.

Mr. GURNEY. I do not think that I, as chairman of the committee, could accept the amendment. I make that statement for two reasons. One is that the committee did not have a chance to hear the witnesses.

Mr. MAGNUSON. The Senator has named only one person who was not heard as a witness.

Mr. GURNEY. But even if there were only one, I must represent the committee, of course; and, of course, the committee was not notified that any effort would be made to offer this amendment to the bill.

That is the first reason why I could not personally accept the amendment for the committee.

The second reason is that on Thursday, April 3, 1947, this amendment was offered to the House committee, and the record of the House committee hearings shows they considered it, and then left it out of the bill as it passed the House.

Mr. MAGNUSON. The reason why this matter was not brought up before the Senate committee was that it had been a part of every War Department appropriation bill since 1912. Those of us who are for it assumed the committee would adopt it. It has been as much a part of the War Department appropriation as the figures, dollars and cents, and why it should be kept out now I do not know.

The Borah report was the reason for its insertion in the 1913 appropriation bill. The amendment I have suggested is in the same language that is now in the naval appropriation bill, and the same language that has been used all these years. I can see no reason why it should not be incorporated. I have looked at the record of the House hearings and the House testimony, and the testimony before the Senate committee, and with the exception of the suggestion of one man, I know of no one in the Government, the Army, or the Navy, who suggested that the language should be taken out of the bill.

I hope we will follow the procedure so wisely recommended by the distinguished late Senator from Idaho, and the unanimous report of the committee, and the long-time practice of having this prohibition in all military appropriation bills, for the sake of the efficiency of the industrial establishments of the military itself.

Without this prohibition there will be trouble in the industrial units of the Army and the Navy, because just so surely as that I am standing here there will always be some officer in charge of an industrial establishment who will get an idea based upon the so-called Taylor formula, and there will be trouble. There will be trouble with the workmen, there will be trouble getting out the work, there will be trouble with the efficiency of the unit itself, and if the high command of the Army and Navy were called to testify on this matter they would ask us to keep the prohibition in the bill.

Mr. President, I am sorry that the committee, upon the insistence or suggestion of probably one man—or perhaps two—a man whom I know very well, who has always been trying to have this done in regard to appropriation bills, saw fit to abolish a long-time practice, a practice dating back to 1912 in connection with all military appropriation bills, because some man said he wanted to testify that this prohibition should be knocked out.

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

Mr. MAGNUSON. I yield.

Mr. GURNEY. The committee alone did not make the decision. The House of Representatives made the decision in the first place, and did not place the provision in the bill when it came to the Senate.

Mr. MAGNUSON. I was going to add that the House did it at the insistence of two men who have always tried to have the same course followed. Until there is some evidence on the part of the Army and the Navy themselves that this prohibition hinders them in some way, it seems to me we should follow the long-established custom.

Mr. President, I do not wish to detain the Senate on this matter. I think it is important. I do not suppose many Senators have read the Borah report, which was a very famous document, which aroused a great deal of interest at a time when the economic and industrial relations in this country, back in 1912, were becoming very strained because this stop-watch system was applied to workers.

The Borah report settled all that. American industry in general, as well as the military industrial establishments, have, under prohibitions such as this, done the best productive job ever known, and if we are to go back to the days before 1912, when the Senate itself said to the country, "You shall not do that to American workmen", if we are going back that many years, then, of course, my plea is in vain. I can see no reason at all why this prohibition should not remain in the appropriation bill.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON].

Mr. BALL. Mr. President, I shall be very brief. I have attempted to have this kind of a prohibition eliminated from the Navy Department bill two successive years. Fortunately the House of Representatives has taken it out of the Army bill. The Senator from Washington and the Senator from Oregon have labeled its elimination as a vicious antilabor move. I fail to follow the reasoning which holds that the use of an essential mechanism, namely, time studies of operation and production, in order to increase the productivity of labor, and thereby its real wages, is antilabor.

The report about which the Senator speaks was written in 1912, 35 years ago. Industrial conditions have changed tremendously since then, and any firm of good industrial engineers trying to lay out a production program and a flow of material in a plant must use a stop watch now and then in order to discover the most efficient way of performing a particular operation.

All the Senator is proposing to do in putting back this amendment is to tie the hands of the Army in its own industrial establishments so they cannot make that kind of a study in order to increase the efficiency and productivity of the workers.

Incidentally, it also prohibits any kind of incentive pay, and, from my own experience, workmen in this country, by and large, who are paid on an incentive basis receive the highest wages. I do not know whether under present civil-service rules that particular prohibition is even necessary. Perhaps we cannot even pay on an incentive basis. If we could, I think it would increase the efficiency and productivity of the Army arsenals, and also absolutely increase the remuneration of those who work in them.

Merely because Congress took a certain position in 1912 does not seem to me to be a valid argument for continuing the same position in 1947. It is essential, if we are to have the kind of a defense we need, that our Army and Navy industrial establishments do as efficient a job as they possibly can do, and industrial engineers cannot do an efficient job with this prohibition in the appropriation bill.

Mr. President, I hope the amendment will be defeated.

Mr. MAGNUSON. Mr. President, the Senator from Minnesota says we are asking for the adoption of a practice dating back to 1912. We are asking for the continuation of a practice that has been successful for 35 years. The Senator from Minnesota does not contend that the industrial establishments of the Army and Navy have not been efficient for those years. They have done one of the most efficient jobs in the world.

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

Mr. MAGNUSON. I yield.

Mr. BALL. I was a member of the Truman War Investigating Committee, which went into the production records during the war, of the navy yards, particularly, in some detail, and I will say to the Senator that in many cases they were very inefficient industrial operation, and this language in the appropriation bill in my opinion had something to do with that inefficiency.

Mr. MAGNUSON. The naval establishments are the most efficient industrial establishments there are in this country.

Mr. BALL. The records of production of ships in Government yards and private yards do not bear out the Senator's statement.

Mr. MAGNUSON. The Senator is talking about wartime swollen navy yards, for instance, like that in my own city, where the employment went from 3,800 men to 37,000, with all kinds of workers coming in from the farms to do the war jobs. Of course, that was at the height of the war. That is the investigation in which the Senator took a part.

I am talking about the long-time planning period efficiency of these yards. No one can stand on the floor of the Senate and say that the navy yards of the United States in the past 35 years have not been efficient, and have not done an efficient job. At the peak of the war men were working on ships who had never seen a ship before. If a stop watch had been held on them and this system had been followed, all of them would have had to be fired, and the Government never would have gotten the war job done. The exposé was made in 1912, but this was a long-established practice on the part of the military industrial establishments of this Government.

Mr. LUCAS. Mr. President, the Japs and the Nazis realized the efficiency of our plants in the last war, even though the Senator from Minnesota apparently does not.

Mr. MAGNUSON. I thank the Senator. Of course, they did.

As a matter of fact, the so-called Taylor system, or its counterpart, was one of the bases of the totalitarian theory of industrial production. The bill as now drawn merely represents a return to that system. Of course, no one from the Army or the Navy will come forward to tell us that they want the prohibition eliminated. They will say, rather, "We see no reason for it, because we do not intend to use the Taylor method." If they do not intend to use it, let us keep the provision in the bill, since it has been there for so many years.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Washington.

Mr. MORSE. Mr. President, I shall take but a moment or two to support everything that has been said by the Senator from Washington, and to call attention to two points. First, the navy yards over the years have been very efficient. I think that in pointing out the dislocations that existed in many of them during the rush period of the war there has been a very unsound argument advanced in support of the report of the committee that the prohibition be eliminated. We need to keep in mind, of course, that by and large the so-called industrial-efficiency experts are speed-up artists. One may walk into any industrial plant, be it a private plant or a navy shipyard, and point out by time-clock, stop-watch methods, or any other test that he may want to make, places where men can work at a more rapid pace than he may see them working. Over the years, I have studied rather intensively the whole movement of the so-called efficiency rating of the efficiency artists, and I have often wished I could put a pair of overalls on most of them and have them keep the pace that they would have workers keep in their recommendations to employers; which recommendations, by the way, they make for handsome fees. So I think we need to keep in mind that it is necessary to strike a balance.

I hold no brief for slow-downs, and when I have found slow-downs I have rendered decisions against them. But I want to say that free workers are constantly under the danger, particularly when they do not have full collective-bargaining rights—and they do not have them in governmental shipyards—of unreasonable speed-ups. There are those in brass and braid in this country who, if they could have their way, would be little tyrants in the shipyards, and they would incorporate certain vicious speed-ups. I think that giving them such a weapon as the failure to include this prohibition in the bill will make it possible for the type of antilabor person who represents the Government in these yards to adopt the kind of speed-up which they want to foist on free workers. Workers in Government plants and yards do not have the protection of free collective bargaining which is afforded workers in private plants and yards. They are not in position through their union to say, "We are not going to tolerate this type of speed-up." They have a right to quit as individuals, but they and their families must eat. I certainly agree with the Senator from Washington it would be unfortunate now to reestablish a practice which we eliminated from these yards as far back as 1913. I do not think the Congress of the United States should underwrite at this session a program which, I tell Senators, is designed to inaugurate and effectuate a speed-up.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington [Mr. MAGNUSON]. By the sound the noes have it, and the amendment is rejected.

Mr. MAGNUSON. Mr. President, I ask for a division.

The PRESIDENT pro tempore. The announcement has been made. Without objection, the vote will be reconsidered. The question is on agreeing to the amendment of the Senator from Washington [Mr. MAGNUSON] on which a division is requested.

On a division, the amendment was rejected.

Mr. MAGNUSON. Mr. President, before the announcement is made, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Senator suggests the absence of a qourum. The clerk will call the roll.

Mr. BALL. Mr. President, a point of order.

The PRESIDENT pro tempore. The Senator will state the point.

Mr. BALL. Mr. President, the Chair had already announced the result of the vote.

The PRESIDENT pro tempore. The Chair has announced the result of the vote, but a point of order respecting a quorum is always in order.

Mr. MAGNUSON. Mr. President, the Chair announced the result of the vote on a division, but I can still ask for a record vote, following a quorum call.

The PRESIDENT pro tempore. The Chair does not think so, except as the Senator wishes by unanimous consent to have the order again vacated.

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the point.

Mr. MAGNUSON. This was a voice vote. A voice vote must be announced. After that is announced the Senator has a right to ask for a division. When the division is announced, any Senator has the parliamentary right to request a yea-and-nay vote. How else could the Senate proceed in order?

The PRESIDENT pro tempore. The Chair thinks it is very clear that the request for any successive step in respect to the taking of a vote must be made before the announcement of the result of the preceding step is made. The Chair stated that the question was on agreeing to the amendment offered by the Senator from Washington. The Senator asked for a division. The division was taken, and the result was announced. That result was final. If the Senator wished a yea-and-nay vote at that point, he should have made his request before announcement was made of the result. The Chair does not wish to take any advantage of the Senator. He has permitted him once to get around the rule. The Chair will ask if there is any objection to vacating the order, so the Senaator may have a yea-and-nay vote. Is there objection?

Mr. BALL. Mr. President, reserving the right to object, it seems to me that a yea-and-nay vote at this time on this bill, and on this issue is going to delay the Senate considerably. I am certainly willing to have one. I shall not object. I say it is up to the chairman of the subcommittee whether he wants to take that much more time on the matter. We have several other appropriation bills awaiting action.

Mr. GURNEY. Mr. President, reserving the right to object, I believe that, protecting the rights of the committee, there was full opportunity given in the subcommittee and before the full Committee on Appropriations to consider the amendment. Inasmuch as the matter of expedition is important at this time, I believe I shall object.

The PRESIDENT pro tempore. Objection is made. The amendment of the Senator from Washington is rejected.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. MORSE. I want to say that I completely agree with the Chair's statement of the rule. I think the rules are perfectly clear that after a vote has been announced unanimous consent is then required. I want respectfully to state to the Chair, however, that the Senator from Washington was seeking recognition of the Chair while the Chair was in the process of announcing the result, and before the Chair finished announcing the result. I also want to say most respectfully to the Chair that it has been my observation that in similar situations sufficient time is not allowed Members of the Senate to exercise their rights before the Chair announces the result. I think that our rights would be better protected if the Chair would not speak with the rapidity that he usually does in announcing the result of votes.

The PRESIDENT pro tempore. The bill is open to further amendment.

Mr. LANGER. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDENT pro tempore. The Senator from North Dakota submits an amendment, which the clerk will read.

The LEGISLATIVE CLERK. At the proper place in the bill, it is proposed to insert the following:

That all official mail of the National Guard shall have the franking privilege of the United States Post Office Department.

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

Mr. LANGER. I yield to the Senator.

Mr. GURNEY. I do not have information as to whether or not the National Guard has heretofore, prior to the war years, had the franking privilege. I realize this is legislation on an appropriation bill. Still, I think the matter is of sufficient importance to be taken to conference, and therefore I have no personal objection to the amendment. It was not considered by the committee, but I think it would be well to take it to conference.

Mr. BALL. Mr. President, reserving the right to object, may I ask the chairman of the subcommittee how many members there are of the National Guard who would enjoy the franking privilege? If the amendment provides that each member of the National Guard shall be allowed the franking privilege, certainly the amendment should not be adopted. I think perhaps in conference the provision can be worked out satisfactorily.

Mr. LANGER. It provides for free franking privileges for the official mail of the adjutant general of the National Guard of each State. It confers the same privilege which existed during the war.

Mr. BALL. It does not apply to the members of the National Guard during the full year?

Mr. LANGER. Oh, no. It applies to the official mail of the adjutant general of the National Guard of each State.

Mr. GURNEY. Mr. President, I am informed that whenever legislation is offered on an appropriation bill from the floor it is the duty of the Senator in charge of the bill to make the point of order that it is legislation. Therefore, I must make the point of order that it is legislation on an appropriation bill.

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

Mr. GURNEY. I yield.

Mr. TYDINGS. I hope the Senator will withdraw his point of order because, as I understand the amendment, it applies to penalty mail on official matters, the National Guard being under the War Department to a large extent. I believe it has been an oversight heretofore that the privilege was not extended to official business of the National Guard. I regret very much now, and I am reluctant always, to make a suggestion on the floor which alters the work of the committee on appropriation bills, but I hope the Senator will withdraw his objection and take the matter to conference because I believe he will serve the cause of national defense in a small but important way, with very little expense, and do an act of justice at one and the same time.

Mr. GURNEY. I may say that personally I should like to take the matter to conference. I believe it is due to the National Guard that such a provision be made for them. Nevertheless, it is the rule of the Appropriations Committee that the Senator in charge of the bill shall make points of order against legislation offered to appropriation bills. I make the point of order in this case.

Mr. TYDINGS. Mr. President, I make the suggestion to the Senator from North Dakota [Mr. LANGER] that if he will prepare a bill to permit the use of penalty mail by the National Guard on official business I believe it will be well received. I may say that, in my judgment, a considerable number of blank penalty envelopes are quite often sent to National Guard officers and they use them, anyway. But there ought to be a clear authority for them to use such envelopes so they cannot be charged with conniving at violating the law.

Mr. LANGER. Mr. President, I will say to the distinguished Senator from Maryland that I considered introducing such a bill, but by reason of the shortness of time I felt certain it could not be passed. Most of the adjutant generals are attending the Governors' Conference. They telephoned me and said that through inadvertence they had failed to take this matter up with the chairman of the committee. They have exercised this privilege for some years. They need this right and they want it. I thank the Senator from Maryland for suggesting that I prepare a bill to provide for the use of penalty mail by the National Guard, but, as I said, I received word only this afternoon from the adjutant generals attending the Governors' Conference. I do not see how such a bill can be passed between now and the 26th of July.

Mr. LUCAS. Mr. President, I may suggest to the Senator from North Dakota that such an amendment could be incorporated in brief language, and it could be attached to any piece of legislation that comes along between now and the 26th of July. Any legislative matter is germane to a bill being considered in the Senate, except appropriation bills.

Mr. LANGER. Mr. President, I shall be delighted if the Senator from Illinois will help me place such an amendment on some other bill.

Mr. LUCAS. We will find such a bill for the Senator.

The PRESIDENT pro tempore. The point of order is sustained.

Are there any further amendments to be proposed to the bill? If there be no further amendment, 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. 3678) was read the third time and was passed.

Mr. GURNEY. Mr. President, 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 President pro tempore appointed Mr. GURNEY, Mr. BROOKS, Mr. REED, Mr. BRIDGES, Mr. THOMAS of Oklahoma, Mr. HAYDEN, and Mr. OVERTON conferees on the part of the Senate.

LEGISLATIVE APPROPRIATION BILL, 1948—CONFERENCE REPORT

Mr. YOUNG. Mr. President, I submit a conference report and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3993) making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 15, 16, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 8, 10, 11, 13, 18, 19, and 20, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In the eighth line of the matter inserted by the said amendment strike out the words "radio information" and insert "recording"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$150,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$2,350,000"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$591,925"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$450,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the said amendment insert.

"MOTION-PICTURE PROJECT

"For expenses during the month of July and liquidation (including storage of films pending disposition and $5,030 available exclusively for terminal leave), $12,000."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$50,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12, 14, and 17.

MILTON R. YOUNG,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
HENRY C. DWORSHAK,
JOHN H. OVERTON,
MILLARD E. TYDINGS,
THEODORE FRANCIS GREEN,
Managers on the Part of the Senate.

NOBLE J. JOHNSON,
HARVE TIBBOTT,
G. CANFIELD,
P. W. GRIFFITHS,
CLARENCE CANNON,
MICHAEL J. KIRWAN,
Managers on the Part of the House.

The PRESIDENT pro tempore. Is there objection to consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 3993, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
July 15, 1947.

Resolved, That the House recede from its disagreement to the amendments of the Senate Nos. 14 and 17 to the bill (H. R. 3993) making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes, and concur therein.

That the House recede from its disagreement to the amendment of the Senate No. 12 to said bill and concur therein with an amendment as follows: In the third line of the matter proposed to be inserted by said amendment strike out the words "radio information" and insert "recording."

Mr. YOUNG. I move that the Senate concur in the amendment of the House to the amendment of the Senate No. 12.

The motion was agreed to.

Mr. HICKENLOOPER subsequently said: Mr. President, with reference to House bill 3993 the conference report on which has been adopted by the Senate, and with special reference to amendment No. 6 in the conference report, referring to the appropriation for the operation of the Joint Committee on Atomic Energy for the coming fiscal year, I wish to say that the amount of $150,000 authorized for the joint committee is not deemed sufficient for the adequate operation of the joint committee during the fiscal year in the performance of its duties as contemplated and directed by law.

I have no intention of objecting to the conference report at this time because of that amount, but I am merely making the announcement now that if this amount proves to be inadequate for the full and satisfactory performance of the duties of the Joint Committee, I shall expect at the proper time to propose, in any deficiency bill which may be timely, an adequate amount.

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

Mr. HICKENLOOPER. I yield.

Mr. SALTONSTALL. Let me say in the absence of the Senator from North Dakota [Mr. YOUNG], who was in charge of the bill, that the conference committee on both sides realize that the amount provided might not be enough, but the data were not sufficient, and the House felt very strongly that we should not go further at this time. But I think I correctly express the view of both sides when I say that it was felt that a deficiency appropriation might be necessary.

Mr. HICKENLOOPER. I should like to make it clear that in what I have said I am not criticizing the action of the conference committee. I merely wished to state my opinion at this moment, and give notice that if the sum is not adequate, I shall ask for a deficiency appropriation at the proper time, if it is indicated.

NAVY DEPARTMENT APPROPRIATION BILL, 1948—CONFERENCE REPORT

Mr. SALTONSTALL. Mr. President, I submit a conference report on the Navy Department appropriation bill, and ask unanimous consent for its present consideration.

The PRESIDENT pro tempore. The report will be read.

The Chief Clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3493) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 9, 11, 24, 25, 27, 29, 44, 55, 60, 68, 69, 73, and 75.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 6, 7, 8, 13, 15, 16, 22, 26, 30, 31, 32, 33, 36, 48, 52, 66, 71, 72, 74, and 77, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$3,000,000"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$400,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided*, That no part of any appropriation in this Act shall be available for the pay or allowances of any enlisted man of the Navy or Marine Corps assigned to duty at the Naval Academy, if such assignment will increase the total number so assigned above one thousand and twenty-five"; and the Senate agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: In lieu of the sum proposed by said amendment insert the following: "$320,000,000"; and the Senate agree to the same.

Amendment numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$184,000,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided*, That, except in the case of those who have specifically enlisted for such duty, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department; total, pay and allowances"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,214,296,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$52,796,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,267,092,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$35,000,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$54,000,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$318,000,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$501,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$27,480,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$3,174,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amend-

ment of the Senate numbered 39, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$3,625,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$5,303,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$36,408,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,400,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$190,594,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,075,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$975,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$2,050,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$3,946,300"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,164,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$20,200"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$310,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,435,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$2,005,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$980,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$3,226,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,890,000"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$6,450,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$3,100,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$4,400,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$1,078,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$2,045,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$34,960,100"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment as follows: In lieu of the sum proposed insert the following: "$975,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, and 110.

LEVERETT SALTONSTALL,
STYLES BRIDGES
M. E. TYDINGS,
THEODORE FRANCIS GREEN,
Managers on the Part of the Senate.

CHARLES A. PLUMLEY,
NOBLE J. JOHNSON,
WALTER C. PLOESER,
ERRETT P. SCRIVNER,
HARRY R. SHEPPARD,
ALBERT THOMAS,
JOE HENDRICKS,
Managers on the Part of the House.

The PRESIDENT pro tempore. Is there objection to the consideration of the conference report?

There being no objection, the Senate proceeded to consider the report.

The PRESIDENT pro tempore. The question is on agreeing to the report.

The report was agreed to.

The PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 3493, which was read as follows:

IN THE HOUSE OF REPRESENTATIVES,
July 15, 1947.

Resolved, That the House recede from its disagreement to the amendments of the Senate numbered 76, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, and 110 to the bill (H. R. 3493) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes, and concur therein.

That the House insist upon its disagreement to the amendment of the Senate numbered 78, to said bill.

Mr. SALTONSTALL. Mr. President, I move that the Senate recede from Senate amendment No. 78.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

FLOODS IN THE MISSOURI-MISSISSIPPI RIVER BASINS—EDITORIAL COMMENT

Mr. MURRAY. Mr. President, I have been so forcefully impressed by editorials appearing in two of our great American newspapers, the New York Times and the Washington Post, dealing with the recent disastrous floods in the Missouri-Mississippi River Basins, that I ask permission to have them inserted in the RECORD. The Washington Post this morning on its editorial page also carries one of those revealing Herb Block cartoons which portrays with telling effect the contrast between the piecemeal approach to flood-control and river-basin development as carried on in the Missouri area, and the successful achievements of the Tennessee Valley. I regret that the Post cartoon cannot be carried in the RECORD.

Let me read the cartoon as it portrays the facts. On the one side of a huge ledger is pictured the TVA, having solved for all time the problem of flood control, and in addition having developed a great supply of low-cost hydroelectric power to light the farms and homes and power the factories of the Tennessee area. All this accomplished at relatively low cost—for the total bill is $782,000,000. This cost is now being returned to the United States Treasury as the program pays its way.

The cartoon then shows the other side of the ledger for the Missouri-Mississippi. There we see that in this one year, 1947, the property damages totaled not less than $214,500,000, the soil erosion loss adds up to not less than half a billion dollars, or a total loss of approximately the amount expended in the TVA for the

amazingly successful construction program which has provided a unified control and development of its natural resources.

Mr. President, all these losses in the Missouri area are only the immediately visible, directly calculable losses. They take no account of the toil that has gone into the work of farmers in planting and tilling the crops which have been washed away. They make no allowances for the more than 40,000 homeless people, the sickness and disease which follow in the wake of the floods, the bearing of these crop failures on the living standards of our city people, and the suffering of famine-stricken war victims who will not be able to obtain foods that have been swept away in these floods.

The New York Times editorial is headed quite appropriately "Mr. Truman Backs the MVA." It points out the costly lesson we have all learned finally in trying to control floods in piecemeal fashion. Let me quote a pertinent part of that illuminating editorial:

But the spending of money on rivers for single purposes, such as the control of floods, has been rendered obsolete by the success of the Tennessee Valley Authority. Multiple-purpose river engineering is the modern thing, and since we cannot safely turn over a whole great river valley to a single private enterprise we are compelled to invoke the powers of the Federal Government. This has been done in the Tennesssee Valley with all due respect for local autonomy and for private business. There is no reason why it should not be done in the vaster and more complicated arena of the Missouri Valley. This is the purpose of the Murray bill, creating a Missouri Valley Authority, to which President Truman gave his warm endorsement on Thursday.

The Murray bill, introduced by the senior Senator from Montana, is modeled on the TVA Act. It creates a public corporation, directed by a three-member board, to develop and carry out a plan for the use and control of the river and its tributaries. Flood control, reclamation and irrigation, industrial expansion, power, navigation, recreation and the protection of wildlife are mentioned in the bill in that order, which is probably the order of their importance.

Mr. President, it is high time we enacted the MVA. The bill is before the Senate. It was introduced in its present form on April 24 of this year, in plenty of time for hearings to have been held and a vote obtained. Every day's delay spells mounting money costs, increasing hazards to human life and property and great suffering to our fellow citizens. This bill has the fullest endorsement of President Truman and the present administration. It should be enacted into law.

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

[From the New York Times of July 12, 1947]

MR. TRUMAN BACKS THE MVA

We have had a costly lesson this year in the necessity for further control of the Upper Mississippi and Missouri Rivers and their tributaries. This investment of at least a quarter of a billion dollars is not recoverable, except as it may stimulate action to prevent such losses in the future. Congress has authorized the expenditure of $2,000,000,000 on a long-range flood-control, power, navigation, and soil-conservation program. It has not, however, appropriated much of the money. This year's budget includes $35,000,000 for flood control, or about one-eighth of the minimum estimate of this year's flood losses. And this niggardliness is in no sense economy.

But the spending of money on rivers for single purposes, such as the control of floods, has been rendered obsolete by the success of the Tennessee Valley Authority. Multiple-purpose river engineering is the modern thing, and since we cannot safely turn over a whole great river valley to a single private enterprise we are compelled to invoke the powers of the Federal Government. This has been done in the Tennessee Valley with all due respect for local autonomy and for private business. There is no reason why it should not be done in the vaster and more complicated arena of the Missouri Valley. This is the purpose of the Murray bill, creating a Missouri Valley Authority, to which President Truman gave his warm endorsement on Thursday.

The Murray bill, introduced by the senior Senator from Montana, is modeled on the TVA Act. It creates a public corporation, directed by a three-member board, to develop and carry out a plan for the use and control of the river and its tributaries. Flood control, reclamation and irrigation, industrial expansion, power, navigation, recreation and the protecton of wildlife are mentioned in the bill in that order, which is probably the order of their importance. There are two elements of controversy. One is power. The Missouri's undeveloped power, a good deal of it in thinly settled upstream areas, is something more than 2,000,000 kilowatts, or a little less than TVA's present development. It is something in the pocket for future use. The other dispute is intragovernmental. An MVA would take over from the Bureau of Reclamation and the Army, and these agencies—especially the Army—have a human reluctance to surrender their functions.

But it is hard to see how the river can finally be controlled and used if private power companies and several Government agencies each have a vote—and a veto. The lesson of TVA is that private enterprise doesn't suffer from abundant power, flood control, and conservation. Indeed, the Tennessee Valley today hums with private enterprise, both big and little. The Missouri Valley may be too big, and in places too arid, to hum. But it can get ahead if it has an MVA to attend to the matter.

[From the Washington Post of July 15, 1947]

FLOOD CONTROL

It is estimated that in the course of the current year alone, floods have swept away close to a quarter billion dollars' worth of property in the Middle West. These same floods have washed out irreplaceable topsoil valued at not less than half a billion dollars. The bill presented by the Midwest's rampaging rivers in a single season comes, then, to almost the same amount as the total cost that has been involved in the entire Tennessee Valley Authority undertaking—$782,000,000. And the TVA, it should be remembered, has been paying dividends to the Federal Treasury from its sale of power amounting to about $10,000,000 annually as well as rendering incalculable benefits to the people of its region in the form of soil conservation, increased farm prosperity and industrial enterprise, improved navigation and recreational advantages.

These benefits have grown out of TVA because it was a carefully planned undertaking, designed to develop the entire resources of a region in addition to providing primary protection from disastrous recurrent floods. TVA was an experiment—an experiment which has proved of immense value in itself and which can have immeasurably greater value for the Nation if we give heed to the lesson it has taught. That lesson is that the water and soil and forests and power potentialities of a great river system ought to be treated, to use Mr. Lilienthal's apt term, as a unity.

We have not done this in the past with the Mississippi and Missouri Rivers. We have applied patchwork remedies to particular spots—often with the result of confining the river at one point only to enhance its rampaging at another. We have built dikes and levees only to have them overrun. It is time to look at the river problem of the Midwest in its totality. This is what we hope the President will do in the special message he is expected to send to Congress this week. This country needs to harness its river systems, not merely for the sake of keeping them under control but also for the sake of utilizing them for the general welfare. No doubt such an undertaking would entail a great financial investment. It would also afford the promise of great economic gains.

APPROPRIATIONS FOR EXECUTIVE OFFICE AND SUNDRY INDEPENDENT BUREAUS, ETC.

Mr. REED. Mr. President, I move that the Senate proceed to the consideration of House bill 3839, making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, and for other purposes.

The motion was agreed to; and the Senate proceeded to consider the bill (H. R. 3839) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices, for the fiscal year ending June 30, 1948, and for other purposes, which had been reported from the Committee on Appropriations, with amendments.

Mr. REED. Mr. President, the Senator from Kansas desires to make a brief statement with respect to the bill as a whole. Later I shall ask unanimous consent that formal reading of the bill be dispensed with and that the committee amendments be first considered.

Mr. GREEN. Mr. President, will the Senator from Kansas kindly repeat his statement? I have an amendment to offer, and I do not wish to be precluded.

Mr. REED. It is the usual procedure to ask that the formal reading of the bill be dispensed with and that it be read for amendment, and that the committee amendments be first considered.

Mr. GREEN. That is quite all right. I did not hear all of the Senator's statement.

Mr. REED. Mr. President, this is the largest appropriation bill that the Senate will handle in this peacetime session of Congress. The amount of the bill as it passed the House was $8,167,869,027. The net amount of the increase by the Senate committee was $126,137,000. At this point it might be said that the increase recommended by the Senate committee over the House figures is nearly all included in four items: An additional item of $75,000,000 for the Atomic Energy Commission; an item of $27,000,000 for the Veterans' Administration; an item of about $25,000,000 for the War Assets Administration; and a considerable item for the Maritime Commission.

The amount of the bill as reported to the Senate is $8,294,006,027. The amount of the appropriation for 1947 was $9,642,526,150. The bill as reported to the Sen-

ate is $206,491,732 under the estimates for 1948, and $1,348,520,123 under the appropriations for 1947.

Mr. President, I now 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 PRESIDENT pro tempore. Without objection, 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 "Title I—Executive Office of the President—Emergency Fund for the President," on page 3, line 4, after the figures "$500,000," to insert "of which not to exceed $70,000 may be allocated for the President's Amnesty Board, and."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of the Budget," on page 4, line 11, after the word "exceed," to strike out "$50" and insert "$35."

The amendment was agreed to.

The next amendment was, under the subhead "Council of economic advisers," on page 5, line 3, after the numerals "1944," to strike out "$350,000" and insert "$400,000."

The amendment was agreed to.

The next amendment was, under the subhead "War Assets Administration," on page 6, line 13, after the word "exceed," to strike out "$257,149,270" and insert "$282,149,270."

The amendment was agreed to.

The next amendment was, on page 9, after line 13, to insert:

OFFICE OF GOVERNMENT REPORTS

Salaries and expenses: For expenses necessary for the Office of Government Reports, including personal services in the District of Columbia; newspapers and periodicals (not exceeding $10,000); teletype news service (not exceeding $900); printing and binding; not to exceed $2,000 for deposit in general fund of the Treasury for cost of penalty mail as required by the act of June 28, 1944; not to exceed $1,000 for services as authorized by section 15 of the act of August 2, 1946 (Public Law 600); health service program as authorized by the act of August 8, 1946 (Public Law 658); and the payment of claims pursuant to part 2 of the Federal Tort Claims Act (Public Law 601); $400,000: *Provided*, That no person paid from this appropriation shall receive a salary in excess of $7,500 per annum.

Mr. REED. Mr. President, at this point I wish to offer an amendment on page 10, after line 4. I send the amendment to the desk and ask that it be stated.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 10, after line 4, in the committee amendment, it is proposed to insert *"Provided further*, That amounts expended under the authority of Public Law 161, Eightieth Congress, shall be deducted from the appropriation herein made for the fiscal year 1948."

Mr. REED. Mr. President, the reason for offering this amendment is that Public Law 161 of the Eightieth Congress was a joint resolution extending the time in which the various agencies could operate beyond the end of the fiscal year, June 30, 1947. With respect to all the agencies except one there was the requirement that the amounts expended should be deducted from the appropriation bill for 1948 when House bill 3839 was enacted into law. In this particular case that phrase was omitted. So it is desirable to insert it here.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Kansas to the committee amendment on page 10, after line 4.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The clerk will state the next committee amendment.

The next amendment was, under the heading "Independent offices—American Battle Monuments Commission," on page 10, line 18, after the word "typewriting", to strike out "$300,000" and insert "$312,000"; and in the same line, after the amendment just above stated, to insert a colon and the following proviso: *"Provided*, That where station allowance has been authorized by the War Department for officers of the Army serving the Army at certain foreign stations, the same allowance shall be authorized for officers of the armed forces assigned to the Commission while serving at the same foreign stations, and this appropriation is hereby made available for the payment of such allowance."

The amendment was agreed to.

The next amendment was, under the heading "Atomic Energy Commission," on page 11, line 16, after the word "uniforms", to strike out "$175,000,000" and insert "$250,000,000"; and in line 17, after the amendment just above stated, to strike out "of which not exceeding $25,000,000 shall be available for research work in connection with the control of cancer" and insert "of which amount there shall be available to the Commission for cancer research work in nuclear physics such sums (not exceeding $5,000,000), as the Commission believes can be efficiently used without duplicating the cancer research work of other public and private agencies."

Mr. HICKENLOOPER. Mr. President, I do not know that this is the proper time, but I should like to interrogate the Senator from Kansas [Mr. REED] in order to clarify the provisions on page 12 of the bill. Would the Senator like me to defer that until the amendments are acted upon?

Mr. REED. I think we might as well take it up at this time.

Mr. HICKENLOOPER. The question is in connection with the provision regarding the Atomic Energy Commission. I read from page 12, beginning in line 12, as follows:

Provided, That no part of this appropriation shall be used after November 30, 1947, to pay the salary of any officer or employee (except such officers and employees whose compensation is fixed by law, and scientific and technical personnel) whose position would be subject to the Classification Act of 1923—

And so forth. It is the language with respect to the phrase "scientific and technical personnel" which I have in mind. As I understand, it is the intention of this provision to limit the use of these funds in the payment of the salary of any officer or employee to similar classifications under the Classification Act of 1923, except in cases where the salary is specifically fixed by law otherwise, and except in the case of scientific and technical personnel. In those cases the Commission can go outside of the Classification Act.

Let me amplify that further, because there is a problem involved. The term "technical personnel," so far as I am concerned, needs no further explanation. Technical personnel in some categories can be defined. But may I pose this question to the Senator because, to me, this particular type of personnel would be included as technical personnel, as expressed in line 16. For instance, the manager of a highly technical plant under the Atomic Energy Commission would, as I interpret it, be technical personnel. The reason I say that is that the technical operations of some of these plants are extremely specialized. I could understand the interpretation that a scientist or a highly specialized engineer working in the plant would come under this exception; but I want to make it completely clear that if it is necessary to get a specially trained man whose technical knowledge of the over-all operation of the plant is needed, he is included in the term "technical personnel."

I should appreciate an expression from the Senator from Kansas, who is chairman of the subcommittee which handled this matter.

Mr. REED. The Senator is asking the Senator from Kansas a rather difficult question. My opinion would be that a man in an important position requiring technical knowledge might very well be included in that technical classification.

Mr. HICKENLOOPER. I will say to the Senator that that is my understanding; but inasmuch as the Senator himself admits that I am asking a rather complicated question, it illustrates, I think, the fact that there might be some confusion. I should like to clear it up. The Senator from California [Mr. KNOWLAND] is not only a member of the Joint Committee on Atomic Energy but is also a member of the Committee on Appropriations. If the Senator from Kansas will permit, I should like to ask the Senator from California his opinion in relation to the matter.

Mr. REED. I yield for that purpose.

Mr. KNOWLAND. I call the attention of both the Senator from Iowa and the Senator from Kansas to the section of the Atomic Energy Control Act—Public Law No. 585, Seventy-ninth Congress—itself, which appears on page 18, section 12, subdivision 4, where it lists the powers of the Commission, and which provides as follows:

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.

I wish further to state to the able Senator from Iowa that I believe his interpretation to be correct. I believe that what the committee was trying to do was to be sure that in those activities which are scientific, where the compensation was fixed by law and where they are technical employees—I will say that managers who have technical knowledge would, in my opinion, be included among technical employees—they would not be bound within the salary limits of the Classification Act. The Commission would be free to employ such specialized help as has been indicated.

I think the committee was interested in being sure that when we got outside of the fields mentioned, for instance, among attorneys or clerks, in the general operation of the Atomic Energy Commission, they should not use the rather broad language which is in the Atomic Energy Act to get a multitude of salaries above the point provided in the Classification Act. So far as I am concerned, I feel very clear in my own mind that the technical operation of plants in this highly technical field of atomic power would certainly come under the list of exceptions.

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

Mr. REED. I yield.

Mr. RUSSELL. Mr. President, I am a member of the subcommittee which handled this bill, and I know the intent of the subcommittee was wholly in accord with the explanation given by the Senator from California [Mr. KNOWLAND]. It was not intended that it should apply to technical aids, but it was intended to prevent the Commission from the use of the very broad powers conferred by the Atomic Energy Act, and from raising clerks, stenographers, filing clerks, and employees of that nature above the limit of salaries fixed by the Civil Service Commission.

Mr. HICKENLOOPER. If the Senator from Kansas will yield further, do I correctly understand it to be the interpretation of the Senator from Georgia, who is not only a member of the Joint Committee on Atomic Energy, of which I am the chairman, but is also a member of the subcommittee which drew up this bill, that its exceptions refer to those whose technical training is peculiarly necessary to the atomic-energy project itself as a specialized project?

Mr. RUSSELL. That is unquestionably true.

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

Mr. REED. Have we not got about all the hairs split by this time?

Mr. HICKENLOOPER. It is very important, if I may say so to the Senator from Kansas. I think it is well to clear the matter up, if the Senator will be indulgent for a moment.

May I ask the Senator from Georgia if, in his opinion, the exception extends to others who may have specialized training, but not specialized training peculiarly adaptable to atomic energy, or whether it is the intention that the exception shall apply to those whose specialized training and specialized services are peculiarly necessary and adaptable to the atomic-energy project?

Mr. RUSSELL. Mr. President, in my opinion, the exception applies to anyone who has technical training which is essential or necessary in carrying on the technical functions of the Atomic Energy Commission.

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

Mr. REED. Mr. President, I think we should go ahead with the amendments to the bill. I ask the Senator from Iowa not to ask the Senator from Kansas to yield any further. I think we have devoted enough time to this matter.

Mr. HICKENLOOPER. Mr. President, I am not concerned with what the Senator from Kansas thinks about the time I have devoted to this matter.

Mr. REED. Mr. President, I have the floor.

Mr. HICKENLOOPER. Then I shall discuss the matter later.

Mr. RUSSELL. Mr. President, I have no desire to intrude myself upon any controversy between the Senator from Kansas and the Senator from Iowa, but certainly I do not like to see a precedent set to the effect that because a Senator is in charge of a bill he can preclude another Senator from speaking. If the Senator from Kansas does not wish to yield, the Senator from Iowa can obtain the floor in his own right.

The PRESIDENT pro tempore. The Senator from Iowa can obtain the floor in his own right, if he so desires.

The question is on agreeing to the committee amendment on page 11, in lines 16 and 17.

The amendment was agreed to.

The PRESIDENT pro tempore. The next amendment of the committee will be stated.

The next amendment was, under the heading "Federal Communications Commission," on page 16, line 18, before the word "not", to strike out "$120,000" and insert "$125,000"; in line 24, after the word "amended", to strike out "$6,000,000" and insert "$6,400,000"; and on page 17, line 1, after the word "exceed", to strike out "$3,500,000" and insert "$3,725,000."

The amendment was agreed to.

The next amendment was, under the heading "Federal Power Commission," on page 17, line 17, after the word "vehicles", to strike out "$3,390,000" and insert "$3,590,000"; in line 18, after the word "exceed", to strike out "$2,000,000" and insert "$2,082,000"; and in line 22, after the word "exceeding", to strike out "$50" and insert "$35."

The amendment was agreed to.

The next amendment was, under the heading "Federal Trade Commission," on page 18, line 23, after the word "vehicle", to strike out "$2,800,120" and insert "$3,000,120."

Mr. JOHNSON of Colorado. Mr. President, I wish to ask the Senator in charge of the bill about the amendment. I assume that the subcommittee of the Appropriations Committee heard from the Federal Trade Commission and the members of the Commission with respect to the amount of money which has been allocated to the Commission, as set forth in line 23.

Mr. REED. We heard all the members of the Federal Trade Commission, I think; and we are not in agreement as to their ideas of what is the proper policy of the Federal Trade Commission.

Mr. JOHNSON of Colorado. Yes; and I am not in agreement, either, as to the progress they are making and what they are attempting to do.

I understand that the President is very anxious that the Federal Trade Commission adopt a more cooperative attitude toward business, and that the Commission shall work out the problems with which it must deal in a more cooperative spirit, rather than in a spirit of persecution.

I was in hope that the subcommittee would increase the appropriation by $200,000 more than it did. I notice that the committee increased by $200,000 the appropriation as passed by the House of Representatives, and I wonder whether the committee gave the matter complete and full consideration and decided that that was as large an appropriation as the Federal Trade Commission should have.

Mr. REED. The estimates of the Budget Bureau this year were quite high, Mr. President. The estimates for the Federal Trade Commission happened to be the highest of any of the estimates for what we call the established agencies. The Commission wanted $1,100,000 more than it had for the year 1947. We considered all the so-called established agencies — the Interstate Commerce Commission, the Federal Trade Commission, the Federal Communications Commission, and other agencies of similar character, and, as well as we could, we gave all of them an increase in proportion to their size and importance and the amount of money they have had.

The Federal Trade Commission's share on that basis was a $200,000 increase over what the House of Representatives had allowed, and we gave it to them. I should not want to go any further, I say to the Senator from Colorado.

Mr. JOHNSON of Colorado. Mr. President, under the circumstances, I shall not offer an amendment, then. I did intend to offer an amendment; but inasmuch as the Senator in charge of the bill has stated the position of the committee and has said that they gave full consideration to the matter, I shall not offer the amendment which I had in mind.

Mr. REED. Let me say to the Senator from Colorado that, as we say in the committee, the Federal Trade Commission is about to dry up and blow away. Of all the Government agencies, it is perhaps the one that has suffered more in various ways and has, perhaps, a poorer efficiency record than the average of the others. If more money would help, that would be something else again.

Mr. JOHNSON of Colorado. I am glad to hear the Senator from Kansas make that statement, because he has reached the same conclusion that I have reached, namely, that they need some sort of an injection. I understand that

the President is very anxious to have them have such an injection and have them get under way and really accomplish something. That is the cause of my interest.

Mr. REED. Mr. President, the Senator from Colorado very well knows that all of us, including the President, have criticized these agencies. The difference is that the President appoints the agencies, whereas the Congress does not. The remedy for some of the conditions in some of the agencies is more in the hands of the President than in the hands of the Congress, which can only approve or disapprove.

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

Mr. REED. I yield.

Mr. FULBRIGHT. I wish to question the Senator briefly on the same point. Is it true that even with this additional $200,000, the appropriation for the Federal Trade Commission will be substantially less than it was in 1941, before the war? In other words, is not this a reduction from what its appropriation was before the war, and is it not also true that similar reductions are not made in respect to most of the other Government agencies?

Mr. REED. I do not remember what all the appropriations before the war were.

Mr. FULBRIGHT. I am informed that the pending bill will maintain this agency at approximately a 20-percent reduction in personnel, as compared to what it had before the war, in 1941.

Mr. REED. I cannot tell the Senator from Arkansas when the maximum appropriation for the Federal Trade Commission was made; but in this bill we have allowed the Commission $200,000 more than it had during the fiscal year ending June 30, 1947.

Mr. FULBRIGHT. I may say that I have received a letter from the Acting Chairman of the Federal Trade Commission, Mr. R. E. Freer, and in it he states that the total staff of the Commission on July 1, 1941, was 700, and on June 1, 1947, was 598, and that the effect of the further reduction will be to reduce the Commission from its prewar personnel more than 20 percent.

But coming back to the question of enforcement of the Clayton Act, which is one of the principal activities of the Federal Trade Commission, Mr. Freer in his letter states that the bill as passed by the House will reduce by approximately 30 percent the activities of the Federal Trade Commission in that field, because there has been an addition to the activities of the Commission as a result of the provisions of the Lanham Act and, of course, under the Wool Labeling Act. Several new activities have been added to the functions of the Commission, whereas its principal activity and, I think, one of the most important of its activities, is the enforcement of the Clayton Act, which I think is being neglected.

I call the Senator's attention to a statement recently issued by Mr. Freer, pointing out the enormous increase in the number of mergers since 1941. I hope the Senator is familiar with that statement. As I have said, it points out the very great increase in the number of mergers of industrial concerns in the Nation and, I think, a great tendency to ignore the Clayton Act and the Sherman Act.

I personally feel that if we are going to ignore completely those acts, we should repeal them. The public feels that there is what is known as a Sherman Act policy or an antitrust policy, whereas, as a matter of fact, there is no such thing. We go along with these laws on the books, and we starve the agency which should be doing something about them. My own view is that this commission is another agency designed to restrict the further growth of monopolies in the country.

Mr. O'MAHONEY rose.

Mr. REED. I see the temperature of the Senator from Wyoming is rising.

Mr. FULBRIGHT. I hope some good will come out of the rise in temperature.

Mr. REED. There was appropriated for the Federal Trade Commission last year a special amount of $325,000. There is a wide difference of opinion within the Commission as to how to proceed about so-called trade practices. Mr. Lowell Mason, one of the Trade Commissioners, very severely criticizes the lack of action on the part of the Commission. In Mr. Mason's opinion the Commission should make the investigations industry-wide, so that they could reach all the people in an industry, instead of reaching merely a few.

Obviously the committee cannot settle a question of that kind. We have written into the bill an increase over their last year's appropriation, which in turn was increased by $325,000 for the special purpose I have indicated.

Mr. O'MAHONEY. Mr. President, will the Senator yield to me while he is looking for an item for which he seems to be searching?

Mr. REED. I have found what I was looking for. By reference to the report of the committee I find that the committee recommends $3,000,120 for salaries and expenses for the Federal Trade Commission. This amount represents an increase of $200,000 over the House allowance of $2,800,120 and is $920,580 under the budget estimate of $3,920,700. In allocating the increase recommended, funds should be provided to carry on effectively the industrial reports program. The committee is of the opinion that these reports are highly desirable for the adequate analysis of the economic trends of the country.

While not specifically earmarking a portion of the money to be used for stipulation and trade practice conference work, and for industry-wide surveys in relation thereto, the committee urges increasing effort on the part of the Commission to extend these programs as far as practicable without change of existing policy with respect to enforcement of the antitrust laws.

Mr. FULBRIGHT. I do not understand how they are going to accomplish that when the committee cuts down the amount of money for which they asked.

Mr. REED. We have done nothing of the kind.

Mr. FULBRIGHT. The committee has cut down what they asked for.

Mr. REED. Of course we did. Every other agency was cut, too, in what it asked for.

Mr. O'MAHONEY. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Arkansas yield to the Senator from Wyoming?

Mr. FULBRIGHT. I yield.

Mr. O'MAHONEY. Since the Senator from Arkansas has raised the question of the Clayton Act, I will remark that the bill which was introduced in the House of Representatives by Representative ESTES KEFAUVER has been considered at length by the House Committee on the Judiciary, and has been favorably reported. The report was submitted by the distinguished and able Representative GWYNNE of Iowa.

Mr. President, the bill referred to would amend the Clayton Act by plugging the gap which was created by a judicial decision some 20 years ago. The judicial decision was that the prohibition in the Clayton Act against monopolistic mergers by the purchase of the stock of competing companies did not apply when the monopolist, instead of buying the stock of the competing company, bought the assets, and threw the stock out the window.

Mr. FULBRIGHT. Was that the same bill the Senator from Wyoming introduced in the Senate?

Mr. O'MAHONEY. I thank the Senator for calling attention to that. I introduced a companion bill in the Senate, and it went to the Committee on the Judiciary and was referred to a subcommittee headed by the able Senator from North Dakota [Mr. LANGER], who has been holding hearings on it.

I wish to call to the attention of the Senator and of the Senate the fact that although the House Committee on the Judiciary has made a favorable report on the bill, the Rules Committee of the House has not as yet given it clearance. Now we are hastening on to the adjournment of this session of Congress. There seems to be a passion among the Members of Congress to close down the session no matter what happens to the public interest.

I have no doubt at all that this bill will not pass at this session; it is not upon the agenda which was announced on the floor of the Senate a few days ago, although it deals with a substantial cause of the concentration of economic power, which, in turn, is the cause of the world's distress.

I believe that the adjournment of the Congress without action upon those bills to amend the Clayton Act will make this a major issue in the next campaign. The leadership of this Congress have been content to concentrate their minds upon the attempt to reduce the President's budget. As we stand here today, 8 of the 12 major appropriation bills, all of which should have been enacted before the 30th of June last because they furnish the funds to carry on the Government during the year beginning on the 1st of July last, have yet to leave this Chamber. They were piled up on the other side of the Capitol by those who were combing the President's budget in

the effort to find ways and means of making cuts.

Mr. REED. Is the Senator from Wyoming trying to help get the pending bill through the Senate?

Mr. O'MAHONEY. Yes, I am, and I think the Senator will agree with me in a moment.

I was a member of the subcommittee on independent offices of the Committee on Appropriations, which considered the bill, and I urged upon the committee the increase of this appropriation. The Senator from Kansas was good enough to go along, and we increased it by a few hundred thousand dollars.

Mindful of the fact that we have to meet the House conferees yet, and that it is the tail end of the session, I confess that it was my judgment that the increase which we allowed was the maximum which we could probably maintain in conference. Personally I should like to see the appropriation increased very much more, as the Senator from Kansas will acknowledge, but we are facing facts, we are facing conditions as they are, and I assure the Senator from Arkansas that because of the circumstances I have already mentioned, failure of the Congress to act upon the amendment of the Clayton Act will make antitrust policy a major issue in 1948, and let no one make any mistake about it, it will be an issue during the Presidential campaign.

Mr. REED. Mr. President, may I give the Senator from Arkansas the information he requested?

Mr. O'MAHONEY. Certainly.

Mr. REED. The Senator from Arkansas obviously has received a letter, as he said, from Mr. Freer, who is the Acting Chairman of the Commission, and apparently in his letter to the Senator Mr. Freer told him he has not as much of an appropriation now as he had years back. Is that a correct statement?

Mr. FULBRIGHT. That is stated in the letter.

Mr. REED. The appropriation in the bill before us is the largest appropriation the Federal Trade Commission has had for 10 years. In 1941, which year I think the Senator from Arkansas mentioned, the total appropriation for the Federal Trade Commission was $2,300,000. The next year, 1942, it was $2,360,000. That was the highest appropriation found in the records for 10 years.

Mr. FULBRIGHT. At that point, I wish to call the attention of the Senator to the paragraph I read. When translated into terms of personnel—and that is the point Mr. Freer was making—the cut amounts to a reduction of from 700 to 550. The increase in wages, and similar matters, like the difference in the size of the force, which is substantially less, less by 20 percent than in 1941, make up the difference.

Mr. REED. Was the Senator from Arkansas referring to the number of employees a while ago?

Mr. FULBRIGHT. Yes. I think that was when there was confusion in the Chamber, and possibly the Senator did not hear what I said. I read a paragraph from Mr. Freer's letter in which he stated that in July 1941, there were 700 employees on the staff of the Commission, and in 1947 there are 598, and that the further reduction now contemplated will reduce the number to 550, which is a reduction in the personnel of the Commission by 20 percent under that of 1941. The obligations and duties which have been imposed on the Federal Trade Commission, and the increases in wages, make up the difference referred to, I think.

Let me say a further word along the line of the statement of the Senator from Wyoming. I think the negligence or unwillingness to support the proposed amendment to the Clayton Act, as provided in the Gwynne bill in the House and the O'Mahoney bill in the Senate, only fortifies what I believe is the tendency of the appropriation, that is, to ignore the enforcement of the Clayton Act.

I have had letters not only from Mr. Freer, but I have had letters from a man in the Seattle office, a Mr. Harris, whom I know casually, calling attention to the vastly increased number of cases of all sorts dealing with unfair trade practices. He cited specific instances of imposition on veterans; among others, an imposition which I am sure is well known to the Senator, by agencies purporting to be able to get jobs for veterans and to give them training in business courses, and by agencies insuring their obtaining Government positions, and all that sort of thing. This has vastly increased since the end of the war. The Federal Trade Commission has been making an effort to prevent fraudulent activities of that sort and to protect veterans and other unsuspecting persons.

However, I am particularly interested in the antitrust activities. I think the point has been reached where the antitrust laws must either be enforced, as it is purported to be enforced, or an acknowledgment should be made that it will not be enforced, but that we shall follow along the line of state planning, which apparently is the policy of the Republican Party. Perhaps the Republicans want to go that way. I think that is the road to socialism. I am in agreement with the view expressed by the Senator from Wyoming, that the antitrust laws should be enforced, because I think the growth of big business and the continued consolidation of industries leads down the road toward eventual Government ownership. I am inclined to go along with the suggestion of the Senator from Colorado. I should like to see the appropriation increased in order to produce better enforcement of the act as it stands, and also with a view to the building of sentiment for the bill introduced by the Senator from Wyoming. I should like to offer an amendment to this particular provision, in spite of the fact that I am sure it is hopeless. Apparently there is support for it, but it will be said, "The House would not agree." But I do not know how far we should consider such a suggestion. We would perhaps be in a better trading position if the amount were increased and if the trading were done on that basis.

Mr. REED. Let me say to the Senator from Arkansas that we have had the same story from all the different agencies. The Chairman of the Federal Communications Commission very correctly called our attention to the fact that in the science of electronics 50 years' progress has been made in the last 4 or 5 years; which is correct. The Interstate Commerce Commission called our attention to the fact that the work of that body was heavier than it ever was before; and so on, with various agencies. Each one of them requested more money. The Federal Trade Commission asked for a larger increase in its appropriation than any of the others. The Federal Trade Commission asked to have its appropriation increased about $1,500,000. After considering all the requests, the committee granted increases, endeavoring to apportion them reasonably among the agencies, according to their size and the importance of the work being done. There is no greater reason for giving the Federal Trade Commission a disproportionate increase than there is for giving to each agency all it asked for.

Mr. FULBRIGHT. Mr. President, if the Senator will yield for a little further comment, I will say that that is what I object to. I call the Senator's attention to the fact that I have not complained about all the others. It seems to me it is the wrong approach, merely to take all the agencies and give them a 10-percent increase. Many of the agencies are not, perhaps, particularly important. I think it is the duty of the committee and of the Senate to exercise discretion and judgment as to which ones are important. I have not complained with reference to the various agencies about which the Senator speaks. So far as I am concerned, their appropriations might be cut back in line with the action of the House. I have only made two complaints throughout the hearings, and one relates to the matter we are now discussing. This refers to a fundamental activity and policy of the Government going back 50 years, one that I think is now being thrown overboard. I do not subscribe to the idea of giving each of the agencies a small increase in order to be rid of them. I think an effort should be made to select the important agencies that are performing really important tasks. I have no complaint to offer in regard to the cut of the Federal Communications Commission or of the ICC, either. So far as I am concerned, they could be cut back still further; but I think the Federal Trade Commission ought to be supported, because there is a basic value in their work in connection with curtailing monopolies, cartels, and so forth. For 5 years it has been said that such things were inherent in the Nazi system, they are typical of the present communistic system. That is why I think it important. It is not merely because it is a different agency. I do not think that represents the right approach to any appropriation. Small business has been represented by a Senate committee, and we have given them lip service. It is thought continually that something will be done for small business, but when it comes to doing something specifically, either in one field, by way of protection, directly, or in another field, by way of tax reduction, there is always a reason

why nothing can be done about it. I am greatly interested in the field of small business. If this is for the protection of small business, I think the Federal Trade Commission ought to be adequately staffed, and I do not understand why the appropriation should be lumped in with all the other agencies. Simply to say, "We will give them all a little increase, and that ought to satisfy them," is not the proper approach to the problem, in my opinion.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment.

Mr. MURRAY. Mr. President, I hope the Senator from Arkansas will not hesitate to offer the amendment that he has in mind. I realize, however, that it will be a futile act, because apparently the Republican Party is bound to carry out its policy of nonsupport for antimonopoly enforcement in this country. I have no doubt that it will be an issue in the 1948 campaign, as the Senator from Wyoming has just stated.

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

Mr. MURRAY. Let me continue my remarks for a moment until I make this one point. Collectivism has gone forward in this country to such a degree that Fortune magazine, in a very able study several years ago, pointed out that we have already carried it so far in this country that we are only a few theoretical steps behind the collectivistic countries of Europe. Since that time monopoly has gone forward by leaps and bounds. As the Senator from Arkansas says, it is absolutely impossible for the Federal Trade Commission, with limited appropriations, to prevent the mergers that are occurring. Within a very short time we will have nothing but big business and monopoly operating our economy in the United States. As I said on a previous occasion, before the war three of the largest nations in the world had already gone so far on the road to collectivism that they finally overthrew the capitalistic system entirely and set up dictatorial collectivistic government in its place. That is exactly what we will come to in this country, unless the Congress appropriates funds for departments of Government engaged in enforcing the antimonopoly laws.

Mr. REED. May I remind the Senator from Montana that it was a unanimous report from the subcommittee to the full committee, and it is a unanimous report by the full committee, Democrats and Republicans alike, that we are now considering?

Mr. MURRAY. I recognize that.

Mr. REED. Moreover, each of the increases or decreases, as the case may be, represents the unanimous judgment of the full committee.

Mr. MURRAY. I realize that. I realize that the aisle in the center of this Chamber is not a dividing line. There are on our side of the aisle, also, men who seem willing to see monopoly grow in this country.

Mr. REED. In the weeks we spent on this bill, there were no political speeches made in the committee, and there was no line of political demarcation. We kept our minds on our business, which was to appropriate money where money was needed, to the degree that it was needed. There was no attempt at partisanship during the several weeks' work of the committee. We are now on the floor, listening to political speeches.

Mr. MURRAY. Mr. President, that does not answer my statement.

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

Mr. REED. I yield.

Mr. BREWSTER. I trust the Senator from Montana will read the statement which appears in the CONGRESSIOAL RECORD, made by his colleague on his left—left wing—the Senator from Florida [Mr. PEPPER], who some days ago took part in a discussion of a similar matter on the floor of the Senate. I refer to the suggestion that under the Republican Party there is a tendency to monopoly. I am sure the Senator from Montana will agree that the senior Senator from Florida is recognized as an authority in this field. The Senator from Florida then agreed and admitted that in the preceding 14 years, under the complete control of the administration by those on the Democratic side of the aisle there had occurred the greatest concentration of economic power ever seen in the history of the United States. So I trust the Senator will pluck the beam out of his own eye before he comes across to our side of the aisle to seek the mote in the Republican eye.

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

Mr. REED. I yield.

Mr. MURRAY. The Senator must realize that the period when the growth of monopoly occurred was during the war, when it was necessary to allow the large corporations to escape the antimonopoly laws. The prosecution of defendants under the antimonopoly laws was stopped at the request of the Army and the Navy and other departments of the Government. That was the reason there was such a growth of monopoly. The growth of monopoly also occurred because of the fact that the small business concerns of the country were unable to secure contracts for war production, and they were compelled to sell out to the larger corporations. That is something for which the Democratic Party cannot be held responsible. It occurred by reason of requests made by the War, Navy, and other departments.

Mr. JOHNSON of Colorado. Mr. President, I ask unanimous consent to have printed in the RECORD at this point some remarks I have prepared with respect to the item under consideration. I shall place my remarks in the RECORD in order to save time.

Mr. REED. I shall not object.

There being no objection, the statement of Mr. JOHNSON of Colorado was ordered to be printed in the RECORD, as follows:

I am disturbed at the apparent encouragement that Congress is giving to the totalitarian element that remains in our Government bureaus. I know this is not intentional and comes about, only because of the gigantic task with which the legislative branch of the Government is faced. We must reduce the bloated personnel rolls which grew up under wartime conditions, and we must also try to eradicate the police state ideologies from the technique of our Government, even after the pay rolls themselves have been reduced to a size commensurate with democracy.

In the police state, it is the prosecution and enforcement functions upon which the greatest emphasis must be placed, but in a democracy, the amount of the cooperative assent of the people to the law of the land is the main criteria by which we can gage the effectiveness of a free government. The present appropriation which we are considering now, it appears to me, indicates a tendency to curtail certain very important democratic functions.

I have no criticism for the legislative action we have recently taken, giving the Antitrust Division of the Department of Justice an increase of 25 percent over their last appropriation. The President, in his recent budget message, urged that the Antitrust Division concentrate its efforts on the major violations of the antitrust laws, but while we are increasing the prosecuting appropriations, it seems to me it's a great mistake at the same time to refuse to recognize the fact that much can be accomplished in bringing about a reign of law in commerce through mass education and cooperative assent rather than by lengthy and costly litigation of hit-and-miss prosecutions. Certainly the small businessman who can't hire the high-priced lawyers and expensive experts which are necessarily required in any such litigation will benefit by Government cooperating with industry through trade-practice conferences.

The President urged that:

"The Federal Trade Commission will increase its effectiveness by operating on an industry-wide basis, rather than through the slower procedure of individual complaints. It will also sponsor a larger number of industry conferences designed to locate and eliminate unfair trade practices through cooperative action."

Here are two separate areas in which the Department of Justice and Federal Trade Commission should operate. The Federal Trade Commission, if properly administered, could be a great help toward bringing economic democracy and a reign of law to industry. That it has, in some instances, degenerated into a small-claims court badgering businessmen, big and little, with hit-or-miss prosecutions instead of tackling the broad economic problems which it was originally designed and set up to deal with, may be the fault of its present personnel, but I think a great deal of the blame rests on the shoulders of Congress. Through the years, Congress has measured the efficiency of this Commission by its prosecution of complaints. I think its effectiveness should be measured by the results it has obtained. Recognizing the ineffectiveness of past procedures, the President, last year, in his supplemental estimates of appropriation for the Federal Trade Commission urged Congress to appropriate funds to the Commission to carry out a new program, stated as follows:

"The proposed program contemplates that the Commission, on its own motion, will initiate investigations and take uniform corrective actions on an industry-wide basis rather than through the present individual company and public complaint procedure. The latter method has been found to be both slow and inequitable. Under present procedure one company, on the basis of a complaint, may be investigated and subsequently prohibited from following a particular unfair practice, leaving competitors of that company free to follow that same practice until such time as the Commission issues an individual cease-and-desist order against each company. * * *

"Under the proposed program greater emphasis will be placed on the elimination

of unfair trade practices through cooperative means. In those instances where circumstances permit, industry members will be given an opportunity to eliminate unfair methods of competition through stipulation agreements to cease and desist or through the establishment of trade-practice rules."

Last year Congress gave the Commission $325,000 to put this program into effect. This new program which is designed to acquaint the American businessman with the rules of fair play through cooperation and education is not going to get very far on that kind of money. It seems to me that if we are willing to spend, this year, $12,400,000 on a Voice of America program to tell European countries what a great nation we are, we ought to be willing to spend something on our own businessmen. Instead of that, the House cut the budget request for the Federal Trade Commission $1,122,880.

While we increase the funds for police work of the Antitrust Department 25 percent, I doubt the advisability of decreasing the cooperative and educational work of the Federal Trade Commission 33⅓ percent. This is a legislative trend, to my mind, which headed in the wrong direction.

When this cut was made in the House, it was pointed out that the Commission staff had conducted considerably less trial time and prosecution work than heretofore, and I presume it was on this basis that the cut was made. It seems to me that this merely indicates the Federal Trade Commission was shifting over into that area of mass education that it should have occupied long ago. This is as it ought to be. The Department of Justice and the Federal Trade Commission operate in two separate areas, or at least they should. The Department of Justice is engaged in prosecuting violators of the law for the purpose of imposing penalties upon the malefactors. The Federal Trade Commission has no punitive function. It is prophylactic and preventive. When it gets into the prosecution function, it is duplicating the efforts of the Department of Justice and entails a needless expenditure of the taxpayers' funds. To cut off $1,122,880 of the Commission's cooperative and educational work at this time is an indication that Congress rejects the theory of cooperation between industry and government and intends to rely principally on suits, injunctions, and prosecutions to get a reign of law in industry. I think Ralph Barton Perry has summed up the difference between a police state and a democracy. I quote from his recent book, Puritanism and Democracy:

"While the law does, it is true, invoke the sanction of force, it does so as a last resort and in exceptional cases. The efficacy of law depends on a pervasive and continuing law-abidingness, which consists of a common understanding and general acceptance, perpetually renewed. A 'reign of law' is a condition of society in which certain adjustments of man to man are rooted in the sentiment of the community and presupposed as the basis of reciprocal intercourse."

As between spending $12,400,000 to tell Europe what a fine country we are and one-third as much to educate our businessmen how to be that fine country, I think there can be no answer but that we should make available the reasonable figure provided for in my amendment for the benefit of commerce.

Mr. FULBRIGHT and Mr. MORSE addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Kansas yield; and if so, to whom?

Mr. REED. If the Senator from Arkansas desires to offer an amendment, he is clearly entitled to do so in his own right.

Mr. FULBRIGHT. Mr. President, I wanted to make one observation, if the Senator will yield for that purpose, with respect to the statement made concerning the unanimity of the report. If I correctly understood him one member of the committee, who is also a member of the subcommittee, stated a moment ago that he was personally inclined to the budget estimate, but that he understood the adoption of the budget estimate was hopeless. That is a form of unanimity which I would say is not quite free and in accordance with the individual's best judgment. I mean to say a certain amount of pressure exists in such a case.

Mr. REED. If the Senator will permit, I wish to say that on several occasions there were some individual expressions, and perhaps one or two reservations made to the effect that upon the floor so and so might be done or thus and so stated. But it was a unanimous report of the subcommittee to the full committee and from the full committee to the Senate.

Mr. FULBRIGHT. Mr. President, is it in order now to move to substitute for the amount provided by committee amendment, $3,000,120, on page 18, line 23, the budget estimate of $3,920,700?

The PRESIDENT pro tempore. It is in order so long as the proposed figure does not exceed the budget estimate.

Mr. FULBRIGHT. That is the budget estimate. I make that motion.

The PRESIDENT pro tempore. The Senator from Arkansas moves to amend the committee amendment on page 18, line 23, by striking out "$3,000,120" and inserting in lieu thereof——

Mr. FULBRIGHT. $3,920,700.

The PRESIDENT pro tempore. $3,920,700. The question is on agreeing to the amendment to the committee amendment submitted by the Senator from Arkansas.

Mr. REED. Mr. President, the Federal Trade Commission asked for about a 40-percent increase over last year's appropriation. That request was entirely out of reason. We did the best we could in providing increased appropriations for the various agencies in line with their needs. Therefore, I hope the amendment will be defeated.

Mr. FULBRIGHT subsequently said: Mr. President, I have received a letter from the attorney in charge of the Seattle office of the Federal Trade Commission, and I ask unanimous consent to insert in the remarks I made a few moments ago on the amendment then pending an excerpt from the letter.

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

As you know, I have been out here in Seattle as attorney in charge of this office for a little less than a year's time. The staff in this office consists of myself, an assistant, and one stenographer, yet this office handles all investigations, complaints, and other matters in the States of Washington, Oregon, Idaho, and Montana.

I want to give you a bird's-eye view of a few of the rackets which this office with this small staff has uncovered in the past year and ask you to note particularly the amount of money which has been taken from the public through these fraudulent practices.

One Seattle concern operating a so-called cooperative buying organization to aid small merchants and GI's just getting started in business to buy war surplus material, has taken $325,320 from its members in membership fees (the small merchants and GI's mentioned above). Said memberships were sold on the promise of obtaining surplus new automobiles, refrigerators, wire fencing, etc., which were practically impossible to obtain through any source and which were definitely not available through the War Assets Administration.

Mr. MORSE. Mr. President, I am very glad the Senator from Arkansas has offered his amendment, at least so that the attempt to increase the appropriation will appear in the RECORD, and I sincerely hope the amendment will be adopted.

I quite agree with the Senator from Kansas that a problem such as this should not be approached at all from any partisanship angle. The question of dealing with a great concentration of monopolistic forces is not a partisan matter. It should not be allowed to become a partisan matter. It seems to me, to have a very fundamental bearing on the preservation of what we so glibly talk about in this country, namely, private property economy, and a free enterprise business system. I do not think one has to argue at any length to establish the fact that very rapidly we are ceasing to have a free enterprise system, because the essence of a free enterprise system is free competition. The area of free competition is being restricted, month by month, as the tentacles of monopoly grip the body of our economy. I do not know of any problem that is more nonpartisan, yet so vital to the welfare of all our people, than the matter of monopoly control.

I do not think we can justify voting down the amendment offered by the Senator from Arkansas if we really mean what we say in the platforms adopted by both parties. Both parties have been paying homage to the idea of monopoly control. If the parties really mean it, when they say that monopoly must be brought under control in order to save the free enterprise system, then let the representatives of both parties on the floor of the Senate today vote for the amendment offered by the Senator from Arkansas, which is at least some demonstration of our good faith to do what we can within the budget figure, to bring monopoly under control. I think it is as simple as that.

I think a vote for the amendment serves notice on the monopolies of America that both political parties intend to carry out their obligations to the American people to keep the American economy a free economy and stopping it from becoming an economy dominated by monopolistic big business.

Mr. AIKEN. Mr. President, 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	Cain	Ellender
Baldwin	Capehart	Ferguson
Ball	Capper	Fulbright
Barkley	Chavez	George
Brewster	Connally	Green
Bricker	Cooper	Gurney
Bridges	Cordon	Hatch
Brooks	Donnell	Hawkes
Bushfield	Dworshak	Hayden
Butler	Eastland	Hickenlooper
Byrd	Ecton	Hill

Hoey	McKellar	Sparkman
Holland	McMahon	Stewart
Ives	Magnuson	Taft
Jenner	Malone	Taylor
Johnson, Colo.	Maybank	Thomas, Okla.
Johnston, S. C.	Moore	Thye
Kem	Morse	Tydings
Kilgore	Murray	Umstead
Knowland	O'Daniel	Vandenberg
Langer	O'Mahoney	Watkins
Lodge	Pepper	Wherry
Lucas	Reed	White
McCarran	Revercomb	Wiley
McCarthy	Robertson, Va.	Williams
McClellan	Russell	Young
McFarland	Saltonstall	
McGrath	Smith	

The PRESIDENT pro tempore. Eighty-two Senators have answered to their names. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. FULBRIGHT] to the committee amendment on page 18, line 23.

Mr. FULBRIGHT. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. REED. Mr. President, this issue arises upon an attempt to increase the appropriation of the Federal Trade Commission, which this year had $2,800,000. The budget estimate was $3,920,000, an increase of $1,120,000. The House figure was $2,800,120. The Senate committee increased the amount to $3,000,120, in order to enable the Commission to carry on some trade-practice investigations.

The purpose of this amendment is further to increase the appropriation by more than $900,000. The committee believed that such an increase was unjustified; and I hope the amendment will be rejected.

Mr. BRIDGES. Mr. President, the committee gave very careful consideration to this item. It increased the House figure. I do not believe that the committee recommendation should be overturned on the spur of the moment. Fair action was taken. The question is whether or not we are to jump the committee appropriation by more than $900,000—nearly $1,000,000. For that reason I hope the committee recommendation will be sustained.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Arkansas [Mr. FULBRIGHT] to the committee amendment on page 18, line 23. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the Senator from New York [Mr. WAGNER]. On this vote I transfer that pair to the Senator from Pennsylvania [Mr. MARTIN] and will vote. I vote "nay."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN], who is necessarily absent, is paired with the Senator from New York [Mr. WAGNER]. The Senator from Pennsylvania, if present and voting, would vote "nay"; and the Senator from New York, if present and voting, would vote "yea."

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

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The Senator from Delaware [Mr. BUCK], the Senator from Colorado [Mr. MILLIKIN], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Iowa [Mr. WILSON] are detained on official business.

Mr. LUCAS. I announce that the Senator from California [Mr. DOWNEY] and the Senator from Louisiana [Mr. OVERTON] are absent on official business.

The Senator from Pennsylvania [Mr. MYERS] is detained on public business.

The Senator from Maryland [Mr. O'CONOR] is necessarily absent.

The Senator from Utah [Mr. THOMAS] is absent by leave of the Senate.

The Senator from New York [Mr. WAGNER], who is necessarily absent, has a general pair with the Senator from Kansas [Mr. REED]. The transfer of that pair to the Senator from Pennsylvania [Mr. MARTIN] has been previously announced by the Senator from Kansas. If present and voting, the Senator from Pennsylvania would vote "nay" and the Senator from New York would vote "yea."

If present and voting, the Senator from California [Mr. DOWNEY], the Senator from Pennsylvania [Mr. MYERS], and the Senator from Utah [Mr. THOMAS] would vote "yea."

The result was announced—yeas 35, nays 47, as follows:

YEAS—35

Aiken	Johnson, Colo.	Morse
Barkley	Johnston, S. C.	Murray
Chavez	Kilgore	O'Mahoney
Connally	Langer	Pepper
Eastland	Lucas	Sparkman
Ellender	McCarran	Stewart
Fulbright	McClellan	Taylor
Green	McFarland	Thomas, Okla.
Hatch	McGrath	Tydings
Hayden	McMahon	Umstead
Hill	Magnuson	Young
Hoey	Maybank	

NAYS—47

Baldwin	Ecton	O'Daniel
Ball	Ferguson	Reed
Brewster	George	Revercomb
Bricker	Gurney	Robertson, Va.
Bridges	Hawkes	Russell
Brooks	Hickenlooper	Saltonstall
Bushfield	Holland	Smith
Butler	Ives	Taft
Byrd	Jenner	Thye
Cain	Kem	Vandenberg
Capehart	Knowland	Watkins
Capper	Lodge	Wherry
Cooper	McCarthy	White
Cordon	McKellar	Wiley
Donnell	Malone	Williams
Dworshak	Moore	

NOT VOTING—13

Buck	Myers	Tobey
Downey	O'Conor	Wagner
Flanders	Overton	Wilson
Martin	Robertson, Wyo.	
Millikin	Thomas, Utah	

So Mr. FULBRIGHT'S amendment to the committee amendment was rejected.

The PRESIDENT pro tempore. The question is on agreeing to the committee amendment on page 18, line 23.

The amendment was agreed to.

The PRESIDENT pro tempore. The clerk will state the next committee amendment.

The next amendment was, under the heading "Federal Works Agency—Office of the Administrator," on page 19, line 23, after the word "of", to strike out "$75" and insert "$35."

The amendment was agreed to.

The next amendment was, under the subhead "Public Buildings Administration," on page 25, after line 2, to insert:

Return of departmental functions to the seat of government: For all expenses, including personal services in the District of Columbia and travel and other expenses of the Public Buildings Administration incident thereto, necessary to provide for the transfer to the seat of government of such bureaus, offices, agencies, or activities of the Federal Government as are designated from time to time by the President, which were removed from, or established at places other than, the seat of government by reason of the national emergency, including the expenses of travel of employees transferred; transportation of immediate families of employees; the expenses of packing, crating, drayage, transportation, temporary storage, unpacking, and uncrating of household goods and personal effects, in accordance with regulations approved by the President; and the payment to employees of special allowances at $5 per day after arrival at destination for 6 days for employees, plus $2.50 per day additional for 6 days for each member of immediate families of employees; $900,000, to remain available until expended: *Provided*, That removal to the seat of government of Government-owned or leased furniture, equipment, supplies, and other property and household goods and personal effects of employees, and costs of restoration of leased office space when required, may be accomplished without regard to section 3709 of the Revised Statutes: *Provided further*, That such sums as may be determined by the Commissioner of Public Buildings to be necessary therefor may be transferred to other agencies concerned for the payment to the transferred employees of the allowances mentioned herein.

The amendment was agreed to.

The next amendment was, on page 27, line 10, after the word "of", to strike out "$75" and insert "$35."

The amendment was agreed to.

The next amendment was, under the subhead "Public Roads Administration," on page 30, line 16, after the word "of", to strike out "$75" and insert "$35."

The amendment was agreed to.

The next amendment was, under the subhead "Bureau of Community Facilities," on page 33, after line 21, to insert:

Veterans' educational facilities: The limitation on the amount for administrative expenses under this head in the Third Deficiency Appropriation Act, 1946, as supplemented by the Second Deficiency Appropriation Act, 1947, is hereby increased from $3,100,000 to $3,850,000, of which amount $395,000 shall be used exclusively for payment for accumulated and accrued leave.

The amendment was agreed to.

The next amendment was, under the heading "Interstate Commerce Commission," on page 35, line 8, after the word "automobiles", to strike out "$8,868,100" and insert "$9,268,100."

The amendment was agreed to.

The next amendment was, under the heading "National Advisory Committee for Aeronautics," on page 37, line 10, after the word "exceed", to strike out "$492,000" and insert "$622,000"; and in line 19, after the word "exceed", to strike out "$50" and insert "$35."

The amendment was agreed to.

The next amendment was, under the heading "National Archives," on page 39, line 17, after the word "expenses", to strike out "$1,236,335" and insert "$1,241,335"; and in line 19, after the word

"act", to strike out the colon and the following proviso: *"Provided,* That no part of this appropriation shall be used to pay the salary of any employee of grade 5 or above in the professional service or of grade 11 or above in the clerical, administrative, and fiscal service who was originally appointed in the National Archives to a war service appointment, except a presently employed veteran of either World War or a member of the active or inactive reserve AUS."

The amendment was agreed to.

The next amendment was, under the heading "National Capital Park and Planning Commission," on page 41, after line 10, to insert:

District of Columbia redevelopment: For expenses necessary to carry out the provisions and purposes of sections 3k, 6, and 16 of the act of August 2, 1946 (Public Law 602), including temporary services as authorized by section 15 of the act of August 2, 1946 (Public Law 600); not to exceed $50 for deposit in the general funds of the Treasury for cost of penalty mail for the fiscal years 1947 and 1948 as required by the act of June 28, 1944; $95,000, to remain available until expended.

The amendment was agreed to.

The next amendment was, under the heading "Philippine War Damage Commission," on page 41, line 24, after the word "exceed", to strike out "$1,900,000" and insert "$2,500,000."

The amendment was agreed to.

The next amendment was, under the heading "Securities and Exchange Commission," on page 43, line 12, after the numerals "1944", to strike out "$5,688,700" and insert "$5,988,700."

The amendment was agreed to.

The next amendment was, under the heading "Smithsonian Institution," on page 44, line 3, after the word "Arts", to insert "for the administration, and for the construction and maintenance, of laboratory and other facilities on Barro Colorado Island, Canal Zone, under the provisions of the act of July 2, 1940, as amended by the provisions of Reorganization Plan No. 3 of 1946"; in line 16, after the word "exceeding", to strike out "$125,000" and insert "$150,000"; and in line 23, after the word "publications", to strike out "$1,700,312" and insert "$1,800,312."

The amendment was agreed to.

The next amendment was, under the heading "United States Maritime Commission," on page 47, line 15, after "Personal services", to strike out "$7,393,226" and insert $8,832,226."

The amendment was agreed to.

The next amendment was, on page 47, line 18, after the word "construction", to insert "conversion, reconversion, reconditioning."

The amendment was agreed to.

The next amendment was, on page 47, after line 20, to strike out:

Reconversion of vessels, $100,000: *Provided,* That the Commission may make allowances to purchasers of vessels for cost of putting such vessels in class, such allowances to be determined on the basis of competitive bids, without regard to the provisions of the last paragraph of section 3 (d) of the Merchant Ship Sales Act of 1946.

And in lieu thereof to insert the following:

Conversion or reconversion of vessels for sale or given in exchange, $4,500,000, including cost of moving or transporting the vessels, docking, survey, and inspection, preliminary to preparation of specifications and invitations for competitive bids, subject to the limitation that not more than $30,000 be expended with respect to any one vessel: *Provided,* That, in order to accomplish the purposes and policy of section 2 of the Merchant Ship Sales Act of 1946, the Commission may, on such terms and conditions as it may prescribe—

(1) make allowances to purchasers of vessels or persons accepting exchanges under section 8 (d) of said act for cost of converting, reconverting, or restoring for normal operation in commercial service, including removal of national defense or war service features and meeting class and requirements of Coast Guard and other regulatory bodies, such allowances to be determined on the basis of competitive bids under specifications prepared or approved by the Commission, without regard to the provisions of the last paragraph of section 3 (d) of the Merchant Ship Sales Act of 1946: *Provided further,* That if the Commission shall determine that any part of the allowance so fixed is not expended in carrying out the work covered by the allowance, an amount representing such part shall be repaid or reimbursed to the Commission. Such allowances may be applied as credits against any sums payable by the purchaser to the Maritime Commission pursuant to section 4 of the act;

(2) in lieu of making allowances as hereinbefore provided and notwithstanding any other provision of law, sell, upon competitive sealed bids, without reconversion to citizens of the United States, for operation under the United States flag, war-built vessels which have been converted from original design to military types or otherwise unsalable as commercial vessels and contracts for the reconversion of which were not entered into prior to July 1, 1947. No award of any such vessel, except a damaged unsalable vessel, or a concrete vessel, shall be made upon a bid which is less than 25 percent of the unadjusted statutory sales price determined under section 3 (d) of said act, and at least 25 percent of said bid shall be paid in cash upon the delivery of the vessel; and

(3) in either case, grant financial aid under the provisions of section 509 of title V of the Merchant Marine Act, 1936, and other provisions of said title to the extent applicable, to any person who in any manner converts, reconverts, or reconditions the vessel purchased by him if the amount expended for such conversion, reconversion, or reconditioning is in excess of $100,000.

The amendment was agreed to.

The next amendment was, on page 50, after line 6, to insert:

Maintenance and operation of terminals, $561,000.

The amendment was agreed to.

The next amendment was, on page 50, after line 15, to insert:

Provided further, That, except for payment of construction-differential subsidies as provided in section 504 of the Merchant Marine Act, 1936, as amended, no moneys or contract authority shall be available during the period beginning with the date of enactment hereof and ending June 30, 1948, for the construction of any vessel begun after such date of enactment unless the Commission has entered into a contract for the sale of such vessel.

The amendment was agreed to.

The next amendment was, on page 51, line 6, after the word "exceed", to strike out "$207,100,000" and insert "$213,439,000."

The amendment was agreed to.

The next amendment was, on page 51, line 9, after the word "of", to strike out "$207,100,000, and insert "$213,439,000."

The amendment was agreed to.

The next amendment was, on page 52, line 7, after the word "binding", to strike out "$8,320,000" and insert "$4,320,000."

The amendment was agreed to.

The next amendment was, under the heading "Veterans' Administration," on page 54, line 16, after the word "equipment", to strike out "$878,040,780" and insert "$905,115,780."

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

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

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Hatch	Morse
Baldwin	Hawkes	Murray
Ball	Hayden	O'Conor
Barkley	Hickenlooper	O'Daniel
Brewster	Hill	O'Mahoney
Bricker	Hoey	Overton
Bridges	Holland	Pepper
Brooks	Ives	Reed
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va
Butler	Johnston, S. C.	Robertson, Wyo.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thye
Downey	McFarland	Tydings
Dworshak	McGrath	Umstead
Eastland	McKellar	Vandenberg
Ecton	McMahon	Watkins
Ellender	Magnuson	Wherry
Ferguson	Malone	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young

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

The question is on agreeing to the committee amendment on page 54, in line 16.

Mr. GREEN. Mr. President, as a substitute for the committee amendment, I offer an amendment increasing the amount by $100,000,000—in other words, from $905,115,780 to $1,005,115,780.

Mr. President, I offered this amendment last June 27, when I learned that, in response to a direct question, the Chief Medical Director of the Veterans' Administration informed the Veterans' Affairs Committee of the House of Representatives that the provisions in this bill for the medical care of veterans fell short of his anticipated needs by 28,000 employees and $100,000,000. The Appropriations Committee of the House had not made any reduction in this medical budget, but such reduction as had been made was made before the estimates were submitted to that committee. Without regard to how that came about, let me say that this meant that veterans who require treatment will be denied it, unless additional funds are provided so

that the Veterans' Administration is able to expand its facilities.

This raised in my mind two questions: First, will the Congress at this time curtail the medical care sorely needed by many of our veterans disabled in the service of our country? Second, can the amount of medical care they need be given with the appropriation carried in this bill?

I doubt that any Member of the Congress desires that the medical care of veterans be curtailed at this time. The war is scarcely over, and the wounds of many a veteran are not yet healed. After heavy financial sacrifice in the service of his country, the time is yet too short for the veteran to have earned enough money to enable him to purchase the quality of medical care he deserves, or to obtain it in the quantity he needs. The Congress has provided many aids to the veteran for his rehabiltation and reestablishment in the peaceful society of the Nation; and good medical care at the expense of a grateful people is one of the most important of these. At some time in the future the Congress must decide how many and what kinds of veterans will be furnished medical care at Government expense; but this is not the time to haggle over appropriations for this purpose.

This is not the time, and for two reasons. There are today more than 20,000 veterans desiring hospitalization but who cannot get into veterans' hospitals because there are not enough beds there. The number of veterans suffering from tuberculosis, almost all of it contracted while in service, is increasing daily; and no one can say when the peak of this load will be reached. There should be a hospital bed ready for every veteran who has lost his health while serving his country.

This leaves to be answered the question: Can the amount of medical care the veteran needs, and to which he is entitled, be provided with the appropriation made in this bill?

In August 1945 when General Bradley became Administrator of Veterans' Affairs, there were 79,000 beds in veterans' hospitals and less than 7,000,000 veterans. Today the Veterans' Administration has 102,000 hospital beds, but there are more than 18,000,000 veterans. The veterans have increased 157 percent, but the number of beds for their medical care has increased only 29 percent. There are more than five times as many veterans for each hospital bed today than there were in August of 1945.

The Veterans' Administration was not able, at first, to increase the number of hospital beds rapidly, because of the difficulty of recruiting adequate staffs. Large numbers of doctors and nurses were still in the armed forces; and attendants and other semiskilled help were employed in war industries. This situation no longer exists to the same extent. The reason why there are no more hospital beds for veterans today is that ceilings have been placed upon the employment of medical personnel, and insufficient money has been appropriated to operate more hospitals.

But this is not all. The number of medical people, and the amount of money, provided in the pending appropriation bill are not enough to allow the Veterans' Administration to continue all the hospital beds they have in operation. Already the Veterans' Administration is closing hospitals to meet the limits imposed in this appropriation bill. I am not asking the Senate to increase the medical help to be given each veteran who needs it, I am asking the Senate not to reduce this help in quantity or quality.

There are today in veterans' hospitals a total of 5,700 hospital beds which must remain empty because no staff can be employed. During fiscal year 1948, 6,500 new hospital beds, all in permanent construction, will be completed and ready for patients. But no doctors or nurses or attendants can be employed for these new beds within the limits of the pending bill; and either they must stand idle or an equal number of beds must be abandoned in temporary hospitals to provide the staff for the new beds.

But this is not the worst. A total of 86,933 employees are used to operate the 102,000 hospital beds now in operation, and these are even less than are required. The ratio of employees to patients is fixed by the Bureau of the Budget, and not by the Veterans' Administration, so that the Veterans' Administration is not overstaffing these hospitals. Disregarding 2,933 employees, who are specifically earmarked in this budget for opening 3 new tuberculosis hospitals not now in operation, only 81,220 employees are allowed in this bill for hospital operation. This is 5,713 fewer employees for hospital operation than are now used in these hospitals; and this means that between 3,000 and 4,000 beds now in operation must be vacated during fiscal year 1948 to meet the limitations imposed in the bill. Adding all these deficits together, we find that, before the close of fiscal year 1948, there will be between 15,000 and 16,000 beds idle in veterans' hospitals unless this appropriation is increased. These idle beds would provide hospital care for almost 200,000 veterans in the course of 1 year.

My amendment to the appropriation bill will not permit the Veterans' Administration to embark upon a program of great expansion. It will permit only the operation of the hospital beds now in existence and those which will be completed during fiscal year 1948 together with the operation of three additional surplus Army hospitals and one additional domiciliary home, and a modest expansion of the outpatient service.

There are areas in this country very short of beds for veterans by even the most modest standards. The Veterans' Administration would like to operate surplus Army or Navy hospitals in three of these areas. There are less than 15,000 beds available in domiciliary homes today, and more than 13,000 members in them. The demand for domiciliary care is increasing, and would increase very rapidly if employment should fall off.

It is not only the hospital program that will suffer unless this appropriation is increased by the amounts in my amendment. All other medical programs will have to be curtailed proportionately.

One of the most important of these is the out-patient clinic program. This is a particularly urgent program because all the patients treated in out-patient clinics have service-connected disabilities. Non-service-connected disabilities are not treated on an out-patient basis at Government expense. The savings to the taxpayer in out-patient treatment are great. There are many cases, now being treated in out-patient clinics, who would have to occupy hospital beds if this treatment were not available; and hospital treatment is very much more expensive than out-patient treatment, besides being much more wasteful of the veterans' earning capacity. The veteran can often hold his job while undergoing out-patient treatment; but his time is wholly lost when he must go into a hospital.

In one part of the out-patient program alone the saving to the Government is very great. The most eminent psychiatrists in the country have estimated that at least 25 percent of the patients now being treated in the mental-hygiene clinics of the Veterans' Administration would have to be committed to mental hospitals if this out-patient treatment were not available. Some psychiatrists estimate this proportion to be as high as 40 percent.

Think of it! Today there are approximately 15,000 veterans undergoing out-patient treatment in the mental-hygiene clinics of the Veterans' Administration If the Veterans' Administration did not have these clinics, somewhere between 3,750 and 6,000 of these veterans would today be committed to mental institutions. And the consensus of opinion among those who know is that there are 150,000 veterans in this country today who need this kind of treatment; and that, instead of only a few thousand being saved from mental institutions, as many as 50,000 might be saved if the proper facilities were available.

The Veterans' Administration wants badly to increase this kind of facility as rapidly as proper staffs can be had. Its experience is that in no other of its medical programs can it do so much good for so little money. Yet, what does this appropriation bill do to the out-patient program of the Veterans' Administration? It actually reduces it by 12 percent. There are today slightly more than 10,000 employees in the out-patient service of the Veterans' Administration. It desired to increase this number in fiscal year 1948 to 13,300—a very modest increase when the great need is considered. Yet this bill, instead of allowing any increase, actually reduces the number to 8,900.

There are other items in the budget of the medical service of the Veterans' Administration which have suffered serious reduction. The amounts involved are comparatively small, but the effect of the reductions is out of all proportion to the amounts. Among these are money for travel of employees in training and in supervision of the standard of medical care give in veterans' hospitals. This function is most important if the veteran is to be given the best in medical care.

Before I conclude, I wish to read to the Senate the correspondence I had with Gen. Paul R. Hawley, who is the Chief Medical Director, Department of Medicine and Surgery, Veterans' Administration. First I read my letter to him dated June 26, 1947.

JUNE 26, 1947.

Dr. PAUL R. HAWLEY,
Chief Medical Director, Department of Medicine and Surgery, Veterans' Administration, Washington, D. C.

MY DEAR DR. HAWLEY: As a member of the Subcommittee of the Senate Committee on Appropriations considering the Appropriation bill for independent offices, I am definitely interested in the appropriation of funds for the Veterans' Administration and in particular, for the medical services extended to the veterans by the Administration.

I would appreciate your advising me whether the funds in the independent offices appropriation bill passed by the House of Representatives and at present under consideration by the subcommittee, of which I am a member, are sufficient for the Veterans' Administration to continue medical service to veterans during the fiscal year of 1948 at the same level that it is at present. Also, is the appropriation sufficient to provide for the necessary medical expansion of this service to meet the increasing demand for additional medical services.

I wish to present my letter to you and your reply, to the committee at the hearings on the bill and I intend to talk with members of the committee regarding this particular appropriation. I would appreciate a complete report from you at an early date.

Yours very truly,
THEODORE FRANCIS GREEN.

This is his reply, June 26:

VETERANS' ADMINISTRATION,
Washington, D. C., June 26, 1947.

Hon. THEODORE FRANCIS GREEN,
United States Senate, Washington, D. C.

DEAR SENATOR GREEN: Reference is made to your letter in which you ask my opinion as to whether or not the personnel and fiscal requirements of the Department of Medicine and Surgery as presented to the Congress in the Veterans' Administration budget for fiscal year 1948 are adequate.

In the light of present experience and our knowledge of the number of patients who will require treatment during the next fiscal year, these figures cannot be considered adequate. The personnel and the money provided in the appropriation bill, as it now stands, are insufficient to maintain even the present level of medical service provided the veteran; and, with approximately 21,000 veterans now awaiting hospitalization and evidence of an increasing demand in the next year, it has been our considered opinion that additional personnel and funds are necessary unless the policies governing medical benefits are revised.

A detailed summary of the total work load and the personnel and fiscal requirements for 1948 is enclosed. This summary shows that 28,000 additional personnel and $100,000,000 additional are required to maintain the present level of medical service and to provide for the minimum expansion that appears to be indicated.

Very truly yours,
PAUL R. HAWLEY,
Chief Medical Director.

The letters and also the summary referred to, which occupies a good many pages, giving in detail how the money will be spent, may be found in the hearings at pages 261–270. These were presented to the committee. I made the motion in the final meeting of the full committee to adopt this amendment which I then offered. The amendment was rejected. The last letter is a letter from General Hawley to me, dated July 14:

JULY 14, 1947.

Hon. THEODORE FRANCIS GREEN,
United States Senate,
Washington, D. C.

DEAR SENATOR GREEN: In reply to your request, I am furnishing you with the following information.

The Department of Medicine and Surgery of the Veterans' Administration submitted a budget request for purely medical expenditures of $502,355,560. The amount in the budget submitted to the Congress for these same purposes was $432,216,908.

This is a reduction of $70,138,652. But there are a number of expenditures in hospital and outpatient operation which are not paid from medical appropriations, such as maintenance of plant, supply, personnel and finance operations, special services, and the like. In general, somewhat less than 80 percent of hospital and outpatient costs are chargeable to medical appropriations, so that a deficit of $70,138,652 in medical appropriations means a deficit of $87,673,315 in hospital and outpatient operations.

I should like to point out, however, that the budget request of the Department of Medicine and Surgery for fiscal year 1948 was prepared in October 1946; and that the need for medical care, especially in outpatient clinics, has increased since that time. In view of this, when directed by the Committee on Veterans' Affairs of the House of Representatives to state the amount of additional funds required to meet the demands for medical care in fiscal year 1948, a supplemental estimate was made which totalled $100,000,000—an increase of $12,326,685 over the deficit already experienced.

To summarize, the budget request of the Department of Medicine and Surgery of the Veterans' Administration for fiscal year 1948 was reduced before submission to the Congress by $70,138,652, which represents a reduction in medical service of $87,673,315. Seven months additional experience after the preparation of the initial estimates indicated that this estimate was too low; and, when directed by the Committee on Veterans' Affairs of the House of Representatives to present present estimates, the initial estimate was revised upward by $12,326,685.

Sincerely yours,
PAUL R. HAWLEY,
Chief Medical Director.

If the amendment is not made a part of the appropriation bill, the Congress must take the position either that the veteran is to be given only a part of the medical care he needs, or else that he must accept a cheaper standard of medical care than the kind he has earned with his sweat and blood. I do not believe the good people of the United States would approve either position. It is said that the memory of a republic is short, but it cannot be so short as that. The war is not yet over. Though the fighting has stopped, the terms of peace have not yet been agreed upon. We have armies still abroad. Here at home we are gradually resuming our peacetime ways. We are even considering reducing our expenses and our taxes. Are we to begin economizing by giving fewer veterans proper medical service, or by reducing the quality of service given them? Has our pity for the maimed in body or mind been exhausted? Has our gratitude for their sacrifices been frozen? Our action on the amendment will give the answer.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Rhode Island.

Mr. REED. Mr. President, the trouble with the situation as described by the Senator from Rhode Island is that most of it is not so. I do not mean by that that the Senator from Rhode Island is misstating the matter, but this is a private matter between him and General Hawley. We gave General Bradley all he asked for, to enable him to get along. Never at any time, so far as our committee is concerned, did General Hawley or General Bradley ask for the money to which the Senator from Rhode Island refers.

Let me say, when we are talking about taking care of the veteran, for God's sake, we have treated veterans, the men who fought this war, more generously than any army in the history of the world was ever treated, in the matter of clothing, medical care, food, attention, and everything else.

General Bradley has $338,000,000 contract authority, to build hospitals, if he needs them. He has that much authority to build hospitals, in addition to what he has now; so certainly on that end of it there is no ground for complaint.

Let us now get to the question of the care of veterans. I call attention to page 17 of the report of the committee, copy of which will be found on the desk of each Senator. At the bottom of the table on page 17 there is "administration, medical, hospital, and domiciliary service." Those items are included. The appropriation for last year was $937,000,000. The estimate for this year was $919,000,000, which the House cut to $878,000,000. That is the way the situation was when the bill came to the Senate. General Bradley appeared. He very frankly and candidly discussed all these matters. To show the way General Bradley views it, in a letter to me, as chairman of the subcommittee, dated June 17, he said:

The estimate I submitted to Congress for 210,611 average equivalent full-time employees, of which 107,237 covers medical, hospital, and domiciliary care.

When the House cut that amount back to $878,000,000 General Bradley said to us, "That will cut 10,000 from my personnel. I cannot afford to lose 10,000 from my personnel. It is my intention to keep the total personnel of 107,000 which was provided for in my estimate on the medical side. If I lose 10,000 personnel it will cramp my administration, because I expect to keep the 107,000 personnel."

Mr. President, to the amount the House provided we added twenty-seven-million-and-some-odd-thousand dollars. That will enable General Bradley to keep his additional 10,000 personnel, leaving a total of 107,000 personnel with him to take care of his hospital and medical services. General Bradley told us that, of course, there are some things which are more important than others, but he said, "If you will give me money enough to keep my 10,000 personnel, I will get along." In discussing the matter General Bradley said:

I merely felt that I must point out to you what effect it would have on them, and if you do not want to put those back, that is something else again; we will get along as best we

can, but it will not affect the service to the veterans to the extent this personnel thing does.

General Bradley discussed the subject of equipment item by item. He said:

The next one on equipment, $1,340,315. That is important, but not too important. We can get along without that one if necessary.

General Bradley said that a half a dozen times He always came back to this point: "If you will give me that personnel I will do the job." We gave him the personnel.

What the Senator from Rhode Island refers to is purely a matter between him and General Hawley. The Senator from Rhode Island spoke to the committee about it and we placed his letter to General Hawley and General Hawley's answer to him, both dated the same day incidentally, in the record. But there is not a word in the record from General Hawley except the letter he wrote to the Senator from Rhode Island. We gave General Bradley what he said he needed with which to get along, and he said he could get along with it. There is no need at all to raise the appropriation on this item $100,000,000.

Mr. GREEN. Mr. President, the Senator from Kansas seems to be reviving the campaign slogan we recently heard, "Have you had enough?" but at this time it is addressed to the veterans, and my answer is "No."

Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were not ordered.

Mr. HOLLAND. Mr. President, I should like to address an inquiry to the Senator from Kansas. I note from the committee report that the budget request for Veterans' Administration appropriation is still reduced $13,972,220, even if the committee amendment is adopted, and the amount provided in the House bill is increased to $905,115,780. My question is: What part of the appropriation, or what part of the budget request is cut off by the $13,972,220 which even the Senate committee report says is under the budget request?

Mr. REED. Is the Senator from Florida talking about what appears on page 17? May I inquire, from what page of the report is the Senator reading?

Mr. HOLLAND. Page 3 of the report of the committee under the head of "Veterans' Administration." The language of the committee report is as follows:

VETERANS' ADMINISTRATION

Administration, medical, hospital, and domiciliary services: The committee recommends $905,115,780.

That means it applies to the amendment we are now considering.

This amount is $27,075,000 over the House allowance of $878,040,780, and $13,972,220 under the budget estimate of $919,088,000, including a supplemental estimate of $2,088,000 for the operation of the Administration Offices in the Republic of the Philippines.

The reason for my question is that I have received about 20 or 25 complaints from veterans' organizations and from individual veterans concerning the action taken by the House. The veterans' organizations and individuals who have contacted me have all been of the feeling that the budget estimate was a modest statement of the needs of the Veterans' Administration. So my question is: Why the cutting off of $13,972,220 from the budget estimate even if the amount is granted as now allowed by the committee?

Mr. REED. I suggest that I believe the Senator from Florida is referring to the House committee report.

Mr. BRIDGES. Mr. President, will the Senator yield to me for a moment?

Mr. HOLLAND. I yield.

Mr. BRIDGES. I may say that as I understand the item the reduction from the budget estimate, as will be found on page 22 of the House committee report, shows——

Mr. HOLLAND. Pardon me. To correct the impression the Senator from Kansas is laboring under, I will say that I am quoting from the Senate committee report, page 3, and I read from that report.

Mr. BRIDGES. Yes, and the amount the Senator read was a cut of $39,590,220 from the budget estimate, and the Senate committee restored $27,075,000. Is that correct?

Mr. HOLLAND. The Senate committee restored, according to the report, $27,075,000, but that still leaves the amount $13,972,220 under the Budget estimate, and in view of the many complaints I have received I am trying to discover why the Budget estimate was thus cut, and what that represents in diminished services or facilities.

Mr. BRIDGES. Let me answer the distinguished Senator from Florida by saying that the committee, I think, took under consideration the various complaints which I know the Senator from Kansas received, and which I received as chairman of the full committee, complaints of which the Senator from Florida speaks. We talked not only with General Bradley in the hearings, but before the hearings. His statement to us was that if he could have restored the $27,075,000, which would restore to him 10,000 employees, he could satisfactorily meet all the needs of the Veterans' Administration for the coming fiscal year. The other items which were referred to, I think, would be applied to several different things, including travel of employees, other contractual services, certain supplies and materials, certain equipment, certain grants, subsidies and contributions, and a certain amount for land and structures; but that none of it applied to the very vital thing like the administration directly concerning veterans.

Mr. REED. Mr. President, I suggest to the Senator from Florida that he look at page 11 of the printed copy of the hearings. The items which make up the $933,000,000 are broken down, to show the needs. For example, there is an item "travel of employees," $9,957,945. We asked General Bradley in detail about these things. His answer is found on page 28:

General BRADLEY. The next one is travel, $712,000,000. One hundred thousand dollars of that is for travel of employees. If that cut stands, we just have a little less supervision in the field.

Then we went on to other contractual services, $2,797,965. The General stated that he had broken down that item into five different heads. General Bradley stated:

One is the alterations of administrative space, including the installation of outpatient clinics, and that is $816,702. * * *

There are ones that are most deserving, we think.

General Bradley continued:

No. 4 shows the break-down. * * *

I am not saying that we cannot take some of these cuts, Mr. Chairman. We are pointing out that all of these cuts affect our service which we are trying to give to veterans.

I am pointing out primarily that the cut on personnel puts me in a shape where I cannot promise to do the job. I will do the best I can, of course, but I do not think that is the kind of a job you want done on it.

General Bradley further stated:

I merely felt that I must point out to you what effect this would have on them, and if you do not want to put those back that is something else again; we will get along as best we can, and it will not affect the service to the veterans to the extent this personnel thing does. I felt, however, the fact that when you put them in the budget in the first place you wanted the reason.

Throughout all this discussion we were trying very earnestly to do the job right, and to satisfy General Bradley to the point where he believed he could carry on.

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

Mr. REED. I yield.

Mr. RUSSELL. I did not understand General Bradley to testify that he approved the cuts.

Mr. REED. I did not say that.

Mr. RUSSELL. He stated very clearly that he thought the entire budget estimate was justified to maintain the veterans' program. He did say that if we had to make a cut, certain things were more important than others; but he did not approve any of these cuts.

Mr. REED. He said that some of them were not of such great importance.

Mr. RUSSELL. The theme of his testimony was that if we wanted him to do the job he ought to have the budget estimate, but that if we had to make a cut, items other than personnel were of lesser importance. However, I did not understand him to take the position that he thought the budget should be cut, or that he approved of it.

Mr. REED. There is not much difference between the Senator from Georgia and myself. I do not mean to say that General Bradley was glad to have the cut, or approved of it, or wanted it.

Mr. RUSSELL. That is the point I wished to make clear.

Mr. REED. We discussed the question for some time, and we gave General Bradley $27,000,000 above the House figure, so that he could have all the personnel he felt he needed. He said he intended to keep 107,000 personnel on the hospital side.

Mr. President, I would not mind very much adding another $5,000,000 or $10,000,000 and taking the item to conference to see what we can do with it, but I do not wish to load the bill down too heavily, because the conference will be tough enough.

Mr. HOLLAND. Mr. President, the Senator from Kansas has graciously indicated that he would be willing to add a certain amount to the sum suggested by the committee. Would the Senator be willing to support an increase sufficient to restore the budget estimate, which would mean an increase of $13,972,220 over the committee figure?

Mr. REED. If the Senator will make it a round figure of $10,000,000, so far as the Senator from Kansas is concerned, he is disposed to see what can be done with it.

Mr. BRIDGES. Mr. President, in the Senate committee hearings, on page 29, General Bradley said:

> The "grants, subsidies, and contributions, $4,000,000"—that was cut out of the money which was to be allowed us to pay the States for administering the unemployment compensation. If the number drops off the way it is dropping off now, it may be a perfectly legitimate cut.

Later, on page 19 of the hearings, it was stated that unemployment cases had dropped 300,000 since January, to 700,000. In other words, the cut in this particular item represents $4,000,000 of the $13,000,000 which the Senator from Florida is discussing. A cut of $4,000,000 in that amount was justified by General Bradley's own testimony.

Mr. REED. As General Bradley testified, at one time he had 1,000,000 unemployed. They were drawing unemployment compensation. That number had dropped 300,000, so apparently $4,000,000 less than the amount included in the budget was required to take care of that item.

Mr. HOLLAND. I thank the Senator from Kansas. I should like to address an inquiry to the distinguished Senator from Rhode Island [Mr. GREEN].

In view of the statement of the Senator in charge of the bill, that he would be willing to accept an additional increase of $10,000,000 over the amount recommended by the committee, is the Senator willing to modify his amendment so as to make the increase $10,000,000?

Mr. GREEN. That would not be up to the budget figure, would it?

Mr. HOLLAND. That would still be $3,972,220 under the budget estimate.

Mr. REED. Mr. President, budget estimates made months in advance are always subject to some variation.

Mr. GREEN. That is the trouble. They are far too low, as I tried to point out in my address. That is what General Hawley emphasized.

Mr. REED. Mr. President, if it meets with the approval of my colleagues, I am willing to increase the amount by $10,000,000 and take the item to conference. Let me say here that conferences this year are going to be tough, and I cannot guarantee anything as to the outcome.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Rhode Island [Mr. GREEN] to the committee amendment on page 54, line 16.

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

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

The legislative clerk proceeded to call the roll, and Mr. AIKEN answered to his name.

Mr. REED. Mr. President, perhaps I am too late with the point of order, but I do not believe that any business has been transacted since the Senator from Rhode Island made his last point of order of no quorum.

The PRESIDENT pro tempore. The Senator's point of order is well taken. No business has been transacted. If the point of order is made, it must be sustained.

The question is on agreeing to the amendment offered by the Senator from Rhode Island [Mr. GREEN] to the committee amendment on page 54, line 16.

Mr. RUSSELL. Mr. President, I insist that the first name on the roll, that of the Senator from Vermont [Mr. AIKEN] had been called, and the Senator from Vermont had answered to his name when it was called. The point of order is entirely too late.

The PRESIDENT pro tempore. Will the Senator suspend while the Chair asks the Senator from Vermont if he answered the call?

Mr. AIKEN. Mr. President, I answered to my name.

Mr. RUSSELL. I heard the Senator from Vermont answer.

The PRESIDENT pro tempore. The point of order is too late. The Chair did not hear the Senator from Vermont respond. The clerk will call the roll.

The legislative clerk resumed and concluded the calling of the roll, and the following Senators answered to their names:

Aiken	Hatch	Morse
Baldwin	Hawkes	Murray
Ball	Hayden	O'Conor
Barkley	Hickenlooper	O'Daniel
Brewster	Hill	O'Mahoney
Bricker	Hoey	Overton
Bridges	Holland	Pepper
Brooks	Ives	Reed
Buck	Jenner	Revercomb
Bushfield	Johnson, Colo.	Robertson, Va.
Butler	Johnston, S. C.	Robertson, Wyo.
Byrd	Kem	Russell
Cain	Kilgore	Saltonstall
Capehart	Knowland	Smith
Capper	Langer	Sparkman
Chavez	Lodge	Stewart
Connally	Lucas	Taft
Cooper	McCarran	Taylor
Cordon	McCarthy	Thomas, Okla.
Donnell	McClellan	Thye
Downey	McFarland	Tydings
Dworshak	McGrath	Umstead
Eastland	McKellar	Vandenberg
Ecton	McMahon	Watkins
Ellender	Magnuson	Wherry
Ferguson	Malone	White
Fulbright	Martin	Wiley
George	Maybank	Williams
Green	Millikin	Wilson
Gurney	Moore	Young

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

The question is on agreeing to the amendment submitted by the Senator from Rhode Island [Mr. GREEN].

Mr. HOLLAND. Mr. President, during the quorum call, I talked to the distinguished chairman of the subcommittee [Mr. REED] and the distinguished Senator from New Hampshire [Mr. BRIDGES], the chairman of the committee, and, as I understand, they are willing to agree to the increase proposed in this appropriation, $13,917,220, in order to restore it to the Budget figure, provided the Senator from Rhode Island [Mr. GREEN] is willing to modify his amendment to that amount. I should like to ask the Senator from Rhode Island if he is willing to modify his amendment to conform to that situation.

Mr. GREEN. Mr. President, in view of the fact that it is perfectly obvious that I cannot get the amount stated in the amendment, I accept the proposal, and amend my own amendment by asking that $13,972,220 be made the substituted figure.

The PRESIDENT pro tempore. The Senator from Rhode Island modifies his amendment as indicated.

The question is on agreeing to the amendment, as modified, to the committee amendment on page 54, line 16.

The amendment, as modified, to the amendment was agreed to.

The amendment as amended was agreed to.

The PRESIDENT pro tempore. The clerk will state the next amendment.

The next amendment was, on page 59, line 18, after "Total, Veterans' Administration", to strike out "$6,944,457,080" and insert "$6,971,532,080."

The amendment was agreed to.

The PRESIDENT pro tempore. The Chair suggests that the total be corrected pursuant to the last amendment. Without objection, the clerk will be authorized to make the necessary corrections.

Are there any further committee amendments?

Mr. REED. Mr. President, I offer the amendment which I send to the desk and ask to have stated.

The PRESIDENT pro tempore. The amendment offered by the Senator from Kansas will be stated.

The CHIEF CLERK. It is proposed to insert on page 31, line 16, following the period, the following:

> Any funds heretofore apportioned to any State and unobligated may be used to pay the States pro rata for any projects on the Federal-aid and Federal secondary roads, approved under the provisions of section 3 of the act of June 18, 1934 (48 Stat. 993), section 4, act of June 8, 1938 (52 Stat. 633), and section 7 of act of July 13, 1943 (57 Stat. 560).

Mr. REED. Mr. President, it is common knowledge that some very disastrous storms and floods have occurred in the central West and a great deal of damage has been done to the highway systems, both main roads and secondary roads. In 1938, or perhaps a year or two before that, Congress recognized those conditions, and an appropriation of $8,000,000 was made. In 1943 there was an appropriation of $10,000,000. Out of those two appropriations there is still unallocated $10,000,000 or $11,000,000. This amendment would permit the use of those unallocated emergency funds appropriated in 1938 and, I think, in 1943, to meet the present emergency in the Middle West.

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

Mr. REED. I yield.

Mr. CHAVEZ. Does the Senator from Kansas mean that if the individual States do not use the money needed for the purpose for which it was appropriated, this amendment would permit a State to have the money spent within that State to meet its emergency?

Mr. REED. There was some money appropriated for emergency service and it was not used. Under this amendment

they may use it to match the funds available in the ordinary course——

Mr. CHAVEZ. The point I am trying to make is this: Will the money be spent within the State for which the money was allocated?

Mr. REED. Mr. President, I conferred with Mr. McDonald this morning, and, may I say, he wrote this amendment and said it was, in his opinion, a reasonable and proper one and that it would permit the States to use the money that had been previously appropriated and not spent.

Mr. CHAVEZ. If an emergency should occur, may that money be used for the emergency within the State in which it occurs, or may it be allocated to other States?

Mr. REED. Let me read Mr. MacDonald's letter. It was written yesterday. I asked him to give me a brief summary of the Federal funds appropriated and not used. The letter reads, in part, as follows:

Following is a brief summary of Federal funds authorized as emergency relief to rebuild roads and bridges damaged by extraordinary floods:

1. Public 392 (70th Cong.) approved May 16, 1928, provided a total of $5,197,294 for the States of Vermont, New Hampshire, Kentucky, to provide for the restoration of roads and bridges damaged in the floods of 1927.

Up to 1934 five additional special acts were passed. These 6 measures provided a total of $11,903,229 for relief in 11 States. The details are shown on attached sheet No. 1.

2. The method of providing flood damage relief by special acts was not adapted to emergency relief because of the unavoidable delays.

The Hayden-Cartwright Highway Act, Public 393 (73d Cong.), approved June 18, 1934, section 3, authorized an appropriation of $10,000,000 to be used as an emergency relief fund to repair damages caused by floods, upon application by the State highway departments. In the intervening 13 years a total of $9,192,456 has been allotted to 17 States.

His letter continues.

Mr. President, I think allocations or allotments have been made to the States; and this amendment, if adopted, will enable them to spend it.

Mr. CHAVEZ. Mr. President, the Senator has stated that possibly $9,000,000 is available as allocations to the different States, but has not yet been spent by the States. I should like to ask a question. If $1,000,000 has been allocated to the State of New Mexico, but has not been spent, under this amendment will it be possible for that money to be used in another State?

Mr. REED. No; it must be kept within the State to which it has been allocated. That is my understanding.

Mr. President, now I can state the amounts for the various States. Under the war emergency relief funds authorized by section 7 of the act of July 13, 1943, as of May 31 of this year there was an unobligated balance of $2,634 in Arkansas, $5,124 in Idaho, $85,000 in Iowa, $38,218 in Kansas, $313,362 in Oklahoma, and $487,481 in South Dakota, and also certain amounts for Kentucky, Louisiana, Minnesota, Mississippi, Nebraska, North Dakota, Texas, and Wisconsin, making a total of $1,364,624.

In some cases, funds have been approved, but the projects are not under construction. They aggregate $6,191,169.

These figures are taken from the tables which Mr. MacDonald sent me this morning. He said that of the $10,000,000, $250,000 is reserved for administration, leaving a balance of $9,750,000 available for allocation. That is approximately the situation.

Mr. RUSSELL. Mr. President, of course the amendment is subject to a point of order because it is legislation on an appropriation bill. I do not desire to make the point of order if the amendment does not do violence to any States participating in this special fund.

Mr. REED. My answer is and if my understanding is not correct, I am willing to correct it between now and the time when the conference report is prepared—that the amendment will not do violence to the States which are in that situation. I am trying to reach this emergency in the West. The money is appropriated, but is not used. That is all we are trying to do.

Mr. RUSSELL. I understand the conditions in the West, and I am perfectly willing to vote appropriations so as to assist the States in repairing the damage which has been wrought by the floods. But voting new appropriations and making available funds previously allocated are entirely different matters.

Do I correctly understand that there will be no necessity for the States to match these funds?

Mr. REED. That is correct.

Mr. RUSSELL. It is entirely, 100 percent, a Federal project; is it?

Mr. REED. That is correct. That is what makes it an emergency.

Mr. RUSSELL. Yes.

Mr. President, this is a rather unusual amendment. I have no idea what the effects will be. But upon the assurance of the Senator from Kansas that in the conference he will recede from the Senate's position on the amendment in the event that it is found to do violence to any State to which the funds have heretofore been apportioned, I withdraw any objection to the amendment.

Mr. REED. I agree to that, Mr. President.

The PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Kansas.

The amendment was agreed to.

The PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H. R. 3839) was read the third time and passed.

Mr. REED. 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 President pro tempore appointed Mr. REED, Mr. BRIDGES, Mr. BROOKS, Mr. CORDON, Mr. GREEN, Mr. RUSSELL, and Mr. MCKELLAR conferees on the part of the Senate.

SUBSISTENCE ALLOWANCE TO VETERANS PURSUING CERTAIN COURSES OF STUDY

Mr. MORSE, Mr. REVERCOMB and other Senators addressed the Chair.

The PRESIDENT pro tempore. The Senator from Michigan.

Mr. MORSE. Mr. President, I wish to be recognized.

The PRESIDENT pro tempore. The Senator from Oregon.

Mr. MORSE. Mr. President, I move that the Senate proceed to the immediate consideration of Senate bill 1394, calendar No. 430.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Oregon.

Mr. WHITE. Mr. President, may we be advised what bill that is?

Mr. MORSE. This is a bill which has been reported by the Committee on Labor and Public Welfare. It deals with the subsistence allowance of veterans attending college. The bill, in coming from the Committee on Labor and Public Welfare, a committee of 13 members, comes with only 2 votes against it.

The bill seeks to increase the subsistence allowance for veterans in school from $65 for single veterans to $75; for married veterans without dependents, from $90 to $105; and for veterans with one or more dependents, to $120.

I say to the majority leader that this bill on its face is meritorious. As the record clearly shows—a record which was built up over a series of days of public hearings—it is a bill, I say to the majority leader, which should be passed before the Congress adjourns, and certainly it should be passed very quickly by the Senate and sent on its way to the House of Representatives.

Mr. WHITE. Mr. President, I hope the motion will not be urged at this time. If it is urged, I hope it will not prevail. During the afternoon we have been trying to map out a schedule for the next day or two, and one has been tentatively agreed upon by the majority side.

I hope the Senate will await the disposition of at least some of these matters before this bill is pressed upon our attention.

Mr. MORSE. Mr. President, I simply do not know of any bill that is any more important than this bill is, if what we are interested in is doing justice to the veterans. This bill is most deserving. It can be acted upon very quickly if we wish to act on it on its merits.

I shall press for a vote on the motion, and I shall ask for the yeas and nays.

Mr. TAFT. Mr. President, this bill is one of 10 bills which the Republican policy committee announced to the press would be brought up for consideration by the Senate. However, the time at which those bills must be brought up must be determined by the necessities of the case, it seems to me; and the first necessity of the case is that we must finish action on the appropriation bills. Employees are waiting for their pay, and it seems to me the first purpose of this body must be to complete all action on the appropriation bills. There is now ready for consideration, and we intend

to bring it up next, the Government corporations appropriation bill.

The Senator from Oregon may be certain that we shall call up the bill to which he has referred just as soon as the other measures which must necessarily precede it are acted upon. If every Senator is going to insist that a particular bill in which he is interested shall be considered first, after we have promised him, if you please, and have announced that we are going to take it up, there can be no order in the procedure in the Senate. It seems to me that first we must necessarily finish action on the appropriation bills.

Therefore I respectfully request that at this time the Senator from Oregon withdraw his motion. I can assure him that his bill will be taken up in due order, with the other bills which we have definitely announced must be disposed of by the Senate before an adjournment is taken.

I wish to make it clear that the policy committee has put this bill on the list, and it will be considered. But I think we must first dispose of the appropriation bills.

Mr. BARKLEY. Mr. President, if the Senator will yield to me, let me ask whether this bill has been acted upon by the House of Representatives.

Mr. MORSE. No; it has not.

Mr. BARKLEY. So if it were passed by the Senate, it would have to go to the House of Representatives and be acted on by it, before adjournment, in order to be sent to the President, be signed by him, and become effective; is that correct?

Mr. MORSE. That is correct.

Mr. TAFT. Mr. President, we have some bills of great importance—for instance, the sugar bill, determining the policy with regard to the sugar industry. We have announced the list of bills which we shall act upon, and we must take Senate bills before House bills, so far as that is concerned.

But on the question of priority, I think we must first proceed with the appropriation bills in the order which I believe the Senator from Maine previously announced.

Mr. BARKLEY. Mr. President, I appreciate the importance of the appropriation bills; and of course we do not act on them until they come to us from the House of Representatives.

It is true that the bill which is the subject of discussion was placed on what may be called the agenda on which the majority party Policy Committee has placed a group of bills which it believes should be acted upon by the Senate before an adjournment is taken. But I should like to ask the Senator from Ohio whether the inclusion of these bills or this particular bill or any measure similar to this bill on the agenda for the Senate carries with it the understanding that such bills are to be acted upon by the House of Representatives.

Mr. TAFT. No; there is no such understanding. The announcement about the 10 bills was made as the decision of the Senate Republican Policy Committee as to the order in which they would be considered, without any commitment by the House in regard to them. I think there are one or two of them as to which the House has definitely committed itself—but not all.

Mr. BARKLEY. I had understood that the leaders in both Houses would agree upon a program of legislation which might be completed in both Houses before the adjournment. That is the impression I received. Perhaps I received the wrong one.

Mr. MORSE. Mr. President, I fully appreciate the position taken by the Senator from Ohio. I wish I might accommodate him in this particular, but I am perfectly aware of the partliamentary position of my motion. I am also aware of the fact that debate on appropriation bills can go on, and the time may become so short at the end of the session that there will be no chance of getting this bill of mine acted upon by the House before the Congress adjourns.

This bill is of vital importance to the veterans. I have worked hard on the bill. My subcommittee worked hard on the bill. We have built up a splendid record in support of it. It is a bill which should not require extended debate, if the Senate wants to do justice to the veterans who are attending school. I think the case in support of the bill is overwhelmingly in its favor. I am not going to sacrifice the interest of these veterans because of a request made of me to postpone the consideration of the bill at this time. I know of no better time to do justice to our veterans than now.

Therefore, Mr. President, I call for a yea-and-nay vote on my motion.

The PRESIDENT pro tempore. The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE], who requests the yeas and nays.

The yeas and nays were ordered.

Mr. TAFT. Mr. President, the list of measures which was given to the press includes the following:

H. R. 3961, to increase payments to Spanish War veterans.

Senate Joint Resolution 144, to approve the United Nations site agreements.

S. 1584, to establish a 5-year sugar program.

H. R. 3818, to freeze the social security tax.

Senate Joint Resolution 130, to establish a code for safety in mines.

H. R. 3309, to amend the Organic Act of Puerto Rico, and to establish a government for Puerto Rico.

S. 1391, a bill to authorize the purchase of automobiles for disabled veterans, which is one of the bills of the Senator from Oregon.

S. 1394, to increase subsistence allowances to veterans undertaking educational courses, the bill to which the Senator from Oregon now refers.

House Concurrent Resolution 51, Reorganization Plan No. 3, which has a definite date line on it, which must be determined.

Mr. President, it seems to me that we have the right to ask the Senate, in the interest of orderly procedure, that these measures be brought up in the proper order, and we respectfully request that the motion of the Senator from Oregon be voted down at this time. He may be sure that the bill will be brought up.

OPERATIONS OF GOVERNMENT AGENCIES IN THE COMMODITY MARKETS

Mr. WILLIAMS. Mr. President, I wish to make a few remarks to the Senate at this time in regard to the operations of Government agencies in the commodity markets.

Earlier in the year, when wheat prices were at an all-time high, and certain Government officials were attributing the reason to speculation, thereby seeking to discredit the grain operators, I answered them by saying that the Government itself should assume full responsibility for the erratic markets at that time. At the same time I called to the attention of the Senate the fact that there existed a "technical corner" in the wheat market and instead of the private grain operators being responsible for this corner, the Government itself through the Commodity Credit Corporation was the principal violator.

I also had published in the RECORD a statement issued by the National Association of Commodity Exchanges in which they said in connection with wheat "The market is faced with explosive possibilities due to the fact that the Government's export program has been stepped up to the point where it will require full realization of the bumper crop as indicated in their last crop report to prevent the creation of a supply condition that would be dangerous in this country—crops are not made in March. Any failure of the crop from this point could lead to disaster." That statement was made in March in reference to wheat, and the warning went unheeded.

The crop failure which we feared might happen in wheat has now happened in corn. The grain market today under the present irresponsible buying practices of the Federal Government has explosive possibilities. The same conditions that existed a few months ago when high wheat prices were caused by the Government scraping the bin for foreign economic operations are being repeated today in the buying and exporting program for corn. The situation has been aggravated further by the unwillingness of Government officials to tell the people frankly that the high prices are directly attributable to our tremendous exports. On the contrary, they have been telling our people that the high prices of today are the direct result of the abandonment of the OPA. The opponents of our free competitive economy have taken advantage of this situation as offering an ideal opportunity to sell once more to the American people their New Deal plan of a controlled economy.

I made the charge earlier this year, and I repeat it again today, that these irresponsible and haphazard buying practices of the Government are not so much the result of ignorance as they are a part of a preconceived plan of some high Government officials to impose upon this Nation a socialistic form of government. It is high time that we in America recognize the fact that this country of ours was created and developed into its greatness upon the capitalistic system of free enterprise—a system which not only recognized and respected the rights of individual citizens but also required citizens to assume the responsibilities placed upon them by a free-enterprise system.

In order to prove that today the Government through the Commodity Credit Corporation has been responsible for the erratic grain markets during the past year, I wish to submit at this time specific examples of some of their operations.

First, let us review the operations of the Commodity Credit Corporation in the wheat market during the past 12 months, a period in which this country produced a bumper crop of all grains. We will begin with July and August 1946, the normal harvest period for wheat and a time when you would naturally expect the Government or any other large buyer of wheat to be interested in covering not only their current requirements but also in accumulating a reasonable reserve for their future needs. During this 2-month period of July and August 1946, the Government exported 36,065,217 bushels of wheat, while at the same time it purchased only 29,211,908 bushels and took the remainder from their reserve inventory. This was the time when their purchasing would have proved beneficial to the small farmers of the Nation and also was the opportune time when any sensible businessman would have been accumulating a reserve inventory. However, these efficiency experts as usual were doing exactly the opposite.

Contrast this operation with what happened during the month of January 1947. During that month the Government purchased 38,593,541 bushels, although requirements were only 17,596,459 bushels. This is the month when transportation facilities were at their worst, and our Nation was faced with its most serious boxcar shortages. Wheat prices had advanced from their lows of the previous summer to the highest level in the history of the country.

I will now prove that these excessive wheat purchases during the month of January were wholly unwarranted. During the preceding 3-month period of October, November, and December, the combined purchases were 36,525,080 bushels, or about 10 percent less than the purchases in January. In the succeeding 3-month period, namely, February, March, and April, the total purchases were only 2,268,440 bushels. In other words, during the month of January the worst month in the year for accumulating wheat, the Government purchased 17 times as much wheat in that one 30-day period as it did in the succeeding 90-day period. Thus we have a situation where in the one month of January alone the Government purchased as much wheat as it did in the combined 5-month period around it, notwithstanding the fact that January was the month when transportation facilities were at their worst and wheat prices had advanced to the highest level in the history of the country.

I can think of only three possible reasons for this asinine policy. First, it could be just plain ignorance. Second, it could be that it was a deliberate attempt on the part of certain officials to manipulate the market. Third, it could be a deliberate attempt by the administration to discredit the present Congress for their action in ending Government controls, especially OPA, and their desire to set up a socialistic form of Government to replace our Government of free enterprise.

Suppose we now examine the operations of the Commodity Credit Corporation in the corn market. In the 6-month period between July and December of last year, when the Nation was harvesting the largest corn crop on record, we find that the total purchases by the Commodity Credit Corporation totaled 11,524,000 bushels, or an average of less than 2,000,000 bushels per month. This was during the harvest period and when corn was selling at the lowest prices since prewar years.

But in January, with grain prices soaring, when roads were bad, transportation facilities were crowded, and the boxcar shortage at its worst, these same expert buyers entered the market abruptly and purchased 21,780,500 bushels, against export requirements for that month of only 6,200,600 bushels. This was the same thing they did with wheat. The result was that grain prices skyrocketed, and many of our eastern poultry and dairy farmers were forced out of business or threatened with bankruptcy on account of the abnormally high feed prices.

Very few farmers benefited from these increased prices during the winter months, because most of them had previously sold during the harvest period and the others were unable to deliver their grain over the winter roads. The large operators reaped the benefits. Their operations in February show a repetition of what they did in January, buying 19,978,000 bushels against requirements of about half that amount. This should be sufficient proof of mismanagement or market manipulation by this Government agency, but if further evidence is needed of what manipulation of commodity markets will do to our economy, I call attention to the price of corn today. July corn this week sold at more than $2.25 per bushel, the highest price during the past 100 years. That is the Chicago price. Cash corn sold for 25 cents per bushel premium over the July contract. Such premiums mean an unbelievable distortion of values, bringing repercussions in all segments of the market. Government officials today are still completely ignoring the fact that the country is faced with the certainty of a short corn crop and a situation that could readily develop into a complete crop failure.

To further emphasize the seriousness of this situation, I call attention to how our carry-over of corn has dropped during the past 7 years. The carry-over was as follows: In 1940, 687,000,000 bushels; in 1941, 644,000,000 bushels; in 1942, 492,000,000 bushels; in 1943, 388,000,000 bushels; in 1944, 234,000,000 bushels; in 1945, 325,000,000 bushels. In 1946 it had declined to 172,000,000 bushels.

The visible supply of corn on June 15, 1946, was 19,935,000 bushels, compared with a visible supply on June 14, 1947, of only 11,260,000 bushels.

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

Mr. WILLIAMS. I yield.

Mr. BREWSTER. I should like to interpolate at that point similar figures regarding the potato program. I ask permission that these figures be inserted in the RECORD at this point.

The PRESIDENT pro tempore. Is there objection?

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

The following is a list of the facts and data on the subject of potatoes:

Crop estimate as of July 1, 1947

	Bushels
For the United States production of potatoes	351,674,000
For the State of Maine	52,080,000
1946 crop, United States	475,969,000
State of Maine	77,745,000
Crop average, United States for a 10-year period between 1936 and 1945	376,122,000
State of Maine	47,572,000

IMPORTED FROM CANADA

From Sept. 15, 1946, to May 30, 1947:	*Bushels*
Certified seed	2,220,000
Table stock	1,118,000

Under the price-support program there have been removed from the market potatoes in the following three categories:

No. 1. Unharvested.

No. 2. Field storage.

No. 3. Dumped.

All amounting to a total of 26,500,000 bushels, the total cost $24,500,000; of which the quantity of dumped potatoes amounted to 19,000,000 bushels, at a cost of $17,569,000.

Potatoes were shipped from the United States to foreign countries to the extent of 11,375,000 bushels, at a cost to the Government of about $12,000,000.

These were all late-potato States, and the bulk was furnished from the State of Maine. It is the greatest and most successful shipping of potatoes the world has ever seen.

These potatoes went to 18 foreign countries—Belgium, Germany, France, Spain, Portugal, Italy, Albania, Trinidad, Spanish Morocco, Yugoslavia, Martinique, Korea, China, the Philippines, Japan, Venezuela, Brazil, the Netherlands, and India.

These potatoes were shipped under the support-price program.

Mr. BREWSTER. Mr. President, I call attention simply to the compilation of the figures, which shows that some 26,500,000 bushels of potatoes were dumped during the past year, purchased at a cost of $24,500,000. From September 15, 1946, to May 30, 1947, there were imported from Canada more than 3,000,000 bushels of potatoes, apparently only to replace those that had been dumped. This is another illustration of the vagaries of the Government with regard to marketing.

Mr. FERGUSON. Mr. President, will the Senator from Delaware yield, that I may propound a question to the Senator from Maine?

Mr. WILLIAMS. I yield for that purpose.

Mr. FERGUSON. Will the Senator advise the Senate what department determines the amount of potatoes to be dumped, and, when the potatoes have been dumped, the number of potatoes that must be imported to take the place of the potatoes dumped?

Mr. BREWSTER. The Department of Agriculture determines what potatoes shall be dumped.

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

Mr. WILLIAMS. I should prefer, Mr. President, not to yield further.

What is true in reference to wheat and corn is equally true of other cereals, especially in the case of barley, where we find that in the 11-month period of July 1946 to May 1947, inclusive, the Commodity Credit Corporation purchased a total of 21,585,052 bushels against exports of only 7,749,012 or in this case they have overbought their requirements 250 percent. I may say that if the export program continues for the next few months as it has been for the past 11 months, they have enough barley on hand to continue the program for over 2 years.

Mr. President, for the further information of the Senate, I ask unanimous consent to place in the RECORD at this point figures showing the purchases and shipments of grain and flour during the past 12 months by the Commodity Credit Corporation.

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). Is there objection?

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

Purchases of grain and flour by Commodity Credit Corporation,[1] July 1, 1946, through June 30, 1947

[Grain in bushels, flour in hundredweights]

Commodity	July	August	September	October	November	December	January	February	March	April	May	June	Total
Barley					2,215,000	620,335	1,836,666	1,062,498	5,826,250	5,994,970	4,029,333	50,000	21,635,052
Corn					2,835,000	8,689,000	21,780,500	19,978,000	6,270,000	13,276,046	5,123,000	745,000	78,696,546
Oats		665,000	2,425,000	14,500	1,315,000	14,000		62,500	1,600,000	725,000	258,000		7,079,000
Sorghum grain						680,000		1,345,000					2,025,000
Wheat	13,785,657	15,426,251	29,255,188	17,946,323	11,755,065	6,823,692	38,593,541	1,291,660	883,517	93,263	6,243,356	33,059,653	175,157,166
Total grain	13,785,657	16,091,251	31,680,188	17,960,823	18,120,065	16,827,027	62,210,707	23,739,658	14,579,767	20,089,279	15,653,689	33,854,653	284,592,764
Flour	4,238,419	967,849	1,471,381	2,254,590	1,691,329	1,260,722	4,992,819	2,838,292	1,533,590	5,730,801	3,466,860	4,123,900	34,570,552

[1] Based on time of entering into contract to purchase irrespective of delivery date of commodity.

Shipments of grain and flour to claimants by Commodity Credit Corporation,[1] July 1, 1946, through June 30, 1947

[Grain in bushels, flour in hundredweights]

Commodity and claimant	July	August	September	October	November	December	January	February	March	April	May	June	Total
Barley:													
United States, United Kingdom, Germany, and Italy						399,653	346,173				758,500	1,253,195	2,757,521
United States, Pacific						376,740	944,487	1,491,980	1,474,366	1,402,423	438,547	2,353,930	8,482,473
UNRRA, Poland									116,143				116,143
Total						776,393	1,290,660	1,491,980	1,590,509	1,402,423	1,197,047	3,607,125	11,356,137
Corn:													
Belgium								340,000	160,000				500,000
Netherlands								357,520					357,520
Portugal								606,000					606,000
Switzerland								358,280					358,280
United Kingdom								677,160				60,000	737,160
United States, Pacific							883,840	1,032,040	2,260,880	791,536	4,772,752	4,555,480	14,296,528
United States, United Kingdom, Germany, and Italy	448,120	406,200					4,263,800	2,353,840	5,392,320	2,377,436	4,479,828	3,825,840	23,547,384
India	356,520												356,520
UNRRA:													
Italy	336,400					634,000	680,960	4,429,960	1,399,560	2,214,129	760,953		10,455,962
Greece	178,120							357,520	698,800	1,099,502	365,535		2,699,477
Poland	157,240							326,000	150,600	722,500	725,257		2,081,597
Austria							372,000	691,440	674,480	754,968	341,683		2,834,571
French zone									1,086,560				1,086,560
Italy										2,548,895	1,376,508		3,925,403
Southern Rhodesia										333,500			333,500
United States, Austria										340,106	374,378	342,400	1,056,884
Egypt											385,651		385,651
Finland										361,740			361,740
France												2,546,080	2,546,080
Total	1,476,400	406,200				634,000	6,200,600	11,529,760	11,823,200	11,544,312	13,582,545	11,329,800	68,526,817
Oats:													
UNRRA:													
Austria			962,990										962,990
Italy			489,650										489,650
Poland			473,340										473,340
United States, United Kingdom, Germany, and Italy				546,910	979,020	2,165,870	581,000				528,800	1,523,550	6,325,150
United States, Pacific							62,510				62,560		125,070
Total			1,925,980	546,910	979,020	2,165,870	643,510				591,360	1,523,550	8,376,200
Sorghum grain:													
Army, Europe							664,000						664,000
United States, Pacific									680,000	672,000	324,000		1,676,000
Total							664,000		680,000	672,000	324,000		2,340,000
Wheat:													
Afghanistan					223,800								223,800
United States, United Kingdom, Germany and Italy [2]	2,698,282	2,818,31[illegible]	905,458	823,755	2,513,311	10,481,076	3,977,672	2,120,468	948,949	1,465,800	2,209,351	5,519,203	36,481,638
United States, Pacific	1,534,149	930,523	2,451,804	2,765,124	1,865,858	2,471,125	3,930,711	3,075,422	1,338,771	2,064,657	1,474,589	1,382,965	25,285,698
Belgium		636,636	317,050	304,219	523,431	1,209,303	798,630	679,904	665,768	1,371,067	345,000		6,851,008
Finland	320,332	313,208			316,826	320,519	328,725	685,872			346,000		2,631,482
France								994,903	1,013,217	1,310,978	674,000	1,005,110	4,998,208
French zone							317,721	950,665	339,691	349,067	329,887		2,287,031
India	2,232,741	2,536,325	3,247,040	1,429,672	2,797,463	1,324,747	985,503	1,048,690	1,612,442	1,042,291	328,333		18,585,247
Netherlands	2,140,498	1,327,395	996,171	570,429	601,612	1,696,218	673,004	1,006,802	695,608	710,341	444,333		10,862,411
Norway	584,491	860,511	171,580	573,488	315,073	621,679			37,300		294,054		3,710,473

[1] Based on port liftings.

[2] Includes 2 or 3 cargoes shipped to United States Zone in Austria.

Shipments of grain and flour to claimants by Commodity Credit Corporation,[1] July 1, 1946, through June 30, 1947—Continued

[Grain in bushels, flour in hundredweights]

Commodity and claimant	July	August	September	October	November	December	January	February	March	April	May	June	Total
Wheat—Continued													
Portugal	313,021	320,780	297,729		317,050	155,504	178,965	337,714	745,105	585,000	365,866	130,623	3,927,357
Peru						324,361							324,361
Saudi Arabia		223,800											223,800
Switzerland	640,739		342,712		445,548		289,262	687,402	668,826	681,800			3,756,289
United Kingdom	4,715,988	3,869,278	3,255,507	1,123,886	1,102,886	468,600	1,608,413	2,288,206	1,561,863	2,448,238		984,691	23,427,556
Uruguay					972,821		337,901						1,310,722
UNRRA:													
Austria	634,324	318,728	302,727		635,629	656,144	968,494	993,224	1,515,797				6,025,067
China	303,547	954,358			640,814	316,118	331,522	310,444			348,891		3,215,694
Czechoslovakia	620,448	609,930				319,698				337,457	338,071		2,225,604
Greece	736,227		311,716		289,746	1,341,868	668,565	348,755	1,316,280	349,067	703,181		6,065,405
Italy	462,818	316,453		201,383		1,988,463	1,949,074	1,894,691	4,339,855	340,000			11,492,737
Poland	608,438	646,745	343,011						89,568	4,851	652,999		2,336,612
Hungary									93,250				93,250
Mexico	265,762	268,709	405,936	414,328									1,354,735
Eire	301,720									343,467			645,187
Brazil					1,022,169	353,679							1,375,848
Bolivia						316,155				326,690			642,845
Sweden						286,672		48,938					335,610
Italy										1,018,067	1,709,093		2,727,160
Poland										421,600	574,400		1,006,000
Hungary											322,000		322,000
United States of Austria											642,333	637,932	1,280,265
Total	19,113,525	16,951,692	13,348,441	8,206,284	14,584,037	24,651,929	17,596,459	17,482,100	16,973,290	15,180,438	12,102,381	9,840,524	186,031,100
Flour:													
Army	908,024	1,741,860	655,496	284,068	467,922	1,761,183	1,606,768	491,340	313,438	421,170	320,385	1,070,680	10,042,334
UNRRA	1,201,554	1,206,016	607,452	503,355	1,150,380	1,208,473	589,930	1,486,131	755,896	1,716,874	773,910	295,725	11,495,696
France and French zone	955,171	103,721	8,369										1,067,261
Belgium	157,839	148,987	6,523										313,349
Finland	18,350												18,350
Netherlands		144,148	42,237										186,385
United Kingdom Zone		189,576	206,725										396,301
Afghanistan			70,139	3,548		58,414							132,101
United States, United Kingdom, Germany									359,246	908,514	2,550,885	3,501,656	7,320,301
Navy									30,000	60,004			90,004
Greece												76,850	76,850
Total	3,240,938	3,534,308	1,596,941	790,971	1,618,302	3,028,070	2,196,698	1,977,471	1,458,580	3,106,562	3,645,180	4,944,911	31,138,932
Total all grains	20,589,925	17,357,892	15,274,421	8,753,194	15,563,057	28,228,192	26,395,229	30,503,840	31,066,999	28,999,173	27,797,333	26,300,999	276,630,254

[1] Based on port liftings.

Mr. WILLIAMS. Mr. President, I have just outlined to the Senate how the administration, operating through the Commodity Credit Corporation, has completely demoralized our grain markets during the past 12 months. This cannot all be laid to bad management. I do not think it is possible for any group of men to be so stupid. The law of averages would take care of some of these errors. I am convinced that it was a part of a deliberate attempt on the part of the administration to sell the need of price controls and rationing back to the American people and to destroy our system of private enterprise.

I am now going to present to the Senate a record of the operations of another Government agency to prove that this was a part of a preconceived plan to retain controls and that these abnormal purchases were conducted at a time most likely to influence congressional legislation.

For instance, in examining the purchases by the Quartermaster Corps for the armed forces, I find that during the 6-month period, January to June, inclusive, 1946, they purchased 29,681,000 pounds of poultry. Their requirements for the same period were listed at about 30,000,000 pounds. In other words, during the last 6 months before price control was removed, the purchases of poultry were running just about even with their requirements, but on June 30 price controls on poultry were abandoned and many prominent Government officials began warning the people that the price of poultry would reach fantastic heights. After it was decontrolled, I find that this Government agency, to make the story come true, purchased between July and December, inclusive, 80,110,000 pounds of poultry, against estimated requirements for the same period of only 30,000,000 pounds, or 2½ times as much as was needed. These excessive purchases were conducted at a time when poultry was selling at the highest level on record and the consumers were unable to obtain a chicken at any price. Yet we have a situation where one Government official was pitying the poor consumer and reproaching the Republican Party for wrecking the OPA while another Government official was hoarding the poultry to make his predictions come true.

Price controls on other meats were continued beyond June 30, 1946, and were later decontrolled by Executive Order the latter part of October, and at the same time that they were decontrolled, the administration charged the farmers of America with holding the meat on the farms and with tears in their eyes extending their pity again to the poor consumers. But at the same time I find that the same Government agency was deliberately cornering all the available supplies of meat to make sure once again that its predictions of higher prices would come true. To prove this statement I quote the following figures:

The estimated requirements of the Army on pork are listed at approximately 14,000,000 pounds per quarter. In the 6 months' period prior to the Presidential proclamation canceling these controls; namely, May to October 1946, I find that the agency purchased 33,705,000 pounds of pork against estimated requirements for the same period of approximately 29,000,000 pounds, just slightly more than its current requirements. But during the 3 month's period following recontrol, November, December, and January immediately following the Presidential warning of what would happen to meat, the same agency purchased 39,438,000 pounds of pork against requirements of only 14,500,000, two-and-a-half times as much as it needed.

Its purchases of sausage in the same 6-month period prior to the removal of price controls, May through October, 1946, totaled 12,108,000 pounds, or an average of about 2,000,000 pounds a month. In the 3 months' period, November, December, and January, following the removal of price controls, its purchases totaled 27,506,000, or a monthly average of over 13,000,000 pounds. In the 3-month period, November, December, and January, following the decontrol, its purchases totaled 120,326,000 pounds, or a monthly average of over 40,000,000 pounds, an increase in this instance of over 300 percent more than its requirements. In the 3 months following; namely, February, March, and April, its purchases totaled 66,500,000 pounds, which represented a considerable reduction but an amount which was still in excess of its stated requirements.

The requirements of veal as listed by the Quartermaster Corps is around 2,000,000 a month. Beginning with the year 1946, during the months of January, February, March, April, May, and June,

their purchases totaled 7,935,000 pounds, or slightly less than their recent current requirements. But during the last half of 1946, from July to December, inclusive, their purchases totaled 35,587,000 pounds, exceeding their requirements again over 300 percent.

I could go on indefinitely showing instances where the buying practices of these Government agencies have been conducted in such a manner as to disrupt any chance of having orderly markets for farm products, and the result has been that the markets have advanced from extremely high prices to exceptionally low levels. These high levels have been used as an opportunity for the administration to sell to the consumers the need of controls. When these buying sprees were suddenly and without warning halted, resulting in a demoralization of these markets, the same New Deal experts seized this opportunity as being the time to sell to the farmers of the Nation the need of price supports, subsidies, and Government controls over the production and distribution of farm products.

Mr. President, a careful study of the above tabulation of purchases will convince anyone with ordinary business judgment that the present administration is disregarding, and will continue to disregard, all sound business practices and in lieu thereof will be guided by that New Deal golden rule, namely, tax, spend, regulate, and control.

There can be no hope for the taxpayers of our own country so long as the present administration refuses a few dollars of relief in taxes to millions of our own citizens while at the same time it advocates sending billions of dollars for so-called relief to the citizens of other countries who are unable or unwilling, in many instances, to try to produce the necessities of life because of their system of controls, fixed prices, and fixed money values which have destroyed all confidence in their government.

Mr. President, I wonder how long the American ship of state can withstand the storms and sail on an uncharted sea toward an unknown destination without being destroyed by the storms or arriving at the port of socialism?

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

Mr. WILLIAMS. I yield.

Mr. YOUNG. I wonder what the Senator has reference to by requirements of the Commodity Credit Corporation for any 6 months. How does the Senator arrive at his figures of requirements?

Mr. WILLIAMS. I assume that their requirements would be the amount of grain which they proposed to export during the period, and the amount which they did export during the period. I inserted a chart in the RECORD, and the figures I used for requirements are included in the chart, and also the exports during that period.

Mr. YOUNG. As I remember, during the course of his remarks the able Senator from Delaware stated that January and February a year ago were the heaviest purchasing months by the Commodity Credit Corporation. Is that correct?

Mr. WILLIAMS. I cannot recall just what statement the Senator is speaking of.

Mr. YOUNG. Did not the Senator state during the course of his remarks, that during last January and February the Commodity Credit Corporation purchased far above its needs?

Mr. WILLIAMS. During the month of January 1947 the Commodity Credit Corporation purchased 38,593,541 bushels of wheat.

Mr. YOUNG. And its requirements, according to the Senator's figures, were how much?

Mr. WILLIAMS. The Corporation exported during that same period 17,596,459 bushels.

Mr. YOUNG. That is where I think the Senator is away off in his figures. January and February of 1947 were the months of highest requirements of foreign nations. Those are the months when the orders came in. The Senator knows that after the wheat is purchased in Minneapolis it probably takes 3 or 4 weeks before it gets to the seaport for export. So basing the requirements on the amount exported during those months greatly distorts the figures. I could criticize the Commodity Credit Corporation for not going into the market a year ago, or last fall rather, and purchasing early when the market was down, but of course it did not have the orders, and probably did not have the authority to purchase. They could have stabilized the market; but the fact remains that those were the months of highest requirements of any in Europe, and they had to purchase the wheat then. It took a month or more to get the wheat to the seaboard for shipment.

Mr. WILLIAMS. I will say to the Senator from North Dakota that that same explanation was offered to me by one of the officials of the Commodity Credit Corporation when I asked the question. I was told that the reason why they purchased so much wheat in January was their anticipation of the large requirements of Europe for wheat under the present program; but I should like to remind the Senator from North Dakota, as I did the gentleman who called on me, that it was some time in February when the President of the United States appeared before a joint session of Congress and told us and all the citizens of the country, that an unexpected emergency had arisen because of which we were going to have to launch a relief program in Greece and Turkey. The Senator is trying to explain to me that the buyers of the Commodity Credit Corporation anticipated the unexpected emergency, about which the President of the United States knew nothing until some time in February.

Mr. YOUNG. Of course the Commodity Credit Corporation cannot operate the other arms of the Government. It cannot tell the Army when it should buy, and it cannot tell the President when to inaugurate a program.

Let me make one further observation. I agree with the Senator that the OPA officials were wild-eyed and radical, and would possibly even change our system of government. But knowing something about the officials of the Department of Agriculture, and particularly those operating the Commodity Credit Corporation, I should say that they are average American citizens. They are not anxious to take over the Government. For example, Ed Dodd is probably one of the soundest men in the entire Government.

Mr. WILLIAMS. I call the attention of the Senator from North Dakota to this comparison: The purchases of wheat in January, the month prior to the period in which any Member of the Senate knew anything about the unexpected emergency, and apparently prior to the time when the President of the United States knew anything about the unexpected emergency, were 17 times as much as was bought in the succeeding 3 months, after we had been launched into the so-called Truman program.

Mr. YOUNG. Thereafter the market rose considerably.

Mr. WILLIAMS. They purchased six times as much wheat in January as they did in December. They did the same thing with respect to corn, as I pointed out, and with respect to poultry. I know that during the latter half of last year poultry was selling at the highest price in the history of the country. They purchased enough poultry in 3 months to last for a full year. They will have to dump it or give it away. It will not keep in storage.

Mr. YOUNG. I should say that it was sound judgment to purchase more in December, because the market was higher in January, and in February it was higher that it had been in January.

Mr. WILLIAMS. Speaking of good, sound judgment, I call attention to the further fact that the Commodity Credit Corporation, in its purchases of meat for UNRRA during the 12-month period preceding January, turned over for export approximately 172,000,000 pounds. I forget the exact figures. Almost 99 percent of that was purchased prior to June 30 last year. During the past 12 months they have purchased only 1,700,000 pounds.

Mr. YOUNG. The Senator is now speaking of UNRRA.

Mr. WILLIAMS. I am speaking of meat which was purchased by the Commodity Credit Corporation for UNRRA.

Mr. YOUNG. On orders by UNRRA, over which they had no control.

Mr. WILLIAMS. I cannot prove this statement, but I have been told that the bulk of the 170,000,000 pounds was purchased during the period when the Congress was debating the extension of price controls in May and June 1946. At least I know that some time prior to June 30, when Congress was debating price controls, which expired last year, this agency, the Commodity Credit Corporation, entered the meat market and purchased nearly 99 percent of a full year's requirements. Why did they do it?

Mr. YOUNG. For whom were they purchasing?

Mr. WILLIAMS. I do not know.

Mr. YOUNG. If the President of the United States, through UNRRA or other

agencies, demanded that they purchase, they had to do it.

Mr. WILLIAMS. Then perhaps it is the fault of the President. I am merely telling the facts.

Mr. YOUNG. I am not defending UNRRA, or any other agency, but I believe that we have a good Department of Agriculture.

Mr. WILLIAMS. I am simply saying that so long as the Department of Agriculture will enter the market and say, "Here I come with a big order," we shall continue to have demoralized markets.

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

Mr. WILLIAMS. I yield to the Senator from Nebraska.

Mr. BUTLER. A remark was just made about the good, sound judgment which was used by the men who are handling the program for the purchase of grain. I wish to ask a question of the Senator from Delaware. Does the Senator from Delaware believe that a man uses good, sound judgment better when he is spending his own money, or when he is playing with the unlimited means of the United States Treasury?

Mr. WILLIAMS. I think the question answers itself.

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

Mr. WILLIAMS. I promised to yield to the Senator from Maine [Mr. BREWSTER].

Mr. BREWSTER. Mr. President, I did not wish to obtain the floor until the Senator was through. Has the Senator concluded his remarks?

Mr. WILLIAMS. I have concluded, Mr. President.

Mr. MAGNUSON. Mr. President, I have an important engagement which I must attend, and I must leave the Senate at this time, and I wish to announce that should there be a vote on the so-called Morse bill, if I were present I would vote "yea."

MESSAGE FROM THE HOUSE—ENROLLED BILLS SIGNED

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the President pro tempore:

H. R. 3493. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes; and

H. R. 3993. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes.

Mr. BREWSTER. Mr. President, I move that the Senate adjourn.

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

The PRESIDING OFFICER (Mr. KNOWLAND in the chair). The Clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Butler	Ferguson
Baldwin	Cain	Fulbright
Ball	Capehart	Gurney
Barkley	Connally	Hatch
Brewster	Cooper	Hawkes
Bricker	Donnell	Hickenlooper
Bridges	Dworshak	Hill
Brooks	Ecton	Hoey
Holland	Maybank	Sparkman
Jenner	Millikin	Stewart
Johnston, S. C.	Moore	Taft
Kem	Morse	Taylor
Kilgore	Murray	Thye
Knowland	O'Mahoney	Umstead
Langer	Overton	Vandenberg
Lodge	Pepper	Wherry
McCarran	Reed	White
McCarthy	Revercomb	Wiley
McClellan	Robertson, Va.	Williams
McFarland	Russell	Young
McGrath	Saltonstall	
McMahon	Smith	

The PRESIDING OFFICER. Sixty-four Senators having answered to their names, a quorum is present.

The question is on agreeing to the motion of the Senator from Maine [Mr. BREWSTER] that the Senate adjourn.

Mr. MORSE. Mr. President, I ask for the yeas and nays.

The yeas and nays were ordered, and the legislative clerk proceeded to call the roll.

Mr. REED (when his name was called). I have a general pair with the senior Senator from New York [Mr. WAGNER]. On this vote I transfer that pair to the Senator from Pennsylvania [Mr. MARTIN] and will vote. I vote "yea."

The roll call was concluded.

Mr. WHERRY. I announce that the Senator from Pennsylvania [Mr. MARTIN], who is necessarily absent, is paired with the Senator from New York [Mr. WAGNER]

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

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

The Senator from Delaware [Mr. BUCK], the Senator from South Dakota [Mr. BUSHFIELD], the Senator from Wyoming [Mr. ROBERTSON], and the Senator from Iowa [Mr. WILSON] are detained on official business.

The Senator from Kansas [Mr. CAPPER], the Senator from Oregon [Mr. CORDON], the Senator from Nevada [Mr. MALONE], and the Senator from Utah [Mr. WATKINS] are unavoidably detained.

Mr. BARKLEY. I announce that the Senator from Virginia [Mr. BYRD], the Senator from California [Mr. DOWNEY], and the Senator from Louisiana [Mr. ELLENDER] are absent on official business.

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Mississippi [Mr. EASTLAND], the Senator from Georgia [Mr. GEORGE], the Senator from Rhode Island [Mr. GREEN], the Senator from Arizona [Mr. HAYDEN], the Senator from Colorado [Mr. JOHNSON], the Senator from Washington [Mr. MAGNUSON], the Senator from Tennessee [Mr. MCKELLAR], the Senators from Maryland [Mr. O'CONOR and Mr. TYDINGS], the Senator from Texas [Mr. O'DANIEL], and the Senator from Oklahoma [Mr. THOMAS] are necessarily absent.

The Senator from Illinois [Mr. LUCAS], and the Senator from Pennsylvania [Mr. MYERS] are absent on public business.

The Senator from Utah [Mr. THOMAS] is absent by leave of the Senate.

The Senator from New York [Mr. WAGNER], who is necessarily absent, has a general pair with the Senator from Kansas [Mr. REED]. The transfer of that pair to the Senator from Pennsylvania [Mr. MARTIN] has been previously announced by the Senator from Kansas.

The result was announced—yeas 35, nays 29, as follows:

YEAS—35

Baldwin	Ferguson	Revercomb
Ball	Gurney	Saltonstall
Brewster	Hawkes	Smith
Bricker	Hickenlooper	Taft
Bridges	Jenner	Thye
Brooks	Kem	Vandenberg
Butler	Knowland	Wherry
Cain	Lodge	White
Capehart	McCarthy	Wiley
Donnell	Millikin	Williams
Dworshak	Moore	Young
Ecton	Reed	

NAYS—29

Aiken	Kilgore	O'Mahoney
Barkley	Langer	Overton
Connally	McCarran	Pepper
Cooper	McClellan	Robertson, Va
Fulbright	McFarland	Russell
Hatch	McGrath	Sparkman
Hill	McMahon	Stewart
Hoey	Maybank	Taylor
Holland	Morse	Umstead
Johnston, S. C.	Murray	

NOT VOTING—31

Buck	Green	O'Daniel
Bushfield	Hayden	Robertson, Wyo.
Byrd	Ives	Thomas, Okla.
Capper	Johnson, Colo.	Thomas, Utah
Chavez	Lucas	Tobey
Cordon	McKellar	Tydings
Downey	Magnuson	Wagner
Eastland	Malone	Watkins
Ellender	Martin	Wilson
Flanders	Myers	
George	O'Conor	

So the motion was agreed to; and (at 6 o'clock and 51 minutes p. m.) the Senate adjourned until tomorrow, Wednesday, July 16, 1947, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES

TUESDAY, JULY 15, 1947

The House met at 10 o'clock a. m.

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

Infinite and eternal God, grant that we may sense the sanctity of all the tasks of each new day and respond more eagerly to the pulsations of the higher life and the leading of Thy spirit.

We pray that Thou wilt expand our minds and hearts that they may be large enough to comprehend the revelations of Thy truth and Thy love.

May we declare plainly and resolutely by our conduct in all the spheres of human relationships that we are seeking to build a social order in which the spirit of good will and brotherhood shall be regnant in the soul of man.

In Christ's name we offer our prayers and petitions. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Frazier, its legislative clerk, announced that the Senate had passed without amendment a bill and joint resolution of the House of the following titles:

H. R. 3950. An act to reduce individual income-tax payments; and

H. J. Res. 233. Joint resolution authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 3601. An act making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1948, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill, requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BROOKS, Mr. GURNEY, Mr. REED, Mr. BUSHFIELD, Mr. RUSSELL, Mr. HAYDEN, and Mr. TYDINGS to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 1419. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

The message also announced that the Senate had adopted the following resolution:

Senate Resolution 151

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Hon. JOSEPH J. MANSFIELD, late a Representative from the State of Texas.

Resolved, That a committee of two Senators be appointed by the President pro tempore to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit a copy thereof to the family of the deceased.

Resolved, That as a further mark of respect to the memory of the deceased the Senate do now take a recess until 12 o'clock meridian tomorrow.

EXTENSION OF REMARKS

Mr. SMITH of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include an editorial.

Mr. DAVIS of Wisconsin asked and was given permission to extend his remarks in the Appendix of the RECORD and include a speech made last Sunday.

Mr. PHILLIPS of Tennessee asked and was given permission to extend his remarks in the Appendix of the RECORD and include a newspaper article.

Mr. KUNKEL asked and was given permission to extend his remarks in the Appendix of the RECORD and include an analysis of the Rent and Housing Act of 1948.

ANSWERING THE PRESIDENT ON THE RENT AND HOUSING ACT

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KUNKEL. Mr. Speaker, the fallacies and misrepresentations contained in President Truman's message accompanying his signature of the Rent and Housing Act have caused a great deal of difficulty, misunderstanding, and damage to both the tenants and landlords throughout the country. I have placed in the RECORD a short statement answering the President on this subject and attempting, to the best of my ability, to correct the misapprehensions arising from this highly political and grossly inaccurate analysis. I would suggest that those of you who have had trouble in your districts on this matter read this statement in the Appendix of today's RECORD.

SPECIAL ORDER GRANTED

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that I may address the House for 30 minutes on Friday next following the legislative program of the day and any special orders heretofore entered for that day.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

PERMISSION TO COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS TO SIT DURING SESSION TODAY

Mr. RICH. Mr. Speaker, I ask unanimous consent that the Committee on Expenditures in the Executive Departments may have permission to sit during the session of the House today until 1 o'clock.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

THE MARSHALL PLAN

Mr. MERROW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. MERROW. Mr. Speaker, as I have previously stated on this floor, I am in full accord with the Marshall plan and am ready to vote the funds necessary to put it into effect. The Paris Economic Conference, which is now in progress, should have its reports and recommendations completed by early fall. In view of this and in view of the urgency of the world situation so well depicted by General Marshall in his speech before the Governors' Conference in Salt Lake City last night, I believe the Congress should meet in special session next October to consider the Marshall plan and to deal with questions of foreign policy exclusively.

Since this House is the branch of the Congress closer to the people—because it is elected every 2 years—since the Marshall plan cannot be adopted unless and until this House agrees to approve it, and since legislation to effectuate and implement the plan must come before the Foreign Affairs Committee of the House, I suggest that the Foreign Affairs Committee of the House be brought at once into the same relationship with the State Department and the Secretary of State as the Foreign Relations Committee of the other branch of the Congress.

Since in the United States the people must support any foreign policy if it is to be effective, and since in order to bring this about there must be a thorough dissemination of full and adequate information, I believe that secrecy in the consideration of foreign affairs should end, that the State Department should place all the facts before the people, and that conferences with congressional committees ought to be made public.

I have confidence in the people. They will make correct decisions if the Department of State will furnish them with the information freely, frankly, and without fear or hesitancy.

EXTENSION OF REMARKS

Mr. ELLIS asked and was given permission to extend his remarks in the RECORD in two instances—in each to include an editorial.

Mr. STIGLER asked and was given permission to extend his remarks in the RECORD and include an article on Will Rogers.

Mr. JARMAN asked and was given permission to extend his remarks in the RECORD in two instances and include newspaper excerpts.

PERMISSION TO ADDRESS THE HOUSE

Mr. RANKIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

[Mr. RANKIN addressed the House. His remarks appear in the Appendix.]

THE MARSHALL PLAN

Mr. RAMEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. RAMEY. Mr. Speaker, I take this opportunity to address the House for 1 minute in order to ask the gentleman from New Hampshire [Mr. MERROW], a question. He has stated that he is definitely for the Marshall plan. I take it for granted that he means he is for the purported Marshall plan, is that right?

Mr. MERROW. I will answer the gentleman by saying the Marshall plan, as I understand it, contemplates a survey of the economic resources and the economic needs of Europe. After that survey is made, then a plan setting forth what Europe needs will be drawn up and presented to the Congress of the United States. Before the plan can become effective the Congress must act. I think the Congress should meet in special session and act this fall.

Mr. RAMEY. But as yet it is not officially before us.

CALIFORNIA WATER PROBLEMS

Mr. WELCH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WELCH. Mr. Speaker, I have this day filed House Resolution No. 244, with report, which was introduced by me. It is not my intention to ask consideration of the resolution until the second session of the Eightieth Congress at which time I am confident it will be fully understood and appreciated by all except those who are seemingly incapable of understanding and who deliberately misrepresent its real intent and purpose with reference to California's water problem.

Mr. Speaker, during the early months of this session of Congress, Gov. Earl Warren, of California, came to Washington on official business. In a conference with the California congressional delegation the Governor referred to an approaching water shortage in the southern part of the State which, he said, would be reached within 20 years due to the enormous increase in population, unless steps were taken to increase the present water supply. As a resident of San Francisco the Governor's alarming statement immediately brought to my mind the destruction of that great seaport city in 1906 due to an inadequate water supply. I was harbor master of the port at that time and witnessed five square miles of the very heart of the city being laid waste by fire.

Later, as a member of the legislative body of the city and county of San Francisco I took an active part in developing an adequate water supply which was made possible by what is known as the Raker Act, passed by this House, and which some of the older Members will recall having helped to enact into law after a long, uphill fight. The power interests fought that bill because it made possible the generation of hydroelectric power by the city of San Francisco. This greedy group totally disregarded the necessary expenditure of $150,000,000 by the taxpayers of that stricken city in its need to provide against another such catastrophe.

Mr. Speaker, with this background of experience, and after hearing Governor Warren, I felt it was my duty, as chairman of the House Committee on Public Lands, and also chairman of the California delegation in Congress, to again assist Los Angeles and southern California from the threat of another water famine. Los Angeles and southern California have for years past, and at the present time are experiencing an increase in population greater than any other section of the United States. Over 20 years ago Los Angeles had nearly reached the limit of her then water supply. In desperation water claims were filed nearly 500 miles north of the city and in close proximity to the San Francisco watershed in the Hetch-Hetchy Range of the Sierra Nevada Mountains. San Francisco did not view this act on the part of Los Angeles with alarm—not at all. We extended the hand of friendship to a great sister city of California which, even at that time, had passed San Francisco in population.

Before coming to Washington 21 years ago I attended a conference of high city officials of San Francisco. I volunteered at that meeting to do all within my power to assist Los Angeles in a long-to-be-remembered uphill fight for the use of Colorado River water. This fight was led in the Senate by the late Senator Hiram W. Johnson, of California, and in this House by Congressman Phil D. Swing, both of whom were among the ablest men to ever come out of the West to Congress. Mr. Speaker, I became so interested in the good fight that I left my home in San Francisco and went to Los Angeles where I joined Mr. E. F. Scattergood, advisory engineer of the Department of Water and Power of the City of Los Angeles, who was a valiant leader in that just fight. I accompanied Mr. Scattergood to the Colorado River and visited the present dam site, known then as Black Canyon—now the Hoover Dam. This was before ground breaking and indeed it was black. We went through the ugly canyon in a flat-bottomed motorboat, crossed the Mexican border twice on that trip and followed the course of the Colorado River for several miles into Mexico.

Among the first things I did when I came to Washington was to confer with President Coolidge. I told him my story as impressively as I knew how in order to insure his support for the Colorado River project. I also conferred with the then Secretary of Commerce, Hon. Herbert Hoover. Mr. Hoover favored the project. I left no stone unturned. I did all I could in behalf of the Johnson-Swing bill and its enactment into law.

Mr. Speaker, I recently introduced House Resolution 244 which provides for a long-range study by the Department of the Interior of Pacific coast water potentialities. This resolution originated with me in an earnest and sincere desire to again help southern California solve her serious water problems. If it can be done through a more equitable division of the waters of the Colorado River, well and good. I am for such a division. If, however, after a fair and just adjudication of the uses of the Colorado River water, and if southern California is granted all the water it can reasonably expect, and should it then develop that still more water is needed to meet the future demands, a long-range study of all available surplus waters now running wild into the Pacific Ocean should be made, and that before it is too late.

Mr. Speaker, I desire in passing, to state that my interest in the problems of the great metropolitan city of Los Angeles extends back many years. Forty years ago I was chairman of the committee on commerce and navigation in the California State Senate. The city of Los Angeles had been trying for a long time to secure control of her harbor, which was owned at that time by the State of California. What is now one of the principal seaports of the country was than a rickety old port of call for small, coastwise vessels. A splendid delegation of representative citizens, headed by Judge Leslie Hewitt, came to Sacramento, the State capital, and appeared before my committee with a bill providing for municipal ownership or control of the harbor. I became impressed with their sincerity and just claim and supported their fight. The bill was passed and became law. When I visit Los Angeles and its splendid harbor, where I have often gone as a guest of the Los Angeles Chamber of Commerce and city harbor commission, I naturally refer with pride to my past efforts to assist that very interesting city.

HOUSING SHORTAGE

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, as we approach the end of the session and prepare to go home, Members of the House from the big cities and many from rural areas will want to consider what we have done about America's No. 1 domestic problem and Congress' No. 1 domestic "must"—housing. Members should not be taken in by the figures showing material gains in money expended for private residential construction in the first 6 months of 1947, as compared with 1946. Costs have gone up so high that actual permanent housing units started are very little greater than they were in 1946, and are nothing like what they must be if we are to crack the national housing shortage as we cracked the war emergency. From most recent preliminary figures which I have just received, Government agencies report the new permanent housing units started in the first 6 months of 1947, as 359,000, only 19,000 more than for the first 6 months of 1946. These figures may be subject to some revision but the trend is clear. If we continue at the present rate we shall continue to have an acute national housing shortage for from 5 to 10 years. It is clear now that no action can be expected at this session on the Taft-Ellender-Wagner comprehensive housing bill. The only alternative is to lay the whole issue bare by a broad-scale investigation of every possible reason for the national housing shortage as called for by House Resolution 247. This investigation must probe equally into the practices and costs of labor, material suppliers, mortgagers and land sellers, and into the role of government, municipal, State, and Federal, in housing. It is gratifying to see that the Republican Governor of the great State of Vermont yesterday joined in the widespread demand for such an investigation.

EXTENSION OF REMARKS

Mr. MANSFIELD asked and was given permission to extend his remarks in the RECORD and include an article.

Mr. LANE asked and was given permission to extend his remarks in the RECORD and include an editorial appearing in the Boston Traveler.

SELL TIMBER WITHIN THE TONGASS NATIONAL FOREST

Mr. HOPE. Mr. Speaker, I ask unanimous consent for the immediate consideration of the joint resolution (H. J. Res. 205) to authorize the Secretary of Agriculture to sell timber within the Tongass National Forest.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There being no objection, the Clerk read the House joint resolution, as follows:

Resolved, etc., That "possessory rights" as used in this resolution shall mean all rights, if any should exist, which are based upon aboriginal occupancy or title, or upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 31, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321), whether claimed by native tribes, native villages, native individuals, or other persons, and which have not been confirmed by patent or court decision or included within any reservation.

SEC. 2. (a) The Secretary of Agriculture, in contracts for the sale, or in the sale, of national-forest timber under the provisions of the act of June 4, 1897 (30 Stat. 11, 35), as amended, is authorized to include timber growing on any vacant, unappropriated, and unpatented lands within the exterior boundaries of the Tongass National Forest in Alaska, notwithstanding any claim of possessory rights. All such contracts and sales heretofore made are hereby validated.

(b) The Secretary of the Interior is authorized to appraise and sell such vacant, unappropriated, and unpatented lands, notwithstanding any claim of possessory rights, within the exterior boundaries of the Tongass National Forest as, in the opinion of the Secretary of the Interior and the Secretary of Agriculture, are reasonably necessary in connection with or for the processing of timber from lands within such national forest, and upon such terms and conditions as they may impose.

(c) The purchaser shall have and exercise his rights under any patent issued or contract to sell or sale made under this section free and clear of all claims based upon possessory rights.

SEC. 3. (a) All receipts from the sale of timber or from the sale of lands under section 2 of this resolution shall be maintained in a special account in the Treasury until the rights to the land and timber are finally determined by or under future legislation.

(b) Nothing in this resolution shall be construed as recognizing or denying the validity of any claims of possessory rights to lands or timber within the exterior boundaries of the Tongass National Forest.

With the following committee amendments:

Page 1, line 7, strike out "31" and insert "3."

Page 3, line 2, strike out "by or under future legislation."

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

CLARENCE J. WILSON AND MARGARET J. WILSON

The Clerk called the bill (H. R. 718) for the relief of Clarence J. Wilson and Margaret J. Wilson.

Mr. POTTS. Mr. Speaker, I ask unanmous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

CHARLES E. CROOK ET AL.

The Clerk called the bill (H. R. 2268) for the relief of Charles E. Crook.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER and Mr. POTTS objected, and, under the rule, the bill was recommitted to the Committee on Claims.

MRS. AUDREY ELLEN GOOCH

The Clerk called the bill (H. R. 1078) for the relief of Mrs. Audrey Ellen Gooch.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration laws the alien Mrs. Audrey Ellen Gooch, of Brisbane, Australia, who married Storekeeper Second Class Leslie R. Gooch, United States Naval Reserve, on September 8, 1944, in Lindfield, New South Wales, Australia, and who is the mother of his minor son, shall not be subject to the provisions of sections 3 and 19 of the Act of February 5, 1917, as amended (U. S. C., 1940 ed., title 8, secs. 136 and 155), insofar as such provisions may be applicable to her conviction in Australia for the theft of personal property.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That, notwithstanding the provisions of the eleventh category of section 3 of the Immigration Act of 1917 (8 U. S. C. 136 (e)), Mrs. Andrey Ellen Gooch of Brisbane, Australia, the wife of Mr. Leslie R. Gooch, a citizen of the United States who served honorably in the armed forces of the United States during World War II, may be admitted to the United States for permanent residence under the act approved December 28, 1945 (Public Law 271, 79th Cong.), if she is found otherwise admissible under the provisions of the immigration laws."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CLAIMS OF CERTAIN FOREIGN SERVICE OFFICERS AND EMPLOYEES

The Clerk called the bill (H. R. 3726) for the relief of certain officers and employees of the Foreign Service of the United States who, while in the course of their respective duties, suffered losses of personal property by reason of war conditions.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That there is authorized to be appropriated, and there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, the following sums of money, which sums represent the value of reasonable and necessary personal property lost by the claimants as a result of war conditions:

Ralph J. Blake, $958; William T. Turner, $100; Fulton Freeman, $40; John Frederick Zahoruiko, $125.35; John Duncan Sumner, $33.26; Liang Chen Yi, $18.57; Ming Chen Tai, $6.97; Harold C. Roser, Jr., $42.83; William George McCoy, $79.50; Philip D. Sprouse, $1,517; Franklin J. C. Liu, $168.74; John B. Burleson, $764; Sham-Tai Chau, $1,551; Wing-Tai Chau, $1,926; Barbara Schurman Petro-Pavlovsky, $1,350.45; Charles B. Beylard, $369.50; Benjamin F. Middleton, $671.50; Florence Palmer, $325; Jacob D. Beam, $601.04; H. C. Furstenwalde, $6,500; Tigner Ogletree, $2,819; Edith Bland, $2,026.50; Alfred W. Klieforth, $77.50; Edward S. Parker, $2,270.05; James E. Parks, $4,494.63; Howard K. Travers, $3,880; Ivan Lavretsky, $5,500; Walter A. Foote, $3,764; Frank C. Lee, $4,847.12; Robert C. Burton, $261.75; William C. Affeld, Jr., $2,067.55; Marjorie Callaghan, $200; Douglas Henderson, $790.50; James E. Mann, $95; Edward A. Rood, $177.07; Nelson R. Park, $1,865.33; Patrick J. Sheehan, $384.47; Edwin Schoenrich, $523.80; Carter Vincent, $623; Ann van Wynen, $29.70; Raymond Ziminski, $226.01.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEWIS H. RICH

The Clerk called the bill (H. R. 434) for the relief of Lewis H. Rich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lewis H. Rich, of Searsport, Maine, the sum of $15,000, in full settlement of all claims against the United States for personal injuries, hospital, and medical expenses, sustained as the result of an accident involving a United States Army officer accidentally firing a revolver while making a search of property in the vicinity of Searsport, December 6, 1944.

With the following committee amendments:

Line 6, strike out "$15,000" and insert in lieu thereof "$4,000."

Line 7, after the word "injuries," strike out the remainder of the bill and insert in lieu thereof "and loss of earnings sustained by him as the result of his having been struck by a bullet accidentally fired from a submachine gun carried by an officer of the United States Army while making a search of property in the vicinity of Searsport, Maine, on December 6, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROY DURBIN

The Clerk called the bill (H. R. 439) for the relief of Roy Durbin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roy Durbin, of Winchester, Ind., the sum of $4,000 in full satisfaction of his claim against the United States for reimbursement of hospital, medical, nurses, and other expenses incurred by him as a result of an accident which occurred while he was riding in a bus from Winchester,

Ind., to Fort Harrison, Ind., operated by the United States Government and delivering inductees to Fort Harrison, which is near Indianapolis, Ind., and while so being transported the driver carelessly ran the bus into a wagon, causing a collision, and causing great injury to said Roy Durbin. That said collision and accident occurred on June 9, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FRED O. DONOHUE

The Clerk called the bill (H. R. 618) for the relief of Fred O. Donohue.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Fred O. Donohue, of Hobbs, N. Mex., the sum of $4,822.22. The payment of such sum shall be in full settlement of all claims of the said Fred O. Donohue against the United States arising out of personal injuries, property damage, and subsequent loss of earnings sustained by him, on September 10, 1944, when a truck owned and operated by the said Fred O. Donohue was struck by a United States Army truck on the Black River Bridge, approximately 17 miles south of Carlsbad, N. Mex., on the Carlsbad-Pecos Highway: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRAFF, WASHBOURNE & DUNN

The Clerk called the bill (H. R. 1534) for the relief of Graff, Washbourne & Dunn.

Mr. SMITH of Wisconsin. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ANNIE L. TAYLOR AND WILLIAM BENJAMIN TAYLOR

The Clerk called the bill (H. R. 1781) for the relief of Annie L. Taylor and William Benjamin Taylor.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

STANLEY-YELVERTON, INC.

The Clerk called the bill (H. R. 2373) for the relief of Stanley-Yelverton, Inc.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Stanley-Yelverton, Inc., the sum of $2,997, in full settlement of their claim against the United States for property damage resulting from an accident involving a United States Navy bus operated on Highway No. 54 between Chapel Hill, N. C., and Raleigh, N. C., on the night of October 24, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$2,997" and insert "$1,905.93."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NITA H. STANLEY

The Clerk called the bill (H. R. 2374) for the relief of Nita H. Stanley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Nita H. Stanley, the sum of $1,569, in full settlement of her claim against the United States for personal injuries, hospital, and medical treatment resulting from an accident involving a United States Navy bus operated on Highway No. 54, between Chapel Hill, N. C., and Raleigh, N. C., on the night of October 24, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$1,569" and insert "$569."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OTTO KRAUS

The Clerk called the bill (H. R. 2696) for the relief of Otto Kraus, receiver of the Neafie & Levy Ship and Engine Building Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER and Mr. SMITH of Wisconsin objected and, under the rule, the bill was recommitted to the Committee on the Judiciary.

G. F. ALLEN

The Clerk called the bill (H. R. 2811) for the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department and for other purposes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is authorized and directed to allow credit in the accounts of G. F. Allen, former Chief Disbursing Officer, Treasury Department, in an amount not to exceed $274.50, for the difference in his accounts arising from the loss of certain food stamps.

SEC. 2. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of Frank White and W. O. Woods, former Treasurers of the United States; H. T. Tate, former Acting Treasurer of the United States; and W. A. Julian, Treasurer of the United States; for sums not to exceed $330, $1,900.38, $240, and $26,819.15, respectively, representing unavailable items in their accounts as former Treasurers, former Acting Treasurer, and Treasurer of the United States.

SEC. 3. Whenever any check, draft, or warrant, drawn upon the Treasurer of the United States, or upon the Treasurer of the United States through any Federal Reserve bank, or any public debt obligation of the United States, including any obligation of any type whatever, the payment of which is guaranteed by, or assumed by, the United States, heretofore has been or hereafter may be paid in due course and without negligence by or on behalf of the Treasurer of the United States, the Treasurer shall not be liable for any such payment, and the Comptroller General of the United States is hereby authorized and directed to allow credit in the Treasurer's account for such payment: *Provided*, That nothing contained in this section shall be construed to relieve any person, other than the Treasurer of the United States, from any civil or criminal liability now existing or which may hereafter exist on account of any such check, draft, warrant of public debt obligation.

SEC. 4. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of J. W. Reynar, certifying officer, Division of Disbursement, Treasury Department, on account of charges raised by the General Accounting Office in an amount not to exceed $217.61: *Provided*, That the Secretary of the Treasury shall certify to the said Comptroller General that the payments against which charges are raised appear to have been made without fraud on the part of the certifying officer.

SEC. 5. The Comptroller General of the United States is authorized and directed to allow credit in the accounts of W. A. Julian, Treasurer of the United States, for a sum not to exceed $6,680.06, representing unadjusted differences which occurred in the preparation of statements of disbursing officers' accounts during the period from November 1, 1944, to October 31, 1945.

SEC. 6. There is hereby appropriated, out of any money in the Treasury not otherwise appropriated, not to exceed the sum of $1,351.85, of which amount (a) not to exceed the sum of $66 shall be credited to the accounts of G. F. Allen, former Chief Disbursing Officer, Division of Disbursement, Treasury Department, to the extent necessary to adjust an overdraft of $56 resulting from overpayments by his checks numbered 3,503,191 and 3,503,192, dated October 29, 1942, disbursing symbol 1-100, and to adjust an overpayment of $10 on account of check numbered 1,533,782, dated October 20, 1942,

disbursing symbol 87-407; and (b) not to exceed the sum of $1,285.85 shall be credited to the Treasurer's account to the extent necessary to adjust unavailable items resulting from certain shortages, payment of original and duplicates of five checks, claim of nonreceipt of one check which was mislaid after payment by the Treasurer, and the loss of 15 redeemed Consolidated Federal Farm Loan coupons.

With the following committee amendments:

Page 2, line 4, strike out "$26,819.15" and insert "$25,563.15."

Page 2, line 6, after "States," insert "as listed in exhibits accompanying letter of March 7, 1947, of the Acting Secretary of the Treasury to the Speaker of the House of Representatives."

Page 2, line 2, strike out "of" and insert "or".

At the end of the bill add "as listed in letter of March 7, 1947, of the Acting Secretary of the Treasury to the Speaker of the House of Representatives."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. SUSAN W. ROE

The Clerk called the bill (H. R. 3118) for the relief of Mrs. Susan W. Roe.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $1,500, to Mrs. Susan W. Roe, of Flushing, Long Island, N. Y., in full settlement of all claims against the United States for personal injuries sustained as the result of an operation at the base hospital, Mitchel Field, N. Y., on July 19, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, after "sustained" insert "and expenses incurred."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ANTONE G. PINA

The Clerk called the bill (H. R. 3158) for the relief of Antone G. Pina.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Antone G. Pina the sum of $150, in full settlement of all claims against the United States for personal injuries, medical expenses, and loss of earnings, sustained by Pina when he was struck by a War Department vehicle at a Civilian Conservation Corps camp in Assonet, Mass., on March 25, 1937: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

J. RUTLEDGE ALFORD

The Clerk called the bill (H. R. 3361) for the relief of J. Rutledge Alford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to J. Rutledge Alford, of Tallahassee, Fla., the sum of $450. The payment of such sum shall be in full settlement of all claims of the said J. Rutledge Alford against the United States arising out of the loss of a Tennessee walking horse (a sorrel mare by the name of Trixie, registry certificate No. 360190) owned by him and pastured at Lafayette Plantation, Leon County, Fla. The said horse died on June 6, 1944, as the result of drinking the water from a pond created by seepage from the laundry of the Federal correctional institution situated adjacent to such plantation: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BELMONT PROPERTIES CORP.

The Clerk called the bill (S. 851) for the relief of Belmont Properties Corp.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

PERSHING HALL MEMORIAL, PARIS, FRANCE

The Clerk called the bill (S. 358) to provide for settling certain indebtedness connected with Pershing Hall, a memorial in Paris, France.

Mr. DEANE. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

ERIC SEDDON

The Clerk called the bill (S. 1360) for the relief of Eric Seddon.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. POTTS and Mr. DOLLIVER objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

MRS. DAISY PARK FARROW

The Clerk called the bill (H. R. 2350) for the relief of Mrs. Daisy Park Farrow.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That notwithstanding the provisions of law, excluding persons of races ineligible to citizenship from admission to the United States, Mrs. Daisy Park Farrow, nee Daisy Park, who is the wife of Richard P. Farrow, native-born American citizen, honorably discharged second lieutenant of the United States Army, may be admitted to the United States for permanent residence upon meeting the requirements of Public Law 271, approved December 28, 1945, the so-called Soldier Brides' Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAEL SOLDO

The Clerk called the bill (H. R. 1931) for the relief of the alien Michael Soldo.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that Senate bill 558 be substituted for the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws, the alien Michael Soldo, of West Palm Beach, Fla., whose wife and minor child are citizens and residents of the United States, shall be considered to have been lawfully admitted, at Detroit, Mich., on October 15, 1936, to the United States for permanent residence.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H. R. 1931) was laid on the table.

MAJ. RALPH M. ROWLEY

The Clerk called the bill (S. 179) for the relief of Maj. Ralph M. Rowley and First Lt. Irving E. Sheffel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Ralph M. Rowley, major, Signal Corps, United States Army, and Irving E. Sheffel, first lieutenant, Finance Department, United States Army, are hereby relieved of liability for all charges now entered on which may be entered against them, or either of them, as a result of the theft of 429,257 lire ($4,292.57) of Army funds by a person unknown, near Ruvo, Italy, on November 3, 1943, while the said Ralph M. Rowley was acting as class A agent officer for the said Irving E. Sheffel.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Ralph M. Rowley, an amount equal to the total amount deducted from his pay in partial settlement of any such charges: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a

misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REV. JOHN C. YOUNG

The Clerk called the bill (S. 880) for the relief of Rev. John C. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Reverend John C. Young, of Montgomery, W. Va., the sum of $3,500, in full satisfaction of his claim against the United States for compensation for personal injuries and loss of earnings sustained by him as a result of having been shot by a member of the military police force of the Army of the United States, in Montgomery, W. Va., on August 11, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERT HARRINGTON, JR.

The Clerk called the bill (H. R. 388) for the relief of Bert Harrington, Jr.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Bert Harrington, Jr., of Burbank, Calif., the sum of $10,805. The payment of such sum should be in full settlement of all claims of the said Bert Harrington, Jr., against the United States for the infringement of personal liberty, loss of compensation, damage to business, and personal expense which resulted from his arrest on February 1, 1946, and his subsequent imprisonment in San Pedro, Calif., on the high seas, and in Manila, the Philippine Islands, such arrest and imprisonment being made on the criminal charge of misappropriation of Government property, although the charge was subsequently dismissed. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out the figures "$10,805," and insert in lieu thereof the figures "$5,305."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARLEY SHORES

The Clerk called the bill (H. R. 640) for the relief of Harley Shores.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harley Shores, of Alma, Crawford County, Ark., the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Harley Shores against the United States on account of permanent injuries received by the said Harley Shores on the 19th day of December 1943 near Alma, Ark., when he was struck by a cake of ice thrown from the kitchen car of a United States Army troop train, and the said Harley Shores at the time of the receipt of such injury being engaged in his employment as track laborer for the trustee in bankruptcy for the Missouri Pacific Railroad Co., a corporation, and standing beside the track of such railroad while the troop train above mentioned was passing: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of service rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert "$4,000."

Page 1, line 8, after the word "States", strike out "on account of permanent injuries received by the said Harley Shores" and insert "for personal injuries and loss of earnings sustained as a result of an accident."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF RUTH HORTON HUNTER

The Clerk called the bill (H. R. 769) for the relief of the estate of Ruth Horton Hunter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Ruth Horton Hunter, deceased, late of Lancaster County, S. C., the sum of $5,000. The payment of such sum shall be in full settlement of all claims against the United States on account of the death, on October 27, 1944, of the said Ruth Horton Hunter from injuries sustained by her when she was struck, on said date, on Main Street, of the town of Heath Springs, Lancaster County, S. C., by an Army truck driven by Pvt. Benjamin Daniels, of the Columbia, S. C., Army Air Base: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSIE THOMPKINS

The Clerk called the bill (H. R. 890) for the relief of Jessie Thompkins.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jessie Thompkins, of Dearing, Ga., the sum of $2,500. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of Thomas Thompkins, the husband of the said Jessie Thompkins, as the result of exposure to chemical smoke released from Army airplanes in the vicinity of his home on December 21, 1943.

With the following committee amendment:

Page 2, line 1, insert:

"*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MARIE SALAMONE

The Clerk called the bill (H. R. 1085) for the relief of Mrs. Marie Salamone.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Marie Salamone, Norristown, Pa., the sum of $10,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Marie Salamone against the United States on account of personal injuries received by her on July 7, 1944, when the automobile which she was driving was struck by a United States Army vehicle at the intersection of Arch and Airy Streets, Norristown, Pa.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services renderd in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$10,000" and insert "$6,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF DAPHNE WARD POPE, DECEASED

The Clerk called the bill (H. R. 1175) for the relief of the estate of Daphne Ward Pope, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Daphne Ward Pope, deceased, the sum of $11,165, in full settlement of all claims of said estate against the United States Government for the personal injury and death of said Daphne Ward Pope and for the property damage suffered by the estate, caused by the negligence of a soldier driving a Government vehicle on Government business on or about February 27, 1943.

With the following committee amendments:

Page 1, line 6, strike out "$11,165" and insert "$5,617.40."

Page 2, line 1, insert: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MAUD M. WRIGHT AND MRS. MAXINE MILLS

The Clerk called the bill (H. R. 1226) for the relief of Mrs. Maud M. Wright and Mrs. Maxine Mills.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Maud M. Wright, Robinson, Ill., the sum of $5,000, and to Mrs. Maxine Mills, Robinson, Ill., the sum of $5,000. The payment of such sums shall be in full settlement of all claims against the United States of the said Mrs. Maud M. Wright for the death of her husband, Orlin C. Wright, on January 21, 1944, and of the said Mrs. Maxine Mills for the death of her husband, Charles W. Mills, on January 22, 1944, both of whom died as the result of burns sustained in a fire at the Evans Hall housing project, Evansville, Ind., which was under the supervision and management of the National Housing Agency: *Provided*, That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ARCHER C. GUNTER

The Clerk called the bill (H. R. 1316) for the relief of Archer C. Gunter.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $6,000 to Archer C. Gunter, formerly of Philadelphia, Pa., and now of Menomonie, Wis., in full settlement of all claims against the United States for personal injuries and medical and hospital expenses sustained as the result of an accident involving a United States Navy airplane, at the United States Navy Yard, Philadelphia, Pa., on May 10, 1944: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 5, strike out "$6,000" and insert "$1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CALVIN J. FREDERICK

The Clerk called the bill (H. R. 1319) for the relief of Calvin J. Frederick.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Calvin J. Frederick, postal money order clerk in the United States Post Office at Muskogee, Okla., the sum of $30. The payment of such sum shall be in reimbursement for the payment of an equal amount by the said Calvin J. Frederick to the Post Office Department on account of the payment of a forged post-office money order No. 545397, issued at Vinita, Okla., June 15, 1946, in the amount of $30.

With the following committee amendment:

Page 2, line 2, after "$30", insert: "*Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIE P. GOODWIN ET AL.

The clerk called the bill (H. R. 1648) for the relief of Willie P. Goodwin, J. M. Thorud, and W. H. Stokley.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $95 to Willie P. Goodwin, to pay the sum of $48 to J. M. Thorud, and to pay the sum of $48 to W. H. Stokley, all of Edenton, N. C., in full settlement of all claims against the United States for per diem and expenses sustained as the result of traveling as post-office clerks from Edenton, N. C., to United States naval air station from February 1, 1946, to May 7, 1946, and orally approved by the post-office inspector in charge of said district: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Postmaster General is authorized and directed to issue per diem orders retroactively to cover per diem payments that have been made or will be made to postal employees detailed to postal units, camps, posts, or stations handling military mail, or to civilian plants devoted to war production at rates not to exceed that provided and authorized by the act of December 7, 1945 (59 Stat. 603).

"SEC. 2. In the audit and settlement of the accounts of postmasters and other designated disbursing officers of the Post Office Department and postal-service credit shall be allowed for all payments made under authority of per diem orders issued by the Postmaster General pursuant to section 1 of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF MRS. ELIZABETH CAMPBELL

The Clerk called the bill (H. R. 1654) for the relief of Mrs. Elizabeth Campbell.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Mrs. Elizabeth Campbell, Orlando, Fla., the sum of $5,000, in full satisfaction of all claims against the United States for damages on account of the death of the said Mrs. Elizabeth Campbell as a result of the crash of a United States Army airplane at Orlando, Fla., on June 5, 1943: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. BEULAH HART

The Clerk called the bill (H. R. 1730) for the relief of Mrs. Beulah Hart.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Beulah Hart, Palm City, Calif., the sum of $5,000. The payment of such sum shall be in full settlement of all claims of the said Mrs. Beulah Hart against the United States on account of the loss of her son, Gath Daniel Meeks, who was shot and killed by a United States Army sentry on January 9, 1942, at Imperial Beach, Calif.: *Provided*, That no part of either of the sums appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with the claim settled by the payment of such sum, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 8, strike out "$5,000" and insert in lieu thereof "$3,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ESTATE OF CURTIS WILSON, DECEASED

The Clerk called the bill (H. R. 1744) for the relief of the estate of Curtis Wilson, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Curtis Wilson, deceased, late of Clay County, Fla., the sum of $499, in full settlement of all claims against the United States for actual expenses incurred by the said estate in connection with the last illness and funeral and burial expenses of the said Curtis Wilson, who died on December 8, 1944, from injuries sustained on the same date when he was struck by a United States Navy truck on Florida Highway No. 17, in Green Cove Springs, Fla. The payment of such sum shall be in full settlement of all claims against the United States on account of the death of the said Curtis Wilson: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. RAIFORD D. SMITH

The Clerk called the bill (H. R. 1864) for the relief of Mrs. Raiford D. Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Mrs. Raiford D. Smith, of Fitzgerald, Ga., the sum of $5,000, in full settlement of all claims against the United States arising out of personal injury, when the car in which she was riding was struck by a Government truck being operated by a Works Progress Administration employee, near Albany, Ga., on September 2, 1939:

With the following committee amendments:

Line 5, strike out the figures "$5,000" and insert in lieu thereof "$2,658.50."

At the end of the bill add: : *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ELIZABETH F. McCOMBIE

The Clerk called the bill (H. R. 1933) for the relief of Mrs. Elizabeth F. McCombie.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Mrs. Elizabeth F. McCombie, Sallisaw, Okla., a former employee of the Farm Security Administration, is relieved of all liability to pay to the United States the sum of $736. Such sum represents certain collections which were received by the office of the Farm Security Administration at Sallisaw, Okla., placed in the custody of the said Mrs. Elizabeth F. McCombie, and stolen, without fault on her part, on November 20, 1945.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN F. REEVES

The Clerk called the bill (H. R. 1953) for the relief of John F. Reeves.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to John F. Reeves, of Ventura, Calif., the sum of $5,000, in full settlement of all claims against the United States on account of personal injury and loss of earnings caused when an Army truck collided with the automobile in which he was riding on December 4, 1942, on Saviers Road in Ventura County: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any amount not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert in lieu thereof "$4,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. PEARL COLE

The Clerk called the bill (H. R. 2012) for the relief of Mrs. Pearl Cole.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER and Mr. POTTS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

R. C. OWEN

The Clerk called the bill (H. R. 2129) for the relief of R. C. Owen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to R. C. Owen, Gallatin, Tenn., the sum of $8,437.98. This sum represents the amount which the said R. C. Owen paid to the United States for internal-revenue tobacco stamps, which stamps were completely destroyed on December 24, 1945, when a fire destroyed the said R. C. Owen's tobacco factory (registered as "Tobacco factory No. 102, district of Tennessee"), together with the equipment, tobacco, and tobacco stamps therein: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 5, after the name "Owen", insert "R. C. Owen, Jr., and Roy Owen, former partners, doing business as R. C. Owen of."

Page 1, line 6, after the word "which", strike out "the" and insert in lieu thereof "they."

Page 1, line 7, strike out "said R. C. Owen."

Page 1, line 9, strike out "said R. C. Owen's."

Page 1, line 10, after the word "factory", insert "of said partners."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title of the bill was amended so as to read: "A bill for the relief of R. C. Owen, R. C. Owen, Jr., and Roy Owen."

A motion to reconsider was laid on the table.

MASSMAN CONSTRUCTION CO.

The Clerk called the bill (H. R. 2192) for the relief of the Massman Construction Co.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

A. J. SPROUFFSKE

The Clerk called the bill (H. R. 2213) for the relief of A. J. Sprouffske.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to A. J. Sprouffske, Roy, Wash., the sum of $2,079.50, in full settlement of all claims of the said A. J. Sprouffske against the United States for mink losses sustained as the result of several United States Army airplanes flying too low over Mr. Sprouffske's farm while participating in United States Army maneuvers, thereby causing the minks to lose their young. The damage occurred on May 25, 1939. Mr. Sprouffske's mink farm is located at the edge of a military reservation within a few hundred yards of Rainier training area, the leased part of the Fort Lewis Military Reservation, and about 6 or 7 miles from Gray Field in the State of Washington: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time; was read the third time, and passed, and a motion to reconsider was laid on the table.

CHARLES J. SMITH

The Clerk called the bill (H. R. 2348) for the relief of Charles J. Smith.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of money in the Treasury not otherwise appropriated, to Charles J. Smith, an employee of the National Park Service, Department of the Interior, the sum of $205.42, which sum was collected from him and covered into the Treasury as a result of his certification of disbursing officer's voucher No. 15-13491, paid September 15, 1937, in connection with the contract No. I-1-P-9485, dated June 22, 1937, between the United States and the Olds Brothers Lumber Co., Inc., Winslow, Ariz.

With the following committee amendment:

At the end of bill add: ": *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HARRY V. BALL

The Clerk called the bill (H. R. 2432) for the relief of Harry V. Ball.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry V. Ball, Miami, Fla., the sum of $3,923.68. Such sum represents the compensation which the said Harry V. Ball would have received from April 1, 1945, to April 1, 1946, if he had been permitted to continue his work as a civilian progressman with the United States Navy or to obtain similar employment elsewhere. The said Harry V. Ball, while employed pursuant to a written agreement with the Navy Department (NAVEXOS-60) at Pearl Harbor, T. H., suffered continuously from the effect of volcanic dust and on or about March 17, 1945, the naval authorities in Hawaii informed him that a medical discharge would be granted him and that a letter would be sent to his local labor board at Tampa, Fla., in reference to a transfer to some local naval activity upon arrival at Tampa. The said Harry V. Ball arrived in the continental United States on April 1, 1945, but received no discharge from the Navy Department until September 27, 1945, when he received, instead of a discharge from employment, a certificate of separation disability (NAVEXOS-1200), dated June 2, 1945, and effective as of March 21, 1945. Prior to his receipt of such certificate, the said Harry V. Ball was unable to secure civilian employment under the regulations of the War Manpower Commission, because he could not establish his status with respect to employment with the Navy Department. After his receipt of such certificate, he continued to have difficulty in obtaining employment because such certificate was not explicit as to the circumstances under which it was issued. The said Harry V. Ball was not informed that such certificate was a discharge from naval employment, and such certificate was not so construed by naval officials in the various interviews which the said Harry V. Ball had with them in an effort to determine his status, until on April 1, 1945, he was informed by the Navy Department that such certificate was to be construed as a discharge: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$3,923.68" and insert "$1,634.68."

Page 1, line 8, strike out "April 1, 1946" and insert "September 1, 1945."

Page 3, line 3, strike out "1945" and insert "1946."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS T. KLAUDER

The Clerk called the bill (H. R. 2506) for the relief of Louis T. Klauder.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Louis T. Klauder, of Moorestown, N. J., the sum of $3,750, in full satisfaction of his claims for compensation for engineering services rendered in connection with a Rural Electrification Administration project in Franklin County, Mass., known or designated as "Massachusetts 3 Franklin," said claims having accrued prior to January 1, 1945: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$3,750" and insert "$1,904.80."

The committee amendment was agreed to.

Mr. DOLLIVER. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DOLLIVER: Page 1, line 5, after the word "to", insert the words "estate of."

The amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of the estate of Louis T. Klauder."

A motion to reconsider was laid on the table.

JAMES H. UNDERWOOD

The Clerk called the bill (H. R. 2534) for the relief of James H. Underwood.

There being no objection, the Clerk read the bill, as follows:

Be it enacted etc., That the Comptroller General of the United States is authorized and directed to credit the account of James H. Underwood, former postmaster at Guam, Guam, in the sum of $25,439.31, representing funds and accountable stock in the amount of $24,520.47 in the postal accounts and $918.84 in the money-order account, and that James H. Underwood is hereby relieved from any liability to refund or pay to the United States said sum of $25,439.31. Such sum being the amount of postal and money-order funds lost when the island of Guam was invaded by the armed forces of the Imperial Government of Japan on December 10, 1941, the postmaster being taken prisoner and forced to open the vault of the post office and surrender the keys to the enemy invaders.

The bill was ordered to be engrossed and read a third time, was read the third time and passed and a motion to reconsider was laid on the table.

CLAUDE T. THOMAS

The Clerk called the bill (H. R. 2633) for the relief of Claude T. Thomas, legal guardian of Elizabeth Ann Mervine, a minor, and the estates of Mary L. Poole, deceased, and Hazel S. Thomas, deceased.

Mr. MONRONEY. Mr. Speaker, I ask unanimous consent that this bill be recommitted to the Committee on the Judiciary.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

JOSEPH MACGUFFIE AND EUGENE ROHRER

The Clerk called the bill (H. R. 2783) for the relief of Joseph MacGuffie and Eugene Rohrer.

Messrs. DOLLIVER and POTTS objected, and, under the rule, the bill was recommitted to the Committee on the Judiciary.

ALFRED THOMAS FREITAS

The Clerk called the bill (H. R. 3068) for the relief of Alfred Thomas Freitas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $39.51, to Alfred Thomas Freitas, of Fresno, Calif., in full settlement of all claims against the United States, as reimbursement for the said sum for money lost through burglary at the Fresno, Calif., Office of the Labor Branch, Production and Marketing Administration, for which he was held accountable, on January 2, 1946: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LOUIS H. DEAVER

The Clerk called the bill (H. R. 3111) for the relief of Louis H. Deaver.

Mr. POTTS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

FIDELITY TRUST CO., OF BALTIMORE, MD.

The Clerk called the bill (H. R. 3333) for the payment of claims of the Fidelity Trust Co., of Baltimore, Md., and others, covered by findings of fact made by the United States Court of Claims, dated June 5, 1944, and contained in Senate Document No. 229, Seventy-eighth Congress, second session.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ANDREW C. EXTROM AND HARRY C. PEARSON

The Clerk called the bill (H. R. 3495) for the relief of Andrew C. Extrom and Harry C. Pearson.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That Andrew Charles Extrom, a city letter carrier of Blue Island post office, Blue Island, Ill., and Harry C. Pearson, postal clerk in that post office, are relieved of all liability to make refunds to the United States of overpayments of salaries in the amount of $254.09 to Andrew Charles Extrom, and $183.05 to Harry C. Pearson, from the date they were promoted from substitute postal employees to regular postal employees by the postmaster at Blue Island, Ill., and the effective date of their promotion to regular postal employees as authorized by the Post Office Department.

Any amount heretofore credited to Andrew Charles Extrom or Harry C. Pearson, or refunded to the United States by them on account of such overpayments of salaries shall be repaid to them out of any money available for the payment of salaries to city-delivery carriers and clerks of first- and second-class post offices. In the audit and settlement of the accounts of any postmaster or other transmitting disbursing officer of the Post Office Department or postal service, the payment of such amounts to Andrew Charles Extrom and Harry C. Pearson for services as regular postal employees shall be considered to have been authorized.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PETROL CORP.

The Clerk called the bill (H. R. 3499) for the relief of the Petrol Corp.

Mr. POTTS. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

GEORGE J. HINER

The Clerk called the bill (H. R. 3845) for the relief of George J. Hiner.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George J. Hiner, of Pittsburgh, Pa., the sum of $5,000, in full settlement of all claims against the United States as reimbursement for personal injuries and property damage sustained on February 12, 1942, when the automobile which he was operating was struck by a United States Army truck at the intersection of Ninth Street and Pennsylvania Avenue, Pittsburgh, Pa.: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendments:

Page 1, line 6, strike out "$5,000" and insert in lieu thereof "$3,350."

Page 1, line 7, strike out "as reimbursement."

Page 1, line 8, after the word "injuries", insert ", medical and hospital expenses, and loss of earnings."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PATENT IN FEE TO THOMAS LUCAS

The Clerk called the bill (H. R. 3064) authorizing and directing the Secretary of the Interior to issue a patent in fee to Thomas Lucas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Thomas Lucas a patent in fee to the following-described lands situated within the boundaries of the Laguna Indian Reservation, Calif.: The south half southwest quarter section 28; north half southwest quarter and northwest quarter section 33, township 14 south, range 5 east, San Bernardino meridian, San Diego County, Calif.

With the following committee amendment:

Page 1, line 4, after the words "Thomas Lucas", insert: "to take such steps as are necessary to determine the membership of the Laguna Band of Mission Indians of California and, having determined such membership, is further authorized and directed to issue to the member or members of such band within 6 months from the enactment of this Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill authorizing and directing the Secretary of the Interior to issue a patent in fee to the surviving members of the Laguna Band of Mission Indians of California."

A motion to reconsider was laid on the table.

PATENT IN FEE TO JOSEPH J. PICKETT

The Clerk called the bill (S. 484) to authorize and direct the Secretary of the Interior to issue to Joseph J. Pickett a patent in fee to certain lands.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is authorized and directed to issue to Joseph J. Pickett, Crow Indian allottee numbered 372, a patent in fee to the southwest quarter, north half southeast quarter and southeast quarter southeast quarter section 15, township 8 south, range 32 east; east half southeast quarter section 16 and northwest quarter section 34, township 8 south, range 32 east; north half southwest quarter, west half west half southeast quarter, section 4, township 9 south, range 32 east; southwest quarter northwest quarter southeast quarter section 27, east half southeast quarter, southwest quarter southeast quarter, section 28, township 8 south, range 32 east; north half southwest quarter section 26, northwest quarter southeast quarter, southeast quarter southeast quarter section 23, south half southwest quarter section 24, township 8 south, range 32 east, Montana principal meridian, containing 1,200 acres.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PATENT IN FEE TO GIDEON PEON

The Clerk called the bill (S. 403) authorizing the issuance of a patent in fee to Gideon Peon.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, upon application in writing, the Secretary of the Interior is authorized and directed to issue to Gideon Peon, Flathead Allottee No. 33, of Butte, Mont., a patent in fee to the following-described lands situated in Lake County, State of Montana: The north half of the southwest

quarter of section 33, township 19 north, range 19 west, Montana principal meridian, containing 80 acres.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA

The Clerk called the bill (H. R. 185) to authorize the sale of certain public lands in Alaska to the Catholic bishop of Alaska, in trust for the Roman Catholic Church.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Catholic bishop of Alaska, in trust for the Roman Catholic Church, is hereby authorized for a period of 1 year from and after the effective date of this act to purchase, and the Secretary of the Interior is hereby authorized and directed to convey to the bishop, for use as a mission, the following-described public lands situated in Alaska:

Commencing at a point where the Andreafsky River enters the Yukon River from the north, from which point corner No. 1 of the tract desired bears north approximately 3 miles where post is situated at the southwest coroner of the tract and at the junction of a small stream with the Andreafsky River; running thence in an easterly direction along the said Andreafsky River to corner No. 2; thence in a northerly direction one-half mile to corner No. 3; thence in a westerly direction 1 mile to corner No. 4; thence in a southerly direction one-half mile to corner No. 1, the place of beginning, containing approximately 320 acres.

SEC. 2. That the conveyance shall be made upon the payment by the said bishop for the land at its reasonable appraised price of not less than $1.25 per acre, to be fixed by the Secretary of the Interior: *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public-land laws or found by the Secretary of the Interior to be needed for public purposes: *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under regulations to be prescribed by the Secretary of the Interior.

With the following committee amendment:

Page 1, strike all of lines 3 to 7, inclusive, and insert in lieu thereof the following: "That the Catholic Society of Alaska, a corporation organized and existing under the laws of the Territory of Alaska, whose ex officio president and general manager is the Catholic bishop of Alaska, is hereby authorized for a period of 1 year from and after the effective date of this act to apply for the purchase of, and the Secretary of the Interior is hereby authorized and directed to convey to the corporation, for use as a mission."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the sale of certain public lands in Alaska to the Catholic Society of Alaska for use as a mission."

A motion to reconsider was laid on the table.

KAZUE ODA TAKAHASHI

The Clerk called the bill (H. R. 1215) for the relief of Kazue Oda Takahashi.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General be, and he is hereby, authorized and directed to record Kazue Oda Takahashi as having entered the United States for permanent residence on July 9, 1937.

With the following committee amendment:

At the end of the bill insert the following: "Upon the enactment of the act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the quota for Japan of the first year that the said quota is available."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

WILLIAM DUDLEY WARD-SMITH

The Clerk called the bill (H. R. 3088) for the relief of William Dudley Ward-Smith.

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

ELECTION OF DISTRICT OF COLUMBIA EPISCOPAL VESTRYMEN

The Clerk called the bill (S. 1402) to authorize the parishes and congregations of the Protestant Episcopal Church of the District of Columbia to establish bylaws governing the election of their vestrymen.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the parishes and separate congregations of the Protestant Episcopal Church in the District of Columbia may by bylaws provide for the manner of conducting elections of vestrymen, the number of vestrymen to be elected, and the length of the terms of the offices of vestrymen. Such bylaws may be adopted at any annual meeting of members of the parish or congregation by a vote of two-thirds of the qualified voters present at such meeting: *Provided*, That notice at least 30 days prior to the meeting shall be given by the vestry to all qualified voters of the parish or congregation that such bylaws are to be presented and voted upon.

SEC. 2. Any bylaws adopted as authorized by this act shall be subject to amendment, modification, or repeal at any annual meeting of the parish or congregation in the same manner as herein provided for adoption of such bylaws. Notice shall be given to all qualified voters of the parish or congregation at least 30 days prior to any annual meeting of any proposed amendment, modification, or repeal of any of the bylaws adopted pursuant to this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERIC SEDDON

Mr. DOLLIVER. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Private Calendar No. 195, the bill (S. 1360) for the relief of Eric Seddon.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the immigration and naturalization laws, the Attorney General is hereby authorized and directed to record the lawful admission for permanent residence of Eric Seddon as of June 26, 1946, and the said Eric Seddon shall, for the purposes of the immigration and naturalization laws, be deemed to have been lawfully admitted to the United States for permanent residence. Upon the enactment of this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the Spanish quota of the first year that the said quota is available.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Private Calendar.

COMMITTEE ON THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that the Subcommittee on Home Rule of the Committee on the District of Columbia may meet until 12 o'clock today.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CANNON. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Illinois if it is the intention to go to conference today on the Department of Agriculture Appropriation bill, and if not, at what time conference will probably be held.

Mr. DIRKSEN. That matter is in process at the present time. It depends somewhat on the convenience of the Senate. We are endeavoring to arrange a conference. Possibly it will come tomorrow morning, as near as I can tell now.

Mr. CANNON. There is likelihood that the conference report on that bill can be filed during the current week?

Mr. DIRKSEN. We hope so.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

EXTENSION OF REMARKS

Mr. MACKINNON asked and was given permission to extend his remarks in the RECORD and include an editorial.

Mr. KEATING asked and was given permission to extend his remarks in the RECORD.

Mr. McCOWEN asked and was given permission to extend his remarks in the RECORD and include a series of resolutions adopted by the Manchester Post, American Legion.

Mr. EVINS asked and was given permission to extend his remarks in the RECORD and include a letter.

AGRICULTURE APPROPRIATION BILL, 1948—SENT TO CONFERENCE

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3601) making appropriations for the Department of Agriculture for the fiscal year ending June 30, 1948, and for other purposes, with Senate amendments, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none and appoints the following conferees: Messrs. DIRKSEN, PLUMLEY, H. CARL ANDERSEN, HORAN, PHILLIPS of California, CANNON, WHITTEN, and SHEPPARD.

SPECIAL ORDER GRANTED

Mr. KEFAUVER. Mr. Speaker, I ask unanimous consent that on tomorrow after the disposition of business on the Speaker's desk and the conclusion of special orders heretofore granted I may address the House for 20 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

EXTENSION OF REMARKS

Mr. CHURCH. Mr. Speaker, I ask unanimous consent to revise and extend the remarks I expect to make in Committee of the Whole today and include certain quotations.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

PERMISSION TO EXTEND REMARKS AT THIS POINT

Mrs. LUSK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Mrs. LUSK. Mr. Speaker, the action of the House last week in passing the terminal-leave-pay bill was very generous and proved the deep appreciation felt by the people of this country for the service rendered by members of the armed forces. But this action has not relieved the country of its full responsibility for consideration of the needs of our veterans. At the opening session of this Congress when our committee began to hold hearings on the various bills that were presented, the fact became apparent that one of the most pressing problems of veterans at this time was the need for increased subsistence allowance for veterans who are continuing their education under the GI bill of rights. At that time I was inclined to oppose any such increase, however at this time I am wholeheartedly in favor of the increase proposed by the action of the Veterans Committee.

My changed attitude is the result of the close study given to the proposal by the Subcommittee on Education and Rehabilitation. Many student veterans appeared before the subcommittee to testify, and in addition, I was fortunate in having informal conversations with these young men and women at their schools. I wish to say that my contacts with these students impressed me deeply. Their sincerity of purpose in continuing their education, their devotion to their country and its Government, their fundamental belief and faith in our economic system of free enterprise and their desire to take their place within its framework—all these impressions left me with the conviction that any investment we make now in their future will be repaid to their Government and to their country with untold extra dividends.

I am proud to report to you that the vast majority have an instinctive dislike of being considered Government charges. Their sentiment and predisposition toward independence is very strong. They did not ask originally for the GI bill of rights, but they are grateful for the opportunity the provisions of this bill has given them; a majority indicated that without it, they would not have been able to continue their studies. And yet, it is an unfortunate fact that at the present time, many are being forced to discontinue their studies simply because their income is not, even with the aid of the subsistence allowance, sufficient to meet their expenses.

One immediate reaction to such a statement is that the veteran should act independently to raise his income to meet his needs. But many are doing just that, and are still unable to meet their financial requirements. The reason lies in a variety of factors, including the period when most of them have been in school, in the great numbers of students enrolled who want outside employment, in the keen competition among the students and the raising of standards by many schools, and in others which I shall discuss.

The increased cost of living needs little further discussion at this time to this House to indicate its importance and how it has made so desperate the plight of low-income groups. The gentlewoman from California dramatically illustrated not long ago in this House the effect of the increase on the price of food. I do not now propose to discuss why prices are high. I do point out that one of the most inequitable and harmful results of high prices is that the student veteran's income is insufficient to cover his expenses, and it is a result which we, as Members of this Congress, are in a position to remedy. It is well for us to remember during this discussion that the present cost of staying in college is now almost double the same cost in 1939—and many times greater than college expenses of most Members when they were students.

Not only are all costs much higher, but the competition for the various jobs available is much keener. We are all aware that the average college is located in a relatively small town which boasts few industries. Due to the limitations of time and space, the student seeking employment usually works either for the school or in some small establishment offering services to the other students. Class schedules prevent working full time during the usual hours of employment. And nothing new is revealed when I point out that the wage scale for this intermittent employment is well below the national average.

Related closely to the general problem, of great importance in this discussion, is a consideration which has received much too little attention when its true effect is recognized. Basically, it is the fact that the enlarged enrollment has presented the schools an opportunity to raise their standards without affecting enrollment, and the raising of standards increases the amount of time required for preparation of classroom work. This is not to be understood as criticism of the schools themselves; it is merely a statement of fact as much the result of the desire of the mature veteran student to take advantage of his opportunity as of the natural desire of the school to set and maintain a high degree of scholarship. Whatever the cause, the time for outside employment, if it could be found, has been proportionately lessened.

What I have just discussed is applicable alike to single and married students, indicating that the difficulties are general, not isolated to certain campuses or certain types of students. Further indicated is a potent argument for increase regardless of marital status. But it is well recognized that the difficulties of the single student are not as pressing and grave as those of the married student veteran; it is at once obvious that the responsibility of maintaining a home and a family magnifies the difficulty in this matter of school expense.

Rents, as we all know, are not low, even when housing can be obtained; in the future they will be at least 15 percent higher in many instances. Far too often exhorbitant rents are charged for totally inadequate housing. It is true that many colleges have attacked this problem frontally, have made much progress in obtaining the necessary housing for their veteran students. But there are still far too many married students—and single students, too—whose housing situation is desperate. This factor, coupled with the high prices previously mentioned, disillusions the married veteran, and has forced far too many of them to discontinue their education. Particularly is this true in the case of the married veteran who is also a parent. It is impossible for his wife to assist him with the family income, as it sometimes is possible when there are no children.

On this subject of the wife working, I have been appalled to hear callous statements to the effect that the married veteran should not be having a hard time because his wife should be helping him. It is basically wrong for us to assume that the wife has duty to help support the family. The choice of working should be hers, but the duty should not. Her moral support of her husband, her obligation for management of the home—though I refer to home-making with a realization that some of the so-called houses have few of the attributes which the men who fought this war expected to be forced to call homes—are full-time tasks and all her Government has a right to assume she should do. Her prime responsibility at this early period of her married life is the maintenance of her home and care of children. By so doing, she assists immeasurably in solving one of our major problems today—the battle against juvenile delinquency and its attendant evils, by by-products of economic desperation and the lack of a well-integrated home unit. So, any suggestion that the student veteran's wife should work has no place in this discussion, as a factor to influence our action, except insofar as it indicates that the subsistence allowance should be raised.

It is now appropriate to consider the position of the Government. The action by the Congress in passing the GI bill of rights will live long as one of the most beneficial pieces of legislation ever formulated. The legislation reflects the desire of a grateful people to reward the men and women, who, by their valor and sacrifice preserved this Government from a powerful enemy. The reward was of a practical nature, designed to assist those who chose to accept it in the complicated business of demobilization and return to civilian life. But the phase with which we are presently concerned is the opportunity to continue an interrupted education. This particular educational reward was complemented by providing "on-the-job training" to reach the situation of every veteran. But, most significant, the legislation was neither requested nor demanded by the men and women it benefits.

What is important now is what the veteran who accepts the benefits offered was led to understand at the time of making that acceptance, from a financial point of view. Obviously, it was not that the Government proposed to subsidize his whole education. But, the general understanding is that the $65 and the $90 as authorized by the GI bill was intended to defray the very basic and necessary expenses as of the time it was passed. In other words, the veteran entered school believing that the allowance was designed to defray the essential expenses, based on a standard set at the time the bill was passed. Having made this offer upon which he relied, there is an obligation—a very real moral obligation to which we cannot be blind—upon the Government to see that the serious unbalance caused by inflation does not make the gift a hollow one.

The stark fact facing us is that the gift is hollow for too many of those who relied upon its adequacy. Some, without outside help upon which to rely, have been forced to leave school, their education incomplete and their savings depleted seriously or gone in a vain attempt to remain. Too many of those who do remain will leave their school as graduates with few pleasant memories, with a sense of having been let down, and with seriously depleted savings—unless we act to remedy the situation by increasing the allowances now in effect.

Political considerations should not be allowed to intrude on the consideration of a problem so important as this, just as politics were forgotten during the war. After all, we are dealing with a situation which is an aftermath of that war, posing one question and one answer. The question is, Shall we act with a sense of responsibility toward the Government's investment in the student veteran's future, realizing what was offered by the legislation upon which he relied and the inadequacy of that legislation in the light of the present economic situation? The only answer is in the affirmative.

That answer should be even more emphatically affirmative when we remember that our keystone of democratic liberty is an enlightened citizenry. That answer should be emphatically in the affirmative because a contract made by the Government is at stake, it would ill become this Congress to break the faith which is represented in that contract. Let us, then, show our faith with financial assistance to those men who showed their faith in us by their blood, sweat, toil, and tears. We shall have shirked a duty if we do less.

NAVY DEPARTMENT APPROPRIATION BILL, 1948

Mr. PLUMLEY. Mr. Speaker, I call up the conference report on the bill H. R. 3493, a bill making appropriations for the Navy Department and naval services for the fiscal year ending June 30, 1948, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3493) "making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 9, 11, 24, 25, 27, 29, 44, 55, 60, 68, 69, 73 and 75.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 5, 6, 7, 8, 13, 15, 16, 22, 26, 30, 31, 32, 33, 36, 48, 52, 66, 71, 72, 74 and 77, and agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$3,000,000"; and the Senate agree to the same.

Amendment Numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$400,000"; and the Senate agree to the same.

Amendment Numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided*, That no part of any appropriation in this Act shall be available for the pay or allowances of any enlisted man of the Navy or Marine Corps assigned to duty at the Naval Academy, if such assignment will increase the total number so assigned above one thousand and twenty-five"; and the Senate agree to the same.

Amendment Numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment, insert the following: "$320,000,000"; and the Senate agree to the same.

Amendment Numbered 17: That the House recede from its disagreement to the amendment of the Senate numbered 17, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$184,000,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided*, That, except in the case of those who have specifically enlisted for such duty, no appropriation contained in this Act shall be available for the pay, allowances, or other expenses of any enlisted man or civil employee performing service in the residence or quarters of an officer or officers on shore as a cook, waiter, or other work of a character performed by a household servant, but nothing herein shall be construed as preventing the voluntary employment in any such capacity of a retired enlisted man or a transferred member of the Fleet Reserve without additional expense to the Government, nor the sale of meals to officers by general messes on shore as regulated by detailed instructions from the Navy Department; total, pay and allowances"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$1,214,296,000"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$52,796,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amennment, as follows: In lieu of the sum proposed, insert the following: "$1,267,092,000"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$35,000,000"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its diagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$54,000,000"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$318,000,000"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$501,000,000"; and the Senate agree to the same.

Amendment numbered 37: That the House recede from its disagreement to the amendment of the Senate numbered 37, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$27,480,000"; and the Senate agree to the same.

Amendment numbered 38: That the House recede from its disagreement to the amendment of the Senate numbered 38, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$3,174,000"; and the Senate agree to the same.

Amendment numbered 39: That the House recede from its disagreement to the amend-

ment of the Senate numbered 39, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$3,625,000"; and the Senate agree to the same.

Amendment numbered 40: That the House recede from its disagreement to the amendment of the Senate numbered 40, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$5,303,000"; and the Senate agree to the same.

Amendment numbered 41: That the House recede from its disagreement to the amendment of the Senate numbered 41, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$36,408,000"; and the Senate agree to the same.

Amendment numbered 42: That the House recede from its disagreement to the amendment of the Senate numbered 42, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$1,400,000"; and the Senate agree to the same.

Amendment numbered 43: That the House recede from its disagreement to the amendment of the Senate numbered 43, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$190,594,000"; and the Senate agree to the same.

Amendment numbered 45: That the House recede from its disagreement to the amendment of the Senate numbered 45, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$1,075,000"; and the Senate agree to the same.

Amendment numbered 46: That the House recede from its disagreement to the amendment of the Senate numbered 46, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$975,000"; and the Senate agree to the same.

Amendment numbered 47: That the House recede from its disagreement to the amendment of the Senate numbered 47, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$2,050,000"; and the Senate agree to the same.

Amendment numbered 49: That the House recede from its disagreement to the amendment of the Senate numbered 49, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$3,946,300"; and the Senate agree to the same.

Amendment numbered 50: That the House recede from its disagreement to the amendment of the Senate numbered 50, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$1,164,000"; and the Senate agree to the same.

Amendment numbered 51: That the House recede from its disagreement to the amendment of the Senate numbered 51, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$20,200"; and the Senate agree to the same.

Amendment numbered 53: That the House recede from its disagreement to the amendment of the Senate numbered 53, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$310,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$1,435,000"; and the Senate agree to the same.

Amendment numbered 56: That the House recede from its disagreement to the amendment of the Senate numbered 56, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$2,005,000"; and the Senate agree to the same.

Amendment numbered 57: That the House recede from its disagreement to the amendment of the Senate numbered 57, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$980,000"; and the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$3,226,000"; and the Senate agree to the same.

Amendment numbered 59: That the House recede from its disagreement to the amendment of the Senate numbered 59, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$1,890,000"; and the Senate agree to the same.

Amendment numbered 61: That the House recede from its disagreement to the amendment of the Senate numbered 61, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$6,450,000"; and the Senate agree to the same.

Amendment numbered 62: That the House recede from its disagreement to the amendment of the Senate numbered 62, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$3,100,000"; and the Senate agree to the same.

Amendment numbered 63: That the House recede from its disagreement to the amendment of the Senate numbered 63, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$4,400,000"; and the Senate agree to the same.

Amendment numbered 64: That the House recede from its disagreement to the amendment of the Senate numbered 64, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$1,078,000"; and the Senate agree to the same.

Amendment numbered 65: That the House recede from its disagreement to the amendment of the Senate numbered 65, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$2,045,000"; and the Senate agree to the same.

Amendment numbered 67: That the House recede from its disagreement to the amendment of the Senate numbered 67, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$34,960,100"; and the Senate agree to the same.

Amendment numbered 70: That the House recede from its disagreement to the amendment of the Senate numbered 70, and agree to the same with an amendment, as follows: In lieu of the sum proposed, insert the following: "$975,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 76, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109 and 110.

CHARLES A. PLUMLEY,
NOBLE J. JOHNSON,
WALTER C. PLOESER,
ERRETT P. SCRIVNER,
HARRY R. SHEPPARD,
ALBERT THOMAS,
JOE HENDRICKS,
Managers on the Part of the House.

LEVERETT SALTONSTALL,
STYLES BRIDGES,
M. E. TYDINGS,
THEODORE FRANCIS GREEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3493) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes, submit the following report in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

TITLE I—APPROPRIATIONS

Amendment No. 1 appropriates $14,500,000 for Miscellaneous Expenses as proposed by the House instead of $16,700,000 as proposed by the Senate.

Amendment No. 2 appropriates $34,000,000 for Research, Navy as proposed by the Senate instead of $34,400,000 as proposed by the House.

Amendment No. 3 adds language to exclude the Special Devices Center from the limitation for administrative expenses as proposed by the Senate.

Amendment No. 4 appropriates $3,000,000 for Island Governments instead of $2,500,000 as proposed by the House and $3,500,000 as proposed by the Senate.

Amendment No. 5 adds clarifying language in Instruction as proposed by the Senate.

Amendment No. 6 adds clarifying language for Libraries as proposed by the Senate.

Amendment No. 7 appropriates $15,000,000 for Officer candidate training as proposed by the Senate instead of $12,000,000 as proposed by the House.

Amendment No. 8 corrects a total for training, education, and welfare, Navy.

Amendment No. 9 authorizing the consolidation of funds as proposed by the Senate has been deleted as proposed by the House.

Amendment No. 10 appropriates $400,000 for Miscellaneous Expenses, Bureau of Naval Personnel instead of $300,000 as proposed by the House and $700,000 as proposed by the Senate.

Amendment No. 11 appropriates $100,000,000 for Naval Reserve as proposed by the House instead of $99,700,000 as proposed by the Senate.

Amendment No. 12 provides for a limitation of 1,025 enlisted men who may be assigned to duty at the Naval Academy, instead of a limitation of 1,000 men as proposed by the House and no limitation as proposed by the Senate.

Amendment No. 13 adds clarifying language in the appropriation, Maintenance, Bureau of Ships.

Amendment No. 14 appropriates $320,000,000 for Maintenance, Bureau of Ships instead of $300,000,000 as proposed by the House and $322,000,000 proposed by the Senate.

Amendment No. 15 adds language authorizing transfer from the Clothing and Small Stores Fund as proposed by the Senate.

Amendment No. 16 adds clarifying language in the appropriation Ordnance and Ordnance Stores.

Amendment No. 17 appropriates $184,000,000 for Ordnance and Ordnance Stores instead of $180,000,000 as proposed by the House and $192,000,000 as proposed by the Senate.

Amendment No. 18 restores a limitation pertaining to Pay and allowances of enlisted men performing household duties, deleted by the Senate, with an amendment exempting those who have specifically enlisted for such duties, as proposed by the House.

Amendment No. 19 appropriates $1,214,296,000 for Pay and allowances instead of $1,153,000,000 as proposed by the House and $1,219,777,000 as proposed by the Senate.

Amendment No. 20 appropriates $52,796,000 for Subsistence instead of $47,000,000 as proposed by the House and $53,981,000 as proposed by the Senate.

Amendment No. 21 adjusts the total for Pay and Subsistence. It is agreed by the conferees of both the House and the Senate

that the sums provided for pay and subsistence of naval personnel should maintain a navy with an average strength of 395,000 enlisted men and 42,000 officers during the fiscal year 1948.

Amendment No. 22 adds language authorizing transfer from the Naval Stock Fund as proposed by the Senate.

Amendment No. 23 appropriates $35,000,000 for Transportation and Recruiting of Naval Personnel instead of $34,000,000 as proposed by the House and $36,631,000 as proposed by the Senate.

Amendment No. 24 deletes a proposal by the Senate to add language authorizing additional payments on account of losses sustained by disbursing officers, as proposed by the House.

Amendment No. 25 appropriates $150,000,000 for Maintenance, Bureau of Supplies and Accounts as proposed by the House instead of $155,000,000 as proposed by the Senate.

Amendment No. 26 adds language authorizing transfer from the Clothing and Small Stores Fund as proposed by the Senate.

Amendment No. 27 appropriates $50,000,000 for Transportation of Things as proposed by the House instead of $58,000,000 as proposed by the Senate.

Amendment No. 28 appropriates $54,000,000 for Fuel instead of $50,000,000 as proposed by the House and $55,000,000 as proposed by the Senate.

Amendment No. 29 providing for operation of passenger-carrying vehicles as proposed by the Senate is deleted, as proposed by the House.

Amendment No. 30 appropriates $128,650,000 for maintenance, Bureau of Yards and Docks as proposed by the Senate instead of $126,000,000 as proposed by the House.

Amendment No. 31 appropriates $3,800,000 for the operation of housing projects as proposed by the Senate instead of $3,450,000 as proposed by the House.

Amendment No. 32 adjusts a total.

Amendment No. 33 provides for the employment of group IVb personnel in the Bureau of Aeronautics as proposed by the Senate.

Amendment No. 34 appropriates $318,000,000 for aviation maintenance instead of $291,000,000 as proposed by the House and $319,890,000 as proposed by the Senate.

Amendment No. 35 adjusts a total.

Amendment No. 36 authorizes $248,000,000 contract authority for the procurement of new aircraft as proposed by the Senate instead of $170,000,000 as proposed by the House.

Amendment No. 37 appropriates $27,480,000 for pay of Marine Corps officers instead of $26,400,000 as proposed by the House and $28,384,000 as proposed by the Senate.

Amendment No. 38 authorizes a limitation on flight pay of Marine Corps officers of $3,174,000 instead of $3,000,000 as proposed by the House and $3,316,000 as proposed by the Senate.

Amendment No. 39 appropriates $3,625,000 for subsistence of Marine Corps officers instead of $3,500,000 as proposed by the House and $3,728,000 as proposed by the Senate.

Amendment No. 40 appropriates $5,303,000 for rental allowance of Marine Corps officers instead of $5,100,000 as proposed by the House and $5,470,000 as proposed by the Senate.

Amendment No. 41 adjusts a total.

Amendment No. 42 appropriates $1,400,000 for mileage of Marine Corps officers instead of $1,342,000 as proposed by the House and $1,448,000 as proposed by the Senate.

Amendment No. 43 adjusts a total.

Amendment No. 44 deletes a proposal by the Senate to add language authorizing additional payments on account of losses sustained by disbursing officers, as proposed by the House.

Amendment No. 45 appropriates $1,075,000 for Pay of Civil Force in the Offices of the Commandant of the Marine Corps and the Director of Personnel instead of $1,000,000 as proposed by the House and $1,175,000 as proposed by the Senate.

Amendment No. 46 appropriates $975,000 for Pay of Civil Force in the Supply Department of the Marine Corps instead of $900,000 as proposed by the House and $1,050,000 as proposed by the Senate.

Amendment No. 47 adjusts the total.

Amendment No. 48 provides for the use of group IVb personnel in the Bureau of Ordnance as proposed by the Senate.

Amendment No. 49 appropriates $3,946,300 for Salaries, Office of the Secretary of the Navy instead of $3,600,000 as proposed by the House and $4,471,100 as proposed by the Senate.

Amendment No. 50 appropriates $1,164,000 for Salaries, Office of Naval Research, instead of $764,000 as proposed by the House and $1,244,100 as proposed by the Senate.

Amendment No. 51 appropriates $20,200 for Salaries, Naval Examining and Retiring Boards instead of $17,500 as proposed by the House and $22,000 as proposed by the Senate.

Amendment No. 52 appropriates $57,000 for Salaries, Office of Naval Records and Library as proposed by the Senate instead of $50,000 as proposed by the House.

Amendment No. 53 appropriates $310,000 for Salaries, Office of Judge Advocate General instead of $300,000 as proposed by the House and $348,000 as proposed by the Senate.

Amendment No. 54 appropriates $1,435,000 for Salaries, Office of Chief of Naval Operations instead of $1,400,000 as proposed by the House and $1,575,000 as proposed by the Senate.

Amendment No. 55 appropriates $35,000 for Salaries, Board of Inspection and Survey as proposed by the House instead of $37,400 as proposed by the Senate.

Amendment No. 56 appropriates $2,005,000 for Salaries, Office of Director of Naval Communications instead of $1,625,000 as proposed by the House and $2,454,300 as proposed by the Senate.

Amendment No. 57 appropriates $980,000 for Salaries, Office of Naval Intelligence instead of $900,000 as proposed by the House and $1,182,000 as proposed by the Senate.

Amendment No. 58 appropriates $3,226,000 for Salaries, Bureau of Naval Personnel instead of $3,000,000 as proposed by the House and $3,897,700 as proposed by the Senate.

Amendment No. 59 appropriates $1,890,000 for Salaries, Hydrographic Office instead of $1,800,000 as proposed by the House and, $2,200,000 as proposed by the Senate.

Amendment No. 60 appropriates $400,000 for Salaries, Naval Observatory as proposed by the House instead of $433,000 as proposed by the Senate.

Amendment No. 61 appropriates $6,450,000 for Salaries, Bureau of Ships instead of $5,450,000 as proposed by the House and $6,950,000 as proposed by the Senate.

Amendment No. 62 appropriates $3,100,000 for Salaries, Bureau of Ordnance instead of $3,000,000 as proposed by the House and $3,710,500 as proposed by the Senate.

Amendment No. 63 appropriates $4,400,000 for Salaries, Bureau of Supplies and Accounts instead of $4,300,000 as proposed by the House and $4,710,000 as proposed by the Senate.

Amendment No. 64 appropriates $1,078,000 for Salaries, Bureau of Medicine and Surgery instead of $1,000,000 as proposed by the House and $1,284,000 as proposed by the Senate.

Amendment No. 65 appropriates $2,045,000 for Salaries, Bureau of Yards and Docks instead of $2,000,000 as proposed by the House and $2,574,600 as proposed by the Senate.

Amendment No. 66 appropriates $2,400,000 for Salaries, Bureau of Aeronautics as proposed by the Senate instead of $3,000,000 as proposed by the House.

Amendment No. 67 adjusts a total.

Amendment No. 68 appropriates $1,000,000 for Contingent Expenses as proposed by the House instead of $1,060,000 as proposed by the Senate.

Amendment No. 69 appropriates $2,750,000 for Printing and Binding as proposed by the House instead of $3,050,000 as proposed by the Senate.

Amendment No. 70 appropriates $975,000 for Contingent and Miscellaneous Expenses, Hydrographic Office, instead of $900,000 as proposed by the House and $1,000,000 as proposed by the Senate.

Amendment No. 71 appropriates $50,000 for Contingent and Miscellaneous Expenses, Naval Observatory as proposed by the Senate instead of $48,000 as proposed by the House.

Amendment No. 72, under General Provisions, authorizes payment of rewards as authorized by law as proposed by the Senate.

Amendment No. 73 authorizes the procurement of intermittent services as proposed by the House.

Amendment No. 74 deletes language in connection with the handling of surplus property as proposed by the Senate.

Amendment No. 75 deletes Senate proposal authorizing expenditures for maintenance and upkeep of vessels in connection with sales of surplus property, as proposed by the House.

Amendment No. 76 is reported in disagreement.

Amendment No. 77 deletes superfluous language, as proposed by the Senate.

Amendment No. 78 is reported in disagreement.

The conferees on the part of both the House and Senate desire to emphasize most emphatically that any reductions affecting shore establishments made necessary as a result of action upon this bill shall be made not upon the basis of political or sectional desires, but rather on the basis of efficient and economical distribution of installations which are of greatest value to the Navy from a military standpoint. The conferees do not want favoritism shown to any one section of the country over another.

TITLE II—REDUCTIONS IN APPROPRIATIONS

Amendments Nos. 79–110 inclusive are reported in disagreement.

AMENDMENTS IN DISAGREEMENT

Amendment No. 76 authorizes the obligation and expenditure of funds from the several appropriations in advance of reimbursement thereto, as proposed by the Senate. The managers on the part of the House will move to recede and concur.

Amendment No. 78 authorizes transfers of not to exceed 5% between appropriations, as proposed by the Senate. The managers on the part of the House will move to insist on their disagreement.

Amendments Nos. 79–110 inclusive provide for the rescission of certain 1946 and 1947 fiscal year appropriations in the amount of $403,575,000 as proposed by the Senate. The managers on the part of the House will move to recede and concur.

CHARLES A. PLUMLEY,
NOBLE J. JOHNSON,
WALTER C. PLOESER,
ERRETT P. SCRIVNER,
HARRY R. SHEPPARD,
ALBERT THOMAS,
JOE HENDRICKS,
Managers on the Part of the House.

Mr. PLUMLEY (interrupting the reading of the statement). Mr. Speaker, this report was printed in the daily RECORD of Friday, July 11, 1947, and has been available to the Members for 3 days. I suggest that there is no necessity for continuing the reading of the statement, and, therefore, I ask unanimous consent that the further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

Mr. CHURCH. Mr. Speaker, reserving the right to object, what is the amount provided for research in the Navy Department?

Mr. PLUMLEY. Mr. Speaker, I will undertake to answer that question in my general statement in discussion of the bill as a whole.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, the Navy Department appropriation bill for 1948, as it comes out of conference, carries total new appropriations of $3,268,766,100, which is $133,285,000 more than the amount which was approved as the House passed the bill on May 20, and is $43,278,200 below the amount as it passed the Senate. In addition, transfers were authorized of approximately $164,000,000.

However, the House Conferees have agreed to the proposal of the Senate to rescind a total of $403,575,000 of 1946 and 1947 funds, a large portion of which would have been spent had it not been for the rescission in title II in the pending bill. It is estimated that at least $161,000,000 of the rescissions represents an actual reduction in the program and the balance, $242,575,000 is in a large amount composed of funds that probably would have lapsed into the Treasury in any event.

Assuming that only the $161,000,000 was a program reduction, we thus have a situation where the conference report provides an eventual expenditure of about $28,000,000 less than would have been expended under either the House or Senate versions of the bill.

As adjusted, the bill, in my opinion, makes ample provision for carrying a Navy of at least 395,000 enlisted men and 42,000 officers.

In addition to the action of the conference on appropriations, we have agreed upon an increase in contract authority for the construction of new aircraft in the amount of $248,000,000 which is $78,000,000 more than the amount provided for in the bill as it passed the House. This additional increase was not presented in the budget which came to us in January inasmuch as no determination had been made at that time as to whether the Army or Navy would do certain long-range reconnaissance work. Subsequent to the House hearings it was determined that the Navy would do this and that is why the item went direct to the Senate for primary consideration rather than being before the House.

Comparative statement showing the appropriations for 1947, the estimates for 1948, the bill as passed by the House, the bill as passed by the Senate, and the amount agreed upon in conference

NAVAL ESTABLISHMENT

	Net appropriations for 1947, regular, annual, and supplemental, including rescissions	Budget estimates for 1948	Amount recommended in House bill	Amount recommended by Senate committee	Conference agreement
Office of the Secretary:					
Miscellaneous expenses	$14,094,000	$19,286,000	$14,500,000	$16,700,000	$14,500,000
Contingencies of the Navy	100,000	9,000,000	9,000,000	9,000,000	9,000,000
Research, Navy	45,000,000	34,400,000	34,400,000	34,000	34,000,000
Operation and conservation of naval petroleum reserves	9,710,000	122,000	100,000	100,000	100,000
Ocean and lake surveys	175,000	140,000	140,000	140,000	140,000
Island governments	(1)	5,500,000	2,500,000	3,500,000	3,000,000
Total, Office of the Secretary	69,079,000	68,448,000	60,640,000	63,440,000	60,740,000
Bureau of Naval Personnel:					
Training, education, and welfare, Navy:					
Naval War College	235,000	250,000	235,000	235,000	235,000
Naval training stations:					
San Diego	1,577,000	1,700,000	1,500,000	1,500,000	1,500,000
Newport	1,575,000	1,269,000	1,100,000	1,100,000	1,100,000
Great Lakes	2,850,000	2,831,000	2,400,000	2,400,000	2,400,000
Port Deposit, Md	1,650,000				
Fleet training	140,000	85,000	65,000	65,000	65,000
Instruction	8,436,000	8,000,000	7,200,000	7,200,000	7,200,000
Libraries	450,000	575,000	350,000	350,000	350,000
Welfare and recreation	2,750,000	2,700,000	2,000,000	2,000,000	2,000,000
Officer candidate training	1,928,000	15,000,000	12,000,000	15,000,000	15,000,000
Total, training, education, and welfare, Navy	21,591,000	32,410,000	26,850,000	29,850,000	29,850,000
Miscellaneous expenses	200,000	[2] 800,000	300,000	700,000	400,000
Naval Reserve	133,800,000	100,000,000	100,000,000	99,700,000	100,000,000
Naval Academy:					
Pay	2,230,000				
Maintenance	2,150,000				
General expenses		4,800,000	4,500,000	4,500,000	4,500,000
Total, Naval Academy	4,380,000	4,800,000	4,500,000	4,500,000	4,500,000
Naval Home	321,000	352,900	325,000	325,000	325,000
Total, Bureau of Naval Personnel	160,292,000	138,362,900	131,975,000	135,075,000	135,075,000
Bureau of Ships: Maintenance	443,750,000	[3] 374,750,000	[3] 300,000,000	322,000,000	320,000,000
Bureau of Ordnance: Ordnance and ordnance stores	243,890,000	208,000,000	180,000,000	192,000,000	184,000,000
Bureau of Supplies and Accounts:					
Pay and subsistence	[4] 1,170,840,000	[5] 1,294,171,000	[4] 1,200,000,000	1,273,758,000	1,267,092,000
Transportation and recruiting	74,139,900	39,497,000	34,000,000	36,631,000	35,000,000
Maintenance	241,000,000	[6] 168,668,600	[6] 150,000,000	155,000,000	150,000,000
Transportation of things	[7] 84,118,700	[8] 63,000,000	50,000,000	58,000,000	50,000,000
Fuel, Navy	45,000,000	[9] 55,000,000	50,000,000	55,000,000	54,000,000
Total, Bureau of Supplies and Accounts	[4] 1,615,098,600	1,620,336,600	1,484,000,000	1,578,389,000	1,556,092,000
Bureau of Medicine and Surgery: Medical Department	35,500,000	39,422,000	37,500,000	37,500,000	37,500,000
Bureau of Yards and Docks:					
Maintenance	134,160,000	[10] 142,500,000	129,450,000	132,450,000	132,450,000
Public works, Bureau of Yards and Docks	115,909,786				
Total, Bureau of Yards and Docks	250,069,786	142,500,000	129,450,000	132,450,000	132,450,000
Bureau of Aeronautics: Aviation, Navy	780,760,000	[11] 529,500,000	[11] 474,000,000	[11] 502,800,000	501,000,000

[1] Carried in 1947 at $5,000,000 under "Public works, Bureau of Yards and Docks."
[2] Includes $647,500 previously carried under "Pay and subsistence of naval personnel."
[3] Budget estimate decreased from $381,150,000 to $374,750,000 by H. Doc. 85. Authorization requested to transfer not to exceed $50,000,000 from the naval stock fund. Committee recommends transfer.
[4] In addition, transfer of not to exceed $500,000,000 from the naval stock fund.
[5] In addition, authorization to transfer not to exceed $50,000,000 to the "Subsistence" subhead from the "Clothing and small stores fund."
[6] Budget estimate decreased from $171,753,000 to $168,668,600 by H. Doc. 85. Authorization requested to transfer not to exceed $50,000,000 from the naval stock fund. Committee recommends transfer.
[7] Includes $28,750,000 in Third Deficiency Act, 1946.
[8] Increased from $60,000,000 to $63,000,000 by H. Doc. 85.
[9] Increased from $40,000,000 to $55,000,000 by H. Doc. 85.
[10] Decreased from $144,700,000 to $142,500,000 by H. Doc. 85.
[11] Budget estimate decreased from $536,000,000 to $529,500,000 by H. Doc. 85. House bill carries language authorizing $170,000,000 contract authority in addition to estimate shown, and Senate bill $248,000,000 contract authorization.

Comparative statement showing the appropriations for 1947, the estimates for 1948, the bill as passed by the House, the bill as passed by the Senate, and the amount agreed upon in conference—Continued

NAVAL ESTABLISHMENT—Continued

	Net appropriations for 1947, regular, annual, and supplemental, including rescissions	Budget estimates for 1948	Amount recommended in House bill	Amount recommended by Senate committee	Conference agreement
Marine Corps:					
Pay	$262,994,000	$209,000,000	$189,128,000	$191,816,000	$190,594,000
Pay, civil force, Office of Commandant and Director of Personnel	1,289,500	1,296,400	1,000,000	1,175,000	1,075,000
Pay, civil force, Office of Paymaster General	325,500				
Pay, civil force, Office of Quartermaster General	776,000				
Pay, civil force, Supply Department		1,163,600	900,000	1,050,000	975,000
General expenses:					
Provisions	23,630,000	27,720,000	25,000,000	25,000,000	25,000,000
Clothing	15,725,000	19,980,000	16,000,000	16,000,000	16,000,000
Fuel	3,000,000	3,500,000	3,000,000	3,000,000	3,000,000
Military stores	17,425,000	16,265,000	14,000,000	14,000,000	14,000,000
Transportation and recruiting	10,400,000	10,000,000	8,500,000	8,500,000	8,500,000
Repair of barracks	2,040,000	3,000,000	2,000,000	2,000,000	2,000,000
Forage	70,000	35,000	30,000	30,000	30,000
Miscellaneous supplies and equipment	49,000,000	46,000,000	38,000,000	38,000,000	38,000,000
Reserve	2,857,000	3,500,000	3,000,000	3,000,000	3,000,000
Marine Band	8,140				
Total, general expenses	124,155,140	130,000,000	109,530,000	109,530,000	109,530,000
Total, Marine Corps	389,540,140	341,460,000	300,558,000	303,571,000	302,174,000
Shipbuilding:					
Construction of ships		[12] *(9,700,000)*	[12] *(9,700,000)*	*(9,700,000)*	*(9,700,000)*
Ordnance for new construction		[13] *(4,580,000)*	[13] *(4,580,000)*	*(4,580,000)*	*(4,580,000)*
Increase and replacement of naval vessels:					
Construction and machinery	[14] 300,000,000				
Total, regular annual appropriations, Naval Establishment	4,287,979,526	3,462,779,500	3,098,123,000	3,267,315,000	3,229,031,000

NAVY DEPARTMENT

	Net appropriations for 1947, regular, annual, and supplemental, including rescissions	Budget estimates for 1948	Amount recommended in House bill	Amount recommended by Senate committee	Conference agreement
Salaries:					
Office of the Secretary	$5,411,000	[15] $4,851,100	$3,600,000	$4,471,100	$3,946,300
Office of Naval Research		1,244,100	764,000	1,244,100	1,164,000
General Board	18,760	18,600	18,600	18,600	18,600
Naval Examining and Retiring Boards	20,000	22,000	17,500	22,000	20,200
Office of Naval Records and Library	57,000	65,000	50,000	57,000	57,000
Office of Judge Advocate General	335,825	363,000	300,000	348,000	310,000
Office of Chief of Naval Operations	1,882,500	1,710,000	1,400,000	1,575,000	1,435,000
Board of Inspection and Survey	35,400	37,400	35,000	37,400	35,000
Office of Director of Naval Communications	1,625,000	2,454,300	1,625,000	2,454,300	2,005,000
Office of Naval Intelligence	1,117,500	1,182,000	900,000	1,182,000	980,000
Bureau of Naval Personnel	3,976,000	4,284,000	3,000,000	3,897,700	3,226,000
Hydrographic Office	2,400,000	2,295,200	1,800,000	2,200,000	1,890,000
Naval Observatory	429,000	448,000	400,000	433,000	400,000
Bureau of Ships	6,490,000	7,267,500	5,450,000	6,950,000	6,450,000
Bureau of Ordnance	3,716,500	3,910,500	3,000,000	3,710,500	3,100,000
Bureau of Supplies and Accounts	5,405,000	5,417,500	4,300,000	4,710,000	4,400,000
Bureau of Medicine and Surgery	1,225,000	[16] 1,409,000	1,000,000	1,284,000	1,078,000
Bureau of Yards and Docks	2,045,000	[17] 2,861,600	2,000,000	2,574,600	2,045,000
Bureau of Aeronautics	2,715,000	[18] 4,425,000	3,000,000	2,400,000	2,400,000
Total, salaries	38,904,425	44,265,800	32,660,100	39,569,300	34,960,100
Contingent and other expenses:					
Contingent expenses, Navy Department	1,250,000	1,200,000	1,000,000	1,060,000	1,000,000
Printing and binding, Navy Department	3,100,000	3,500,000	2,750,000	3,050,000	2,750,000
Contingent and miscellaneous expenses, Hydrographic Office	1,500,000	1,200,000	900,000	1,000,000	975,000
Contingent and miscellaneous expenses Naval Observatory	48,000	55,000	48,000	50,000	50,000
Total, contingent and other expenses	5,898,000	5,955,000	4,698,000	5,160,000	4,775,000
Total, regular annual appropriations, Navy Department	44,802,425	50,220,800	37,358,100	44,729,300	39,735,100
Total, regular annual appropriations, Navy Department and Naval Establishment	4,332,781,951	[19] 3,513,000,300	[19] 3,135,481,100	3,312,044,300	3,268,766,100

[12] To be transferred from the appropriation "Increase and replacement of naval vessels, construction, and machinery."
[13] To be transferred from the appropriation "Increase and replacement of naval vessels, armor, armament, and ammunition."
[14] In addition $50,000,000 by transfer from "Increase and replacement of naval vessels, armor, armament, and ammunition."
[15] Excludes $1,244,100 carried in 1948 under "Salaries, Office of Naval Research."
[16] Increased from $1,224,600 to $1,409,000 by H. Doc. 85.
[17] Includes $816,000 previously carried under "Public works, Bureau of Yards and Docks."
[18] Includes $1,710,000 previously carried under "Aviation, Navy."
[19] And, in addition, authorizes transfers of not to exceed $150,000,000 and contractual authority of $170,000,000.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent to place in the RECORD at this time a table which is a comparative statement showing the appropriations for 1947, the estimates for 1948, the bill as it passed the House, the bill as it passed the Senate, and the amount agreed upon in conference.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. PLUMLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. PLOESER].

Mr. PLOESER. Mr. Speaker, there has been considerable newspaper comment about what the House and Senate had done in their differences in regard to the appropriations for the Navy Department.

I think it should be clearly revealed to the House that the major changes made by the Senate in the House Navy appropriation bill was the result of bookkeeping with mirrors.

The Senate proceeded to rescind certain moneys which the House knew of,

and which were to be spent in fiscal 1948, in the amount of $161,000,000. Then, after making such rescission, the Senate proceeded to appropriate new funds for identical and similar purposes, with the result that it appeared that the Senate had greatly increased the House bill, and it had from the standpoint of actual new cash appropriations; but as a matter of fact, it showed a lesser amount of actual spending in the year 1948 from the standpoint of the Navy.

Anyone who knows anything about the operations of the Federal Government's fiscal affairs knows that you balance the budget on the income and outgo of cash in the Treasury, and regardless of what you may appropriate, if it is not expended in cash it does not affect the budget in its final balance or unbalance.

Now, what has happened here, I think, should probably be more or less outlined in detail. The bill left the House with an amount of $3,285,500,000, in round figures, for the fiscal year 1948. The House had taken into consideration the fact that there were approximately $161,000,000 which had already been set for certain Navy projects and which would probably be expended in the fiscal year 1948. The Senate proceeded to rescind those funds, plus other funds which were to lapse on June 30 of this year, and so required no rescission, and then proceeded to appropriate additional cash funds to replace a portion of the rescinded funds, and to give, in addition, some other funds for other purposes. It made quite a jumble in the conference and left quite a jigsaw puzzle for the public to misunderstand. It is difficult enough for the public to understand how we appropriate and how we spend and how we attempt to balance the budget in government, but it was made all the more difficult by this procedure on the part of the other body.

The House conferees in their work in the conference realizing the fact that we had gone beyond the June 30 date and could no longer, in accordance with law, reinstate some of these rescinded funds in the amount of $161,000,000 and reestablish their usability because they were carry-over funds from prior fiscal years, proceeded to concur with the rescissions in full and thereafter to reduce the increase in the Senate appropriations. As a net result the conference agreement brings about $35,000,000 less in spending than the lowest of the two bills, House or Senate, without any impairment of our fighting force, leaving us a strength of 395,000 men and 42,000 officers.

Mr. MILLER of Nebraska. Mr. Speaker, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. MILLER of Nebraska. I wish to inquire about the $161,000,000. Do I understand that this was money that was unencumbered, that had no strings or liens against it?

Mr. PLOESER. Money goes through several processes. The Navy first of all sets up a project.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. PLUMLEY. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. PLOESER. When the Navy sets up a project it commits the expenditure of money to that project and so far as the law is concerned that obligates the money and permits it to be carried over in a subsequent fiscal year. There were $161,000,000 so committed. That does not necessarily mean that an uncancelable contract had been made. Some may have been just in the blueprint stage.

Mr. MILLER of Nebraska. Nor does it mean that there was actually $161,000,000 unencumbered cash with the Navy.

Mr. PLOESER. Prior to June 30 it was encumbered in the sense that it was committed to certain projects and contracts were probably under negotiation for the carrying through of many of these projects, but in view of the Senate action the Navy rescinded those commitments and destroyed its projects or else canceled them and made money available which would have been spent in 1948. The Senate proceeded to rescind. Had June 30 or the close of the fiscal year not approached in the interim period the Navy would still be in a position prior to that date to recommit it; but June 30 came around, and according to law the money was about to lapse on them anyway. That is why I called it bookkeeping with mirrors—first you see it and then you do not. In the main you observe a reflection.

There is one thing in this bill which is in disagreement, and that is the provision which was in the House bill which prohibited the transfer of any funds. The other body reinstated a provision which permitted a 5-percent transfer of funds from one intended use to another. I want to call the attention of the House to the fact that in the report on the 1947 bill in the Seventy-ninth Congress we made this statement, and it was the unanimous statement of the Appropriations Committee: That language authorizing transfers up to 5 percent between various appropriations have been inserted in the bill—that was the 1947 bill—as a cushion to meet contingencies in the construction program that cannot now be foreseen. The committee does not intend, however, to continue this authority in the fiscal year 1948.

With the change in the complexion of the Congress there has been a little change in the complexion of this committee in regard to opinion on the transferability clause. The House committee is still insisting on the House position. That is the only place in the conference report where we were unable to agree. The House is insisting upon its position, that this transfer clause be deleted.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. PLOESER. I yield.

Mr. WALTER. Is not the Army permitted 5 percent transfers?

Mr. PLOESER. Both the Army and the Navy bills included such a clause up until this year. The House bill for the War Department deleted that language the same as the Navy bill. The other body in both instances has reinstated the language.

Mr. PLUMLEY. Mr. Speaker, will the gentleman yield?

Mr. PLOESER. I yield to the gentleman from Vermont.

Mr. PLUMLEY. In the report which our committee made it is generally stated that we would permit that transfer for last year and for the last time. As a matter of courtesy, we brought this amendment in disagreement because of certain conditions in the Senate whereby the chairman of the Senate committee in conference desired to have it done that way. That is all there is to that. We shall insist; the Senate will recede.

Mr. PLOESER. The following tables will help to clarify:

Appropriations		Budget message	Expenditures		
Budget message	$3,504				
Supplemental message	9				
Total new cash	3,513				
Transfers from revolving funds	150				
Total appropriation 1948 under consideration	3,663	$3,663		$2,862.0	
Public works request to be submitted later	(37)			[1] 37.0	
			From carry-over (prior year's funds)	1,611.0	
Grand total considered by House		3,663			$4,510.0

HOUSE ACTION

1948 appropriation reduction	$377.5			$278.3	
Savings through corrections in budget estimates				[2] 96	
Total reduction by House		$377.5		374.3	
Resultant House action		3,285.5			$4,136.0

Footnotes at end of tables.

PROPOSED SENATE COMMITTEE ACTION

	Rescissions					
	Total	Will lapse	Program reduction			
1948 appropriation reduction				($201)	$142.3	
1947 appropriations rescission	$62	($12)	($50)		37	
1946 appropriations rescission	341.6	(230.6)	(111)		111	
Savings through corrections in budget estimates					[2] 96	
Reduction in public works (to be submitted later)					[1] 18	
Total appropriation reductions	403.6	(242.6)	(161)	(201) Total expenditure reduction	404.3	
Resultant Senate action				3,462		$4,105.7

CONFERENCE ACTION

	Rescissions					
	Total	Will lapse	Program reduction			
1948 appropriation reduction				($244.2)	$176.1	
1947 appropriation rescission	$62.0	($12)	($50)		37.0	
1946 appropriation rescission	341.6	(230.6)	(111)		111.0	
Savings through corrections in budget estimates					[2] 96.0	
Reduction in public works (to be submitted later)					[1] 18.0	
Total appropriation reduction	403.6	(242.6)	(161)	(244.2) Total expenditure reduction	438.1	
Resultant conference action				3,418.8		$4,071.9

[1] $37,000,000 included in table 10, page A-89, of budget message as part of 1948 expenditure. This appropriation not yet submitted but when submitted will be limited to not more than $19,000,000 resulting in an $18,000,000 expenditure reduction.

[2] Composed of:

(a) Armed Services Terminal Leave Act	$60,000,000
(b) New shipbuilding program reduction	26,000,000
(c) Reduction in 1947 supplemental appropriations	10,000,000
Total	96,000,000

House reduction, 1948		$377.5
Senate net reduction, 1948		201.0
1948 appropriation Senate restoration		176.5
Senate rescission 1947 appropriation	$50.0	
Senate rescission 1946 appropriation	111.0	
Total Senate rescission		161.0
Net restoration		15.5

Mr. PLUMLEY. Mr. Speaker, I yield such time as he may desire to the gentleman from California [Mr. SHEPPARD].

Mr. SHEPPARD. Mr. Speaker, with due deference to the members of this committee, after a long and most tedious conference with the Senate, we managed to reach a compromise on this bill. The compromise amounts, as compared with the House bill that was passed and that arrived at through conference represents a difference of $133,200,000 increase. Insofar as the original presentation of the budget to the House, which was $3,513,000,000, as reflected in the conference, it represents a saving of $244,234,200.

Mr. Speaker, taking the compromise as a whole, the conferees, in my opinion, have worked out a fairly satisfactory bill. The establishment of a personnel of 395,000, with 42,000 officers, is more satisfactory than the House figure, all things considered. Insofar as the minority membership is concerned, we are in accord with the present compromise because we consider it is the best we could work out under the circumstances.

With reference to the 5-percent transfer clause, to which the gentleman from Missouri and the chairman of the committee referred, there are, of course, two sides to the issue; however, when this committee presented its regular supply bill last year to the Members of the House we definitely stated at that time that we were placing the Navy on notice that there would be no further 5 percent or other percent transfer clause. It seems to be the general consensus of opinion of the membership of the House that there should not be these transfer clauses permitted in bills of this character either for the Army or Navy and, while there may be extenuating circumstances, we consider it advisable at this time for the House to support the representations of the committee insofar as its disagreement with the Senate in respect to this amendment transfer request.

Mr. PLUMLEY. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 76: Page 36, line 18, after the word "paid", insert: "and the Navy Department is authorized to apportion, obligate, and expend funds from the several appropriations involved in advance of the reimbursement thereto: *Provided*, That reimbursement shall not be made for pay and allowances and subsistence of naval and Marine Corps personnel within the numbers appropriated for:"

Mr. PLUMLEY. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 76 and concur therein.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 78: Page 37, line 11, insert the following:

"SEC. 114. The Secretary may transfer not to exceed 5 percent of any of the foregoing appropriations to any other appropriation or appropriations made by this act, but no such appropriation shall be increased more than 5 percent as a result of such transfer: *Provided*, That a quarterly statement of any such transfers shall be transmitted to the chairmen of the Appropriations Committees of the House of Representatives and of the Senate."

Mr. PLUMLEY. Mr. Speaker, I move that the House insist on its disagreement to the amendment of the Senate numbered 78.

The motion was agreed to.

The SPEAKER. The clerk will report the next amendment in disagreement.

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that the amendments of the Senate Nos. 79 to 110, inclusive, be considered en bloc.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

The Clerk read the Senate amendments, as follows:

TITLE II—REDUCTIONS IN APPROPRIATIONS

SEC. 201. Amounts made available to the Navy Department from appropriations are hereby reduced in the sums hereinafter set forth, such sums to be carried to the surplus fund and covered into the Treasury immediately upon the approval of this act:

NAVAL ESTABLISHMENT

Office of the Secretary: "Miscellaneous expenses, Navy, 1946," $2,000,000.

Bureau of Naval Personnel:

"Instruction, Navy, 1946," $325,000;

"Welfare and recreation, Navy, 1946," $1,250,000;

"Naval Reserve, 1946," $12,000,000;

"Naval Reserve, 1947," $12,000,000.

Bureau of Ships:

"Maintenance, Bureau of Ships, 1946," $105,000,000;

"Maintenance, Bureau of Ships, 1947," $20,000,000.

Bureau of Ordnance:

"Ordnance and ordnance stores, Navy, 1946," $30,000,000;

"Ordnance and ordnance stores, Navy, 1947," $7,000,000.

Bureau of Supplies and Accounts:

"Pay and subsistence of naval personnel, 1946," $50,000,000;

"Transportation and recruiting of naval personnel, 1946," $10,000,000;

"Maintenance, Bureau of Supplies and Accounts, 1946," $6,000,000;

"Maintenance, Bureau of Supplies and Accounts, 1947," $10,000,000;

"Transportation of things, Navy, 1946," $25,000,000;

"Fuel, Navy, 1946," $10,000,000.

Bureau of Medicine and Surgery: "Medical Department, Navy, 1946," $2,000,000.

Bureau of Yards and Docks:

"Maintenance, Bureau of Yards and Docks, 1946," $3,000,000;

"Maintenance, Bureau of Yards and Docks, 1947," $3,000,000.

Bureau of Aeronautics:

"Aviation, Navy, 1946," $65,000,000;

"Aviation, Navy, 1947," $10,000,000.

Marine Corps: "General expenses, Marine Corps, 1946," $20,000,000.

In all, $403,575,000.

No person shall be held liable for an overobligation of any above-listed appropriation when such overobligation occurs as a result of the approval of this act. Such overobligation shall be reduced in such a manner and at such a rate as to assure no overexpenditure.

SEC. 202.

Mr. PLUMLEY. Mr. Speaker, I move that the House recede and concur in the amendments of the Senate numbered 79 to 110.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several amendments was laid on the table.

EXTENSION OF REMARKS

Mr. McDONOUGH asked and was given permission to extend his remarks in the Appendix of the RECORD and include a speech.

LEGISLATIVE APPROPRIATION BILL, 1948

Mr. JOHNSON of Indiana. Mr. Speaker, I call up the conference report on the bill (H. R. 3993) making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3993) making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 9, 15, 16, and 24.

That the House recede from its disagreement to the amendments of the Senate numbered 2, 3, 4, 5, 7, 8, 10, 11, 13, 18, 19, and 20, and agree to the same.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In the eighth line of the matter inserted by the said amendment strike out the words "radio information" and insert "recording"; and the Senate agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$150,000"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$2,350,000;" and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$591,925"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$450,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the said amendment insert

"MOTION-PICTURE PROJECT

"For expenses during the month of July and liquidation (including storage of films pending disposition and $5,030 available exclusively for terminal leave), $12,000."

And the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: In lieu of the sums proposed to be stricken out and inserted insert "$50,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 12, 14, and 17.

NOBLE J. JOHNSON,
HARVE TIBBOTT,
G. CANFIELD,
P. W. GRIFFITHS,
CLARENCE CANNON,
MICHAEL J. KIRWAN,
Managers on the Part of the House.

MILTON R. YOUNG,
STYLES BRIDGES,
LEVERETT SALTONSTALL,
HENRY C. DWORSHAK,
JOHN H. OVERTON,
MILLARD E. TYDINGS,
THEODORE FRANCIS GREEN,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3993) making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes, submit the following report in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1 appropriates $306,815 as proposed by the Senate for the Office of the Secretary of the Senate instead of $291,505 as proposed by the House, with a minor modification of the language of the amendment.

Amendment No. 2 appropriates $1,335,785 for salaries of committee employees of the Senate as proposed by the Senate instead of $1,285,785 as proposed by the House.

Amendments Nos. 3 and 4 appropriate $775,850, abolish certain positions and change the salaries of certain positions, under the office of Sergeant at Arms and Doorkeeper of the Senate, as proposed by the State, instead of an appropriation of $821,915 as proposed by the House.

Amendment No. 5 appropriates $43,120 for salaries of the offices of the secretary for the majority and the secretary for the minority of the Senate, heretofore appropriated for under the Office of the Sergeant at Arms, as proposed by the Senate.

Amendment No. 6 appropriates $150,000 for the Joint Committee on Atomic Energy instead of $50,000 as proposed by the House and $225,000 as proposed by the Senate.

Amendment No. 7 appropriates $100,260 for reporting debates and proceedings of the Senate as proposed by the Senate instead of $84,525 as proposed by the House.

Amendment No. 8 appropriates $45,000 for the Senate restaurants as proposed by the Senate instead of $75,400 as proposed by the House.

Amendment No. 9 strikes out a provision proposed by the Senate permitting the secretaries for the majority and the minority of the Senate to use official motor vehicles on official business.

Amendment No. 10 appropriates $2,645 for rental of warehouse space for storage of public documents during the period July 1 to November 30, 1947, as proposed by the Senate.

Amendment No. 11 appropriates 384,335 for the Office of the Clerk of the House as proposed by the Senate instead of $369,180 as proposed by the House.

Amendment No. 12 is reported in disagreement.

Amendment No. 13 appropriates $185,000 for salaries and other expenses of the Joint Committee on Internal Revenue Taxation as proposed by the Senate instead of $155,000 as proposed by the House.

Amendment No. 14 is reported in disagreement.

Amendments Nos. 15 and 16 appropriate $80,000 for the Legislative Counsel of the Senate as proposed by the House instead of $100,000 as proposed by the Senate.

Amendment No. 17 is reported in disagreement.

Amendment No. 18 adds one position in the Senate Office Building as proposed by the Senate.

Amendment No. 19 appropriates $547,205 for the Senate Office Building as proposed by the Senate instead of $492,100 as proposed by the House.

Amendment No. 20 changes language proposed by the House with respect to the salary of the superintendent of the House Office Buildings.

Amendment No. 21 appropriates $2,350,000 for salaries, Library of Congress, instead of $2,249,600 as proposed by the House and $2,455,398 as proposed by the Senate.

Amendment No. 22 appropriates $591,925 for the Copyright Office instead of $520,500 as proposed by the House and $656,000 as proposed by the Senate.

Amendment No. 23 appropriates $450,000 for the Legislative Reference Service instead of $400,000 as proposed by the House and $500,000 as proposed by the Senate.

Amendment No. 24 eliminates an item of $35,000 proposed by the Senate for a revised edition of the Annotated Constitution.

Amendment No. 25 appropriates $12,000 for liquidation of the motion-picture project instead of $85,000 as proposed by the House.

Amendment No. 26 limits expenditures for personal services in connection with the

program for books for the adult blind to $50,000 instead of $40,000 as proposed by the House and $90,000 as proposed by the Senate.

AMENDMENTS IN DISAGREEMENT

The managers on the part of the House have authorized the following motions to be made with respect to the amendments in disagreement:

Amendment No. 12. That the House recede from its disagreement to the amendment of the Senate and concur therein with an amendment as follows:

In the third line of the matter proposed to be inserted by the said amendment strike out the words "radio information" and insert "recording".

Amendments Nos. 14 and 17. That the House recede from its disagreement to the amendments of the Senate and concur therein.

NOBLE J. JOHNSON,
HARVE TIBBOTT,
G. CANFIELD,
P. W. GRIFFITHS,
CLARENCE CANNON,
MICHAEL J. KIRWAN,
Managers on the Part of the House.

Mr. JOHNSON of Indiana. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, in the interest of time, I shall not go into the details regarding the conference report. The report and statement have been printed in the RECORD and give a thorough explanation of the entire conference report.

I now yield 30 minutes to the gentleman from Missouri [Mr. CANNON].

Mr. CANNON. Mr. Speaker, on this side of the aisle we have signed the conference report with a good deal of reluctance and with a deep sense of disappointment.

The bill falls far short of what we had been led to expect in the way of economy and retrenchment of expenditure. On the contrary, it is the most prodigal and wasteful legislative appropriation bill passed in the history of the Congress.

In the last session, when the reorganization bill, generally referred to as the streamlining bill, was passed, we were told that one of the special advantages of the new order provided by the reorganization would be a material reduction in expenditures and stringent retrenchment in the expenses of the two Houses. We were assured that the number of employees would be reduced, and that the expenses of both the House and the Senate would be drastically curtailed.

And again we were told in the last campaign, and in the hysterical days following the election, that a policy of rigid economy would be entered upon which would reduce both the appropriations and the personnel of all departments of the Government.

And yet we have a bill here which not only fails to effect a reduction, which provides absolutely no retrenchment in the service of the House, but which, on the contrary, increases the cost of running the Congress over $3,000,000 a year. The number of employees has been increased; the salaries of employees of both Houses are vastly higher and the total cost of the Congress are millions more than ever before.

We are told in the report that the amount carried by the bill is some $6,000,000 less than for the current year. That is the most regrettable feature of the bill. It is an attempt to leave with the country the impression that we are reducing expenditures when, as a matter of fact, we are increasing expenditures.

Here is the catch in the proposition. It is a simple deception, and one frequently resorted to in the drafting of the supply bills in this session. The Government Printing Office requires a revolving fund which heretofore has been designated in the bill as $20,000,000.

We propose in this bill to reduce that revolving fund to $10,000,000, but by doing it we do not make a penny. It is merely a bookkeeping proposition. Not a dollar is saved. There is no reason for the change in figures. No economy is effected and no advantage of any kind accrues from the change.

The sole purpose is to have us believe that money is being saved when it is not being saved; and to persuade us to believe we are reducing the expenditures in this bill by $10,000,000, when as a matter of fact we are not reducing it at all. By this legerdemain they claim that the total amount appropriated by the bill is some $6,000,000 less than for this year when it is really over $3,000,000 more than this year.

They justify the strategem by saying that the Government Printing Office did not object; that the GPO made no protest. Of course, they did not object. Of course, they did not protest. All they did was laugh. They laughed because it does not affect them in the slightest.

The Government Printing Office has no control over its production quotas. It must comply with the printing requisitions of the departments and the Congress. It will not discontinue the printing of the CONGRESSIONAL RECORD or the reports of the various departments simply because this bill states that the revolving fund shall be reduced from $20,000,000 to $10,000,000. It will print what it is required to print, and we will provide the money. There is no alternative. It is to be deplored that we resort to such subterfuge.

The amount of money spent by the House and Senate on themselves is increased under the provisions of this bill to a figure far beyond that provided in any former bill in the entire 80 Congresses since the establishment of the Republic.

But, Mr. Speaker, the character of some of the extravagances carried in this bill is a matter of particular surprise. On every occasion in the last several sessions of Congress the proponents of economy have decried duplication of activities and overlapping of expenditures. It has been a fetish and a slogan. And yet there are in this bill appropriations for open and notorious duplications of the most flagrant character.

An appropriation of $150,000 is made for the Joint Committee on Atomic Energy. This is the committee popularly known as the Watch Lilienthal Committee. The sole duty of this joint committee is to look over the shoulder of the Atomic Energy Commission. We got the idea from Soviet Russia. In the early days of the Russian Revolution a political commissar was appointed for each regiment. He was a snooper set to watch the colonel of the regiment and his staff. Much of the credit for the debacle of the Russian Army in its disastrous war with little Finland was laid to the meddling of the political commissars. If any untoward influences affect the administration of the Atomic Energy Commission, it will probably be due to the meddling of the political commissars appointed to watch Lilienthal—and it will cost us this year $150,000. They wanted a quarter of a million dollars to start with. It would be difficult to estimate what they will ask when the witch hunting really gets hot.

We have innumerable commissions and agencies in the Government. But this is the first time a committee of Congress has been appointed and financed to watch one of them. In order to carry out completely the program of our Russian prototype we should appoint still another committee. Stalin appoints committees to watch committees and then he appoints committees to watch the committees who are watching the committees. Now that we have a joint committee to watch the Commission, we should appoint a committee to watch the joint committee. And finance them with $150,000 to start on. The system has endless possibilities.

Mr. Speaker, economy, like charity, begins at home. If we had put our investigators upon this bill as we did upon the other supply bills, if we had required our investigators to follow out every expenditure here and make an analysis and a report, as we did in the departments downtown, it would make very interesting reading.

We also provide in this bill an appropriation of $60,000 for a Coordinator of Information. It is a high-sounding title but the duties of the position are an exact duplication of the work of the Legislative Reference Service of the Library of Congress. No attempt is made to disguise the fact that the position is created for the purpose of doing precisely the work now performed, so efficiently and so acceptably by the Legislative Reference Service. If there is any doubt as to the efficiency of the Legislative Reference Service, that doubt is effectively dispelled by the vote of the House when it specifically authorized expansion of the Service in the Reorganization Act and when it recently authorized, after exhaustive debate, the printing and reprinting of brochures prepared by the Legislative Reference Service.

This studied neglect of the Library of Congress and its services is pointed out in a brief article in the July 5, 1947, issue of the weekly digest, Quote. I will read it in full:

> In a remote part of Africa there is a ferocious tribe of savages who have as their most sacred possession a book. This book is in a small hut which serves as the temple of the tribe. It is guarded day and night by warlike young men who will kill instantly any unauthorized person who approaches it, and everybody is unauthorized except the high priest and his acolytes. What the book is, no one knows, but there it is in the center of their lives, honored, feared, and unread. Modern civilized society can find instructive parallels in the lives of savages.—(Yale Review.)

In this bill we might find one of those parallels. Although the Library of Con-

gress is the greatest library in the world, the penurious policy of the committee in refusing funds to maintain the services of the Library and make its treasures available to the Congress, leaves the books of this vast storehouse of knowledge "honored, feared and unread." With increased demands and increased material available as result of the close of the war, we are providing less for the Library proper than last year. But we are providing for ourselves and our patronage here in the Capitol over $3,000-000 more than last year.

Mr. Speaker, at a time when the national debt has assumed gargantuan proportions, when the need for economy is paramount, when we are preaching economy for others and practicing extravagance for ourselves, this bill providing the largest number of employees for the House and Senate, at the highest salaries ever paid, and carrying the largest appropriations for the Capitol and its staff, is a repudiation of our promises to economize and the implement of waste, duplication, and maladministration.

Mr. Speaker, I yield back the remainder of my time.

Mr. JOHNSON of Indiana. Mr. Speaker, I yield myself 1 minute.

Mr. Speaker, I am somewhat surprised at the statement just made by my distinguished friend and colleague from Missouri [Mr. CANNON]. During the entire consideration of this bill up to this very moment he has not proposed one single solitary reduction in any appropriation. When we had the bill under consideration he complained very bitterly because largely as a result of the work of the committee investigator, we had cut the Library of Congress appropriation. So I am somewhat surprised at the remarks of my good friend.

Mr. Speaker, a few members of committees that are utilizing the services of the legislative reference section of the Library have told me that they had been informed that the men whose services they were utilizing would be discharged. There is absolutely no justification for action of this character. The legislative reference section should retain those whose services are requested for committee work. And if this is not done we propose to find out why it is not done.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in this disagreement.

The Clerk read as follows:

Amendment No. 12: Page 9, line 11, insert: "*Provided further*, That the following positions and basic rates of compensation are established under the Joint Radio Information Facility: Director of studios, $3,240; chief engineer, $2,220; first assistant engineer, $1,800; second assistant engineer, $1,680; secretary, $1,500."

Mr. JOHNSON of Indiana. Mr. Speaker, I have a motion which is at the Clerk's desk.

The Clerk read as follows:

Mr. JOHNSON of Indiana moves that the House recede from its disagreement to the amendment of the Senate numbered 12 and concur therein with an amendment as follows: In the third line of the matter proposed to be inserted by the said amendment strike out the words "radio information" and insert "recording."

The SPEAKER. The question is on agreeing to the motion offered by the gentleman from Indiana [Mr. JOHNSON].

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment 14, page 16, line 14, insert: "Every committee serving the House of Representatives shall report to the Clerk of the House within 15 days after December 31 and June 30 of each year the name, profession, and total salary of each person employed by such committee or any subcommittee thereof during the period covered by such report, and shall make an accounting of funds made available to and expended by such committee or subcommittee during such period, and such information when reported shall be published in the CONGRESSIONAL RECORD. The first such report shall cover the period beginning on January 3, 1947, and ending on June 30, 1947, and succeeding reports shall cover the 6-month period ending on the preceding December 31 or June 30, as the case may be. The information required to be reported and published shall be in lieu of the information required to be reported and published under section 134 (b) of the Legislative Reorganization Act of 1946, as amended, in the case of committees of the House and their subcommittees."

Mr. JOHNSON of Indiana. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate No. 14 and concur therein.

Mr. CANNON. Mr. Speaker, will the gentleman yield?

Mr. DIRKSEN. I yield.

Mr. CANNON. Mr. Speaker, this amendment marks another stage in the retreat from the reorganization bill. The reorganization bill contained a specific requirement that the data referred to in the amendment be published every 3 months, that it be published as a separate document and that it be included in the CONGRESSIONAL RECORD. This provision of the Reorganization Act, like so many other provisions of that ill-starred act, has never been complied with. Although enacted by the Congress and now the law of the country, it has never been observed. No such list has ever been prepared; no such document has ever been printed; and no such data has ever appeared in the Congressional Directory.

Now the pending amendment proposes to change the dead letter of the law, and provide for printing in the CONGRESSIONAL RECORD instead of as a separate document, and only every 6 months. I favor the amendment if it so modifies the law as to provide for its enforcement. It is to be regretted that the original provision has not been carried out, and this proposal is merely another evidence of the utter failure in every particular of the so-called "streamlining act" which we passed in the last session of Congress with such high hopes and such flamboyant predictions.

The SPEAKER. The question is on the motion.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 17: page 19, line 24, insert "*Provided*, That, notwithstanding the provisions of section 6 of the act entitled 'An act making appropriations for the legislative, executive, and judicial expenses' of the Government for the fiscal year ending June 30, 1917, and for other purposes," approved May 10, 1916, as amended, the Board of Education of the District of Columbia is authorized and directed to pay Joseph Skubitz and Joseph J. Sullivan for services rendered by them as teachers in the Capitol Page School for the period January 2, 1947, to April 3, 1947, inclusive."

Mr. JOHNSON of Indiana. Mr. Speaker, I move that the House recede from its disagreement to the amendment of the Senate numbered 17 and concur therein.

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

MILITARY SERVICE CREDITED IN DETERMINING ELIGIBILITY FOR BENEFITS FROM POLICEMEN AND FIREMEN'S RELIEF FUND, DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (S. 924) to credit active service in the military or naval forces of the United States in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in determining eligibility for and the amount of benefits from the policemen and firemen's relief fund, District of Columbia, each member of the Metropolitan Police Department of the District of Columbia, the United States Park Police force, the White House Police force, the Fire Department of the District of Columbia, and each member of the United States Secret Service who has actively performed duties other than clerical for 10 years or more directly related to the protection of the President, who shall have left active employment in any such department, force, or service to perform active service in the military or naval forces of the United States, shall be credited with all periods of honorable active military or naval service performed on or after September 16, 1940, and prior to the termination of the war as declared by Presidential proclamation or concurrent resolution of the Congress.

Mr. DIRKSEN. Mr. Speaker, by way of explanation let me say briefly that this bill was passed by the Senate and has been approved by the House committee. It does nothing more than give to those members of the Police and Fire Departments who served in the military forces of the United States credit for their active military service in determining eligibility for retirement and the amount of the retirement.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

TEMPORARY ADVANCEMENT IN RANK AND INCREASE IN SALARY OF LIEUTENANTS IN METROPOLITAN POLICE FORCE OF DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 3978) to provide for the temporary advancement in rank and increase in salary of lieutenants in the Metropolitan Police force of the District of Columbia serving as supervisors of certain squads, and ask unanimous consent that it may be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That each lieutenant in the Metropolitan Police force of the District of Columbia who is assigned to duty as a supervisor of the general assignments squad, the homicide squad, the robbery squad, or the special investigations squad shall, so long as he serves as such supervisor, hold the rank and receive the basic salary of a captain in such police force.

SEC. 2. This act shall take effect on the first day of the calendar month following the calendar month in which it is enacted.

Mr. DIRKSEN. Mr. Speaker, the bill seeks only to equalize the pay status of those who are acting as captains, although nominally holding the rank of lieutenants. The purpose is to equalize the pay of investigators and also detective sergeants who are under their immediate control.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXPENDITURES MADE FOR THE UNITED STATES PARK POLICE

Mr. DIRKSEN. Mr. Speaker, I call up the bill H. R. 2471, to provide for periodical reimbursement of the general fund of the District of Columbia for certain expenditures made for the compensation, uniforms, equipment, and other expenses of the United States Park Police force, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, beginning with the fiscal year beginning July 1, 1947, the Director of the National Park Service shall, from sums appropriated for such purpose, deposit in the general fund of the District of Columbia within 30 days after the end of each quarter an amount equal to the total amount expended during such quarter from sums appropriated from such general fund for the compensation, uniforms, equipment, and other expenses of the United States Park Police force.

SEC. 2. There shall be included in the annual estimates of appropriations for the National Park Service an amount representing the sums estimated to be necessary to make the deposits provided for by section 1.

SEC. 3. There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this act.

Mr. DIRKSEN. Mr. Speaker, the purpose of the bill is only to have the National Park Service reimburse the District of Columbia for any outlay it makes for uniforms, equipment, and so forth, for the National Park Police.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DEPARTMENT OF PUBLIC WELFARE IN THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 3873) to redefine the powers and duties of the Board of Public Welfare of the District of Columbia, to establish a Department of Public Welfare, and for other purposes, and ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That as used in this act—

The word "Commissioners" means the Commissioners of the District of Columbia;

The word "District" means the District of Columbia;

The word "Board" means the Board of Public Welfare for the District of Columbia created by the act of March 26, 1926 (44 Stat. 208);

The word "Department" means the Department of Public Welfare created by this act; and

The term "public-welfare functions" shall include, but shall not be limited to, programs of public assistance in and for the District, including general assistance, money payments to or for needy aged or needy blind individuals and needy dependent children; the establishment, maintenance, operation, and supervision of public institutions (other than those under the jurisdiction of departments and agencies of the United States or of the Health Department of the District of Columbia) of a charitable or eleemosynary character; the placement, care, maintenance, and transportation of insane, indigent, and feeble-minded persons, and activities relating to the welfare of children in the District.

SEC. 2. All authority, powers, and property, and all duties and obligations now vested in or imposed on the Board are hereby transferred to and are vested in and imposed on the Commissioners, except to the extent hereinafter provided, and the Commissioners shall be deemed to be the legal successors to the Board with respect to all such authority, powers, and property, and all duties and obligations hereby transferred.

SEC. 3. It shall be the duty of the Board of Public Welfare, from time to time at its discretion, to visit, inspect, and investigate any agency, institution, or activity under the administrative jurisdiction of the Department of Public Welfare hereinafter referred to; to undertake any studies and investigations of social and environmental conditions in the District as in its discretion may have a bearing upon the proper conduct of the District's public-welfare activities, the safeguarding of the interests of children, the diminishment of poverty and disease or allied topics; and to make recommendations to the Commissioners looking to improvements in the conduct of public-welfare functions by the Department of Public Welfare.

SEC. 4. There is hereby created a Department of Public Welfare, which shall consist of a Director of Public Welfare and such personnel as may be necessary for the efficient performance of the duties of the Department. Under the direction of the Commissioners, the Department shall—

(a) Administer all the public-welfare functions of the District;

(b) Cooperate with the Federal Government in carrying out the purposes of any Federal acts pertaining to public assistance or welfare services and in other matters of mutual concern, including the adoption of such methods of administration as are found by the Federal Government to be necessary for the proper and efficient operation of plans for public assistance and welfare services;

(c) In cooperation with other public and private agencies, develop such programs as may be necessary or desirable;

(d) Enter into reciprocal agreements with other States relative to the provision of public assistance and welfare services to residents and nonresidents;

(e) Conduct research and compile statistics relating to public-welfare functions;

(f) Prepare for the Commissioners an annual report of activities and expenditures; make such reports in such form and containing such information as the Federal Government may, from time to time, require; and comply with such provisions as the Federal Government may, from time to time, find necessary to assure the correctness and verification of such reports; and

(g) Take such other action as may be necessary or desirable to carry out the provisions of this act.

SEC. 5. The Director of the Department shall be appointed by the Commissioners on the basis of his education, training, experience, and demonstrated ability in welfare administration. He shall serve as the executive and administrative officer of the Department and shall be responsible for its management. He shall establish within the Department such divisions as may be necessary. All other officers and employees of the Department shall be appointed in accordance with and be subject to the provisions of the act approved December 20, 1941, entitled "An act to amend section 5 of the act entitled 'An act to establish a Board of Public Welfare in and for the District of Columbia, to determine its functions, and for other purposes,' approved March 16, 1926" (55 Stat. 849, ch. 605, title 1, sec. 3–105, D. C. Code, 1940, Supp. V).

SEC. 6. All children committed to the guardianship, care, or custody of the Board prior to the effective date of this act shall be under the guardianship, care, and custody of the Department, and the terms of any court order or decree of commitment shall be binding on the Department. After the effective date of this act, no child shall be committed to the guardianship, care, or custody of the Board, but in lieu thereof may be committed to the guardianship, care, and custody of the Department.

SEC. 7. No contract for services or supplies made by the Board pursuant to authority granted to it by law shall be invalidated by this enactment.

SEC. 8. The unexpended balances of all appropriations heretofore and hereafter made for the Board, or to be disbursed by it, shall become available for the use of and disbursement by the Department under the direction of the Commissioners.

SEC. 9. Employees of or under the Board on the effective date of this act shall be transferred to and become employees of the Department.

SEC. 10. The Department, with the approval of the Commissioners, shall prescribe and publish all needful rules and regulations for the administration of public-welfare functions. The rules and regulations lawfully made and promulgated by the Board relating to public-welfare functions shall continue in force until the same be modified or repealed.

SEC. 11. When the Commissioners are required by law to hold a hearing in relation to any public-welfare function, they are authorized in their discretion, to designate an agent or agents for the purpose of holding such hearing. If the hearing is held before an agent or agents, such agent or agents shall report in writing to the Commissioners the substance of the evidence taken and the arguments made at the hearing, together with the findings and the recommendations of such agent or agents. A copy of such report, findings, and recommendations shall be mailed to the person requesting such hearing 10 days before being presented to the Commissioners and the said person may, before such report, findings, and recommendations are presented to the Commissioners, file with such agent or agents exceptions to such report and findings, which exceptions shall be presented to the Commissioners with such report, findings, and recommendations.

SEC. 12. The act entitled "An act to regulate proceedings in adoption in the District of Columbia," approved August 25, 1937, is further amended by striking out the term "Board of Public Welfare" wherever it appears in said act and inserting in lieu thereof the term "Department of Public Welfare."

SEC. 13. The act shall take effect 30 days after its enactment.

With the following committee amendments:

Page 2, lines 11 and 12, after the word "character", insert the following: "for the protection, care, and training of children accepted under law and by commitment of the juvenile court, for the feeble-minded, or for the aged and infirm."

Page 3, line 10, insert after the period the following: "To carry out the duties imposed by this section the Board is authorized to employ, on a full- or a part-time basis, without reference to Civil Service requirements and without regard to the Classification Act of 1923, as amended, such investigators and clerks as in their discretion are necessary; and for this purpose appropriations not exceeding $10,000 per year are hereby authorized."

Page 4, strike out lines 8 to 14, inclusive, and insert in lieu thereof the following:

"(f) Prepare for the Commissioners an annual report of activities and expenditures; and make such reports, in such form, containing such information, and complying with such provisions to assure accuracy and verification, as the Federal Government is authorized by law to require; and"

Page 4, line 22, insert after the word "shall" a comma and the following: "with the approval of the Commissioners."

Page 5, line 6, insert before the period a comma and the following: "except that the recommendation of the Board shall not be required."

Page 5, strike out lines 19 to 23, inclusive, and insert in lieu thereof the following:

"SEC. 8. All unexpended balances of all appropriations heretofore or hereafter made for the Board shall become available for use by the Department under the direction of the Commissioners."

Page 6, line 3, strike out "Department" and insert in lieu thereof "Director."

Mr. DIRKSEN. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. MILLER], author of the bill and also chairman of the subcommittee which handled this matter.

Mr. MILLER of Nebraska. Mr. Speaker, this bill simply redefines the duties and powers of the Board of Public Welfare in the District of Columbia, and establishes a Department of Public Welfare. It places responsibility and authority in the Commissioners. It continues the Board of Public Welfare, which is a voluntary board appointed by the Commissioners. It provides for $10,000 in order that they may have a secretary to do some checking.

The committee had full hearings at which the Commissioners and the public, as well as the Board of Welfare, were present. The committee felt that the bill is in the interest of the District because up to this time responsibility and authority has been somewhat divided in connection with public-welfare work in the District of Columbia. There has been no clearly defined authority. The committee felt inasmuch as the Commissioners have to recommend and defend budgets and approve expenditures, they ought to have full responsibility and authority. The Congress can then fix responsibility for public-welfare activities.

The bill was reported by the subcommittee unanimously, and I believe unanimously by the full committee with the recommendation to the House that the bill be passed.

I move the previous question.

The SPEAKER. The question is on the committee amendments.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDING ACT ON INSTALLATION OF RADIO EQUIPMENT

Mr. O'HARA. Mr. Speaker, I call up the bill (H. R. 2984) to amend the act of June 1, 1910, so as to regulate the installation of radio or television transmitting antennas, masts, or other structures in the District of Columbia, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the act entitled "An act to regulate the height of buildings in the District of Columbia," approved June 1, 1910, as amended (D. C. Code, 1940 ed., Supp. V, sec. 5-405), is amended by inserting after the second proviso in the eighth paragraph of such section the following new proviso: *"And provided further*, That no radio or television transmitting antennas, masts, or other structures of any description used in facsimile, frequency modulation, or television broadcasting shall be erected in residential 'A' restricted area district, 'A' semirestricted area district, or residential 'A' district, and such structures shall not be permitted to be erected in any other use district to a height greater than any limit prescribed in this act, as amended, by the Commissioners of the District of Columbia, when the radius of the height of the transmitting antenna, mast, or other structure would (1) include any home, playground, or recreational facility, or school; (2) tend to create or result in a dangerous safety hazard; or (3) adversely affect the orderly development of adjacent residential property, property values, or the beauty of the Nation's Capital."

With the following committee amendment:

Page 1, line 8, after the word "proviso" strike out the remainder of the bill and insert the following: "'*And provided further*, That no radio or television transmitting antenna or mast shall be erected in residential "A" restricted area district, residential "A" semirestricted area district, or residential "A" district, as defined in the zoning regulations as shown in the official atlases of the zoning commission, if any home, playground, or recreation facility, or school, or any part thereof, is within the area encircling the antenna, or mast bounded by a circle drawn from the base of the antenna or mast and having a radius equal to the height of the antenna or mast itself, or if such antenna or mast would result in an unusually dangerous safety hazard:'."

Mr. O'HARA. Mr. Speaker, the purpose of this bill is to protect residential areas, playgrounds, recreational facilities, and schools by prohibiting the erection of radio or television transmitting antennas or masts in certain localities.

I might say in this connection, Mr. Speaker, that there have been four television towers and one radio tower recently licensed in the District of Columbia, three of which have been authorized to be erected in residential areas. This legislation would have no effect, in my opinion, upon the erection or installation of those towers which have already been licensed.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING OFFICIAL REPORTERS OF MUNICIPAL COURT FOR THE DISTRICT OF COLUMBIA TO COLLECT FEES FOR TRANSCRIPTS

Mr. O'HARA. Mr. Speaker, I call up the bill (S. 1462) to authorize the official reporters of the municipal court for the District of Columbia to collect fees for transcripts, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That, in addition to their annual salaries, official reporters for the municipal court for the District of Columbia are authorized to charge and collect from parties, including the United States and the District of Columbia, who request transcripts of the original records of proceedings, such fees therefor, and no other, as may be prescribed from time to time by the court. All supplies shall be furnished by the official reporters at their own expense. The court shall have the power and is hereby directed to prescribe such rules, practice, and procedure pertaining to fees for transcripts as it may deem necessary, and the same shall conform as nearly as may be practicable to the rules, practice, and procedure pertaining to fees for transcripts established for the District Court of the United States for the District of Columbia. No fee shall be charged or taxed for any copy of a transcript delivered to a judge at his request or for any copies

of a transcript delivered to the clerk of the court for the records of the court. Except as to transcripts that are to be paid for by the United States or the District of Columbia, the reporters may require any party requesting a transcript to prepay the estimated fee therefor in advance of delivery of the transcript.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RETIREMENT OF SCHOOL TEACHERS IN DISTRICT OF COLUMBIA

Mr. O'HARA. Mr. Speaker, I call up the bill (H. R. 3852) to amend the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 7 of the act entitled "An act for the retirement of public-school teachers in the District of Columbia," approved August 7, 1946, be, and the same hereby is, amended by striking out the word "twenty" and inserting in lieu thereof the word "fifty."

Mr. O'HARA. Mr. Speaker, the purpose of this bill is to extend the liquidation period of the teachers' retirement fund in the District of Columbia from 20 to 50 years.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RECORDER OF DEEDS OF DISTRICT OF COLUMBIA

Mr. O'HARA. Mr. Speaker, I call up the bill (H. R. 3045) to place the Office of Recorder of Deeds of the District of Columbia under the jurisdiction, supervision, and control of the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That from and after the date of approval of this act the Office of Recorder of Deeds of the District of Columbia shall be under the direction of the Commissioners of the District of Columbia, and the recorder, deputy recorder, second deputy recorder, and all employees under them shall be appointed and removed by the said Commissioners. The positions of recorder and of all other officers and employees in the office of the recorder shall be subject to the Classification Act of 1923, as amended and supplemented. Any officer or employee, whose position was not allocated in accordance with the said Classification Act on the date of approval of this act, may be paid at the same rate payable upon the date of approval of this act until the effective date of the allocation of the position of said officer or employee under the said Classification Act, provided such officer or employee lawfully performs the duties of such position.

SEC. 2. The said Commissioners are hereby authorized and directed to prescribe, from time to time, the manner, processes, and procedures by which deeds and other instruments of writing shall be recorded, and all deeds and other instruments of writing entitled by law to be recorded in the Office of the Recorder of Deeds which are recorded in the manner so prescribed by the Commissioners are hereby declared to be legally recorded. The said Commissioners are authorized and empowered to purchase such machines and equipment as they may deem necessary or expedient for the efficient, expeditious, and economical recording of all deeds and other instruments of writing entitled by law to be recorded, and to employ such personnel as may be required to operate the same and to perform necessary services in connection therewith.

SEC. 3. From and after the date of approval of this act, except as otherwise provided in section 7 of this act, all fees, emoluments, and other receipts heretofore collected or received by the Recorder of Deeds shall be collected and received by the Collector of Taxes of the District of Columbia and deposited in the Treasury of the United States to the credit of the District of Columbia. All receipts and expenditures of appropriations for the Office of the Recorder shall be audited and disbursed in the same manner as are other receipts and disbursements of the government of the District of Columbia.

SEC. 4. All appropriations for the Office of the Recorder of Deeds in any act heretofore or hereafter approved are hereby made available to the Commissioners of the District of Columbia for the purposes of this act.

SEC. 5. Except as otherwise provided herein, all laws relating to the powers and duties of the Recorder and his deputies and employees, and to the recordation of deeds, contracts, and other instruments in writing, which are in effect on the date of approval of this act shall remain in full force and effect.

SEC. 6. That section 1 of an act entitled "An act to fix the compensation of the Recorder of Deeds of the District of Columbia and the Superintendent of the National Training School for Girls," approved September 29, 1943, is hereby repealed.

SEC. 7. (a) The duties and function heretofore vested in and performed by the Recorder of Deeds of the District of Columbia under the act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended, are hereby transferred to and imposed upon the Director of Vehicles and Traffic of the District of Columbia.

(b) That in section 1 of an act entitled "An act to provide for the recording and releasing of liens by entries on certificates of title for motor vehicles and trailers, and for other purposes," approved July 2, 1940, as amended, in the definition "Lien information" strike out the word "recorder's" and insert in lieu thereof the word "Director's."

(c) In section 3 of said act strike out the word "recorder" and insert in lieu thereof the word "Director."

(d) Section 5 of said act is repealed.

(e) Sections 6, 7, 8, 9, 10, 11, 12, and 13 of said act are amended to read as follows:

"SEC. 6. Applications for certificates, in addition to all other matters which may be required by law, shall show under oath whether or not there are any liens against the motor vehicle or trailer or any equipment or accessories affixed thereto; and if so, the lien information in the order of its priority, and shall be accompanied by instruments or any other papers necessary to entitle liens to be entered on the certificate. Upon receipt by the Director of an application for a certificate and accompanying documents, if any, or on the application for a duplicate, he shall compare the statements in the application as to liens with his records and the documents and instruments accompanying the application, and if such statements are incorrect or incomplete, or if any of the liens shown by the application are not entitled to be entered on the certificate in the same order as they appear on the application, the Director shall advise the applicant or his representative that the certificate may not be issued and the reasons therefor. If the statements as to liens are full, true, and complete, and all liens shown by the application are entitled to be entered on the certificate in the same order as they appear on the application, the Director shall stamp on the application the words 'Statements as to liens in accordance with records, a facsimile of his signature, and the date, shall accept all instruments accompanying the application for recording and shall stamp his record number opposite the statement of each lien on the application for certificate. The Director shall retain the instruments for his permanent file. The Director shall thereupon prepare the certificate and when liens are shown on such an application shall stamp upon each of two cards, the size of which shall be fixed by the Director, the information stamped by the Director on the face of such certificate. If the application for title shows no liens, the Director shall stamp on the certificate and on the reverse side of that portion of the application for identification tags known as 'Collector's coupon' the words 'No lien shown by records' and the date. If the application shows liens, the Director shall stamp aforesaid 'Collector's coupon' with the words 'Lien recorded' and shall enter the lien information on the certificate and on each of the said cards. The aforesaid stamping and entering shall be made on the face of the certificate in the space provided therefor. The representative of the Collector of Taxes of the District of Columbia, stationed in the office of the Director, shall collect from the applicant or his representative all fees and charges in connection with the recordation of liens, if any, and in connection with the issuance of the certificate. Upon presentation to the Director of proper evidence that said fees and charges have been paid, the Director shall issue said certificate to the record holder of the first lien shown thereon or his representative; or if there are no liens, then to the owner or his representative.

"SEC. 7. When it is desired to have a lien entered on a certificate theretofore issued the instrument and the certificate shall be presented to the Director, and upon the payment of the necessary fees to the representative of the Collector of Taxes of the District of Columbia in the office of the Director, the Director shall accept the instruments for recording, and unless he has cards covering said motor vehicle or trailer, he shall stamp cards in the manner set forth in section 6. The Director shall enter the lien information on the certificate in the space hereinbefore mentioned and on each of said cards and shall deliver or mail the certificate to the record holder of the first unsatisfied lien shown thereon or his representative.

"SEC. 8. The rights of the holder of an unsatisfied lien shown on a certificate may be assigned by an assignment in writing, which shall show the name and address of the assignee, the trade name and engine number of the motor vehicle, or the trade name and serial number, if any, of the trailer, and the Director's record number of the instrument, or, if none, a brief description sufficient to identify the lien, shall be signed by the holder of the lien and acknowledged by him in the manner provided by law for deeds of real estate. Upon presentation of an assignment and a certificate and the payment of the pre-

scribed fee to the representative of the Collector of Taxes of the District of Columbia in the office of the Director, the Director shall enter upon the face of the certificate and upon each of the cards hereinbefore described his record number of the lien which is being assigned, or, if no such instrument is on file, a brief description sufficient to identify the lien, the date of the assignment, and the words 'Assigned to,' and the name and address of the assignee, and the date. The assignment shall be attached to the instrument if the instrument has been filed with the Director, and if not, the assignment shall be given a director's record number and filed by the Director and such number shall be entered on the certificate and on each of the cards opposite the entry of the information relative to the assignment. The certificate shall be delivered to the record holder of the first unsatisfied lien shown thereon or his representative.

"SEC. 9. Whenever it is desired to enter a lien or an assignment upon a certificate and such certificate is not available, upon delivery to the Director of the instrument or assignment the Director shall demand that the person possessing the certificate surrender it for the purpose of entering thereon the lien or the assignment and upon surrender of the certificate the Director shall perform the same acts as in cases where the certificate was presented with the instrument. Any person in possession of a certificate shall, upon demand of the Director, surrender it to the Director within 72 hours for the purpose of entering the lien or assignment thereon. This section shall not be deemed to affect the priority given under section 3 (c) to a lien where the instrument is presented together with the certificate.

"SEC. 10. The record holder of the first unsatisfied lien shown upon the certificate shall be entitled to the possession of the certificate and upon satisfaction of his lien he shall, within 72 hours, place upon the face of the certificate the Director's record number of the lien, or, if no such instrument is on file, a brief description sufficient to identify the lien, and in either case the word 'satisfied,' or its equivalent, and his signature, swear to it before a notary public, and forward or deliver it to the Director who shall release the lien in the manner prescribed in section 11 and the Director shall then deliver or mail the certificate to the holder of the lien next in priority, or, if none, to the owner or to the person designated in writing by the owner. Upon the satisfaction of any lien other than the first unsatisfied lien shown on the certificate, the record holder of the lien so satisfied shall, within 72 hours, make similar entries upon the face of the certificate, and it shall be the duty of the person in possession of the certificate, upon demand, to permit such holder to make said entries, and within 72 hours after said entries have been made the person in possession of such certificate shall forward or deliver said certificate to the Director who shall release the lien in the manner prescribed in section 11 and return the certificate to the record holder of the first unsatisfied lien shown thereon.

"SEC. 11. The Director, upon receipt of a certificate whereon a lien is marked 'Satisfied' as set forth in section 10, shall enter on the face of the certificate and on each of the cards described in section 6, and on the instrument, if any, filed in the Director's office as hereinafter provided, his said record number, or, if no such instrument is on file, a brief description sufficient to identify the lien, and in either case the word 'Released,' a facsimile of his signature and the date. When for any reason a lien holder upon satisfaction of his lien has failed to mark the certificate as herein provided and the lien holder cannot be located, or when the certificate after being so marked has been lost or destroyed and a duplicate certificate issued, the Director upon receipt of evidence satisfactory to him that the lien has been satisfied shall release it upon the certificate or duplicate certificate, the aforesaid cards and instrument, if any, as above set forth.

"SEC. 12. The fee for recording liens or assignments of liens upon a certificate shall not exceed the sum of $1 for each lien or assignment of lien on each motor vehicle or trailer contained in the instrument, which said fee shall include the charge for recording the release of such lien.

"SEC. 13. The Director shall maintain files wherein he shall file one set of the cards hereinbefore described alphabetically under the name of the owner and the other under the trade name and engine number if it covers a motor vehicle, or the trade name and serial number, if any, if it covers a trailer. The Director shall preserve all instruments in a separate file."

(e) The following new section 17 is added to said act:

"SEC. 17. All record numbers heretofore assigned to liens by the Recorder of Deeds of the District of Columbia and which have heretofore been referred to in this act as 'the Recorder's record number' of the instrument or lien, shall hereafter be deemed and taken to be 'the Director's record number' of such instrument or lien."

(f) All "instruments" as defined in said act of July 2, 1940, as amended, which have been filed and kept at the main Office of the Recorder of Deeds together with the files containing the same, and all furniture, equipment, cards, and other supplies heretofore furnished and maintained by the Recorder of Deeds in the Office of the Director of Vehicles and Traffic shall be transferred to the Office of the Director and shall be under his jurisdiction and control.

(g) That paragraph (d) of section 3 of title IV of the District of Columbia Revenue Act of 1937, as amended, is further amended by inserting after the first word of said paragraph (d) the words "fees charged for the recording, assignment or release of liens against motor vehicles or trailers, all."

(h) Section 3 shall become effective 6 months after the approval of this act, or upon such earlier date as the Commissioners of the District of Columbia may order.

With the following committee amendments:

Page 1, strike all of title and insert in lieu thereof:

"To authorize the Commissioners of the District of Columbia to prescribe the processes and procedures for recording instruments of writing in the Office of the Recorder of Deeds of the District of Columbia, and for other purposes."

Page 1, beginning with line 3, strike all to end of line 9 on page 2.

Page 2, line 10, strike entire line and insert in lieu thereof the words, "that the Commissioners of the District of Columbia are hereby authorized."

Page 2, line 11, after the comma, following the word "time", insert the words, "the legal fees for the services of the Recorder of Deeds of the District of Columbia."

Page 2, line 17, strike the words "Commissioners are" and insert in lieu thereof the words "Recorder is."

Page 2, line 19, strike the word "they" and insert in lieu thereof the word "he."

Page 2, line 25, strike entire line.

Page 3, strike lines 1 through 6, inclusive, and insert in lieu thereof the following: "SEC. 2. All receipts and expendi-".

Page 3, line 7, after the word "be" insert the word "preaudited" and a comma.

Page 3, strike lines 11 through 25.

Page 4, line 1, strike figure "7" and insert figure "3."

Page 4, line 12, end of line after comma, insert:

"Strike out the words '"Recorder" shall mean the Recorder of Deeds of the District of Columbia, including assistants or agents duly designated by the Recorder', and."

Page 5, line 15, strike the word "stamp" and insert in lieu thereof the word "enter."

Page 5, line 19, strike the word "stamp" and insert in lieu thereof the word "enter."

Page 5, line 23, strike the word "stamp" and insert in lieu thereof the word "enter."

Page 6, line 1, strike the word "stamped" and insert in lieu thereof the word "entered."

Page 6, line 3, strike the word "stamp" and insert in lieu thereof the word "enter."

Page 6, line 7, after the word "stamp", insert the words "or endorse."

Page 6, line 10, after the word "stamping", insert a comma, followed by the word "endorsing."

Page 7, line 4, strike the word "stamp" and insert in lieu thereof the word "prepare."

Page 11, line 4, strike the letter "e", within parentheses, and insert in lieu thereof the letter "f."

Page 11, line 11, strike the letter "f", within parentheses, and insert in lieu thereof the letter "g."

Page 11, line 19, strike the letter "g", within parentheses, and insert in lieu thereof the letter "h."

Page 12, line 1, strike the letter "h", within parentheses, and insert in lieu thereof the letter "i."

Page 12, line 1, strike the figure "7" and insert in lieu thereof the figure "3."

Mr. O'HARA. Mr. Speaker, briefly and for the information of the House, this bill does not affect the autonomy of the Office of the Recorder of Deeds of the District of Columbia. It does provide and authorize the recorder to purchase certain photostatic equipment for that office. It provides for the checking of the records by the District auditor. There are several other amendments which I shall not attempt to describe.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to authorize the Commissioners of the District of Columbia to prescribe the processes and procedures for recording instruments of writing in the Office of the Recorder of Deeds of the District of Columbia, and for other purposes."

A motion to reconsider was laid on the table.

REGULATION OF CERTAIN INSURANCE RATES IN THE DISTRICT OF COLUMBIA

Mr. DIRKSEN. Mr. Speaker, I call up the bill (H. R. 3998) to provide for regulation of certain insurance rates in the District of Columbia, and for other purposes, and ask unanimous consent that the bill be considered in the House as in Committee of the Whole.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

SECTION 1. Definitions: In this act, unless the context otherwise requires—

"District" means the District of Columbia.

"Superintendent" means the Superintendent of Insurance of the District of Columbia.

"Insurance" includes (but is not limited to) fidelity, surety, and guaranty bonds.

"Company" means any insurer, whether stock, mutual, reciprocal, interinsurer,

Lloyd's, or any other form or group of insurers.

"Policy" means an insurance policy or contract as defined by Public Law 824, Seventy-sixth Congress, approved October 9, 1940.

"Agent" means and shall include any individual, copartnership, or corporation acting in the capacity of or licensed as a "policy-writing agent", "soliciting agent", or "salaried company employee" as defined by the act entitled "An act to provide for the regulation of the business of fire, marine, and casualty insurance, and for other purposes", approved October 9, 1940.

SEC. 2. Scope of act: This act shall apply to all forms of casualty, motor vehicle, explosion, sprinkler leakage, and inland marine insurance in the District and to all forms of insurance within the scope of said act approved October 9, 1940, except those forms of insurance not enumerated herein which are within the scope of the act entitled "An act to provide for the regulation of certain insurance rates in the District of Columbia, and for other purposes", approved June 1, 1944: *Provided*, That this act shall not apply to reinsurance and shall not apply to: (a) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance policies; (b) title; (c) accident and health insurance; (d) insurance against loss of or damage to aircraft or to liability, other than workmen's compensation and employers' liability, arising out of the ownership, maintenance, or use of aircraft; (e) to insurance issued to self-insurers and insuring against loss in excess of at least $10,000 resulting from any one accident or event, except when rates therefor are made by a rating organization.

SEC. 3. Making of rates: (a) Rates for insurance within the scope of this act shall not be excessive, inadequate, or unfairly discriminatory.

(b) Due consideration shall be given to past and prospective loss experience within and outside the District, to physical hazards, to safety and loss prevention factors, to underwriting practice and judgment, to catastrophe hazards, if any, to a reasonable margin for underwriting profit and contingencies; to dividends, savings, or unabsorbed premium deposits allowed or returned by insurers to their policyholders, members, or subscribers; to past and prospective expenses both country-wide and those specially applicable to the District; to whether classification rates exist generally for the risks under consideration; to the rarity or peculiar characteristics of the risks; and to all other relevant factors within and outside the District.

(c) Nothing in this section shall be taken to prohibit as unfairly discriminatory the establishment of classifications or modifications of classifications of risks based upon size, expense, management, individual experience, purpose of insurance, location or dispersion of hazard, or any other reasonable considerations provided such classifications and modifications apply to all risks under the same or substantially similar circumstances or conditions.

(d) Nothing in this act shall be construed to require uniformity in insurance rates, classifications, rating plans, or practices.

(e) Nothing in this act shall abridge or restrict the freedom of contract of insurers, agents, brokers, or employees with reference to the commissions or salaries to be paid to such agents, brokers, or employees by insurers.

(f) Rates may be made effective immediately or at such future time as the company or rating organization making them may specify. They shall thereafter remain in effect unless and until changed by the company or rating organization making them, or adjusted by order of the Superintendent in accordance with the provisions of this act.

SEC. 4. Supervision of rates: (a) On and after January 1, 1948, every company shall file with the Superintendent, either directly or through a licensed rating organization of which it is a member or subscriber, except as to rates on inland marine risks which are not made by a rating organization and which by general custom of the business are not written according to manual rates or rating plans, all rates and rating plans, rules, and classifications which it uses or proposes to use in the District.

(b) Whenever it shall be made to appear to the Superintendent, either from his own information or from complaint of any party alleging to be aggrieved thereby, that there are reasonable grounds to believe that the rates on any or on all risks or classes of risks or kinds of insurance within the scope of this act are not being made in accordance with the terms of this act, it shall be his duty, and he shall have the full power and authority, to investigate the necessity for an adjustment of any or all such rates.

(c) After such an investigation of any such rates, the Superintendent shall, before ordering any appropriate adjustment thereof, hold a hearing upon not less than 10 days' written notice specifying the matters to be considered at such hearing, to every company and rating organization which filed such rates, provided the Superintendent need not hold such hearing in the event he is advised by every such company and rating organization that they do not desire such hearing. If after such hearing the Superintendent determines that any or all of such rates are excessive or inadequate, he shall order appropriate adjustment thereof. Pending such investigation and order of the Superintendent, rates shall be deemed to have been made in accordance with the terms of this act. No order of adjustment shall affect any contract or policy made or issued prior to the effective date of such order unless (i) the adjustment to be effected is substantial and exceeds the cost to the companies of making the adjustment and (ii) the order is made after the prescribed investigation and hearing and within 30 days after the filing of rates affected. In no event shall an order of adjustment affect an existing contract or policy required by law, order, rule, or regulation of a public authority, or as to which the rates are not, by general custom of the business or because of rarity and peculiar characteristics, written according to normal classification or rating procedure.

(d) In determining the necessity for an adjustment of rates, the Superintendent shall be bound by all of the provisions of section 3 of this act.

(e) The Superintendent is further empowered to investigate and to order removed at such time and in such manner as he shall specify any unfair discrimination existing between individual risks or classes of risks.

SEC. 5. Cooperative and concerted action authorized: Subject to the provision of this act, two or more admitted insurers may cooperate or act in concert with each other—

(a) as a rating organization, for the purpose of making rates, rating plans, or rating systems. No insurer shall be deemed to be a rating organization;

(b) as an advisory organization, for the purpose of preparing policy forms, making underwriting rules, surveys, or inspections incident to but not including the making of rates, rating plans or rating systems, or collecting and furnishing to admitted insurers of rating organizations loss of expense statistics or other statistical data, and acting in an advisory as distinguished from a rate-making capacity;

(c) as a group or fleet of insurers operating under the same general management and control, for the purpose of conducting a complete insurance service;

(d) as a group, association, or other organization for the purpose of joint underwriting or joint reinsurance, or of equitable apportionment and proper rating of insurance which may be afforded applicants who are in good faith entitled to but who are unable to procure such insurance through ordinary methods;

(e) as any other type of group, association, or organization, for such purposes, other than those heretofore described in this section, as the Superintendent may, after investigation, approve as being in the interest of the insuring public of the District.

No company shall be required by this act to be a member or subscriber of any rating organization.

SEC. 6. Cooperative and concerted action regulated: (a) Every group, association, or other organization of insurers authorized to act as such under the terms of this act, except groups or fleets described in subsection (c) of section 5, shall file with the Superintendent (1) a copy of its constitution, its articles of agreement or association, or its certificate of incorporation, and of its bylaws, rules, and regulations governing the conduct of its business; (2) a list of its members and subscribers, if any; (3) the name and address of a resident of the District upon whom notices or orders of the Superintendent or process affecting it may be served; and shall notify the Superintendent promptly of any change in the foregoing.

(b) No such group, association, or organization shall engage in any unfair or unreasonable practice in the conduct of its business.

(c) No rating organization shall conduct its business with respect to insurance on risks located within the District without a license from the Superintendent. To obtain such a license, a rating organization shall, in addition to the matters specified in subsection (a) of this section, supply to the Superintendent a statement relating to its qualifications as a rating organization and its ability adequately to administer the rates, rules, and regulations which it may make in behalf of its members and subscribers.

If the Superintendent finds that the applicant is competent, trustworthy, and otherwise qualified to act as a rating organization, he shall forthwith issue a license specifying the kinds of insurance and subdivisions thereof for which the applicant is authorized to act as a rating organization, but, if the Superintendent does not so find within 30 days after he has received such application, he shall, at the request of the applicant, give the applicant a full hearing.

Licenses issued pursuant to this section shall remain in effect until suspended or revoked by the Superintendent unless voluntarily surrendered by the rating organization. The fee for said license shall be $250 and shall be paid by the applicant through the Superintendent to Collector of Taxes, District of Columbia. Licenses issued pursuant to this section may, at the request of the rating organization, be amended by the Superintendent so as to include authority with respect to additional kinds of insurance and subdivisions thereof, provided the rating organization satisfies the Superintendent that such amendment would not in any way be contrary to or inconsistent with the provisions of this act: *Provided*, That an additional fee in the amount of $50 shall be charged for such amendment.

The license of any rating organization may be suspended or revoked by the Superintendent for failure to comply with this act or for incompetence or untrustworthiness. The Superintendent shall not revoke or suspend the license of any rating organization until he has given it not less than 30 days' notice of the proposed revocation or suspension and of the grounds alleged therefor and has afforded the rating organization an opportunity to be heard. In lieu of revoking or suspending the license of any rating organization after hearing and for the causes named herein, the Superintendent may subject such rating organization to a penalty of not more than $250 when in his

judgment he finds that the public interest would be best served by the continued operation of the rating organization. The amount of any such penalty shall be paid by the rating organization through the Superintendent to Collector of Taxes, District of Columbia.

(d) Every licensed rating organization shall, subject to reasonable rules and regulations, permit any company not a member to be a subscriber to its rating services for any kind of insurance or subdivision thereof for which it is authorized to act; shall give notice of changes in such rules and regulations to its subscribers; and shall furnish its rating services without discrimination to its members and subscribers.

(e) No licensed rating organization shall adopt any rule, effect any agreement, or take any action contrary to or inconsistent with the provisions of this act or which would have the effect of prohibiting, restricting, or regulating the payment or allowance by any of its members or subscribers of dividends, savings, or unabsorbed premium deposits; nor practice or sanction any plan or act of boycott, coercion, or intimidation; nor enter into or sanction any contract or act by which any person is restrained from lawfully engaging in the business of insurance.

(f) Every member of or subscriber to a licensed rating organization shall adhere to the filings made on its behalf by such organization except that any such member or subscriber may deviate from such filings if it has filed with the rating organization and with the Superintendent the deviation to be applied and information necessary to justify the deviation and provided such deviation is approved by the Superintendent. If approved, the deviation shall remain in force until such approval is withdrawn by the Superintendent after notice to the company or withdrawn by the company with the approval of the Superintendent. The Superintendent shall approve any such deviation unless he finds that the deviation to be applied would not be uniform in its application or would be inconsistent with the provisions of this act, but unless he approves the deviation within 30 days he shall, within a reasonable time, grant a hearing to the applicant at the applicant's request.

SEC. 7. Information to be furnished by insurers: (a) Every rating organization and every insurer which makes its own rates shall, within a reasonable time after receiving written request therefor and upon payment of such reasonable charge as it may make, furnish to any insured affected by a rate made by it, or to the authorized representative of such insured, all pertinent information as to such rate.

(b) Every rating organization and every insurer which makes its own rates shall provide within the District reasonable means whereby any person aggrieved by the application of its rating system may be heard, in person or by his authorized representative, on his written request to review the manner in which such rating system has been applied in connection with the insurance afforded him. If the rating organization or insurer fails to grant or reject such request within 30 days after it is made, the applicant may proceed in the same manner as if his application had been rejected. Any party affected by the action of such rating organization or such insurer on such request may, within 30 days after written notice of such action, appeal to the Superintendent who, after a hearing held upon not less than 10 days' written notice to the appellant and to such rating organization or insurer, may affirm or reverse such action.

(c) No company, agent, broker, or rating organization may willfully withhold required information from or give false or misleading information to the Superintendent.

(d) No company, agent, or broker shall fail to furnish to an insured any policy or comparable evidence of insurance to which the insured is entitled.

SEC. 8. Authority and duty of Superintendent: In addition to any powers hereinbefore expressly enumerated in this act, the Superintendent shall have full power and authority, and it shall be his duty, to enforce by regulations, orders, or otherwise all and singular, the provisions of this act, and the full intent thereof. In particular he shall have the authority and power—

(a) to examine all records of companies and rating organizations and to require any or every company, agent, broker, and rating organization to furnish under oath such information he may deem necessary for the administration of this act;

(b) to make and enforce such reasonable orders, rules, and regulations as may be necessary in making this act effective, but such orders, rules, and regulations shall not be contrary to or inconsistent with the provisions of this act;

(c) to issue an order, after a full hearing to all parties in interest requiring any group, association, or organization of insurers and the members thereof to cease and desist from any unfair or unreasonable practice.

The Superintendent shall have no authority at any hearing to compel the attendance of witnesses or to require adherence to formal rules of pleading or evidence. At the request of a party or parties in interest at any hearing, he shall administer oath and shall make a record of the hearing, and upon request of such party or parties he shall make and certify a transcript of the record, the cost of such record and transcript to be paid by the party or parties requesting the same.

SEC. 9. Penalties: Any company, broker, or agent guilty of violating any of the provisions of this act or any order, rule, or regulation issued pursuant to this act, shall be subject to the provisions of sections 3 and 36, respectively, of chapter II of said act approved October 9, 1940, as amended.

SEC. 10. Judicial review: Any person, firm, or corporation aggrieved by any order, ruling, proceeding, or action of the Superintendent may contest the validity of such order, ruling, proceeding, or action in any court of competent jurisdiction by appeal or through any other appropriate proceedings, as provided under section 45, chapter II, of said act approved October 9, 1940.

SEC. 11. Repeals: All laws or parts of laws, insofar as they relate to business affected hereby and are in conflict with any of the provisions of this act, are hereby repealed: *Provided*, That this act shall not be construed as repealing or amending the act entitled "An act to amend an act entitled 'An act to provide that all cabs for hire in the District of Columbia be compelled to carry insurance for the protection of passengers, and for other purposes,' approved June 29, 1938," approved December 15, 1942.

SEC. 12. Unconstitutionality: If any section or provision of this act is held unconstitutional or invalid, the validity of the act as a whole or of any part thereof, other than the part decided to be unconstitutional or invalid, shall not be affected.

SEC. 13. Effective date: This act shall take effect October 1, 1947.

Mr. DIRKSEN. Mr. Speaker, I suggest the Chair recognize the gentleman from Illinois [Mr. SIMPSON] to make a statement, but before doing so, let me say that as chairman of the subcommittee on this matter he has labored very earnestly for nearly 5 months in order to bring here a bill that will meet generally the objections that were raised by a good many Members of the House. I think some five or six Members of the House have introduced legislation on this subject, and this represents, I believe, a felicitous compromise that meets every objection.

Mr. SIMPSON of Illinois. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, early during the first session of this, the Eightieth Congress, various insurance bills as to the regulation of insurance rates in the District of Columbia were introduced and assigned to the Subcommittee on Public Utilities, Insurance and Banking of the District of Columbia Committee.

H. R. 951 which is known as the all-industry bill was introduced by Mr. GWYNNE of Iowa, and H. R. 1458 was introduced by Mr. HUGH D. SCOTT, of Pennsylvania. H. R. 2954 was introduced by Mr. POULSON, of California, and H. R. 3287 by Mr. MCMILLEN of Illinois. By request, I introduced H. R. 1717.

The subcommittee held a lengthy hearing on these resolutions at which insurance representatives and executives appeared. The hearing started at 9:45 in the morning and lasted until almost 6 o'clock that afternoon. Permission, of course, was obtained in the House to continue with the hearings after 12 o'clock noon. These hearings have been printed and are available.

Soon after the hearings were held I asked the various Members and those interested in the legislation which they had introduced and Mr. Jordan, Superintendent of Insurance for the District of Columbia, to get together in an attempt to write a bill that all could accept. In the meantime Mr. PLOESER, of Missouri, who is an insurance agent, introduced H. R. 3720. Mr. PLOESER is an insurance agent for several companies in the city of St. Louis and has been such for many years. He is also chairman of the House Small Business Committee and vitally interested in that phase of this legislation. Several meetings have been held, and the Members who have introduced these various bills were invited, insurance executives, and Mr. Jordan.

During these meetings it seemed to me there were two controversial sections: (1) Being to the method of procedure as to hearings between the superintendent and the insurer. I feel that all interested agreed hearings should be mandatory but that it was the method of procedure as to the hearings that was in controversy; (2) the other controversial matter was the underwriter's profit under section 3, making of rates. As a result and in the final analysis, H. R. 3998 was introduced by me. For the moment, I believe it is as near a compromise resolution as can be obtained.

I wish to state that I do not believe anyone could write a bill as to the regulations of insurance rates in the District of Columbia that everyone would accept. I think this is absolutely impossible. When Mr. DIRKSEN, chairman of the House District of Columbia Committee, assigned this legislation to the subcommittee of which I am chairman, I knew nothing about insurance except to pay the premiums. Possibly today I know a little more about it. I feel most committee members are in a like situation. The whole matter is technical and involved. From a standpoint of the public or a policyholder, I think they are interested only in the solvency of an

insurance company, the cost of insurance, and whether or not their loss will be paid if they have one.

For the benefit of Members of the House and for those not familiar with the purpose of this legislation I will outline a brief history of it in chronological order.

On June 5, 1944, the Supreme Court of the United States in the *United States v. South-Eastern Underwriters Association et al.* (322 U. S. 533, 88 L. ed. 1440) held that the business of insurance was commerce, that when conducted across State lines it was interstate commerce, and therefore subject to the Sherman Antitrust Act. By that decision, insurance was held to be commerce. After the SEUA decision, it was felt by the Congress that the insurance business would need time in which to become readjusted to its newly acquired status under the Federal Antitrust Act and related Federal laws. This was especially true of certain types of property insurance for which rate making by the industry had been found to be necessary. Congress then enacted Public Law 15, known as the McCarran Act, giving the insurance companies a moratorium where they would not be in violation until January 1, 1948. It further provided that after the end of the moratorium period, January 1, 1948, the Sherman Act, Clayton Act, and the Federal Trade Commission Act, were to be applicable to the business of insurance to the extent that the same is not regulated by State law. The result of all of this was that many and a great majority of the States either had legislation pending or enacted. This legislation, H. R. 3998, which was reported out of Utilities Subcommittee July 3 and approved by full District of Columbia Committee July 11, is the rate regulatory measure which is similar legislation along the lines as enacted or pending by the several States.

At the subcommittee meeting on July 3, every Representative in Congress who had introduced regulatory measures were invited to the meeting. Mr. Jordan, superintendent of insurance, and an assistant attended. I stated at the time, and I wish to repeat it before the House, I believe H. R. 3998 is as near a compromise as can be obtained at the moment. It is my understanding that the Senate Judiciary Subcommittee has reported out a resolution extending Public Law No. 15 for 6 months. Naturally, I do not know what will be the final outcome of it. Regardless of the outcome, if the intent of Congress in passing Public Law No. 15 is to be carried out, some regulatory measure must be passed. With that though in mind, I would like to see the House of Representatives pass H. R. 3998 with the hope that it can be sent to the other body. If this is done and even though nothing is done about it in that body, it will give every person and insurance company interested in this legislation time to look it over, ask for amendments, or take any other procedure they care to take.

If nothing is done by the Senate until after January 1, all interested will have 6 months more public opinion on this legislation. If it is passed by the House during the first session of the Eightieth Congress, we will simply be that much further along after January 1 should the Senate fail to act. If the Senate has time between now and adjournment and sees fit to act one way or the other, all well and good.

I further wish to state that this legislation is very complicated from a layman's standpoint. It is not to an insurance commissioner or insurance executive. While many no doubt will construe any action taken here as national in scope, it seems to me, and it was so stated many times during the hearing, that this legislation pertains to the District of Columbia only. It should not be considered as a model for the several States.

From my experience with this legislation from the time it was assigned to the utilities subcommittee, I fully believe the House is justified on taking action as recommended by the subcommittee and the full District of Columbia Committee.

None of the subcommitee members, as far as I know, had any personal interest in this legislation whatsoever. We are simply trying to serve to the best of our ability as members of the District of Columbia Committee.

Mr. McMILLAN of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. SIMPSON of Illinois. I yield.

Mr. McMILLAN of South Carolina. Mr. Speaker, I congratulate the chairman of the subcommittee on the fine work he and his committee did on this bill. I was very much interested in the bill when it was being considered. I think the compromise bill we are considering, introduced by the gentleman from Illinois [Mr. SIMPSON], met with the approval of the insurance companies and majority of witnesses appearing before the committee.

I just wanted to congratulate the gentleman on the fine piece of work he has done on this bill.

Mr. SIMPSON of Illinois. I thank the gentleman very much.

The SPEAKER. The time of the gentleman from Illinois [Mr. SIMPSON] has expired.

Mr. DIRKSEN. Mr. Speaker, I wish to add my word of commendation for the devoted service which the gentleman has rendered in this matter, because it is of the utmost importance. Manifestly, it must seek to evidence good faith on the part of the Congress, in the light of the action of the Supreme Court and what the Department of Justice perhaps proposes to do in the future.

Mr. Speaker, I yield to the gentleman from Iowa [Mr. GWYNNE], author of one of these bills.

Mr. GWYNNE of Iowa. Mr. Speaker, I am in favor of this bill. I think the chairman of the subcommittee the gentleman from Illinois [Mr. SIMPSON] and his subcommittee have done an excellent job reconciling the differences between the various bills, and has presented a bill that is reasonably satisfactory to all concerned.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include as a part thereof a memorandum prepared by the legal department of the Association of Casualty and Surety Executives of New York City in regard to this bill.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

(The statement referred to is as follows:)

DRAFT OF A MEMORANDUM IN SUPPORT OF H. R. 3998, A BILL TO PROVIDE FOR REGULATION OF CERTAIN INSURANCE RATES IN THE DISTRICT OF COLUMBIA

The Association of Casualty and Surety Companies is a voluntary, nonprofit, unincorporated organization comprising 66 stock casualty and surety companies, some of which belong to rating organizations and others of which operate independently. This association is a member of the insurance all-industry committee, which, together with the National Association of Insurance Commissioners, drafted rate regulatory bills. H. R. 951, regulating casualty and surety rates in the District of Columbia, is the commissioners' all-industry committee bill. At the public hearing held before this same committee on May 7, 1947, we urged the adoption of H. R. 951 and opposed the bills (H. R. 1458, H. R. 1717, H. R. 2954, H. R. 3287) which were supported by other interested groups.

This association has supported the commissioners' all-industry committee bill in every State or jurisdiction which has considered rate regulatory legislation this year. Where there has been no reasonable likelihood of its passage, we have endeavored to compose differences with those opposing the bill, provided the agreed-upon bill constitutes, in our opinion, regulation within the meaning of Public Law 15. This is the procedure which has been followed in a number of States.

Following the May 7 hearing, it was made clear that none of the bills considered at that hearing could be enacted into law during the present session. It was in order, therefore, to explore the possibilities of drafting a bill which could be supported by all interested groups. H. R. 3998 is a rate regulatory bill which, we believe, all groups can support. Furthermore, it is, in our opinion, regulation in the public interest within the meaning of Public Law 15.

H. R. 3998 requires all rates to be filed before they are used, and the rates must be not excessive, inadequate, or unfairly discriminatory. Provision is also made for licensing and regulation of rating organizations. Section 4 of the bill authorizes the superintendent to investigate the necessity for adjusting rates and, after a hearing, to order an adjustment of such rates. H. R. 3998 differs from H. R. 951 principally in that all rates become effective when filed. Unlike H. R. 951, there is no mandatory waiting period during which rates are on file with the superintendent and cannot be used. H. R. 3998 does contain, however, important provisions not appearing in H. R. 951. Section 4 (c) provides that the superintendent's order to adjust rates may have a retroactive effect if "(1) the adjustment to be effected is substantial and exceeds the cost to the companies of making the adjustment and (2) the order is made after the prescribed investigation and hearing and within 30 days after the filing of rates affected." Section 4 (e) further empowers the superintendent "to investigate and to order removed at such time and in such manner as he shall specify any unfair discrimination existing between individual risks or classes of risks."

These provisions in H. R. 3998 are similar in purpose to the waiting period contained in H. R. 951, for, like a waiting period, they are intended to protect the public from being charged a rate which did not meet the

standards of the act on the day it was filed. It will be noted that under section 4 (c), if the Superintendent's order is to have retroactive effect, he must act within 30 days after the rate is filed, and the adjustment must be substantial and exceed the cost to the companies of making the adjustment. The purpose of the 30-day time limit is to avoid the extremely expensive and practically impossible task of adjusting premium rates which have been in effect for some time. The purpose of requiring the adjustment to be substantial and exceed the cost to the companies of making the adjustment is to avoid insignificant adjustments, the cost of making which will, in the long run, only increase the cost of insurance to all policyholders.

It is our belief that H. R. 3998 properly regulates collaboration in the making of rates, preserves free and fair competition, and is regulation in the public interest within the meaning of Public Law 15.

In view of the improbability of enacting the Commissioners All-Industry Committee bill at the present time and for the reasons previously stated, we respectfully urge the adoption of this bill.

Mr. DIRKSEN. Mr. Speaker, I move the previous question.

The previous question was ordered.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. DIRKSEN. Mr. Speaker, I ask unanimous consent that all Members who are interested in this insurance bill may have five legislative days in which to extend their remarks on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. DIRKSEN. Mr. Speaker, that completes the business of the District of Columbia Committee today.

CALL OF THE HOUSE

Mr. VAN ZANDT. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Obviously, there is no quorum present.

Mr. ALLEN of Illinois. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 109]

Barden	Dingell	Lea
Barrett	Domengeaux	McGarvey
Bender	Eaton	Morrison
Bennett, Mich.	Elsaesser	Nixon
Bland	Fuller	Norton
Bonner	Gifford	Patman
Boykin	Hall,	Pfeifer
Buckley	Edwin Arthur	Philbin
Celler	Hart	Pickett
Clark	Hartley	Powell
Clements	Hébert	Rivers
Clippinger	Hendricks	Smith, Kans.
Cole, Mo.	Huber	Smith, Ohio
Colmer	Johnson, Tex.	Snyder
Combs	Kee	Vinson
Cox	Kelley	Vursell

The SPEAKER. On this roll call, 380 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PLUMLEY. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days to extend their remarks on the naval appropriations conference report and that their remarks may be extended at that point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

EXTENSION OF REMARKS

Mrs. BOLTON asked and was given permission to extend her remarks in the RECORD and include an editorial.

Mr. JUDD. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD and to include an article on foreign affairs. I am advised by the Printing Office that the extension will cost $165.67. Notwithstanding the cost, I ask unanimous consent that the extension may be made.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. JUDD asked and was given permission to extend his remarks in the RECORD and to include an article.

Mr. SHORT asked and was given permission to extend his remarks in the RECORD and to include a letter to him and some press comment.

Mr. GAVIN asked and was given permission to extend his remarks in the RECORD in two instances and to include an editorial in one.

Mr. RICH asked and was given permission to extend his remarks in the RECORD and to include A Story With a Moral by George S. Benson.

Mr. LANHAM asked and was given permission to extend his remarks in the RECORD and to include an editorial.

Mr. DONOHUE asked and was given permission to extend his remarks in the RECORD and to include a letter.

Mr. GATHINGS asked and was given permission to extend his remarks in the RECORD and to include an editorial from the Christian Science Monitor.

Mr. PRICE of Illinois asked and was given permission to extend his remarks in the RECORD in two instances and to include some articles in each.

Mr. HAYS asked and was given permission to extend his remarks in the RECORD and to include an address by Mr. L. P. Stradley of the Philadelphia bar.

Mr. MILLER of California asked and was given permission to extend his remarks in the RECORD and include a resolution.

Mr. HAGEN asked and was given permission to extend his remarks in the RECORD.

TEMPORARY APPROPRIATIONS FOR THE FISCAL YEAR 1948

Mr. TABER. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 240, making temporary appropriations for the fiscal year 1948.

The Clerk read the resolution, as follows:

Resolved, etc., That there are hereby appropriated, out of any money in the Treasury not otherwise appropriated, such amounts as may be necessary to meet pay rolls (obligations for which were incurred in accordance with section 102 of the Second Urgent Deficiency Appropriation Act, 1947, Public Law, 122 or in accordance with provisions of the Emergency Appropriation Act, 1948, Public Law 161) for pay periods ending prior to July 16, 1947: *Provided*, That expenditures hereunder shall be charged to the appropriate appropriations for the fiscal year 1948 when made.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. TABER]?

Mr. CANNON. Mr. Speaker, reserving the right to object, does the gentleman intend to ask unanimous consent that the resolution be considered in the House as in Committee of the Whole?

Mr. TABER. Yes.

Mr. CANNON. And there will be ample time for debate under the 5-minute rule?

Mr. TABER. Yes.

Mr. CANNON. Mr. Speaker, I reserve all points of order on the bill. I have no objection to the request for its present consideration.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. TABER. Mr. Speaker, I ask unanimous consent that the resolution may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York.

There was no objection.

Mr. TABER. Mr. Speaker, this resolution is proposed so that the pay rolls due for the first half of July may be met in the regular way by the departments and agencies of the Government.

At the present time, three of the regular annual appropriation bills are signed; two are through the House, in conference, and I am assured will be through the Senate today. The other six bills are either in conference or about to be considered by the Senate, and it will probably be the end of the week before we are able to put them all through the Congress. I hope we may be able to do that.

Mr. CANNON. Mr. Speaker, it is to be regretted that the delay of the entire appropriation program has been such that although we are long past the dead line, more than 2 weeks past the end of the fiscal year, more than half of the appropriation bills are still in the House or Senate, or in conference, and have not yet reached the President.

It is to be noted that one of the minor results of this tardiness is that although this is pay day for many of the Capitol employees there is no money with which to pay them, due to the failure of the legislative program to provide for the payment of the running expenses of the Congress.

I suppose we should not take it too much to heart, however, in view of the fact that, due to similar dilatoriness on previous occasions, money has not been available for the payment of veterans, when due, and for the payment of old-age pensions and other security allowances.

But in view of the fact that we are dealing with a condition and not a theory, that we have a situation to meet, we must cooperate in getting this continuing

resolution through as promptly as possible.

Mr. TABER. Mr. Speaker, I move the previous question on the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF CIVIL SERVICE RETIREMENT ACT OF MAY 29, 1930, AS AMENDED

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 292, Rept. No. 918) which was referred to the House Calendar and ordered to be printed:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 4127) to amend the Civil Service Retirement Act of May 29, 1930, as amended, and all points of order against said bill are hereby waived. That after general debate, which shall be confined to the bill and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

THE LOYALTY BILL

Mr. ALLEN of Illinois. Mr. Speaker, I call up House Resolution 267, providing for the consideration of the bill (H. R. 3813) to provide for removal from, and the prevention of appointment to, offices or positions in the executive branch of the Government of persons who are found to be disloyal to the United States, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That immediately upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H. R. 3813) to provide for removal from, and the prevention of appointment to, offices or positions in the executive branch of the Government of persons who are found to be disloyal to the United States. That after general debate, which shall be confined to the bill and continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Post Office and Civil Service, the bill shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. SABATH] and yield myself such time as I may require.

The SPEAKER. The gentleman from Illinois is recognized.

Mr. ALLEN of Illinois. Mr. Speaker, this resolution embodies a general rule which merely provides consideration and 2 hours of general debate on H. R. 3813, a bill to provide for removal from, and the prevention of appointment to, offices or positions in the executive branch of the Government of persons who are found to be disloyal to the United States.

Generally speaking, the bill establishes procedures for eliminating disloyal persons from the Federal pay roll. It also provides a number of safeguards so that loyal Americans will never be purged from the Federal pay roll because of legitimate political convictions. I will not touch upon the specific provisions of the bill. The chairman and the members of the Committee on Post Office and Civil Service will explain and discuss the bill in detail, but I would like to take just a minute to make a personal observation regarding communism.

As I have pointed out, this bill provides a number of safeguards for loyal Americans. And I repeat, no loyal American should ever be purged from the Federal pay roll because of legitimate political convictions. But I do not regard communism as a legitimate political conviction, nor, for that matter, as a political conviction at all. Communism is a moral issue, and it must be regarded as such if we are to prevent the enslavement of the American people by this foreign ideology.

When discussing politics, we must proceed from the premise that governments were created by men and for men—to protect and further the rights and interests of men. When I speak of a legitimate political conviction, I mean a conviction based upon that fundamental premise.

Morals, on the other hand, are definite standards of relationship between man and his Creator, between man and his fellow man, and between men and their government. Morals establish certain rights for all men, and these rights are due him merely by virtue of his being. These rights—which we call "morals"—are not within the purview of governments to change, but merely to protect. Now, my point is this: Political convictions concern themselves with the methods and techniques of guaranteeing these fundamental rights of all human beings. But any attempt to deny that human beings have certain rights is not a political conviction but an encroachment of our moral standard.

There is ample room for most variations of opinion on the best method of effectuating this fundamental purpose of government, and such disagreements are within the legitimate realm of politics; but a disagreement on the purpose of the state and of government can only be discussed as a moral issue.

By virtue of their being, all men should have the opportunity to provide themselves a decent standard of living. Workingmen have the right to good working conditions—all men have the right to own property—and there are many other rights which men have, and these rights are above question. It is the sole function of politics to determine the method by which these rights can be accorded in the most equitable manner; but to deny that men have these rights, or to make them secondary to the will of the Government, is not political chicanery, but moral turpitude.

Throughout history men have recognized that all personal freedom must proceed from specific limitation on the power of the Government over its citizens. Yet none of the great documents of history attempted to define the rights of men. The makers of these documents presumed, and rightfully so, that human beings have certain rights which were given and defined by the Creator. The Magna Carta, the Bill of Rights, the Declaration of Independence, and the Constitution—none of these great documents asked for any rights; but all declared that men have certain rights which must be observed by the Government.

Now, to prove that communism is immoral, we need only agree that states and governments were created to serve men. Entirely inconsistent with this fundamental concept, the Hegelian dialectic—the basic creed of Communists—maintains that the state is an organism, and that men were created merely to nourish the state, and to contribute to its growth. The citizens in such a state have no rights whatsoever; and no protection exists against the power of the government. It is obvious that any such denial of the fundamental rights of men is not a political doctrine—it is an immoral usurpation of the dignity of the human personality. Communism in practice is a crime against humanity, and the Communist Party is a conspiracy to deprive men of their natural rights.

I have spoken of communism, but what I have said applies to fascism, and all other isms which make human liberty secondary to the will of the government.

This Congress cannot stand by, idly, and permit those who would enslave the American people to become part of, or to remain in the service of this Government.

Mr. SABATH. Mr. Speaker, I yield myself 10 minutes.

The SPEAKER. The gentleman from Illinois is recognized for 10 minutes.

Mr. SABATH. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and to include therein certain articles.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

LOYALTY BILL

Mr. SABATH. Mr. Speaker, I am a bit surprised that the chairman of the Committee on Rules, the gentleman from Illinois [Mr. ALLEN], has failed to explain more fully what this loyalty bill is which this bill makes in order.

I do not believe that any man, or any Member of Congress, who is fully familiar with all the provisions and the dangers of this bill, can believe that any such un-American, liberty-destroying measure should be considered by the United States Congress.

The rule makes in order consideration of the most drastic and far-reaching bill affecting the rights of Federal employees ever to reach the floor in my 41 years of service.

On March 21 the President issued an Executive order, 9835, to eliminate any and all disloyal employees from the Federal Government. That order improves the procedure of the loyalty rating which has been effective since 1939, preserves the American way, and guarantees employees an opportunity to reply to charges.

FUNDS NOT PROVIDED

After almost 4 months this Republican Congress still has not provided any funds for carrying out the President's Executive order; but today we are going to act on a bill which pretends to merely place the President's order in statutory form.

That is not true.

This bill reverses the attitude of the Executive order and defies the whole development of American law. It assumes the guilt of the accused until proved innocent. It places burden of disproof on the accused, not the burden of proof on the prosecutor.

It is charged that the underlying reason for this bill is reactionary Republican politics, reinforced by Nazi and Fascist ideologies, to lay the foundation for a Red-baiting smear campaign next year.

They hope to find somebody, somewhere, who may sometime have belonged to one of these organizations designated "subversive" and to use that to smear the Democratic administration.

But remember what Lincoln said: "You can fool some of the people all of the time and all of the people some of the time, but you can't fool all the people all the time."

The people got fooled last fall but it will not work again in 1948.

RED-BAITING CAMPAIGN BACKFIRES

The President's Executive order stole the Republican thunder. This bill is merely a belated effort of the Republicans to get back in the groove of their Red-baiting campaign. Already their campaign is backfiring. They have tried to pin the red label on so many people that they have made themselves ridiculous.

I recently heard a facetious definition of a Communist according to the gospel of B. Carroll Reece. This definition stated that a Communist is a man who does not regard Herbert Hoover as the greatest living American.

That is supposed to be funny, but, Mr. Speaker, it is not as funny as it sounds. There is entirely too much truth in it.

It is part of the present Republican strategy to saddle upon every opponent of the Republican old guard the stigma of Communist sympathy. It is a deliberate effort to instill fear in the hearts and minds of American citizens. It is a deliberate effort to make Americans believe that unless they vote for the most reactionary candidates they will convict themselves of sympathy with the Communist Party.

CONSTITUTION HAS SURVIVED 170 YEARS

Mr. Speaker, the constitutional amendments we call the Bill of Rights are not empty words to which we give lip service only. The American Revolution was not based on any dry intellectual movement or a selfish resentment of taxes. It was a spontaneous movement which spread throughout the American colonies, born of the real and burning enthusiasm of American patriots for freedom and independence. The Declaration of Independence is a classic document of the will of a free people to be free in every sense. The Constitution of the United States, which has survived without substantial change for 170 years, was the product of free and untrammeled debate.

This bill is a most vicious assault upon the rights and liberties guaranteed by the Constitution. It is of a piece with the repressive pressures of the Republican National Committee.

Treason is a high crime specified in the Constitution. I can agree that we need more clearly defined statutes in regard to activities which fall short of treason and are yet clearly against the public interest. We need statutes which clearly protect the rights of minorities and punish efforts to eliminate free speech by force and coercion. Under the Executive War Powers of title 50 of the United States Code, the executive branch can take almost any steps to protect the security of the country; but in time of peace we do not want such broad powers invoked.

This bill, if enacted, would enforce in peacetime restraints of acts and thoughts and words and writings as rigidly as if the Nation were at war.

BILL NOT EASILY AMENDED

Executive Order 9835 can be modified, altered, rescinded, or otherwise changed, as the need arises, under the proper and just powers of the Chief Executive. If this bill is enacted, it is frozen into the code of laws of the United States. It will be immensely difficult to amend or repeal when its harshness and utter lack of workability are proved.

To my mind, the most important faults of the Executive order are the failure to provide adequate safeguards for individuals against malicious gossip, racial and religious prejudice, and anonymous informants, and the vast powers placed in the hands of the Attorney General to determine, without benefit of judicial process or review, what organizations are subversive.

DELEGATES TOO MUCH POWER

I have great faith in the judicious temperament of the present Attorney General, as we all have. However, Mr. Speaker, I have a clear memory of the indefensible red hunts during and following the First World War. More than a century and a half ago the Federalists, the Republican Party of that time, tried to make the United States of America a police state by the passing of the Sedition Acts.

This bill, while not so far-reaching or so sweeping as the statutes of 1798, is in the same tradition of trying to force a free people to conform to a single political party on pain of legal or economic sanctions. The book burnings, the press smashing, the imprisonments under those infamous acts are a blot upon the history of American freedom. Let us not go back to that unholy pattern of repression. We came through three great foreign wars—the Spanish-American and the First and Second World Wars—without this kind of law, and we do not need it now.

FAVORS IMPARTIAL INVESTIGATIONS

Mr. Speaker, I am just as anxious to weed out all disloyal elements, no matter what kind of disloyalty, as the gentleman from Kansas [Mr. REES]. I yield to no man in my loyalty and devotion to American democracy and to this country.

I have never opposed and never will oppose an objective, impartial investigation of subversive activities in this country. I have objected only to the lopsided and biased investigations such as those of the Dies committee, which used its powers in violation of the terms of the resolution to concentrate only on liberal organizations and for political purposes.

Mr. Speaker, as one who as early as 1933 possessed and gave to the Nation evidence of subversive activities by Nazi and Fascist sympathizers in this country, by the bunds, the fake patriotic societies, the German information office, and others, and of Communists too, I have repeatedly demanded a thorough investigation of all subversive un-American activities. I have never deviated from that position.

OPPOSED TO COMMUNISM IN EVERY FORM

I am certainly opposed to communism in every form, and to fascism in every form, but the Republican Party, while denouncing communism day in and day out and tying the red tag to honest liberals and progressives, has never a word to say on the floor in condemnation of fascism. Oh, they say something about it in the party platform and campaign booklets, but those are generally written to catch votes, and they lack the ring of conviction.

Mr. Speaker, the time will come, and that soon, when you will regret the hasty passage of this and other arbitrary legislation aimed against the people and intended to enslave them. You seem to follow the dictates and whims of the big bosses who ignore the rights and interests of the people. This will beyond doubt lead to your downfall.

Personally I think we are wasting time with this bill. The other body will not stultify itself by serious consideration. It smells to high heaven of politics and hysteria brought about by reckless and vicious statements by those attempting to divert attention from real un-American activities.

If the majority leadership had any real faith in this bill, it would not have been surrounded with such quiet. I am told that but 400 copies of the hearings were printed, and that the printed copies have been very difficult to obtain. They were not given to the public at all, but "reserved for Members."

Do not the gentlemen realize that it was only a year ago that the Supreme Court, in the case of United States against Lovett, Watson, and Dodd, made clear that there is a limit on how far the Congress can encroach on the executive powers and the constitutional rights of American citizens?

LOYAL EMPLOYEES ATTACKED GROUNDLESSLY

Federal employees are living now in an atmosphere of fear and apprehension. Time after time outstanding and progressive employees of the Government

have been accused anonymously of various loose and undefined offenses involving their loyalty to this country, and some have been fired without ever having known who made the accusations, what the accusations were, or why it was held to be true by the Civil Service Commission or the employing agency. Such dismissals are as crushing as a criminal conviction in a court of law. They make it difficult or impossible for the wronged individual to obtain new employment.

This bill does absolutely nothing to improve that procedure. The bill is unnecessary and duplicative. It promotes and encourages spying and malicious gossip.

MANY ARE CALLED NAMES

Mr. Speaker, may I ask whence comes the demand for this repressive, Constitution-violating legislation?

Notwithstanding all the vigilance of the Federal Bureau of Investigation, the military and naval intelligence, and other Government investigative agencies, not to mention the Hitler-like methods and propaganda of the Committee on Un-American Activities, all of which has cost the Government many millions of dollars, how many men and women have actually been indicted and convicted on criminal charges who have been shown to be Communists or Russian agents?

You hear a great deal of loud and reckless talk by professional red baiters, and every little while the front pages of our newspapers are puffed with wild stories of alleged Communist conspiracies which burst like the hot-air balloons they are; but it is difficult to find out, in all the shouting, what are the facts. I have tried often enough to learn from the Committee on Un-American Activities just what the concrete results have been. I finally asked the Attorney General, and his answer shows that, except for a couple of sedition cases, one selective service case, two or three passport frauds, the trials have been of those who have chosen to defend themselves at law against the committee methods. In a population of 140,000,000, and after years and years of highly publicized activities, it seems like a slim haul.

IS JOINING A SIN?

Mr. Speaker, I shall leave to others to explain more fully, in section by section analysis, the dangers and implications of this drastic bill which would deprive Government employees, and people who want to be Government employees, of their constitutional rights of free speech, free thought, free assembly, of association and education, and would attaint a large segment of the population with the suspicion of disloyalty to their country merely because they are working for that country.

Nevertheless, I must touch briefly on some of the points.

This bill would place on the shoulders of the Attorney General the extraordinary and dangerous power of deciding what organizations it is a political sin and even treasonable to join. It is ironical that this House should place such restrictions on joining organizations. We should consider long and carefully what this hysteria and political agitation may lead to.

You are preaching economy and retrenchment and abolition of independent agencies; yet you are here creating a new independent agency, responsible to no Cabinet officer, scarcely responsible to the President, with a Loyalty Board of vast powers composed of five members at $10,000, plus numerous subordinate boards, with authority to hire an army of lawyers, persecutors, investigators, snoopers, clerks, and witch hunters. When you say the bill cost $28,000,000 to administer, you are deluding yourself; it is more likely to cost fifty or one hundred million dollars.

Why, in the palmiest days of the Czar of Russia or in the heyday of Hitler there were no worse restrictions on the right of Government employees to express their thoughts—aye, to think.

UNCONSTITUTIONAL

This bill is almost certainly unconstitutional. It is ex post facto; a bill of attainder; deprives the accused of the right of a trial by impartial jury, and to be informed of the nature and cause of the accusation, and to be confronted with the witnesses; it violates the guaranties of the first amendment; it deprives a man of his most precious possession—his reputation—and seriously injures, if indeed it does not destroy, his ability to make a living, without due process of law. It waives the guaranty in the fourth amendment of prosecution based only on probable cause, supported by oath or affirmation.

The bill is deficient in its definitions. It declares an offense without defining a crime. There is no definition of such loose words as "subversive," "loyalty," "disloyalty," "field investigation," "sympathetic association," "derogatory information." The terms of the measure are indefinite. It reverses the whole tradition of American jurisprudence by assuming that an employee or applicant is guilty until proved innocent. All employees will be on the suspect list, unfortunately, until they are cleared.

RIGHTS NOT PROTECTED

There are no adequate provisions for protecting employees' rights and reputations. Only 15 days is given for appeal, though an investigation may have taken weeks and months; and the Board is actually prohibited from disclosing the source of the information.

As to the grounds on which the so-called Loyalty Review Board can recommend the dismissal of an employee, we have ample statutes defining and punishing every criminal offense named in this bill. We do not need legislation which is repressive, deadening, and fear inspiring. We need, instead, clarification of procedures and powers of the executive agencies protecting and defining the rights of individuals.

Under this measure a man is branded for life who has, at any time, affiliated himself, however innocently, with an organization subsequently designated as disloyal or subversive.

There are many men who joined the Ku Klux Klan or other similar un-American groups in good faith, but who later ascertained that they could not subscribe to the subversive principles of the organizations they had joined. Should they also be proscribed from public employment after they have changed their views and resigned?

The effect of the bill will be to drive out of Government service many of the best brains in America.

THOMAS JEFFERSON DEBATED THIS BILL

All students of the Constitution realize that the framers of the Constitution were men of means, education, and high standing in their communities. Yet all agreed upon the noble democratic procedures of the Constitution which glorifies the common man.

As a disciple of Thomas Jefferson, noblest of them all, I believe in the utmost freedom of discussion and publicity. Thus we are protected from the dangers of those who would destroy our freedoms. I want to quote here the first paragraph of the Declaration of Independence as Jefferson penned it:

> We hold these truths to be self-evident: That all men are created equal; that they are endowed by their Creator with inherent and unalienable rights; that among these are life, liberty, and the pursuit of happiness. (Declaration of Independence, 1776.)

But, Mr. Speaker, Thomas Jefferson himself might have been debating this very bill. His writings are replete with pungent observations which are timely here, today, on this floor. I am inserting some observations from Jefferson which I especially commend to some of my Democratic colleagues in connection with this and similar bills.

> If a nation expects to be ignorant and free, in a state of civilization, it expects what never was and never will be. (To Colonel Yancey, 1816.)
>
> I am not among those who fear the people. They, and not the rich, are our dependence for continued freedom. (To Samuel Kercheval, 1816.)
>
> Subject opinion to coercion: Whom will you make your inquisitors? Fallible men, men, governed by bad passions, by private as well as public reasons. (Notes on Virginia, query 17.)

T. JEFFERSON CLOSES REMARKS

I shall continue mining this rich ore a little further, Mr. Speaker, and permit Thomas Jefferson, the founder of the Nation and of the Democratic Party, to conclude my remarks.

> There are rights which it is useless to surrender to the Government, and which governments have yet always been found to invade. These are the rights of thinking and publishing our thoughts by speaking or writing; the right of free commerce; the right of personal freedom. (To Humphreys, 1789.)
>
> I would rather be exposed to the inconveniences attending too much liberty, than those attending too small a degree of it. (To A. Stuart, 1791.)
>
> The natural progress of things is for liberty to yield and government to gain ground. (To Carrington, 1788.)
>
> The freedom and happiness of man * * * are the sole objects of all legitimate government. (To Kosciuszko, 1810.)
>
> Reformation is more practicable by operating on the mind than on the body of man. (To Paine, 1792.)
>
> Opinion, and the just maintenance of it, shall never be a crime in my view; nor bring injury on the individual. (To Samuel Adams, 1801.)
>
> Timid men * * * prefer the calm of despotism to the boisterous sea of liberty. (To Mazzei, 1796.)

No, my friend, the way to have good and safe government, is not to trust it all to one, but to divide it among the many. (To Joseph C. Cabell, 1816.)

We of the United States, you know, are constitutionally and conscientiously Democrats. We both consider the people as our children. * * * But you love as infants whom you are afraid to trust without nurses; and I as adults whom I freely leave to self-government. (To du Pont de Nemours, 1816.)

Mr. Speaker, I now yield 10 minutes to the gentleman from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. Speaker, it is not an easy task to oppose a bill that has the attractive label Loyalty Act on it, but I should like to call your attention to the fact that even in communistic, dictatorial or Fascist countries legislation that has led the people down the road always had a sugar-coated label. There is one thing that Members of the House on both sides of the aisle should be unanimous on, and that is, in seeing that the constitutional rights of citizens are held inviolate, that the civil liberties of the people are not infringed upon. I certainly join with those who want to get any Communist or improper people off the Government pay roll. I am just as anxious as anyone to rid the Government of any disloyal employees, but in our effort let us be certain we protect the rights of the innocent. Let us not violate the constitutional and civil rights upon which the greatness of this Nation rests, in approaching this problem.

Mr. Speaker, this bill as I read it violates more rights that are guaranteed to the people by the Constitution, it infringes more civil liberties than any bill I have ever seen brought before the House of Representatives. Even during the war we went to a great deal of trouble and care in seeing that property rights were protected by right of appeal, by right of fair trial and by right of judicial review. We provided that in connection with contracts entered into by and with the Government there was the right of a person of appeal to some court or that could redress a wrong that might be done a person in connection with his property rights; but here, Mr. Speaker, even after the war and in connection with something that is much more valuable to the citizen than his property rights, his good name, his record, his reputation, we are seriously considering a rule—and I want to speak on the rule because when this bill is thoroughly understood I belive the Members of the House will refuse to grant the rule—on a bill which will label a person so that his character, his reputation, his ability to earn a livelihood will be ruined by a board from which he has no right of appeal, by a board which is both prosecutor, judge, and the entire concern in deciding his guilt or innocence. There is no trial. There is no review. This board could be used to defame and ruin thousands of innocent people.

Now let us look at some of the sections of the bill. I do not blame the gentleman from Illinois for not explaining the bill. Turn to section 4 of the bill and you will see there that a board is set up which investigates, which prosecutes and passes final judgment, and no indictment served or given to the person involved. The board does not disclose the evidence that it has against the accused. The person comes before the board with the burden of proof placed upon him to prove his innocence, which is in direct violation of every theory of our Constitution and of fair trial that I have ever heard of. He can present evidence, but he cannot even hear the evidence that has been adduced against him. He comes there without seeing the witnesses that have testified against him. It may be hearsay. It may be innuendo. It may have been something that has been privately given to the board, and yet he has no way of finding out what the testimony has been or who charged him with any misconduct. He cannot cross-examine any witnesses. He is presumed guilty when he comes there. It is a star-chamber procedure, which should be repugnant to every one of us.

Now, the board sets up certain standards to be followed. Let us see what those standards are. They are contained in section 8 of the bill. The first five standards are covered by our general laws, such as espionage. Of course, no one can work for the Government who is guilty of violating the laws. But let us come to standard No. 6. It says the board shall consider—

Membership in, affiliation with, or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons, designated by the Attorney General as totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts or force or violence to deny other persons their rights under the Constitution of the United States, or as seeking to alter the form of government of the United States by unconstitutional means.

Mr. Speaker, by this act you will be placing it in the right of the Attorney General of the United States to designate the YMCA, the YWCA, the Daughters of the American Revolution, or the Democratic Party, or the Republican Party as within this definition contained in section 6. Anybody who has a sympathetic association—he does not have to be a member, just sympathetic association whatever that means—with any organization the Attorney General may so designate can be fired and discharged and have his character labeled and his good name ruined forever. I have never seen a bill or a piece of legislation, seriously proposed, that does greater injustice to all of the American rights and principles that we have protected during these long, long years in the life of this Republic. I am not saying that our present Attorney General would take such a dastardly course, I am certain that he would not. But we have to look to the laws and not to the men who are in office. We cannot legislate as to men or officials. We must legislate as to basic rights. Who knows but that later on we will have an Attorney General who will name any organization, even though it is a respectable one, as coming under this definition, and any one who is just sympathetically associated would be guilty of a crime. I should call your attention to the fact that taking one off the Federal pay roll in the Lovett case was held to be a penal matter by our Supreme Court. I believe the case is reported in 328 United States Reporter.

Furthermore, Mr. Speaker, there is no appeal from the designation of a group as subversive by the Attorney General. If the board does not agree that some organization, say the Democratic Party or the Republican Party which the Attorney General may designate as improper, there is nothing under this bill that any one can do about it. Mr. Speaker, when a man's character is going to be blackened when he is going to be taken off the pay roll and made ineligible for any job—and that is actually the effect of this legislation—he ought to have the right of appeal to somebody. But what does he have? He appears before this board, before whom no evidence is introduced with which he is confronted, and his appeal is made to the same board. He has no redress to any court. I think it is an outrageous proposal. It is a will of attainder. It is ex post facto in its effect.

Are we going to give the citizens of the United States as much protection as we did the Nazis in Germany? If we are, we had better reject this bill. Even when in the Nurnberg trials it was decided that anyone who was a member of certain Nazi organizations would be presumed to be guilty, those organizations were first given a trial to see whether they should come under the category in which membership would automatically make them presumably guilty. The organizations were tried thoroughly in court. Under this bill, one man, the Attorney General of the United States, decides which organization shall be in this category, and there is no appeal. There is nothing anybody can do about it.

Further, even in the Nurnberg trials, after organizations were found to be guilty, after all the evidence was introduced to see whether or not they were Nazi organizations, then it had to be shown that the person involved was a member and that he believed in the things that organization stood for.

Under this bill, under section 8, you have to show only that he has a sympathetic affiliation or sympathy with that organization. It does not say that he has to be a member, that he believes in all the things the organization stands for. Even the tests applied to the Nazi organizations in the Nurnberg trials are not present in this bill. As a matter of fact, the Supreme Court in a fairly recent case has held that in a matter of this kind mere sympathetic association with any organization does not mean that the person adopts and accepts all the principles for which that organization stands. This case was *Schneiderman* v. *U. S.* (320 U. S. 118).

One regrettable thing about this kind of legislation, Mr. Speaker, is that it will drive the thinking men and women, the students who have original thoughts and ideas, out of the service of our Government. This sort of Spanish inquisition is going to prevent us from getting the services of thoughtful men and women whom this Government needs during these trying days. The result is that we will have a thoughtless, unthinking bunch of robots in our Federal service, who have never expressed a thought, who do not want ever to express a thought,

who never had an original idea, and who know that if they ever do have or express an original thought they might be haled before this board and kicked out of their jobs without any right of trial or appeal under our American system of jurisprudence.

Mr. SABATH. Mr. Speaker, I yield such time as he may desire to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker, this bill warrants opposition because it is unconstitutional. It provides for no judicial review, the disloyalty board as prosecutor, judge, and jury. This board makes the charges, points the accusing finger, hears the charges and upon demand for appeal reviews the charges. There is no confrontation of witnesses. There is no proper right of subpena to the accused. There is, however, plenty of lynch law, much possibility of witch hunting. The bill is a bill of attainder and is ex post facto.

First. There is no requirement of a statement of the charge against the employee sufficient to enable the accused to adequately prepare his defense. He is assured only of a factual statement upon which the preliminary finding is based—section 5 (a). Second. The accused has only the right to present evidence. He is denied the right to be confronted with the evidence, which may be purely hearsay evidence motivated by personal animosity, and he is denied the right to cross-examine any witness against him—section 6. Third. He is denied the right to a trial or hearing before an impartial body. The Review Board, under the bill, will already have made a preliminary investigation and a preliminary finding of guilt before the hearing, and cannot therefore be impartial. Fourth. The Review Board combines the functions of investigators, prosecutor, and judge. Fifth. The accused is presumed guilty at the start of the hearing since the burden of proof is placed completely upon him. Sixth. He may be discharged for acts which were in no sense proscribed by any law or governmental regulation at the time they were committed. Seventh. He may be removed solely because he is found to have been sympathetically associated with an organization placed upon a proscribed list by the Attorney General, with no right to know what, if any, evidence exists to support the Attorney General's characterization, and no right to prove the error of that characterization, nor is there any requirement that it be shown that the accused knew, or should have known, the facts, if any, upon which the characterization by the Attorney General is based. Eighth. The right of appeal to the courts from a decision of the Review Board is largely rendered nugatory by the absence of any requirement that a record be made of the proceedings or that any findings of fact be made.

This bill destroys time-honored liberties, and we should never, as this bill does, take liberties with our liberties.

"Familiarize yourselves," said Lincoln, "with the chains of bondage, and you prepare your own bonds to wear them. Accustomed to trample on the rights of others, you have lost the genius of your own independence and become the fit subjects of the first cunning tyrant who rises among you."

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. HOLIFIELD].

Mr. HOLIFIELD. Mr. Speaker, I rise in opposition to the rule and in opposition to the Reese bill, H. R. 3813. I wish to state at the outset, that I am heartily in accord with the purposes generally contained in the preamble of the bill, which is to insure that loyal American citizens are the only type of employees which should be allowed to work for the Federal Government. No one will quarrel with this purpose of the bill, and I want to state again that I am heartily in favor of same.

My opposition, and my criticism of the bill, therefore, is not in its purpose, but in the manner and procedures which are set up in the bill for obtaining this purpose. Neither is my criticism directed toward any member of the respected committee which brought this bill to the floor. I have great respect for the chairman and many members of the committee who are my personal friends.

The Members of the United States Congress occupy a unique and responsible position. They are the first line in the guardianship of the civil liberties of the people of America.

This first line must stand firm at all times. It must be immune against prejudice, against hysteria, against misrepresentations which cause panic in the minds of the people. It is their duty to be the first bulwark against any assault upon our civil liberties, whether it be in the name of good intentions or otherwise. It is incumbent upon all those who love liberty, at all times, to be alert for any effort which might tend to subvert it. It is especially incumbent upon the Members of Congress to be alert on this subject.

Our Congress is following the pattern of previous Congresses. After each war this wave of hysteria passes on the national scene. Each time it passes, men of good intent attempt to further strengthen the protection of our national institutions, but in so doing, they frequently overstep the fundamental constitutional liberties, which are found in the Bill of Rights. And in each instance, they have had to retreat and return again to the founding fathers' principles. The ink had hardly dried upon the Declaration of Independence when in 1787, 1788, the Federalist Party came forward with their legislative attempts to save the Government from chaos. In 1798 they were successful in passing bills which were known as the Alien and Sedition Acts of 1798.

Those were perilous days for the new Republic. Debate waxed strong throughout the Nation. The Government had not yet been established as firmly as it is today. The Federalists reasoned that unless special laws were passed, which would protect the new Republic from the attacks of its enemies in the press and by oral debate, that the new Republic could not withstand the assault of its critics.

However, they were very wrong. They passed the Naturalization Act which increased the period of residence necessary for naturalization from 5 to 14 years.

They passed the Enemy Alien Act, authorizing the President at his discretion to arrest, imprison, or banish, enemy aliens. The Enemy Alien Act gave the President the power to expel from the country any alien whom he regarded as dangerous to public peace or safety or whom he believed to be plotting against the Government.

The Sedition Act forbade seditious conspiracies or incitements, and the publication of any faults, scandals, or malicious writings against the Government of the United States, the President, or Congress.

A maximum penalty for such publications was a $2,000 fine and 2 years imprisonment. Under these acts, many individuals were persecuted because of their political views or statements.

These laws led to the defeat of the Federalist Party, and when Jefferson came into power he released from prison many of the individuals who had been incarcerated.

The alien sedition laws were repealed. We returned to the fundamental principles of the Bill of Rights.

Although the waves of hysteria followed the War of 1812, the War Between the States, and the First World War, we did not approach the formula of the alien sedition laws of 1798, closely, until after World War I. During the years subsequent to the ending of World War I, we were greatly concerned with the establishment of the new government in Russia—the spread of bolshevism throughout the earth. We had in the United States an Attorney General by the name of Mitchell Palmer. Mitchell Palmer gained fame by his enthusiastic prosecution and persecution of people that he deemed to be subversive to the Government.

Those were the days of the Mitchell Palmer raids, when civil liberties were violated by the Attorney General of the United States, and the Federal Bureau of Investigation, under Mr. Hoover. It was during these years that Mitchell Palmer urged and Congress introduced 70 peacetime sedition bills, none of which, I am glad to say, passed.

We were not so fortunate, however, in the States, and many States passed repressive laws infringing on civil liberties. In New York the infamous Lusk laws were passed, for instance. They were condemned, however, by men of stature of Charles E. Hughes and Ogden Mills, and in 1923 Gov. Alfred E. Smith signed an act which repealed the Lusk laws.

I believe that we are passing through another period of postwar hysteria. We are following the pattern of previous postwar years. Again we are concerned with the question of loyalty, or disloyalty to our Nation. And rightly so. I think that we should be concerned at all times on this subject, but I think we should use calmness, reason, and coolness of judgment in trying to improve upon the constitutional safeguards which were placed in the Constitution for the protection of the most vital quality we have, the main quality which differentiates between totalitarianism and a free democracy.

That quality is the preservation and the maintenance of the civil liberties which guarantee the dignity of the freedom of the individuals against the oppressive laws of his own government.

Let us proceed then, with the consideration of this bill, with this one thought in mind, that we do not at this time pass any law which will curtail or infringe upon the constitutional civil liberties of the individual.

Mr. JUDD. Mr. Speaker, I ask unanimous consent that the Committee on Expenditures may meet this afternoon during the session of the House.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. MARCANTONIO].

Mr. MARCANTONIO. Mr. Speaker, in the limited time accorded me I cannot present to the House a full analysis of the bill and point out all of its unconstitutional and undemocratic features. I shall attempt to set forth one of the most glaring unconstitutional and undemocratic phases of this legislation.

This bill comes before us only because of the competition that exists between the Democratic administration and the Republican Party to determine which is going to excel in the field of red-baiting. We would not have had this bill if the President had not issued his so-called loyalty order. There is very little difference, fundamentally, between the President's Executive Order 9835 and this bill, when we consider civil liberties and when we think of freedom from fear. Basically they are the same. They both deprive American citizens of their constitutional and age-old right to advocate social and economic change.

If this bill becomes law and if the Executive order is carried out, we will make out of a Federal employee a person with a static mind, whose soul will be filled with fear. We will make him an employee of the same character that existed in the German Government under Hitler and in the Fascist government under Mussolini. Any person who advocates or even thinks of economic and social changes is subject to the most ruthless kind of investigation, afforded no safeguards, no protection, and stripped of any adequate opportunity to defend himself.

If this bill becomes law and if the Executive order is carried out, the average Government employee will not even be permitted to think on any important issue, or express himself on any such issue, because, if he does and he finds himself not in accord with either the Republican majority or with the majority of the Democratic Party on some issues which we have had before us, for instance, the Taft-Hartley bill, the Committee on Un-American Activities, price and rent control, the Truman doctrine, political coalition of reaction, Government for and by monopolies, he will be considered subversive; he will be considered unfit to hold public office. He will be subject to investigation after investigation and given no opportunity of defense in keeping with American democratic tradition.

Page 14 of this bill has the most shocking language that has ever been presented in any democracy. I now read it, subsection (6) of section 8:

(6) Membership in, affiliation with, or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons, designated by the Attorney General as totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or as seeking to alter the form of government of the United States by unconstitutional means.

In all the years I have been here, having witnessed the full activities of the Committee on Un-American Activities, under the chairmanship of Mr. Dies, under the chairmanship of the gentleman from Georgia [Mr. WOOD], and under the chairmanship of the gentleman from New Jersey [Mr. THOMAS], never have I seen any language that equals the language of this section "or sympathetic association with." By that we can drag in any group among our 140,000,000 people in this country, have the Attorney General put a label on it; and then anybody who in any manner, shape, or form associates with any individual in that group becomes a proscribed person.

To all this un-American investigation and undemocratic and unconstitutional procedure we subject 2,500,000 Americans, Government employees who are rendering faithful service to the Government and people of the United States. It seems unbelievable and yet it is here. It is here as a result of a wave of hysteria and red-baiting which has been used in a drive to smash labor, in a drive to smash price and rent controls, in a drive to imperil the peace and democratic rights of the American people. It is a repetition of the alien and sedition laws and of the Palmer raids. It is more than that. It is the desperate technique of the trusts to reinforce their hold on the social and economic structure of the country. Social and economic changes have been the food on which American progress has grown. America has progressed as a result of social and economic changes. Once again Congress attempts to stop the clock and persecute American citizens for exercising their constitutional right and their democratic rights to advocate economic and social changes.

The SPEAKER. The time of the gentleman from New York has expired.

Mr. MARCANTONIO. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include at this point an analysis of this bill made by the Lawyers' Guild.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

(The analysis referred to follows:)

STATEMENT OF THE NATIONAL LAWYERS' GUILD ON H. R. 3813, A BILL TO PROVIDE FOR THE REMOVAL OF EMPLOYEES IN THE EXECUTIVE BRANCH FOUND TO BE DISLOYAL TO THE UNITED STATES

H. R. 3813 is largely identical with the President's Executive Order 9835, designed as it is generally to embody in permanent legislation the principles, purposes, and procedures embodied in the Executive order. The National Lawyers' Guild has made a thorough analysis of the President's Executive order as a part of an over-all report dealing with the constitutional right to advocate political, social, and economic change. We believe that a proper evaluation of H. R. 3813 can only be made in the light of the legal and historical precedents going back to the adoption of the Bill of Rights, which are discussed in that report, already sent to each Congressman.

There can be no doubt that employees should not be permitted to hold positions in the Federal service if they are in fact, and in law, disloyal to the Government of the United States. It is another question, whether the Congress can provide for branding as "disloyal to the Government," employees who have violated no law, and without assuring them all the essentials of due process in connection with proceedings against them. It is because the bill under consideration affects fundamental constitutional principles that we are required to make a most critical evaluation and appraisal of its provisions.

The first four of the standards set forth in the bill (section 8 (b) (1), (2), (3), (4)), encompass such acts as sabotage, treason, advocacy of force or violence to overthrow the Government of the United States, and unauthorized disclosure of confidential documents. These standards constitute either crimes or grounds for dismissal from Government service, under existing laws. Present law-enforcement agencies have full power to enforce those standards without the bill.

The fifth and sixth standards are of an entirely different character.

To the extent that the fifth standard encompassed violation of existing laws, such as treason, espionage, sabotage, or disclosure of confidential information, it is unnecessary. To the extent that it may seek to encompass other activities, its vagueness and indefiniteness are such as to render impossible the determination of the area or limits of its application.

The sixth standard, even more than the fifth, gives rise to the clear danger that the bill invites an inquisition into political opinions. Certainly, as similarly phrased standards have been applied by the House Committee on Un-American Activities, which the bill recognizes as one of the reference sources for purposes of determining disloyalty (section 4 (c)), these standards have meant nothing more than the holding of views in disagreement with the members of that committee. This point becomes sufficiently clear when it is remembered that the President's own nominee to the position of Chairman of the Commission on Atomic Energy has been attacked as Communist, totalitarian, and subversive.

The vagueness and indefiniteness of the standards as set forth above create even more danger because of the lack of administrative safeguards in conformity with traditional American conceptions of due process. These particular safeguards are lacking:

(1) There is no requirement of a statement of the charge against the employee sufficient to enable the accused to adequately prepare his defense. He is assured only of "a factual statement" upon which the preliminary finding is based (sec. 5 (a)). (2) The accused has only the right to present evidence. He is denied the right to be confronted with the evidence, which may be purely hearsay evidence motivated by personal animosity, and he is denied the right to cross-examine any witness against him (sec. 6). (3) He is denied the right to a trial or hearing before an impartial body. The Review Board, under the bill, will already have made a preliminary investigation and a preliminary finding of guilt before the hearing, and cannot therefore be impartial. (4) The Review Board combines the functions of investigator, prosecutor, and judge. (5) The accused is presumed guilty at the start of the hearing, since the burden of proof is placed completely

upon him. (6) He may be discharged for acts which were in no sense proscribed by any law or governmental regulation at the time they were committed. (7) He may be removed solely because he is found to have been sympathetically associated with an organization placed upon a proscribed list by the Attorney General, with no right to know what, if any, evidence exists to support the Attorney General's characterization, and no right to prove the error of that characterization, nor is there any requirement that it be shown that the accused knew, or should have known, the facts, if any, upon which the characterization by the Attorney General is based. (8) The right of appeal to the courts from a decision of the Review Board is largely rendered nugatory by the absence of any requirement that a record be made of the proceedings or that any findings of fact be made.

The lack of adequate judicial standards and procedural safeguards becomes more shocking when it is understood that involuntary separation from Federal employment on charges of disloyalty imposes a stigma and entails severe penalties. This stigma, and serious curtailment of one's ability to earn a livelihood, either as an employee of the Federal Government or, for that matter, anywhere else, were recognized by the United States Supreme Court (*U. S.* v. *Lovett*, 328 U. S. 303) as being penal in character. The imposition of such punishments by a legislative act was held in that case to be unconstitutional. The Supreme Court, reviewing the dangers of legislative punishment in terms which would seem to be applicable under this bill, stated the intention of the Court "to safeguard the people of this country from punishment without trial by duly constituted courts."

The lack of application of due process becomes particularly odious in that provision of the bill which makes it possible for Federal employees to be removed and branded as disloyal solely because of "membership in, affiliated with, or sympathetic association with," lawful organization (sec. 8 (b) (6) and sec. 8 (c)). In other words, the bill establishes the test of guilt by association, a test which has been specifically rejected by the Supreme Court on the ground "that under our traditions, beliefs are personal and not a matter of mere association, and that men adhering to a political party, or other organization, notoriously do not subscribe unqualifiedly to all of its platforms or asserted principles" (*Schneiderman* v. *United States* (320 U. S. 118)). The test of guilt by association more closely approximates the thought-control philosophy than the principle of personal guilt, which is one of the cornerstones of the American democratic system.

The necessity of proving personal guilt is so deeply embedded in the common law and our legal system that it was applied by our Government even in the war crimes trials against the chief Nazi war criminals and Nazi organizations at Nuremberg. The Nazi organizations were given a full trial. All evidence against those organizations was fully presented—a full right of cross-examination was afforded, and the Court took no part in either the investigation or the prosecution. Even after conviction of the organizations, each individual member (and only members could be tried) received a full trial in which it was required that the prosecution prove that the individual joined and remained a member of the convicted organization with knowledge of its criminal activity. Under these circumstances, it is proper to place before the Congress the question whether we are willing to accord due process as defined by our laws and traditions to Nazis, and deny them to American citizens.

Furthermore, there is no provision in the bill for granting any hearing to any proscribed organizations. It is provided only that the Attorney General shall make a "full investigation" (sec. 8 (c)). The vagueness and indefiniteness, indeed, the complete absence of any standard upon which the Attorney General is empowered to act in proscribing an organization, gives further proof that democratic and constitutional principles are denied by the bill. What is "sympathetic association"? What is a "totalitarian, Fascist, Communist, or subversive" group, other than what the Attorney General happens to think it is?

The history of such committees as the House Committee on Un-American Activities, in labeling as subversive or Communist outstanding Americans and lawful organizations whose sins were limited to opposition to the views of that committee, gives ample grounds for fear that the absence of standards and judicial processes can lead to injustice and disastrous consequences to patriotic and law-abiding citizens. It must also never be forgotten that the Federal Bureau of Investigation was responsible for one of the blackest onslaughts against our civil liberties during the infamous period of the Palmer raids. These raids were conducted under the direction of the present director of the Federal Bureau of Investigation, Mr. J. Edgar Hoover. When it is considered that both the House Committee on Un-American Activities and the FBI are sources of information specifically included in the bill—under section 4 (c)—to be used by the Commission, the dangers to our democracy inherent in the bill are emphasized.

The scope of this bill and its impact is enormous. Not only does it affect the destinies of 2,500,000 persons already employed by the Federal Government, but also all those Americans who in the future may conceivably seek employment with the Federal Government. Furthermore, the employees of any large industry in the United States, which under one or another of the powers of the Government, could come under Government control or operation, would come within the provisions of this bill. It would establish for the first time in the history of the United States, on a large scale, a political police reaching into the schools and homes of the entire Nation.

Finally, it would be fitting to inquire what crisis compels this wholesale deprivation of civil liberties, this conversion of Government employees into politically sterile, idealless automatons. It would be only trite to mention the obvious fact that our Government has operated satisfactorily through two world wars without such extreme measures. The laws against espionage and sabotage were considered sufficient in wartime; they should be adequate now. We found no inadequacy in the size and competence of our police force during wartime; there should be no need for their multiplication at this stage. It is significant that during the past war, the FBI investigated 1,121 allegedly subversive employees. Of those investigated, two were discharged, and disciplinary action was taken in one other case. The Attorney General, in his report on the results of these investigations, stated, "The wisdom of assigning experienced Bureau agents to such work in wartime and with such meager results must be seriously questioned. * * * As regards a large proportion of the complaints, it is now evident that they were clearly unfounded and that they should never have been submitted for investigation in the first instance. It will be observed from the figures that this is conspicuously true of the list submitted by Congressman Dies. Hundreds of employees, for example, have been alleged to be subversive for no better reason than the appearance of their names on the mailing lists of certain organizations (pp. 3 and 4)." If such investigations were not justified in wartime, there is surely less justification today.

We were once unafraid of new ideas. Many of these, once considered radical and alien, have come to be universally accepted, and are today the laws of the land. The way to progress lies through the free exchange of ideas. Those who advocate social change and criticize the existing order must be as free to express their views as those who advocate the status quo. That is the real essence of democracy. Those who would deny the American people the right to learn the truth, by repressing all opposition to our existing institutions, subvert the democratic process and place the lid upon man's progress to a better world.

For all the above reasons we oppose the enactment of H. R. 3813.

ROBERT J. SILBERSTEIN,
Executive Secretary,
National Lawyers' Guild.

Mr. SABATH. Mr. Speaker, I yield 5 minutes to the gentlewoman from California [Mrs. DOUGLAS].

Mrs. DOUGLAS. Mr. Speaker, I never thought that while I was in the Congress I would see a bill of this kind come to the floor of this House. I beg the Members of this House to study this bill today and not to let either the hysteria of the moment or some political reason influence their vote. Be just; look at what you are doing here today, I beg of you; the bill strikes at the very root and fiber of democratic life.

Let us go back to a few basic principles. Liberty and security are what men want the world over. We have achieved in our country under our form of government greater liberty for the individual, and a higher standard of living—in other words, greater security—than anywhere else in the world. You cannot barter freedom for security or security for freedom. They tried to do that in Germany, they try to do that in Russia.

I thought that was what we disliked about communism. I thought that was what we disliked about fascism. By comparison under our Government in our country, we have unheard-of freedom. Are we now to curtail our cherished freedom by adopting communistic and fascistic patterns?

Perhaps it is because we use the word "Communist" so often on the floor of this House that we have forgotten what democracy means.

Democracy means liberty, it means freedom; and our forefathers secured that liberty and freedom for us out of a knowledge that had been accumulated down through the years, and they secured it by writing into the Constitution and the Bill of Rights protections for the American people. Against whom? Against the abuse of power by their servants in the State legislatures, in the National Legislature. That is why we have the courts. We, as elected servants of the people, have sworn to support and defend our Constitution.

This bill is unconstitutional. Those who drafted it seem to have forgotten the root and substance of freedom.

This bill is a misuse of congressional powers. It is an invasion of the people's rights.

It takes over the duties of the courts and sets up a board that has the power of life and death over the economic lives of one great segment of our people—a board that can brand a man or woman and, as a result their children, for all time as disloyal to his Government and robs that man or woman of the rights

guaranteed him under the Constitution; namely, the protection of the courts.

Absolutely no procedure for court appeal is provided.

Instead this board is prosecutor, judge, and jury. Moreover, the accused never faces his accusers and has no guaranty under this bill of ever knowing of what he is accused.

We propose in this bill not only to violate the Constitution, not only to violate the Bill of Rights which has made us strong and tough-minded and fearless, which has made us the hope of the world, which has made us different than Communist Russia no matter what standard of living they produce for Russians in the next hundred years, but we propose in this bill to inform the world that democracy has failed. We propose to inform the people of the world that we are rotting with communism from the top of our Government on down.

What good is it that we are the richest, most powerful nation in the world if now through fear and hysteria we lose our freedom—our most priceless possession? Patrick Henry's cry, "Give me liberty or give me death" was not just a phrase for children to repeat down through the years.

It was a principle to live by—it was a principle for each generation to rediscover—a principle to protect, not only with our lives but with our hearts and minds.

What do we propose to do today in this bill?

We propose to put our confidence in men—not in law.

We propose to give the Attorney General the right to decide what is good for the American people. I do not question the integrity of the present Attorney General. But what if some day we have an Attorney General in whom trust would be misplaced?

What did Jefferson say about that? In connection with the question of power, Jefferson said:

> Let no more be heard of confidence in man, but bind him down from mischief by the chains of the Constitution.

We propose today, Mr. Chairman, to set men free from the chains of the Constitution. This is a dangerous course, the end of which no one can see.

That is one thing we do in this bill. The second thing we do is violate the great principle upon which justice is founded in this country. We presume a man is innocent until he is proved to be guilty. This bill is a mass bill of attainder. What it does is presume every Federal worker is guilty of disloyalty to his Government until he is proved innocent. Then you set up, as the gentleman from Tennessee [Mr. KEFAUVER] has said, a system by which his civil liberties are violated and by which he cannot prove his innocence. That is what they did in Germany, that is what they do in Russia today.

We have come a long way without this kind of legislation. Do you seriously propose to change our way of life at this hour?

We are asked today to give leadership, not only for ourselves but for the two billion people on this earth. As a nation our responsibility is greater than at any other time in our history. Will we falter now? Do we intend to abandon the principles that have made us strong, tough-minded, and fearless? The principles that have made up the hope of the world.

I will tell you why this bill is before us today. For 14 years campaigning in this country has been at a low level. Instead of discussing the issues objectively, and the issues were large and important enough to have discussed them objectively, the Republican Party and the Democratic Party hurled names at each other. The Republicans for 14 years have said they have been hunting Communists, they have in truth been hunting New Deal Democrats.

The SPEAKER. The time of the gentlewoman from California has expired.

Mr. SABATH. Mr. Speaker, I yield the gentlewoman from California one additional minute.

Mrs. DOUGLAS. Mr. Speaker, we have now the result of 14 years of campaigning in a bill before us in the House. At this moment I beg you to remember we are Americans together. That is above everything else, party and everything else. Are we going to make two and a half million Federal workers the whipping boy in the struggle between two political parties? Is it possible that we will do this to the Federal workers who are defenseless? There is no question here of treason or sabotage or the revealing of the contents of papers that are secret. We have laws for that. This is a question of departing from principles that can bring nothing but agony, despair, and tears not only to the Federal workers but to all the people of America. The Federal Government is the largest employer in this country. If this bill becomes law and the Federal Government sets up a pattern like this for its employees do you think that private industry too will not begin to set up such a pattern, and perhaps at the grass roots, anybody who believes in public power, anyone who believes in the school-lunch program, might be convicted on the basis of derogatory information. In God's name will somebody tell me what "derogatory information" is?

The SPEAKER. The time of the gentlewoman from California has again expired.

Mr. ALLEN of Illinois. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The question was taken and the Speaker announced the "ayes" had it.

Mr. SABATH. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

Mr. MARCANTONIO. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Obviously a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 337, nays 36, not voting 56, as follows:

[Roll No. 110]

YEAS—337

Abernethy	Drewry	Knutson
Albert	Durham	Kunkel
Allen, Calif.	Eaton	Landis
Allen, Ill.	Elliott	Lane
Allen, La.	Ellis	Lanham
Almond	Ellsworth	Larcade
Andersen,	Elston	Latham
H. Carl	Engel, Mich.	LeCompte
Anderson, Calif.	Evins	LeFevre
Andresen,	Fallon	Lemke
August H.	Fellows	Lewis
Andrews, Ala.	Fenton	Lodge
Andrews, N. Y.	Fisher	Love
Angell	Flannagan	Lucas
Arends	Fletcher	Lyle
Arnold	Foote	McConnell
Auchincloss	Fulton	McCormack
Bakewell	Gallagher	McCowen
Banta	Gamble	McDonough
Bates, Ky.	Gary	McDowell
Bates, Mass.	Gathings	McGregor
Battle	Gavin	McMahon
Beall	Gearhart	McMillan, S. C.
Beckworth	Gillette	McMillen, Ill.
Bell	Gillie	Mack
Bender	Goff	MacKinnon
Bennett, Mo.	Goodwin	Macy
Bishop	Gordon	Mahon
Blackney	Gore	Maloney
Boggs, Del.	Gorski	Manasco
Bolton	Gossett	Mansfield
Bradley	Graham	Martin, Iowa
Bramblett	Grant, Ala.	Mason
Brehm	Grant, Ind.	Mathews
Brooks	Gregory	Meade, Ky.
Brophy	Griffiths	Meade, Md.
Brown, Ga.	Gross	Merrow
Brown, Ohio	Gwinn, N. Y.	Meyer
Bryson	Gwynne, Iowa	Michener
Buck	Hagen	Miller, Conn.
Buffett	Hale	Miller, Md.
Bulwinkle	Hall,	Miller, Nebr.
Burke	Leonard W.	Mills
Burleson	Halleck	Monroney
Busbey	Hand	Morris
Butler	Hardy	Morton
Byrnes, Wis.	Harless, Ariz.	Muhlenberg
Camp	Harness, Ind.	Mundt
Canfield	Harris	Murray, Tenn.
Cannon	Harrison	Murray, Wis.
Carson	Hart	Nodar
Case, N. J.	Hartley	Norblad
Case, S. Dak.	Hays	Norrell
Chadwick	Herter	O'Brien
Chapman	Heselton	O'Hara
Chelf	Hess	O'Konski
Chenoweth	Hill	Owens
Chiperfield	Hinshaw	Pace
Church	Hobbs	Passman
Clason	Hoeven	Patterson
Clevenger	Hoffman	Peden
Coffin	Holmes	Peterson
Cole, Kans.	Hope	Phillips, Calif.
Cole, N. Y.	Horan	Phillips, Tenn.
Colmer	Howell	Ploeser
Cooley	Hull	Plumley
Cooper	Jackson, Calif.	Poage
Corbett	Jackson, Wash.	Potts
Cotton	Jarman	Poulson
Coudert	Jenison	Preston
Courtney	Jenkins, Ohio	Price, Fla.
Cox	Jenkins, Pa.	Priest
Cravens	Jennings	Rains
Crawford	Jensen	Ramey
Crosser	Johnson, Calif.	Rankin
Crow	Johnson, Ill.	Redden
Cunningham	Johnson, Ind.	Reed, Ill.
Curtis	Johnson, Okla.	Reed, N. Y.
Dague	Jones, Ala.	Rees
Davis, Ga.	Jones, N. C.	Reeves
Davis, Tenn.	Jones, Wash.	Rich
Davis, Wis.	Jonkman	Richards
Dawson, Utah	Judd	Riehlman
Deane	Kearney	Riley
Devitt	Kearns	Rizley
Dirksen	Keating	Robertson
Dolliver	Keefe	Robsion
Dondero	Kerr	Rockwell
Donohue	Kilburn	Rogers, Fla.
Dorn	Kilday	Rogers, Mass.
Doughton	King	Rohrbough

Ross	Smith, Va.	Vail
Russell	Smith, Wis.	Van Zandt
Sadlak	Spence	Vorys
St. George	Springer	Vursell
Sanborn	Stanley	Wadsworth
Sarbacher	Stefan	Walter
Sasscer	Stevenson	Welch
Schwabe, Mo.	Stigler	West
Schwabe, Okla.	Stockman	Wheeler
Scoblick	Stratton	Whitten
Scott, Hardie	Sundstrom	Whittington
Scott, Hugh D., Jr.	Taber	Wigglesworth
	Talle	Williams
Scrivner	Taylor	Wilson, Ind.
Seely-Brown	Teague	Wilson, Tex.
Sheppard	Thomas, N. J.	Winstead
Short	Thomas, Tex.	Wolcott
Sikes	Thomason	Wolverton
Simpson, Ill.	Tibbott	Wood
Simpson, Pa.	Tollefson	Woodruff
Smathers	Towe	Worley
Smith, Kans.	Trimble	Zimmerman
Smith, Maine	Twyman	

NAYS—36

Blatnik	Fogarty	Lesinski
Bloom	Folger	Lusk
Buchanan	Granger	Madden
Carroll	Havenner	Marcantonio
Dawson, Ill.	Hedrick	Miller, Calif.
Delaney	Holifield	Morgan
Dingell	Huber	Norton
Douglas	Karsten, Mo.	Price, Ill.
Eberharter	Kean	Rabin
Engle, Calif.	Kefauver	Sabath
Feighan	Kirwan	Sadowski
Fernandez	Klein	Somers

NOT VOTING—56

Barden	Fuller	Morrison
Barrett	Gifford	Murdock
Bennett, Mich.	Hall, Edwin Arthur	Nixon
Bland		O'Toole
Boggs, La.	Hébert	Patman
Bonner	Heffernan	Pfeifer
Boykin	Hendricks	Philbin
Buckley	Javits	Pickett
Byrne, N. Y.	Johnson, Tex.	Powell
Celler	Jones, Ohio	Rayburn
Clark	Kee	Rayfiel
Clements	Kelley	Rivers
Clippinger	Kennedy	Rooney
Cole, Mo.	Keogh	Shafer
Combs	Kersten, Wis.	Smith, Ohio
D'Ewart	Lea	Snyder
Domengeaux	Lynch	Vinson
Elsaesser	McGarvey	Weichel
Forand	Mitchell	Youngblood

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Vinson for, with Mr. Kelley against.

Mr. Hébert for, with Mr. Powell against.

Mr. Jones of Ohio for, with Mr. Pfeifer against.

Mr. Cole of Missouri for, with Mr. Byrne of New York against.

Mr. Forand for, with Mr. Celler against.

General pairs until further notice:

Mr. Snyder with Mr. Clements.
Mr. Nodar with Mr. Philbin.
Mr. Smith of Ohio with Mr. Pickett.
Mr. McGarvey with Mr. Johnson of Texas.
Mr. Clippinger with Mr. Bonner.
Mr. Edwin Arthur Hall with Mr. Buckley.
Mr. Nixon with Mr. Keogh.
Mr. Shafer with Mr. Lea.
Mr. Youngblood with Mr. Rayfiel.
Mr. Weichel with Mr. Heffernan.
Mr. Elsaesser with Mr. Domengeaux.
Mr. Bennett of Michigan with Mr. Barden.
Mr. Gifford with Mr. Lynch.
Mr. D'Ewart with Mr. Hendricks.
Mr. Kersten of Wisconsin with Mr. Rooney.
Mr. Mitchell with Mr. Murdock.
Mr. Fuller with Mr. O'Toole.

The result of the vote was announced as above recorded.

The doors were opened.

Mr. REES. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R. 3813, to provide for removal from, and the prevention of appointment to, officers or positions in the Executive branch of the Government of persons who are found to be disloyal to the United States.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H. R 3813, with Mr. CANFIELD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. REES. Mr. Chairman, I yield myself 10 minutes.

Mr. Chairman, there appears to be a considerable amount of misunderstanding as well as misinterpretation with respect to the legislation under consideration. You have just heard from the well of this House statements to the effect that in the event of the adoption of this legislation the Congress would establish sort of a Gestapo in this country. If this be true then you are certainly establishing one under the President's order. Nothing can be further from the facts. To clarify the situation a little, the requirements that appear under this bill and the standards set up under it also appear in the President's order. Some of those who spoke a few moments ago would wipe out the President's proposed order. Those Members who have spoken against the legislation so far, of course, would do nothing about the problem at all. They say, in substance, "Do nothing about a problem that has been recognized by Congress and by the President."

Let me read to you just a few sentences of the report of the Board appointed by the President to look into this problem with a view of either providing a Presidential order or legislation. This statement appears in that report to the President. Speaking about the means and methods of handling this problem they said:

> The first of these means may be referred to as a counterespionage phase of counterintelligence, a weapon which is designed to protect our Government from all types of espionage infiltration by the penetration of enemy and subversive networks.

Now, that is the suggestion of the President's committee. We do not follow that proposal in this bill.

I think perhaps just a little background with respect to this legislation might be helpful. Last July, or perhaps a little earlier, a subcommittee of the Committee on the Civil Service of this House was appointed to hold hearings with a view of attempting, if they could, to go into this problem and determine what legislation ought to be submitted. That subcommittee held hearings for several days. It had before it important representatives of our Federal Government. In any event, the subcommittee made a report that recommended among other things that the President should appoint a committee to study and investigate this entire problem of loyalty in the Federal service. That committee, composed of six executive officials together with their staffs, held sessions over a period of several weeks and came up with a report to the President.

Here are the names and titles of the officials appointed by the President and who filed the report upon which the President's Executive order is based: A. Devitt Vanech, Special Assistant to the Attorney General, Department of Justice, Chairman; John E. Peurifoy, Acting Assistant Secretary of State for Administration, Department of State; Edward H. Foley, Jr., Assistant Secretary of the Treasury, Department of the Treasury; Kenneth C. Royall, Under Secretary of War, Department of War; John L. Sullivan, Under Secretary of the Navy, Department of the Navy; Harry B. Mitchell, President, Civil Service Commission.

The President, following this report issued the Executive order that is under discussion with this bill.

Insofar as the standards and general provisions are concerned, our committee has followed very much the language of the Presidential order. One of the important things to be determined is whether you are going to deal with this problem and do the thing that I believe is our duty, and that is to write it in substantive law. Or whether you believe this problem should be placed in the hands of one man and be dealt with under Executive order. Shall Congress do it or shall it be done by Executive order. Unless, of course, you follow the advice of some of those who have preceded me and say there is no problem, and nothing should be done at all. I do not believe you can do that and assume the responsibility that is yours.

Something has been said about protecting employees in the Federal Government. That is what this legislation does. That is what it is for, to protect the people of this country, yes, but it is also to protect the great majority of loyal, patriotic employees in the Federal Government. That is why the bill is here today.

Some of our Members have just been talking about violations of the Constitution, violations of the Bill of Rights, then quoting the famous statement, "Give me liberty or give me death," but they did not discuss the legislation that is before you this afternoon. I ask you who made that statement if you can find anywhere in this bill any provision that violates the Constitution or the Bill of Rights? Point to the place in the bill, if you will, where there is any violation of the Constitution in this measure. But let us talk about the legislation we are considering. It is so easy to blast legislation generally, but a different thing to really discuss its provisions, go back and review the statements of those who preceded me. You will agree not one really analyzed the bill. Full and complete hearings were held on this legislation. The hearings are before you. I hope you want to read them. I wish you would read the report that goes with it.

Mr. Speaker, in my judgment this is one of the most important legislative measures to come before this House. H. R. 3813 is a bill which provides a procedure by which persons who are found to be disloyal are removed from Federal positions or refused appointment to such

positions. The principal provisions of the bill are as follows:

First. All Federal employees and all applicants for Federal positions are to be investigated to determine if any are disloyal to the United States.

Second. The Civil Service Commission shall conduct a preliminary investigation of each employee and applicant, and if derogatory information is revealed with respect to loyalty the investigation shall be referred to the Federal Bureau of Investigation.

Third. After a complete investigation of such person the Federal Bureau of Investigation shall submit its report to a Loyalty Review Board, composed of five members appointed by the President.

Fourth. Through procedures provided for under the bill with respect to handling the cases, if the Board makes a final decision which is adverse to the person under investigation, the department or agency involved shall be requested to remove the employee or to refuse employment to the applicant.

Fifth. If the department or agency head refused to comply, the Board must notify the President of such refusal, and before January 15 of each year the Board must advise the Congress of the status of these cases which have been referred to the President for action.

The subcommittee which conducted hearings on the bill, composed of Mr. VURSELL, Mrs. ST. GEORGE, Mr. MORTON, Mr. MURRAY of Tennessee, Mr. COMBS, Mr. ALMOND, and myself, devoted much time and much study to the problem and arrived at the conclusion that substantive law is the only way to deal with the problem.

During the Seventy-ninth Congress a subcommittee of the Committee on Civil Service held hearings upon the subject of the disloyalty of Federal employees and found serious loopholes in the agency loyalty procedures by which persons remained in the Federal service who were disloyal to the United States. The subcommittee report resulted in the President appointing a commission to study the problem. The President's Commission found that present methods were inadequate to deal with the question of the loyalty of Federal employees. The recommendations of the President's Commission resulted in the issuance of an Executive order, which, in my judgment, is not the proper way to handle such a serious problem affecting the security of our Government and our country.

Our committee agreed that the proper way to handle the problem of Federal employee disloyalty was to authorize by law a procedure by which persons on the Federal pay roll or entering the Federal service were to be investigated by the Federal Bureau of Investigation from the standpoint of loyalty. If the President's loyalty order were implemented with appropriations without prior legislative authorization, I believe it would be a violation of rule XXI, paragraph 2, of the rules of the House of Representatives, because it is a well-established policy of Congress that expenditures for activities not previously authorized by law are subject to a point of order.

Also, the committee considered the subject matter of such vital importance that it should be the subject of permanent legislation rather than one which could be dealt with by an Executive order.

Something has been said about the supporters of this legislation. Take a look at the hearings and see who they are, whom they represent, and what they say.

There is Mr. James B. Burns, president of the American Federation of Government Employees, representing thousands of employees in this Government of ours. Read his statement. Then read the statement of Mr. Luther Steward, also a former employee of the Federal Government, and for many years has been president of the National Federation of Federal Employees, the largest organization of Federal employees in the United States. Read his testimony in support of this legislation. Most of you know both of these esteemed gentlemen. Both of these gentlemen, at all times, guard zealously the rights and interests of employees in our Government.

Mr. William A. Christensen, representing the Disabled American Veterans, Mr. Harry V. Hayden, legislative section of the American Legion, Mr. John C. Williamson, assistant director, legislative section of the Veterans of Foreign Wars, all testified on behalf of three great patriotic organizations, in support of this legislation. I wish you would take time to read their testimony. I do not need to tell you whom they represent. They represent hundreds of thousands of men and women in and out of Government, who are vitally interested in the problem involved in this legislation. I mention these outstanding groups, because as I said a moment ago, someone asked, who wanted this legislation anyway. I should also add that most of the opposition to the legislation came from representatives of groups who expressed opposition to the Executive order as well as the legislation under consideration.

The main differences between the Executive order and the loyalty bill are: First, an independent loyalty board is provided for under the bill, whereas under the Executive order the Loyalty Board is a part of the Civil Service Commission; second, applicants and employees are investigated in the same manner under the bill but under the loyalty order a less complete investigation is given most applicants and all employees; and, third, under the loyalty order there will be as many different applications of the standard of loyalty as there are Government agencies, but under the bill there will be a single standard of loyalty applied by a single Loyalty Review Board.

Several witnesses who appeared before the committee emphasized the similarity between the bill and the Executive order. The committee endeavored to take from the Executive order all of its meritorious features and incorporate them in the bill. The loyalty order and the bill are identical with respect to: First, objectives—expressed in the opening part of the Executive order and in the bill; second, standards of loyalty—part V of Executive order, section 8 of H. R. 3813; and, third, to the extent that it has not already been done, every Federal employee shall be checked against the name and fingerprint files of the FBI under both the loyalty order and loyalty bill.

The Department of Justice submitted a report to the committee stating that it was unable to recommend the bill. Objection was made upon two grounds. First, on the ground that the bill raised a constitutional question. The committee bill, which is the one under consideration today, removed this constitutional question because it eliminated language which would give the Loyalty Review Board mandatory power over the heads of the executive departments and agencies with respect to removing employees who are found to be disloyal.

The other objection raised by the Attorney General was on the ground that the loyalty order would provide a more efficient plan than that in the bill because the responsibility for and the conduct of the investigations would be localized in each department. On the contrary, the committee believed that the bill offered a more efficient and more effective plan than the Executive order because the responsibility for and the conduct of loyalty investigations are not localized in the employing department or agency. This responsibility has, for the past 7 years, been localized in the individual departments and agencies, and the ineffectiveness of such a procedure has been well demonstrated. Mr. Arthur S. Flemming, Civil Service Commissioner, who appeared before the committee, stated that the Civil Service Commission has been unable to secure the cooperation of the heads of the departments and agencies with respect to the removal or refusal to hire persons found to be disloyal to the United States, and he admitted that persons are discharged from one agency on disloyal grounds and are hired by other agencies. It is just such a situation as this which has continued over the last 7 years which, in the judgment of the committee, necessitates the establishment of an independent Loyalty Review Board, and the conduct of all loyalty investigations by the FBI. This will result in one application of a single standard of loyalty, rather than as many different applications of the loyalty standard as there are Government departments and agencies.

Another weakness of the Executive order is the fact that it provides a procedure which will result in the retention on the pay roll of disloyal employees for long periods of time during which endless reviews of the case will be made by agency loyalty boards, heads of agencies, regional loyalty boards of the Civil Service Commission, the main loyalty board of the Civil Service Commission, and finally again the heads of the agencies. In the judgment of the committee, the bill provides adequate safeguards to protect the rights of persons employed in the Federal Government, but at the same time protects the Federal Government from the continued employment of persons who are found to be disloyal.

The bill provides a procedure through which employees are removed from the pay roll and applicants are refused employment if it is found, in the judgment of the Board, upon the basis of a reasonable loyalty standard that upon the preponderance of evidence they are disloyal to the United States.

The committee incorporated in H. R. 3813 many of the recommended amendments suggested by witnesses who appeared before the committee.

There was much comment at the hearings upon the necessity for protecting the civil rights of the employees who were found to be disloyal by the preliminary decision of the Board. The extent to which the committee has gone in protecting the rights of the employees is shown in section 5. It is provided that the applicant or employee shall be notified in writing and furnished a factual statement upon which the preliminary adverse findings of the Board is based. The person affected is allowed 15 days to appeal the preliminary finding to the Board. The appellant is allowed to present such pertinent evidence as may be required to overcome the presumption of disloyalty which results from the preliminary finding of the Board. It is provided in section 6 that the Board shall promulgate such rules and regulations as are necessary to protect the rights of the appellant. He may present statements to the Board in any manner which he deems proper, and shall have the right to be represented by legal counsel and to produce such evidence and witnesses, and to furnish affidavits or other written statements of competent persons as may be required to show affirmatively his loyalty to the United States.

For many years I have been concerned about the question of disloyalty among Federal employees and whereas I recognize, as does the committee, that the loyalty of the overwhelming majority of Government employees is beyond question, nevertheless in these trying times the presence within the Government service of any disloyal or subversive persons constitute a continuing threat to our national security and democratic processes. The Congress should recognize the importance of the problem, and should not be content to accept an Executive order which can be changed at any time, as was done when the request for appropriations altered some of the provisions of the Executive order.

The last section of the bill provides that the Congress shall appropriate such sums as may be required to the Federal Bureau of Investigation, the Civil Service Commission, and the Loyalty Review Board to carry out the purposes of the act. I think that the decision as to how much is appropriated annually should be left with the Appropriations Committees. Necessarily, the cost of the bill will depend upon how rapidly the Congress wishes this program to be completed. The committee studied the problem of cost from the figures presented by the Civil Service Commission, and, according to the estimates of the Civil Service Commission, the bill would cost approximately $2,000,000 less than the Executive order at the end of 4 years. However, in the judgment of the committee, during the first year of operation the bill will require no more than $5,000,000 each for the Federal Bureau of Investigation, the Civil Service Commission, and the Loyalty Review Board.

As to the effectiveness of the bill compared with the Executive order, I cite figures presented by the Civil Service Commission regarding the number of cases of disloyalty which would be required to be handled under the bill as compared with those under the Executive order. It is significant to note that under the provisions of the bill, 10,000 more cases would be revealed and would be reviewed by the Loyalty Review Board which involved questions of disloyalty than would be revealed under the President's loyalty order. Testimony of Government witnesses showed that from the standpoint of effectiveness and the revelation of disloyal employees, the loyalty bill would be approximately 20 percent more effective than the Executive order. Upon this basis alone it was the feeling of the committee that the enactment of substantive law was justified.

If this subject matter is not handled by legislation before the appropriation of large sums of money for such a program, it will be an admission by the Congress that it does not believe that an expression of congressional policy is important upon a matter such as this. I do not think this is the view of Congress, because I believe Congress recognizes the necessity of expressing its policy with respect to these matters.

Mr. Chairman, I do want to pay tribute to the members of our committee who worked zealously on this measure.

Mr. JOHNSON of Oklahoma. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished gentleman from Oklahoma.

Mr. JOHNSON of Oklahoma. I want to vote for this legislation, but the only thing in the bill that I do not like is the provision here on the bottom of page 8 where the Board notifies the employee and gives him a factual statement upon which their finding is based but not disclosing the source or sources of the information. My theory is that if he is found guilty he should be removed, but my question goes to the point of his defense and of not being able to face his accusers as you are in any other type of action in the country. It seems to me the bill could have been worded so that once the FBI or the Board determines that he is guilty you could have worked out some system where an information could be filed against him and his accusers brought in so that the person could face his accusers and cross-examine them and have some chance of presenting some type of defense.

Mr. REES. The gentleman must remember that we are not charging the employee with having committed a crime, not at all. The question involved is only whether this man should be retained if on the pay roll, or employed if an applicant. This is the procedure that has always been followed in the Federal Government.

Mr. MATHEWS. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the distinguished Member from New Jersey.

Mr. MATHEWS. Will the gentleman explain how sub subsection 2 of subsection (d) of section 4 near the bottom of page 6 and the two lines at the top of page 7 are germane to the purposes of this act?

Mr. REES. It certainly is a part of the act. The gentleman has in mind that the Commission may take such action as may be necessary to cause the removal of such an employee.

Mr. MATHEWS. When they discover information other than that which affects his loyalty, if the gentleman will read the section.

Mr. REES. Of course, if it is a question other than his loyalty, that can be referred to some other source, the Civil Service Commission for instance, or to the agency where employed. Suppose he has committed a crime of some kind.

Mr. MATHEWS. That is just the point.

Mr. REES. Then this Commission would not have to proceed on the question of loyalty.

Mr. MATHEWS. But it says "take such steps to see that he is discharged," and so forth.

Mr. REES. That is right; the Commission may report to the agency if deemed proper, and save further investigation.

The CHAIRMAN. The time of the gentleman from Kansas has again expired.

Mr. REES. Mr. Chairman, I yield myself two additional minutes.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from New York.

Mr. JAVITS. Will the gentleman advise us whether the committee is willing to accept an amendment which will come at the top of page 9 with respect to the furnishing of the original notice to the employee that he is being charged with an act of disloyalty; whether the committee will accept an amendment that that notice shall not be public. That is the first the employee has ever heard about it.

Mr. REES. The committee has in mind submitting an amendment on that subject matter.

Mr. JAVITS. The next point is this: Will the committee advise whether it is intended by the operation of this act to include in this term "derogatory information," page 6, line 19—that is, not derogatory information about disloyalty but derogatory information generally—any new acts other than those now provided for by statute, for which a Federal employee can be fired, or is it intended to cover only acts already the basis for dismissing an employee under existing law?

Mr. REES. There would not be any reason for doing otherwise.

Mr. JAVITS. Then, the last question is this: It is stated in the act that the Board may give the employee a hearing. Is it the intention of the committee that that language shall mean that the employee shall be entitled to a hearing upon request? That appears on page 9, line 11.

Mr. REES. The employee will be entitled to a hearing. That is the intent of the language of the bill and that was the intent of the committee.

The committee has received many letters from organizations endorsing H. R. 3813. I shall not burden the RECORD with all of these letters; however, I should like to read a letter received from the Government Employees' Council of the American Federation of Labor, dated June 26, 1947. This council is composed of several representatives of the employees themselves, and act as a sort of Board of Directors for them. Here is the letter:

DEAR MR. REES: The legislative committee of the Government Employees' Council of the American Federation of Labor has endorsed H. R. 3813, introduced by you, to provide for a loyalty program in the Federal service.

I wish to assure you of the utmost cooperation in furtherance of this legislation.

With best regards, I remain

Sincerely,

GEORGE D. O'BRIEN,
Operations Director.

I have just received a telegram from the Honorable Bert Hedges, national president of the American War Dads. Here is the message:

KANSAS CITY, MO.

Hon. EDWARD H. REES,
Member of Congress, Washington, D. C.:

The American War Dads urge favorable action on the House Bill 3813, which will require a test of loyalty to our cherished democracy in order to serve the Government in a position regulated by civil service. The American War Dads offered their sons and daughters to make possible the military victory in World War II and they crave a strong America and believe that all who receive remuneration from tax moneys should be willing to serve the best interests of our constitutional government.

BERT A. HEDGES,
National President.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield myself 10 minutes, and I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. MURRAY of Tennessee. Mr. Chairman, the question to determine is whether every effort to remove disloyal or subversive employees from the Federal pay roll, and to prevent the employment in the future of disloyal persons will be made through the provisions of the Executive order issued by President Truman on March 21, 1947, or whether it will be accomplished by substantive law as proposed in the pending legislation. I am sure that the Members are heartily in favor of the adoption of the method that will be most direct, most effective, and most thorough in bringing about the dismissal of disloyal Federal employees. I want to see those subversive employees disclosed, exposed, and discharged, regardless of the cost of the investigation and exposure, and I am convinced that we should enact legislation providing for the investigation and removal of disloyal employees, instead of trying to do the job under the authority of the Executive order.

During the hearings on this proposed bill, Mr. Arthur S. Flemming, member of the Civil Service Commission, appeared before the subcommittee. Mr. Flemming made the statement that in his opinion the initial screening and investigation of Federal employees would disclose enough derogatory information about the disloyalty of employees to bring a full field investigation of 42,000 present employees. That is a sad state of affairs. It is a most regrettable and unfortunate situation to think that an initial investigation of the present employees will disclose sufficient derogatory information to justify a full-fledged investigation of approximately 42,000 employees as to their disloyalty. The job is ours, it must be done, and we must carry it out and get rid of every disloyal, subversive person on our pay roll.

Last November President Truman appointed a temporary commission to investigate employee loyalty. This commission made its report last March. Here is what the committee said in conclusion:

1. Although the vast majority of Federal employees are loyal, some are disloyal, some are disloyal or subversive. Because of the secretive manner and method of their operation, it is difficult to assess the numerical strength of the disloyal group. Whatever their number, the internal security of the Government demands continuous screening, scrutiny, and surveillance of present and prospective employees.

2. The presence within the Government of any disloyal or subversive persons, or the attempt of any such persons to obtain Government employment presents a problem of such importance that it must be dealt with vigorously and effectively.

Let us see what has been done about getting disloyal employees off our pay rolls for the last 6 or 7 years. Until 1939 there was no investigation as to the loyalty of any Federal employee or any applicant. Up until that time it was assumed that all employees and applicants were loyal and patriotic and therefore their loyalty was not investigated.

In March 1942 President Roosevelt, through the Civil Service Commission, issued war service regulations specifying that a person could be and would be disqualified for employment when there existed a reasonable doubt as to his loyalty.

In April 1942 the Attorney General created a special interdepartmental committee on investigations; this committee accomplished little and only few cases were referred to the committee by the departments for an advisory opinion on the question of loyalty.

On February 5, 1943, President Roosevelt replaced the Attorney General's interdepartmental committee with a new Interdepartmental Committee on Employee Investigations and this committee remained in existence until March 21, 1947; it was an advisory body and had no authority to enforce its findings; in fact this committee did little.

Then on November 25, 1946, President Truman set up a temporary commission on employee loyalty, directing it to inquire into present standards and procedures for the investigation into the loyalty of employees and applicants by the various departments and agencies, their method of removing disloyal employees and requesting the Commission to make recommendations for the purpose of improving existing legislative and administration provisions on the subject.

In March 1947 this Commission filed its report and recommendations and, as a result, on March 21, 1947, President Truman set up by Executive order further provisions for the investigation and removal of disloyal employees and established a Loyalty Review Board in the Civil Service Commission.

Let us see what the situation is today about investigating disloyal employees.

President Truman's Commission sent letters to 50 executive departments, agencies, boards, and commissions inquiring as to the standards they have established for judging employees' loyalty, their procedure for investigating employees with respect to loyalty, their procedure for dismissing employees for reasons of disloyalty and requesting their recommendations regarding procedures to be established in the investigation and dismissal of employees for disloyalty.

The reply of these 50 boards, commissions, and agencies disclosed: First, a wide disparity in standards established for judging employee loyalty. Second, absence of or lack of uniformity in procedures designed to determine employee loyalty; and, third, lack of uniformity in procedures set up to effectuate removal from service of disloyal employees.

The several agencies and commissions replied they had no established procedure designed to substantiate allegations of disloyalty. All of the departments and agencies agreed that the investigation or check of employees with respect to disloyalty should be the function either of the Federal Bureau of Investigation or the Civil Service Commission.

Now, let us compare the Executive order of March 21, 1947, and the present bill. The objectives and the purposes are the same. The preamble of the Executive order and the preamble of this pending bill are identical. The standards for judging the loyalty of employees are the same. The Executive order provides for a loyalty review board under the Civil Service Commission. This bill provides for an independent loyalty board of five members nominated by the President and confirmed by the Senate.

The Civil Service Commission testified there are about 70 agencies or commissions which would set up their own loyalty boards.

Under the Executive order the Civil Service Commission has charge of screening and investigating employees and applicants. Under this bill the Civil Service Commission makes the initial investigation and screening of employees and of applicants. If the Civil Service Commission finds derogatory information as to the loyalty of any employee or applicant then the Civil Service Commission immediately turns over that information to the Federal Bureau of Investigation. Thereupon the Federal Bureau of Investigation makes a full and

complete loyalty investigation of this employee or applicant. The report of the Federal Bureau of Investigation is then turned over to this independent loyalty board, the members of which are appointed by the President and confirmed by the Senate. If this board finds from the report of the Civil Service Commission in the beginning and from the full field investigation by the FBI that there are reasonable grounds existing to believe that the person is disloyal to the United States, then the independent loyalty board gives this person 15 days to appear before the board.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield myself three additional minutes.

Mr. Chairman, the person charged is given notice and a factual statement of the charges against him. He can appear there with counsel and have a hearing before this board.

Oh, they talk about the Bill of Rights and the Constitution. There is not a single provision in this bill that violates the Constitution, including the Bill of Rights. This proceeding is not a judicial hearing. It is an administrative hearing. No employee has a vested right to employment. Employment in our Government is a high privilege. This bill provides for a loyalty board and if the board finds that reasonable ground exists to believe a person is disloyal to the United States it proceeds against him.

It is high time that we have a full, a complete and thorough, as well as exhaustive, investigation of every Federal employee on our pay roll. Why should any loyal, patriotic employee of our Government object to a searching, screening investigation? Of course, those who are subversive cry out against this kind of legislation.

Let me say in conclusion that in the hearings on this bill the two great organizations representing the Federal employees, the National Federation of Federal Employees and the American Federation of Government Employees appeared before our committee and wholeheartedly endorsed this bill. Also the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans appeared in person and endorsed this bill. Who appeared in opposition to this bill? The National Lawyers Guild, the United Public Workers of America and the American Jewish Congress. Of course, they based their argument on the fact that it violates the Constitution and the Bill of Rights. So far as I am concerned, I will take my stand with the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans and the two organizations representing the great number of loyal Government workers in support of this bill rather than line up with the National Lawyers Guild and the United Public Workers in opposition to it.

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. VURSELL].

Mr. VURSELL. Mr. Chairman, this is a very simple piece of legislation. Most anyone can read it and understand just exactly what the committee had in mind. Now, there has been a great deal of publicity in the press and talk on the floor of the House and throughout the country about too many people being in the Federal service whose loyalty to the Government might be questioned. So the Committee on Civil Service, which has been working on this matter for 2 or 3 years, decided that after the President, on our suggestion, caused a study to be made and issued his Executive order, that the Executive order did not go quite far enough and would not be as effective as it should be. So we sought to write a bill trying to carry out the purposes of the Executive order and allow the Congress of the United States to take this situation over by expressing its intent clearly by passing this act.

May I say that I think we will do the Federal people now on the pay rolls, a great majority of whom are loyal and working in the best interest of this Government, a great favor, because after this bill becomes operative and these investigations are had, then all of them can walk with their heads high, representing the greatest government on earth, cleared from any suspicion; without the least taint of suspicion of subversive activities for the purpose of overthrowing the Government of the United States.

We seek in this bill to clear the names of over 95 percent of the Federal employees representing our great Government and working under the laws, helping the Congress of the United States and the Chief Executive to direct the course and destiny of this Government. Now what are we doing? We simply try to clarify, in places, the President's directive.

Let me tell you one place where we make a change. Under the Presidential directive, if you try to ferret out the facts in order to clear the good names of the loyal employees and to expose the names of those who are subversive, you go first to an agency loyalty board. If there are 78 or 100 agencies, there are 78 or 100 loyalty boards set up in the various departments of the Government. Then, too, you may have different standards in many of the loyalty boards. We write one standard into this bill, and then we say that five men shall be the controlling factor and shall be the court of last resort, except in one instance as to which I shall not go into detail.

Under the Presidential directive you first go to the agency loyalty board. Then after the matter has been heard, you go back to the head of that agency. From there you go to a regional loyalty board and from there, under the Presidential directive, you go to the Civil Service Commission loyalty board. Then you go to the main loyalty review board which you have set up under the Presidential directive, and from there you go back to the head of the agency.

Certainly that is a long route from the bottom where one is suspected until you finally get through to the final decision. When you realize that there will be 500,000 to a million people investigated within a year, you can begin to determine that the very enforcement of this act and the purpose of the directive and its enforcement will be bogged down in one continual passing from one agency to the other.

What do we do? We simply have the Civil Service Commission, by such investigation as they can get into action, go all over the background of every man that is now employed. The purpose of this bill is to get out of public service the people who should not be there, and further, to prevent others from coming in who should not be employed. We investigate those that are in Federal service, and we investigate those that make application to get in. If the Civil Service Commission finds there is some question, the matter is referred to the FBI to make a full investigation. Then the FBI comes back to the five-man loyalty board, an independent board, not a board made up of representatives of some of the departments of the Government who are already appointed. It is an independent board, in order to protect the employee in his rights and to protect the Government properly. This independent board has a number of subordinate boards, and the work is thrown back to these subordinate boards and they go over the investigation of the FBI. If they decide the FBI has not made out a case, it is reported to the full board. If the findings of the FBI show there is a question, it is further reviewed by the lower board. This bill will protect the loyal employees, and will protect our Government. This legislation should be approved.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 5 minutes to the gentlewoman from New Jersey [Mrs. NORTON].

Mrs. NORTON. Mr. Chairman, while I am completely opposed to disloyalty in government, or for that matter in anything else, I am opposed to H. R. 3813 for many of the reasons discussed by previous speakers and for an additional reason—that I do not think it is a practical solution of the problem it seeks to correct.

It is not practical for the reason that it is cumbersome and that it is absolutely impossible for the Board of five persons to hear all cases where a hearing is afforded to the applicant or employee. Under the provisions of H. R. 3813, it will be necessary to investigate each and every Federal employee on the pay roll and this will require 1,600,000 investigations concurrently with the investigation of persons entering the Federal service, which during the first year, is estimated at 780,000, making a total in all of 2,380,000 investigations. Added to this, it is estimated that there will be approximately 42,000 reports of investigations of incumbent employees and approximately 19,500 reports of investigations in the first year of applicants for adjudication, making a total of approximately 61,500 investigations to be adjusted in a very short period of time.

Now, there is a big difference between H. R. 3813 and the Executive Order 9835. Time will not permit me to discuss all these differences. For one thing, the Executive order is based upon the experience of the United States Civil Service Commission and the various agencies

and departments over a period of years. Added to these facts, there is, it seems to me, another good reason why H. R. 3813, is not practical. It might well lead to discrimination, as for instance, we all know that differences will arise in offices and it would seem to me that in order to get rid of some employee who might be objectionable for other reasons than disloyalty, a case could easily be developed based on nothing more than dislike or differences of opinion, which might be considered disloyalty. In fact, there are so many opportunities in this bill for injustices to employees that to my mind, it seems a dangerous piece of legislation and entirely unnecessary, as the President's Executive Order 9835 covers everything that is necessary for investigation and dismissal of those employees who are guilty of disloyalty.

I venture to say that in the final analysis, there will be a very small percentage of employees found guilty of disloyalty to our Government, and on the other hand, it would be possible, under this bill, to practically destroy the reputation of many employees who are suspected but not really guilty of disloyalty.

The provisions in H. R. 3813 that the Board shall hear all cases where a hearing is appropriate is a very impractical proposition, since no five persons could hear all of the cases that will result from 61,500 cases to be reviewed. Therefore, the employees and the applicants will suffer and the Board will be bogged down with work to the detriment of the Government.

I believe this bill definitely complicates the administration in its efforts to get rid of disloyal persons in Government—places great responsibility on Government agencies in the employment of personnel necessary to the operation of the Federal Government and will result in confusion and chaos. I have discussed this problem with a few lawyers outside of the Government and they have advised that their examination of the bill indicates that there is a very grave question as to its constitutionality. Fortunately, we have able lawyers here, Members of the House, and I sincerely hope they will examine that phase of the bill.

In conclusion, may I say I have the utmost confidence in the great majority of Government employees. Many have given the best years of their lives to the service at salaries much less than they would have received for comparable work in private industry. It is not fair to subject these devoted, faithful employees to unnecessary tests in order to satisfy what seems to me to be a wave of hysteria based on the disloyalty of a comparatively small group of persons.

Mr. Chairman, I include in these remarks a comparison between the President's Executive Order 9835 and H. R. 3813:

It is noted that H. R. 3813, section 5 (b) (1), provides that a board of five persons shall hear all cases where a hearing is afforded the applicant or employee. Experience demonstrates that it is impossible for 5 persons to handle the volume of hearings that will result from 61,500 cases to be adjudicated. This problem was considered by the President's committee on Executive Order 9835; provision was made for a distribution of this work load—the Civil Service Commission handling the applicant cases and the agencies and departments handling the employee cases.

In carrying out the Commission's duties under Executive Order 9835, it is contemplated that the Civil Service Commission will have a regional loyalty board in each and every region to hold hearings and make initial adjudications, with the right of appeal to an appellate board in Washington, D. C. The reason for establishing regional loyalty boards is twofold: (1) because of the volume of cases involved; and (2) to afford the applicant an opportunity to be heard at a place near his residence in order that the applicant may have an opportunity to present to the local board all witnesses he may desire.

If the hearings were held in Washington, D. C., the expense of bringing witnesses to Washington would often be so costly on the part of the applicant that it would be tantamount to a denial of a hearing. Under Executive Order 9835, employees are afforded a hearing by the agency and where agencies are decentralized, the hearing will be held in the field in order that the employee may have an opportunity of appearing with witnesses he desires to present.

H. R. 3813 is silent as to whether or not the Board of five members will be a traveling board for the purpose of hearing applicant and employee cases. It does, however, state that the Board shall be in the District of Columbia, but may exercise its powers at any place in the United States.

The provision in H. R. 3813 that the Board shall hear all cases where a hearing is appropriate is a very impractical provision since no five persons could hear all the cases that will result from 61,500 cases to be adjudicated. Consequently, the employee and the applicant will suffer and the Board will be bogged down with work to the detriment of the Government.

Another section of H. R. 3813 which is impractical is section 10, wherein it states that investigations and adjudications of employees shall take precedence over investigations and adjudications of applicants. Considering the enormous work load—1,600,000 investigations of employees and 780,000 investigations of applicants, with the resulting adjudications—if section 10 is to be adhered to, such priority will greatly hamper the employment of persons necessary to operate the Federal Government and, particularly so, in view of section 4 (b) which states that no applicant shall be appointed to an office or a position in or under the Executive branch prior to the determination under this act of his loyalty to the Government of the United States, unless (1) the appointing officer certifies to the Board that the immediate appointment of such applicant is absolutely required in order to perform a necessary function of the department or agency; and (2) the Board, after conducting such preliminary investigation of such applicant as it may be necessary, notifies the appointing officer that such appointment has the tentative approval of the Board. The foregoing provisions, section 10 and section 4 (b), of H. R. 3813 will so complicate the employment of personnel necessary to the operation of the Federal Government that confusion and chaos will result.

This problem was studied by the Presidents' Committee and this simple solution was recommended: That of appointing persons "subject to the results of an investigation," and conducting the investigation at the earliest possible time commensurate with the work load then existing. The use of a condition on an appointment is practical and effective; it is also legal. The Supreme Court held so in the case of *Friedman* v. *Schwellenbach et al.*

H. R. 3813, as written, leaves grave doubt as to its constitutionality. The President's committee considered the establishment of an independent Board to determine employee loyalty or the establishment of an interdepartmental committee, such as was established under Executive Order 9300, a Board with advisory powers to the head of the agency. The committee discarded both of these ideas because, under the Constitution, the head of an agency or department has the sole right to discharge an employee. The Supreme Court has held that neither the President nor Congress can interfere with this right. Executive Order 9835 places the responsibility on the head of the agency or department for the discharge of disloyal employees and places the responsibility on the Civil Service Commission for the denial of employment in the Federal service of an applicant, in accordance with the Civil Service Act of 1883. It did, however, set up a Review Board, which may review the action of the agencies in order to establish uniformity of operation. Since the President is the chief of the Executive arm of the Federal Government, this Review Board would report to him the actions taken by the various heads of departments and agencies in carrying out the President's program. H. R. 3813 attempts to place in the hands of five persons the right of adjudicating the loyalty of employees and applicants and to coerce the agencies, departments, and the Civil Service Commission to accept such determination (sec. 5, par. 2). Congress has attempted to circumvent the Constitution and deprive the Civil Service Commission, the agencies, and departments of their constitutional and statutory obligations.

This legislation borders on the legislation which brought about Watson, Dodd, and Lovett cases and is in direct conflict with the Myers decision and makes necessary a suit in court to determine its legality. The Executive Order was so designed as to forthright place the responsibility where the Constitution and the courts have heretofore placed it; that is, upon the heads of the agencies and departments as to employees, and upon the Civil Service Commission as to applicants and those persons appointed subject to the investigation of the Civil Service Commission.

(Mrs. NORTON asked and was given permission to revise and extend her remarks and include a comparison statement prepared by her showing the differences between the President's Executive Order No. 9835 and H. R. 3813.)

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentlewoman from New York [Mrs. ST. GEORGE].

Mrs. ST. GEORGE. Mr. Chairman, the subcommittee and the committee have been as greatly shocked and distressed as most of the people of the United States that such a bill as H. R. 3813 should be necessary.

Unfortunately after hearing the testimony, especially that of members of the Civil Service Commission, it becomes increasingly obvious, it is indeed a fact that a so-called loyalty bill is needed to rid the Federal Government of disloyal employees and more important still to prevent disoyal persons from getting into Government departments.

The President, on March 21, 1941, issued an Executive order and I quote:

Prescribing procedures for the administration of an employees' loyalty program in the executive branch of the Government.

The great question before the committee was: Should the employees' loyalty program be put into effect through the Executive Order 9835, which I have referred to, or whether it should be done

through an act of Congress; that is to say, by law.

Our Government was originally a government of law and not of men. A government of law promulgated and sponsored by the duly elected representatives of the people, not a government by edict and Executive order.

Now, due to wars and the necessity for speed, and as some would have us believe, efficiency, we have allowed ourselves to be governed more and more by orders and decrees.

This bill H. R. 3813 makes the question of the loyalty of Government employees a matter to be determined by law. Only through law can we eliminate the personal element and the element of hysteria that is bound to appear when we bring up such a vital question as to a person's loyalty to his country and his government.

This committee was especially scrupulous and zealous to see that none of the elements of the witch hunt should be permitted or have any part or effect in the writing of H. R. 3813.

Those of you who know the distinguished chairman of our committee know that he, above all others, would be most scrupulous that no hardship should be visited on anyone through prejudice or personal animosity, but that justice alone, under law, should prevail.

Mr. Chairman, we know that only very few disloyal persons are in Government employ. But the shattering thing is that there are any.

We hear that 10 persons have been dismissed from the State Department because their loyalty was questionable.

Mr. Chairman, 10 people can constitute a Communist cell. Ten people, if they are diligent and loyal Communists are considered a large cell. Ten such people, according to Communist teaching and doctrine, should be enough to ruin any Government department.

And, therefore, while the vast majority of Government employees are loyal and patriotic Americans, they and our country must be protected against those traitors who, though small in number, are well able to encompass our ruin and ultimate destruction.

Mr. Chairman, we believe this can be done calmly, legally, and efficiently by the adoption of H. R. 3813, and it is my earnest hope that this bill will pass.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 10 minutes to the gentleman from Texas [Mr. LYLE].

Mr. LYLE. Mr. Chairman, I am in the unpleasant position today of disagreement with the majority of the distinguished members of my committee. Unfortunately, as much as I respect and admire them, I was unable to agree, even passively, that this bill should be enacted into legislation. Let it not be thought or said, however, that I do not share with them, with every good American, the ideal that loyalty is, per se, a prerequisite of good public employees, and that disloyalty and subversiveness are a shameful and unfortunate weakness. However, we may well rejoice that there has been only nominal disloyalty in our Government and that throughout the war our Department of Justice and other departments were able to cope with the few subversive elements in an admirable and effective manner.

Disloyalty to our Government is the sire of treason, the most infamous of crimes. No one, I think, properly questions the advisability and the necessity of protecting ourselves from its insidious influence. The question involved today, however, is in what manner should we translate the ideal of loyalty into a workable formula. How shall we approach the unfortunate problem of ridding ourselves of subversive or disloyal people?

We are fortunate in that we are not in a position in which Congress often finds itself; that is, taking this bill or nothing. The question, I think, is extremely simple in that here today we may choose the President's plan or this present legislation.

During the Seventy-ninth Congress, by resolution, a committee of the Congress investigated disloyalty in the executive branch of the Government and as a result of their recommendations, the President appointed a distinguished Commission composed of the following able gentlemen: A. Devitt Vanech, special assistant to the Attorney General, Department of Justice, chairman; John E. Peurifoy, Acting Assistant Secretary of State for Administration, Department of State; Edward H. Foley, Jr., Assistant Secretary of the Treasury, Department of the Treasury; Kenneth C. Royall, Under Secretary of War, Department of War; John L. Sullivan, Under Secretary of the Navy, Department of the Navy; Harry B. Mitchell, president, Civil Service Commission.

They made a thorough check, a most thorough check, as is reflected in the report made to the President and the Congress entitled "The Report of the President's Temporary Commission on Employee Loyalty." As a result of that report, President Truman issued Executive Order 9835 on the 22d day of March 1947.

Before and after I became a Member of Congress I have been impressed with much of the criticism that has been so voluminous and so freely offered against boards, bureaus, and bureaucracy and I have been disappointed that so few overt acts have been committed against them. On the contrary, I find that we are prone, as is evidenced by the proposed legislation today, to continue to build one board, bureau, and agency on another, and when we are dissatisfied with the manner in which the executive department of the Government is administering an act, we create an additional board to supervise the one that is not functioning.

The present bill has a laudable purpose, but it is certainly of questionable value as legislation and is not in keeping with good administration. It follows very closely the ideas and the language set out in the President's Executive order of several months ago and in addition thereto, creates an additional board or bureau to be known as the Loyalty Review Board.

It is anticipated, yes, it is administratively impossible for this act to be effective unless there be created another and very large new agency. The Department of Justice estimates that under H. R. 3813, 1,600,000 investigations of employees would be required at an estimated cost of $10 per case, or a total of more than $16,000,000 over and above the President's plan.

I was very hopeful that every Member of this Congress could read and study the report of the President's Commission on Employee Loyalty before voting on this measure for I felt that the reading and study of such was a required predicate for an intelligent vote.

I was very much impressed with the soundness of the report and feel sure that you will be, for it was made without the passion which, unfortunately, but often, creeps into an investigation of this nature.

Of particular interest to Congress at this time was the finding made by the Commission in answer to one of the questions posed by the President, that is: Should the responsibility for acting upon investigation reports dealing with disloyalty or subversive persons be left to the respective departments or agencies where such persons are employed, or, should the responsibility for acting upon such reports be centralized in a single agency. I desire to quote their finding in this matter:

> It is believed that the various departments and agencies of the Federal Government will move more aggressively toward the solution of loyalty problems if the responsibility for conducting necessary investigations of their own employees remains solely with the heads of such departments or agencies. * * * Existing law imposes the responsibility for the conduct of the internal affairs of each department or agency in the head thereof, and principles of sound administration management and executive accountability require that the present arrangement be left undisturbed.

Another question posed by the President and answered by the Commission will be of interest to you. It was: "Is further legislation necessary for the adequate protection of the Government against the employment or continuance in employment of disloyal or subversive persons?" The answer was: "Except for the necessity of permanently extending existing temporary legislation to protect certain sensitive agencies—no further legislation is required."

Mr. Chairman, it is fundamental in good administration that heads of departments charged with the responsibility for the proper functioning of their departments must have the responsibility of supervising their employees, of vouching for their loyalty, and their effectiveness. However zealous we may be, we cannot escape that well-proven fact.

The heads of the departments are selected by the President with the advice and consent of the Senate. I concede to them the same loyalty and desire for good, conscientious employees that exists among the Members of this House.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. LYLE. I yield to the gentleman from Kansas.

Mr. REES. The Civil Service Commission, in testifying before our committee, proposed a board composed of some 20 or 25 members.

Mr. LYLE. I have stated that.

Mr. REES. And said that in line with the President's order the Commission proposes to provide for a separate board. They said that is the way to handle the Executive order. So that if you are going to have the Executive order you are going to have that board of some 20 or 25 members, according to Mr. Flemming's testimony; is that correct?

Mr. LYLE. Not as the gentleman proposes it.

So well prepared, in my judgment, is this report, so well thought out, if every Member could read and study it, this bill would not receive 100 votes, for it is unnecessary and contrary to the accepted and normal manner of good American administration.

Mr. Chairman, I am not concerned so much about the civil liberties involved in this bill because employment by the Government is a revocable privilege. There is no religious issue involved; there is no political issue involved; I think there is no effort to stifle free thought or free conversation. It is simply the manner in which we shall approach a very unpleasant problem.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the gentleman three additional minutes.

Mr. LYLE. Mr. Chairman, so far as I am concerned, anyone who does not like this form of government, any one who would like to overthrow it by force, has no rights as an American. So I have no fear of doing violence to them. But I do fear this, Mr. Chairman, and I know it is in the mind of many of the Members here. Whenever we bring a bill to the floor that has the word "Communist" in it, it inflames the minds of people everywhere.

It would be extremely popular for me and for most of you to wave our hands and scream and holler about communism, because I do not believe I have a single one in my district. I do not know whether they have one or two heads. But, we have a tremendous responsibility not only to this country but to the world in general to maintain good and sound thinking administration. The Executive order that the President issued months ago has lain idle for the reason that this Congress was not sufficiently concerned with ridding the Government of Communists to appropriate one single dime for it. There has not been one single overt act except speeches up on this floor against communism since the President's order was issued. He may have upset somebody's plans. I think that is unfortunate. Vote how you please, but in my judgment, this is bad legislation. It is contrary to good principles of administration. It is contrary to the American way of doing things. I, for one, cannot vote for it simply because it might be popular for us to enact legislation entitled "An act to get rid of Communist, disloyal and subversive people." I believe that this could best be accomplished by the President's Executive order and by suitable appropriations by this Congress.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. REES. Mr. Chairman, I yield 4 minutes to the gentleman from Washington [Mr. JONES].

Mr. JONES of Washington. Mr. Chairman, the Congress and the people of this Nation it represents have become increasingly aware of the necessity for safeguarding our way of life.

We have witnessed an accelerating effort abroad to discredit the democratic principles we hold sacred. We have seen the security of other nations imperiled by subversive activities striking at the very root of their existence.

We have been disturbed by the callous disregard of majority interests through concerted and underhanded minority activities.

Everywhere throughout our land today is a growing awareness that the security of the United States is threatened by an alien philosophy and an alien element which gnaws like rats at the very foundations of the freedoms and liberty upon which this Nation is constructed.

This is a time when a premium must be placed upon loyalty. It is a time when we cannot afford to have in Government a single person whose faith in our system is questionable or wavering.

I am convinced that H. R. 3813 is a sane and logical step to guarantee loyalty in the ranks of Government. I am convinced, too, that in the passage of this bill Congress will be keeping faith with the people of the United States and with the oath of office each of us has taken.

It is the responsibility of Congress to act in this matter, for it is the duty of Congress to exact loyalty from those entrusted with affairs of Government.

And this is a matter which should be decided by Congress, not by Executive order subject to cancellation or change at any time. It is a matter which should have a basis in law, not only for the protection of Government and our system, but the protection of those employed by Government.

It is necessary that we establish in law a basis for determining the caliber and the loyalty of our Government workers. To do so is in the interests of the overwhelming majority of Federal workers who are both good and loyal citizens and conscientious and patriotic employees. To have the activity of a few disloyal reflect upon the integrity of the majority would be, in my opinion, unthinkable.

Under the terms of H. R. 3813, a separate and bipartisan body would be set up to investigate and determine the loyalties of those now employed and employed in the future by Government.

The bill would grant to our country and its people the assuring and valued services of the Federal Bureau of Investigation which would function as an investigatory agency in instances where loyalty of an individual is questionable.

All of us know of the outstanding record of the Federal Bureau of Investigation during war and all of us have the highest confidence in the integrity and ability of the members of the splendid force. We know that if the Federal Bureau of Investigation makes a report relative to an individual, the facts contained will be accurate and unbiased.

It is important to note, too, that under the terms of H. R. 3813, individual rights are protected. It grants the right of appeal to those who may stand accused of disloyalty. It grants them the right of legal counsel, of sworn testimony and of the right to submit affidavits and to call witnesses in their behalf. It sets forth and defines disloyalty and establishes an orderly and lawfully procedure which will be uniform and fair for all.

It also gives Congress final cognizance in handling this situation and enables Congress to fulfill its sworn obligation to uphold and defend the Constitution of the United States.

There are those who oppose this bill for political reasons, contending that the recent Presidential order concerning loyalty is sufficient to safeguard the Nation. Yet those who defend the Executive order procedure should be reminded that only a few short weeks before this order was issued by the President, he brushed aside as inconsequential the disturbing and brazen activities of those radical elements all of us recognized as opposed to our system of Government.

I would like to remind the gentlemen of the House that this measure has the indorsement of outstanding patriotic organizations such as the American Legion, the Veterans of Foreign Wars, and the Disabled American Veterans. It has, besides, the full support of the National Federation of Federal Employees, representing the substantial group of those employed by Government.

It is my personal conviction that this is not the time to gamble with the security of our country.

It is a time when loyalty is expected and must be exacted.

I believe this must be accomplished by the due processes of law in an orderly and fair manner and submit for your consideration that H. R. 3813 is legislation which should be adopted without delay.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield 18 minutes to the gentleman from Virginia [Mr. ALMOND].

Mr. ALMOND. Mr. Chairman, at the outset I want to pay tribute to the distinguished gentleman from Kansas [Mr. REES] for his conscientious, able work as chairman of the Committee on Post Office and Civil Service.

In supporting this bill I am not actuated or motivated by any hysteria. As far as I am concerned, this bill has no political implication. I am supporting this bill because of my recognition of the absolute and unqualified necessity for the Congress of the United States to take a definite stand with reference to subversives on the Federal pay roll.

The undeniable and imperative necessity for the enactment of this legislation is indeed a sad commentary on prevailing conditions within the precincts of the Federal Government itself, as well as conditions prevalent in our country and running rampant throughout the world.

The Government of the United States, the last mighty bastion of democracy on the face of the earth, has been, and is becoming rapidly more so, the focal point of a concentrated, insidious, blatant,

contumacious, and deadly deliberate design fatally bent on a relentless determination to bring about its dissolution and accomplish its destruction.

Little did the founding fathers ever dream that, in the course of the evolution and progress of this Republic, the legislative branch of government, under the impelling exigencies of any day or generation, would be called upon in obedience to the mandates of self-preservation to place upon the statute books of this Nation a substantive law to safeguard its perpetuity against any of those whose sacred rights it guarantees, whose high privileges of citizenship it protects, to whom it zealously vouchsafes "life, liberty, and the pursuit of happiness" and who draw their daily sustenance and feed their families from the Federal pay roll.

This bill, though drafted in committee as a result of patient and exhaustive hearings under the able and commendable chairmanship of the distinguished gentleman from Kansas [Mr. REES], finds its genesis in that patriotic fervor and devotion to the tenets, principles, and institutions of democracy ineradicably lodged in the spirit, heart, and conscience of the overwhelming majority of the American people.

In recent months we have heard much relative to the mandates delivered to the Congress by the people on last November 5. Some of the issues thus raised and joined were sincerely and honestly debatable. The issue here presented is direct, clear-cut, unequivocal, and beyond the cavil of doubt. Those people of this Nation who are Americans to the core—and thank God they are legion—out of the depths of their righteous indignation imperatively demand the irrevocable eradication, from the rosters of the Federal service, every single, solitary termite registered thereon whose warped and gnarled ideological concepts render him disloyal to the United States.

Not only do they demand the enactment of an effective substantive law to accomplish the erasure of subversives who enjoy the status of employees but a law which will serve as an insuperable barrier against their ilk and kind who seek to enter the Federal service.

Whatever rights they may have elsewhere under our system of government, to whatever extent they may be permitted to pursue their nefarious and abominable course in the name, but to the desecration and pollution, of the institutions of democracy, they have no right, express or implied from the hypocrisy of their vaunted citizenship, to enter, to be, or to remain in any office or position in the executive branch of the Government.

The spirit and strength of this Government resides in its democratic processes. Every employee is charged with the exercise of a faithful trusteeship over those processes and over the security of the Republic. The Government expects, and of a right must demand, complete and unswerving loyalty from those who would enjoy the high privilege of employment in its service. Divided allegiance is nonallegiance. No Government employee can serve two masters. He who, ostensibly, is in the service of this country and in his heart recognizes allegiance to a foreign power is a traitor to the flag of this Nation.

The Congress of the United States is fully apprised of the desperate and dastardly threat to the very life of the Nation from insidious infiltration at home and from avaricious totalitarian pressures abroad.

At this very session we have authorized millions of dollars for expenditure abroad to contain and halt the onward rush of a criminally inspired antithetical, ideological juggernaut designed to destroy the inherent rights and liberties of free peoples everywhere in the world.

Shall we bolster, even on the ground of our own enlightened self interest, the ramparts of Greece and Turkey and negligently refuse to take cognizance of the lethal curse of a viper nestled in our own bosom?

On March 21, 1947, the President issued an Executive order, prescribing procedures for the administration of an employee's loyalty program in the executive branch of the Government.

The Committee on Post Office and Civil Service has carefully studied this order and the report of the President's Temporary Commission and Employee Loyalty on which the order was based.

The President's order and the pending bill reflect complete agreement as to the necessity for taking definite steps to protect the Government against subversives in its service. The preamble of the order and the bill are identical. There is also complete agreement between the two as to the standards of loyalty to be applied. The only difference is in the methods to be pursued to reach objectives which both documents agree much be reached.

This is not the first Executive order which has been issued relating to this subject. Its forerunners have been ineffective. It is the considered judgment of the majority of the committee that we stand in dire need of substantive law establishing definite and uniform procedures in order to afford maximum protection against the retention or infiltration of disloyal persons into the ranks of Government employees and to protect loyal employees from unfounded accusations of disloyalty.

We do not believe that a salutary objective can be achieved by permitting each of the employing agencies to determine the question of the loyalty of its own employees. There would be a minimum of 70 agency loyalty boards composed of not less than three representatives of the agency or department concerned, with rules and regulations to be promulgated by the heads of the various departments or agencies, with the right of appeal to the head of the employing agency or such person as he may designate.

It would seem obvious, therefore, that such procedure as prescribed by the Executive order would make for confusion, lack of uniformity, overlapping, duplication, and favoritism.

In the past it has often occurred that an employee would be disqualified on loyalty grounds in one department and immediately thereafter find a ready berth in another department. This has resulted from the lack of uniformity of standards and procedures and the conflict of authority and responsibility.

We feel that the bill under consideration is the most plausible and effective approach to the problem.

Authority and responsibility must be lodged in an independent board sufficiently implemented with adequate resources to safeguard and protect, in keeping with democratic processes, every interest and right involved. If we fail to so provide we are shirking a grave responsibility which devolves squarely upon the Congress.

Prior to 1939 the various agencies and departments of Government resolved employability on the basis of qualification and character. Loyalty was generally assumed and not questioned.

In fact the Civil Service Commission took the position that it was prohibited from making inquiry into the subject of loyalty. Authority for this position was based on the Commission's construction of a provision of civil service rule I, promulgated in 1884, which stated:

> No question in any form or application in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant, nor shall any inquiry be made concerning such opinions or affiliations, and all disclosures thereof shall be discountenanced.

By enactment of the original Hatch Act on August 2, 1939, Congress explicitly recognized the necessity of barring from Government employment those whose loyalties and interests were inimical to our traditional American way of life.

Beginning with July 1, 1941, there has been added to all appropriation acts a mandate to the effect that no part of any appropriation shall be used to pay the salary or wages of any person who advocates, or who is a member of any organization that advocates, the overthrow of the Government of the United States by force or violence.

These laws, while salutary in purpose, have amounted to little more than recognition on the part of Congress of an unwholesome condition and a desire that something should be done about it. They provided for no facility, set up no machinery, and created no resources to do the job that must be done. We must have legislation which carries with it the essential implementation or the threat to our security will not be abated, much less eliminated.

This bill would therefore create a Loyalty Review Board as an independent establishment in the executive branch. This Board would be composed of five members to be appointed by the President, subject to confirmation by the Senate, thereby affording a representative means of testing the loyalty and qualifications of the Board itself. Not more than three members of the Board could be members of the same political party, thus preserving at all times the essential bipartisan character of the Board.

The Loyalty Review Board would in turn establish such number of subordinate boards as it might deem necessary.

The bill provides for an investigation of every employee and every applicant to determine whether reasonable grounds exist for the belief that such person is

disloyal to the United States and prohibits, except in certain specified instances, the appointment or employment of any applicant prior to the determination of the question of loyalty. Under present procedures thousands are employed subject to investigation and remain on the rolls for years subject to investigation.

During the period from July 1, 1940, to March 31, 1947, in excess of 7,000,000 placements were made in the Federal Government. Out of this number 395,000 were investigated either as applicants or were appointed subject to investigation and subsequently investigated. Eleven percent of those investigated or 43,811 were rated ineligible on various grounds. On loyalty grounds 1,313 were rated ineligible and 714 of these were adjudged to be Communists or followers of the Communist Party line.

Dealing with Communists alone, 61 were dismissed in 1941; 143 were dismissed in 1942; 178 were dismissed in 1943; 213 were dismissed in 1944; 55 were dismissed in 1945; 49 were dismissed in 1946; 15 were dismissed in 1947.

These figures relate to action by the central Loyalty Review Board now in the Civil Service Commission.

Representatives of the Civil Service Commission estimate that a question as to loyalty will be raised and will have to be adjudicated in 2.6 percent of the cases to be investigated under the pending bill. This would involve approximately 42,000 present employees. The need for constructive legislation is thus conclusively demonstrated.

The pending bill charges the Civil Service Commission with the duty of conducting preliminary investigations and in so doing to exhaust, if necessary, certain specified sources of information. When derogatory information as to loyalty is developed from any such source the preliminary investigation is terminated and the FBI is called upon to make a full field loyalty investigation.

If no information derogatory to loyalty is developed by the Commission from any of the sources specified then it terminates its investigation and promptly notifies the head of the appropriate department or agency as to the result.

When the FBI completes its investigation it shall immediately transmit a report to the Loyalty Review Board with substantiating evidence pertaining to the question of loyalty.

The Board will then send the report to a subordinate board which shall review the report and make a preliminary finding upon the evidence furnished by the FBI and transmit same back to the Board. If the unanimous decision of the subordinate board is not adverse then such finding becomes the final decision of the Board. If the decision of the subordinate board is not adverse but not unanimous the Board shall review the preliminary finding and make such decision as it may deem necessary. Whenever the preliminary finding is adverse the Board shall so notify the employee or applicant in writing with a factual statement upon which the finding is based and advise him that the decision must be appealed within 15 days or it shall become final. The employee or applicant is accorded an opportunity to be heard in his own defense, the right to be represented by counsel and to produce evidence and witnesses.

Whenever the final decision is adverse the Board shall certify to the head of the appropriate department or agency that reasonable grounds exist for the belief that such person is disloyal to the United States. This certification shall constitute authority for the discharge or rejection of such person and shall be accompanied by a request from the Board that the discharge or rejection be effected within 30 days. If the head of the department or agency fails to comply with the request, the Board shall so notify the President and request the President to take appropriate action.

The bill sets up a fair and reasonable standard to be used by the Board which affords ample protection to the person involved. The existence of reasonable grounds for the belief that the employee is disloyal to the United States must be established by a preponderance of the evidence. It defines activities and associations which may be considered by the Board in connection with the determination of disloyalty.

Employment in the public service is not a right. It is a high privilege afforded by the Government to those citizens worthy of the public trust involved. Those who are actuated by ulterior motives and purposes inimical to the safety and security of this country should never be accepted and those having been accepted who prove traitors to their trust should be irrevocably extirpated.

The American people will not be satisfied with carping criticism emanating from Members of Congress against the executive branch of Government because of the deplorable and dangerous condition which exists with reference to subversives on the Federal pay rolls. We know of the condition and the problem which it poses. The responsibility for remedial action rests inescapably with the Congress and the time for that action is now.

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentleman from Connecticut [Mr. SADLAK].

Mr. SADLAK. Mr. Chairman, at the outset of this general debate we heard an exceptionally fine explanation by Mr. REES, the author of H. R. 3813, the loyalty bill. This affable gentleman with whom it has been my great pleasure to serve on the Post Office and Civil Service Committee, of which he is chairman, has, obviously, worked diligently and conscientiously on this measure. I did not serve on the subcommittee which conducted the hearings, but I am confident that each member of that subcommittee was thoroughly convinced of the great need for this legislation and they have so expressed themselves here this afternoon. I would be trespassing on the indulgence of the Members of this House if I were to repeat the salient points of this Almond bill which have already been brought out to you, but I do want to invite your attention to one fact.

Since the opening day of this Congress we have listened to many speeches under special orders, to requests out of the regular order, and have read many extensions of remarks in the appendixes of the CONGRESSIONAL RECORD on the topic of loyalty, disloyalty and various isms threatening our national security and democratic processes. Today we have an opportunity to enact into law effective procedure for removing any disloyal Government employee and preventing the employment of prospective applicants whose loyalty to our country is questionable.

Research and development are called the first line of defense in modern warfare, but I say to you that there is another defense that must be part of this first line and that is the loyalty to the United States of all those engaged in this vital research and development. A guard must necessarily be thrown about this first line of defense by being sure not only of the administrators in the governmental agencies that are undertaking such research and development, but also of all employees down to file clerks and messengers who, because of their duties, could easily remove important data. Though the war has supposedly ended, there continue to be under discussion matters which are necessarily classified as top secret. These long-range plans do not only concern War and Navy Departments, but necessarily include cooperation and suggestions from all Government agencies in order to make the plans complete. I reiterate that such are as vital to a nation in peacetime as they are in times of war. As pointed out by the gentlewoman from New York [Mrs. ST. GEORGE], only recently 10 persons were dismissed by the State Department because they were disloyal. This is an acknowledgment that disloyal persons are employed by the Government and I say to you that there should be a thorough check and the sooner this plan is inaugurated the better and the more certain will be the future security of our form of Government.

As I mentioned earlier in my remarks, today we have that opportunity to put into substantive law a definite program concerning loyalty, the great bulwark of our American way of life, and, since we have heard so many speeches on the floor of this House and each Member of this House is, or should be concerned about our national security, we have in H. R. 3813, an opportunity to do something about it. Loyalty to our country is national security. I hope that you will vote for the passage of this much needed legislation.

Mr. MURRAY of Tennessee. Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. KLEIN].

Mr. KLEIN. Mr. Chairman, I am opposed to this legislation for no other reason than the fact that I think that if we pass such a law in this House it ought to contain greater safeguards for the people most vitally affected, that is, the Federal employees. I want to say at the outset that I served with the gentleman from Kansas [Mr. REES] on the Committee on the Civil Service in the Seventy-seventh and Seventy-eighth Congresses, and I have a high regard and great affection for him. I do not

believe that his motives are bad; in fact, I attribute to him the highest and most laudable motives. I believe it is a question perhaps of a little give and take on both sides, and we can all get together on a satisfactory bill. I have introduced a bill, H. R. 3812, that will accomplish the same purpose as the gentleman's bill. I think it corrects many patent defects in both the Rees bill and the President's loyalty order, and adds certain safeguards which would make the bill constitutional, and which would make it fair to all concerned.

I might say, Mr. Chairman, that I was an employee of the Federal Government before I was elected to Congress in 1941, and I think that if this proposed legislation were in effect at that time—although some Members may not think it would be a great loss—I might not be here today, and many other Members as well. I might then have been estopped from advocating certain views which I, and the people of my district, at least, considered important and good for the general welfare of all the people; and some people might have disagreed with me for one reason or another, and as a Federal employee I might have been accused of disloyalty and tried in a star-chamber proceeding, and have been dismissed from my employment. That terrible stigma of disloyalty to my Government would have attached to me, and I probably never would have been elected a Member of this great and honorable body. That is just one example of the danger of this kind of legislation.

When the bill is being read for amendment I will offer my bill as a substitute. I will not have enough time under the 5-minute rule to explain it adequately, so I shall attempt to do so in the period that is allotted to me now.

I want you to bear in mind that I consider it a privilege for anybody to work for the Government. I believe nobody should be so employed who does not believe in the principles of democracy and does not believe in the American way of life. Any Government employee who is disloyal, any Government employee who is subversive, should be dismissed. Nobody argues about that point. The only point about which we are in disagreement are the safeguards that should be set up to make certain that the people who are dismissed because of disloyalty have actually been proven conclusively to be disloyal.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from California.

Mr. HOLIFIELD. Would the gentleman agree with me that if the terms "disloyal" and "subversive" are applied to an individual a definition of them should be contained in the section on definitions, because they are used in the bill and they certainly should be defined and not left to the judgment of individuals.

Mr. KLEIN. I agree with the gentleman, but I think he will admit that it is impossible to define adequately what is subversive. That is why there is so much difference of opinion, for example, about the House Committee on Un-American Activities. The members of that committee have set one standard or definition, with which not everybody else agrees.

Mr. HOLIFIELD. May I point out that pains and penalties are assessed against individuals on the basis of those words, without an adequate definition and without judicial interpretation of them.

Mr. KLEIN. I agree with the gentleman. I think we should get together on some adequate definition and put it in the Act. If that were possible it would be wonderful.

I think we ought to set up some method of having a fair hearing, which is what my bill does. The board set up under my bill, is the same as the one that is set up under the Rees bill, but I call it the Federal Appeal Board. I would permit appeals to the Federal Appeal Board from the different agencies which have set up their own loyalty boards, as they have done under the Executive order. If anybody is adjudged to be disloyal by his agency or by the investigating agency, whatever it may be, and it is recommended to the agency head that he be dismissed because of such disloyalty, he shall have the right to appeal to this Federal Appeal Board, the members of which are to be appointed by the President with the consent of the Senate, just as in the Rees bill.

Then in my bill I do this, which I think is the important thing. I define just what type of hearing should be had before the board. It is not sufficient, as in the Rees bill, for them to get nothing but a statement of the findings against them with a conclusion that they are found to be disloyal. None of the evidence that has been adduced against them is made available to them. No right to confront their accusers and cross-examine them, a right given by the Constitution, is given in the Rees bill. No stenographic record of the proceedings need be made. Under my bill all of these safeguards would be included. They would have a right to have a hearing before this board, to confront their accusers, and to have a stenographic record made of the proceedings, and to produce any evidence or call any witnesses in their own behalf. How can you possibly appeal when there is no way of knowing just what happened in the hearing? Since my time has expired, I will continue the explanation of my bill under the 5-minute rule.

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentleman from Tennessee [Mr. JENNINGS].

Mr. JENNINGS. Mr. Chairman, I wish to commend the splendid work of this committee. I do this without attaching any strings to my endorsement of their work. They have brought forth a good bill, and a splendid explanation has been given us by the able members of the committee.

Is there a necessity for this bill? Mr. J. Edgar Hoover recently said publicly to the people of this country that there is a fifth column in the United States today more numerous and more powerful than Hitler had in Norway or in any other country that he overran at the beginning of this World War.

Is it necessary? The President of the United States recently said that he ought to have $50,000,000 to ferret out these governmental parasites, this vermin on the body politic, these men and these women who are wolves in sheep's clothing. Having taken oaths of fidelity to this country, they are bending every effort to undermine, destroy, and betray our Government.

The right of self-defense is the first law of nature. Even a citizen when beset, if the facts as they appear to him indicate that he is in danger of death or great bodily harm, may take human life to protect himself. Has this Government the right of self-defense? If there were thousands of soldiers from foreign countries in the uniform of those countries armed and on our soil waging war upon us, would we defend ourselves? Then, how much more should we be vigilant and vigorous in the defense of this country against disloyal men and women who are on the pay roll of the Government? We have had examples of it. Secret documents from the State Department and the War Department were stolen during the war and sold to foreign sympathizers.

Pat Hurley knows what it means to have disloyal elements in the State Department. They pulled the rug out from under him in China, and today we are threatened with a foreign war because we sold that great ally down the river in events that took place subsequent to the last war.

Let us see about this question about whether or not it is constitutional. Every lawyer in this body knows that a public office holder, even though elected for a definite term at a fixed salary, has no contractual right to his office. The office to which he has been elected may be abolished and it ceases to exist. If a public officer is guilty of malfeasance, if he is an unfaithful public official, he may be removed under ouster proceedings under the laws of virtually every State in the Union.

Going a step further, I have seen that done. You simply file a complaint against him and give him notice of the misconduct with which he is charged, and then bring him into court for a trial. Such a case is not a criminal charge. If he is guilty, he is put out. That is what this bill does. It affords a complete investigation of all those now on the pay roll. It provides that persons considered for appointment or employment shall be investigated before they get on the Federal pay roll. Oh, they say, "You ought not to do it because it is too big a task." Well, the bigger the task, the greater the necessity for its performance.

I am a farmer. I raise sheep and hogs and cattle. They get infected with parasites. If that infection is bad, is that any reason why I should not drench my sheep or delouse my animals? The more lice and the more parasites, the more imperative it is that we delouse or use DDT. We need to use some governmental DDT in the various departments of Government. We need to clean house.

Let us see what else. If we can remove any elected official, we can certainly remove an appointed official. That is all in the world we propose to do.

Give them notice of their malfeasance; give them a hearing; and if they are rotten nubbins, shuck them out, and get rid of them.

Mr. REES. Mr. Chairman, I yield such time as he may desire to the gentleman from Kentucky [Mr. MORTON].

Mr. MORTON. Mr. Chairman, I regret the need for such legislation as is now before the committee. I feel sure that this regret is shared by most of the Members of Congress.

Before 1939, loyalty was assumed in the case of all Federal employees. After hearing the evidence presented before the subcommittee which held the hearings on this bill, I am convinced that such legislation is necessary. This legislation is not such a complete and new departure as has been indicated during the debate on the bill and on the rule. In 1939, the Congress passed the Hatch Act, which in section 9-A prevented any person employed in any capacity in any agency of the Federal Government from holding membership in any political party or organization advocating the overthrow of our constitutional form of government. Less than 2 years later on July 1, 1941, there was added to all appropriation acts a mandate which provides that no part of any appropriation shall be used to pay the salary or wages of any person who advocates or is a member of any organization that advocates the overthrow of the Government of the United States by force or violence. With the passage of these laws, investigative procedures designed to obtain information regarding employee loyalty became proper and pertinent. However, these laws have failed in their practical application and for that reason, we are considering the legislation before us today.

I have been very much concerned with the proper protection of the rights of the individual Federal employee. I have attempted to prepare amendments to H. R. 3813 which would afford greater protection to the individual. I have been unable to draw such protective amendments without, in my opinion, at the same time weakening the security which this bill gives to my country. I, therefore, will support this legislation as written.

I am convinced that we must not be hesitant in taking measures to prevent the weakening of our country from within. We must recognize that in dealing with subversive organizations, the departments and agencies of our Government are dealing with those who resist a candid revelation of facts. These subversives are committed to a policy of deception and falsification. They disregard the sacredness of an oath and while seeking to destroy all the traditional safeguards erected for the protection of individual rights, they seem determined to take unfair advantage of these same safeguards.

It is my hope that the Loyalty Review Board which will be appointed by the President if this bill becomes law, will protect the individual Federal employee and at the same time the security of our great Nation. The power to accomplish both of these ends is given to the Board under the terms of the bill now before us.

Mr. REES. Mr. Chairman, I yield myself 2 minutes to answer a few questions that have come up during the afternoon.

The gentlewoman from New Jersey spent a considerable amount of time discussing the alleged cumbersomeness of this legislation. I call attention to the fact that if there is cumbersomeness it is on the side of the Presidential order. That was brought out quite definitely by the distinguished gentleman from Virginia who so splendidly addressed the House a few minutes ago.

I call attention to the question of these investigations. Under the Executive order, the FBI checks the names against its fingerprint files; and, under this bill, they conduct loyalty investigations. But in adjudicating cases, you will find that under the Presidential order we have an Agency Loyalty Board to deal with. We have the head of the agency. Then we have the regional loyalty board. Then we have the Review Board in the Civil Service Commission. Then we have what is called the Appeal Board to the Civil Service Commission. Then we have the head of the agency to deal with. Under the bill, instead of having five different agencies and boards to deal with, there cannot be more than three.

The gentleman from Texas made a splendid presentation of his views with respect to this measure. Although opposed to the bill, he does not agree with some of the others who spoke against the bill. The gentleman says we should follow the Presidential order. Others who spoke against the bill said we should have nothing at all. But the gentleman from Texas spoke about the cost of the bill, and for that reason I am calling attention to the testimony of Mr. Flemming, who testified before our committee. When he was asked the question, this is what he had to say, "If the requirement making full personal investigation on positions is left out of the bill, I think the answer would be 'Yes.'" That was the question of whether over a 4-year period the bill before us would cost less money. In other words, his testimony is that covering a period of at least 4 years, the bill would cost less than the Presidential order.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. REES. Mr. Chairman, I yield 5 minutes to the gentleman from Illinois [Mr. TWYMAN].

Mr. TWYMAN. Mr. Chairman, the loyalty bill, H. R. 3813, which we are considering today has been brought before the House of Representatives after thorough study and careful consideration. While I was not a member of the subcommittee which conducted the hearings on this bill, some of the reasons why it is important to adopt this legislation were brought out before the full committee. At this point, I want to commend the chairman of the House Committee on Post Office and Civil Service, the gentleman from Kansas [Mr. REES]. He has been most cooperative and understanding. He is gifted with incomparable patience and has listened attentively to arguments for and against various provisions contained in this bill. He has given this bill and its contents his closest attention throughout the committee hearings, and has listened to the suggestions of Members of the House who are not members of the committee and were not present at the hearings. As a result, some very good suggestions have been made which have led to amendments which will be offered and accepted on the floor.

There is no question whatsoever but what we need a loyalty bill such as this to apply to people working for the United States Government. The time has passed when we can sit idly by and support with Government funds people whose determination it is to wreck our form of Government. For too long a time, we have permitted these people to occupy places of confidence and have access to information which is used against us. Since the Eightieth Congress has indicated an interest in determining which employees of the Government are connected with subversive organizations, numerous employees have been separated from the service because of their known connection with alien interests. Since the first of the year one outstanding case had widespread publicity. This was a case of a man with Communist connections who had had access to confidential information of the War Department all through the war. Only recently the State Department released 10 persons of such a character.

Arguments have been advanced that the machinery and power to carry out this program are in existence at the present time. If they are, the question arises as to why they are not used, and why we continue to have this sort of people on the Government pay roll. This is not aimed solely at people with Communist tendencies, it is aimed at all others with subversive attachments and inclinations. During the war, we had active bundists working for different Government agencies and some of these were not discovered and removed until after the war was over. The time has come to simplify the machinery which will enable the Government to separate wrong-thinking people from Federal service. We are believers in liberty, but we do not feel that that belief should serve as a cloak of protection to those who would deprive us of it. Those who fear the effects of this loyalty bill may have good reason for having such fears. Those who are loyal to the Government will have no fear of their position with the Government, or their standing, as the result of the passage of this bill and its proper operation.

Mr. REES. Mr. Chairman, I yield 1 minute to the gentleman from Pennsylvania [Mr. CHADWICK].

Mr. CHADWICK. I just wanted to ask the gentleman a question. I notice on the bottom of page 10, in the last line, there is a provision that all statements presented to the Board shall be under oath. Does the gentleman consider the possibility that there are in our communities very responsible citizens who have a prejudice against taking an oath?

Mr. REES. Oh, certainly. That is understood in all cases. Where there is a provision that he shall take the oath, there is a provision that he may take

affirmation. The intent of the committee and the intent of the bill is that if an individual does not want to take the oath, as we understand the oath, he may take an affirmation instead.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. REES. Mr. Chairman, there are no further requests. The Clerk may read.

The Clerk read as follows:

Whereas each employee of the Government of the United States is endowed with a measure of trusteeship over the democratic processes which are the spirit and strength of the United States; and

Whereas it is of vital importance that persons employed in the Federal service be of complete and unswerving loyalty to United States; and

Whereas, although the loyalty of by far the overwhelming majority of all Government employees is beyond question, the presence within the Government service of any disloyal and subversive person constitutes a threat to our security and democratic processes; and

Whereas maximum protection must be afforded the United States against infiltration of disloyal persons into the ranks of its employees, and equal protection from unfounded accusations of disloyalty must be afforded the loyal employees of the Government: Therefore

Be it enacted, etc.

SHORT TITLE

SECTION 1. This act may be cited as the "Federal Employees' Loyalty Act of 1947."

Mr. JAVITS. Mr. Chairman, I move to strike out the last word, and ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

The CHAIRMAN. The gentleman from New York is recognized for 5 minutes.

Mr. JAVITS. Mr. Chairman, a democracy has the right to defend itself and not to permit itself to be subverted by its own constitutional processes. I think that is incontrovertible and we will all agree on that, but where that object can be accomplished without invasion of the elementary civil liberties of the citizen, it should be accomplished consistently with constitutional processes and not inconsistently with them.

Any Member of this House who reads this bill conscientiously must in my opinion come to the conclusion that in essential respect, this bill definitely contravenes the individual civil rights of every Government employee whom it affects.

For example, on pages 13 and 14 in section 8 (b) the first five specifications constitute grounds for the discharge of an employee, with which nobody can quarrel, they constitute in effect subversion and disloyalty to the United States while in the performance of duty; but not so with respect to specification No. 6. That does not deal with what the employee is doing in his job in any way directly or indirectly; it deals with his opinions, with whether the employee is a member of, affiliated with, or has sympathetic association with any organization, association, movement, group, or combination of persons designated by the Attorney General, and so forth. It has nothing to do with his conduct directly or indirectly while on the job. That is in the first five specifications, but it does have to do with what he thinks outside of duty hours, with what meetings he attends, with what literature he reads, and with what causes he contributes to.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. In a moment.

I have a lot of Federal employees in my district, I have a lot of State and municipal employees in my district, and by religious and personal conviction they are violently opposed to any kind of ism, especially communism. I join with them wholeheartedly in this conviction. We are dealing in this bill and this section with something quite different. We are dealing with personal freedom. I am confident that these very constituents of mine are unalterably opposed to a thought-control law—and that is exactly what this section creates. For thought control outside of the performance of one's job could as soon relate to a church, to religion, as to politics.

Will any lawyer in the House come into the well and tell any of us where any court has ever defined the phrase "sympathetic association with"? Or can any lawyer in the House define the phrase "sympathetic association with"? Is it "sympathetic association with" to go to the Watergate to hear Henry Wallace speak? And yet all of us would defend the proposition that any person has the right to go there to hear him speak—though we may disagree completely with everything he says.

Is it "sympathetic association with" to read a certain book or magazine or to utter a thought or an idea in a discussion or in a speech? And is not that right something that every one of our ancestors, and we ourselves, were ready and willing to die to protect?

I now yield to the gentleman from Tennessee.

Mr. JENNINGS. The gentleman has just been insisting that we ought not to look askance at a fellow who keeps bad company. My mother taught me when I was a boy that birds of a feather flock together. You lie down with dogs, and you get up with fleas.

Mr. JAVITS. The words "sympathetic association with" defy interpretation. They become a medium by which any loyalty board, not necessarily this one which is going to be appointed by the President, or the next one which will be appointed by a Republican President, but any loyalty board can use those words as a thought-control law. Certainly every Federal employee will believe so if we pass the bill, and if they believe so, the damage is already half done.

I shall endeavor at the proper time to strike out of this bill those particular words. That does not mean striking out the section; I am willing to make the compromise that the words "membership in and affiliation with" remain in the bill on the theory that you have got to give if you want to get a result, and we certainly want to get a result in this Congress.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. Not for the moment. I can see no excuse for retaining those words in this bill unless this bill is intended as a thought-control law. If it is intended as a thought-control law, it should be voted down because it is not seeking to accomplish a desirable objective; it is seeking to control the Federal employee in an area outside his job and invades his status as a free citizen, which is something definitely against everything we stand for.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. JAVITS. Mr. Chairman, I ask unanimous consent to proceed for one additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GEARHART. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from California.

Mr. GEARHART. My only thought is, after listening to the gentleman's talk on what we might sympathetically agree with, is if you take it out of the bill you will endanger a lot of people who go to meetings out of sheer curiosity. If you leave it in the bill you put a greater protection around the people who go there for the purpose of perhaps just gaining information.

Mr. JAVITS. I regret very much to inform the gentleman that I am thoroughly convinced if you leave the words in there you run that very danger. When you take "sympathetic association" out and leave in the definite words "membership" and "affiliation," you have adequate protection and no thought control.

Mr. KLEIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KLEIN: Mr. KLEIN moves to strike out all after the enacting clause and insert the following:

"DEFINITIONS

"SECTION 1. (a) The term 'Board' as used in this act refers to the Federal Appeal Board hereinafter described.

"(b) The term 'Federal employee' or 'employee', unless otherwise specified, means any person employed in any capacity in any department or agency of the Government of the United States, created by or by virtue of any Act of Congress, whose compensation is paid from funds authorized or appropriated by any act of Congress.

"DECLARATION OF POLICY

"SEC. 2. (a) It is hereby declared to be the policy of Congress that no Federal employee, applicant, or eligible for employment as specified in section 1 (b) of this act shall be dismissed from any position, employment, or office in the service of the United States or denied appointment, promotion, reinstatement, or transfer to any position, employment, or office in the service of the United States by reason of moral unfitness, unsuitability, incompetence, misconduct, alleged subversive activity, alleged disloyalty, or other serious cause, unless and until such employee, applicant, or eligible has been afforded the opportunity to appeal such dismissal action by such methods as will assure that no injustice is done either to the employee, applicant, or eligible, or to the United States.

"(b) It is further declared to be the policy of Congress that in every such case, the burden of proof shall rest upon the accuser or accusers of such employee, applicant, or eligible, and that mere hearsay, anonymous information, or rumor shall not be acceptable as proof.

"(c) It is further declared to be the policy of Congress that, because of the grave and sometimes irreparable injury which can be inflicted upon an employee, applicant, or eligible by an adverse ruling, action, or dismissal on any serious charge as set forth in subsection (a) above, any such employee, applicant, or eligible shall have ultimate recourse to the courts for judicial review of any such ruling, action, or dismissal.

"(d) It is further declared to be the policy of Congress that because of the public responsibility inherent in the Federal service, it is imperative that the Government of the United States shall set an example of ethical, just, and impartial personnel administration.

"FEDERAL APPEAL BOARD

"SEC. 3. (a) There is hereby created, as an independent establishment in the executive branch, a Federal Appeal Board (hereinafter referred to as the 'Board') to be composed of seven members appointed by the President, by and with the advice and consent of the Senate. No individual shall be appointed as a member of the Board unless he is a citizen of the United States. Four members shall constitute a quorum for the Board. The President shall designate a member as Chairman of the Board.

"(b) The term of office of each member of the Board shall be 10 years, except that (1) the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, one at the end of 4 years, one at the end of 5 years, one at the end of 6 years, one at the end of 7 years, one at the end of 8 years, one at the end of 9 years, and one at the end of 10 years, after the date of the enactment of this act; (2) 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 (3) upon the expiration of his term of office a member shall continue to serve until his successor is appointed and has qualified.

"(c) Any member of the Board may be removed by the President for inefficiency, neglect of duty, or malfeasance in office and for no other cause.

"(d) Each member of the Board shall receive compensation at the rate of $10,000 per annum. No member shall engage in any business, vocation, or employment other than that of serving as a member of the Board.

"(e) The Board is authorized to appoint such employees and agents as may be necessary to carry out its functions.

"(f) The principal office of the Board shall be in the District of Columbia, but the Board may exercise its powers at any place.

"SCOPE OF THE FEDERAL APPEAL BOARD

"SEC. 4. (a) It shall be the duty of the Federal Appeal Board to conduct such programs and hold such hearings as may be necessary to assure that the policies cited in section 2 of this act are effectuated.

"(b) Any Federal employee or any applicant eligible for employment, appointment, promotion, reinstatement, or transfer to any office, employment, or position in the service of the United States who is dismissed, demoted, denied employment, appointment, promotion, reinstatement, or transfer, or is otherwise the object of adverse action by any agency, instrumentality, or creature of the United States by which he is employed or in which he is seeking employment (hereinafter referred to as the 'agency'), whether or not such action was initiated at the request or through the efforts of a committee of Congress, may appeal such dismissal, demotion, or adverse action to the Federal Appeal Board under the following conditions only:

"(1) The Board shall have jurisdiction if the dismissal, demotion, denial, or other adverse action is the result of alleged misconduct, or derogatory information pertaining to the moral character of the employee, applicant, or eligible, or alleged subversive activity, or alleged disloyalty, or opinions, affiliations, sympathies, or associations alleged to be inimical to the United States or detrimental to the security thereof, or incompetence, or any other cause or reason which, if sustained, would dishonor, discredit, or damage the reputation of the employee, applicant, or eligible, or adversely affect his future employment or career.

"(2) It shall not be the policy of the Board to take action in cases of termination of employment resulting from completion of temporary appointment, necessary reduction of force, or similar cases, or because of an insufficient appropriation, unless a question involving the personal fitness, character, or loyalty of the employee, applicant, or eligible is a factor in the case.

"(3) No appeal shall be taken by the Board unless the employee, applicant, or eligible has first exhausted whatever channels for appeal may have been provided by the agency, except that (a) if no such channels exist, the employee, applicant, or eligible may appeal directly to the Board by filing a written petition praying that the dismissal or other action complained against be set aside; (b) if representation is made to the Board that the agency is seeking to prevent an appeal by dilatory or obstructive tactics, or unreasonable delay, the Board shall make a preliminary investigation, and if the Board is convinced that such is the case, an appeal may be taken directly.

"HEARINGS

"SEC. 5. (a) The Board is hereby authorized to conduct investigations, hold hearings, administer oaths and affirmations, examine witnesses, and receive evidence at any place in the United States, subject to the general rules and policies set forth in section 2 of this act, and may require by subpena the attendance and testimony of witnesses and the production of books, papers, correspondence, memoranda, and other records deemed relevant to the matter under inquiry. Subpenas may be signed and issued by the chairman of the Board or any authorized officer or agent of the Board. Subpenas shall be issued on behalf of the agency or the employee, applicant, or eligible upon request and upon a statement or showing of general relevance and reasonable scope of the evidence sought. Such attendance of witnesses and the production of such documentary evidence may be required from any place in the United States at any designated place of hearing. Witnesses summoned shall be paid the same fees and mileage that are paid witnesses in the district courts of the United States. In case of disobedience to a subpena the Board, the agency, or the employee, applicant, or eligible may invoke the aid of any court in the United States in requiring the attendance and testimony of witnesses and the production of documentary evidence. Any of the district courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpena issued to any person, issue an order requiring such person to appear (and to produce documentary evidence if so ordered) and give evidence relating to the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever he may be found.

"(b) The Board shall grant equal privileges of hearing testimony, offering evidence, examining and cross-examining witnesses to the agency and to the employee, applicant, or eligible and/or to their respective counsel. Counsel for both the agency and the employee, applicant, or eligible shall be present at all sessions of the hearing and shall be available to the principal parties for consultation and assistance.

"(c) A verbatim stenographic report of the testimony conducted under this section shall be prepared by the Board and made available to the agency and to the employee, applicant, or eligible, or their authorized representatives.

"(d) All testimony and records pertaining to the moral character or fitness of an employee, applicant, or eligible shall be treated as confidential and shall not be disclosed to any person or persons not parties to the hearing conducted under this section, without express authorization for such disclosure in writing from the employee, applicant, or eligible. The Board and/or the principal parties herein and their witnesses, counsel, and representatives are hereby prohibited from disclosing or publicizing any such testimony or records to unauthorized persons. Failure to comply with this section shall constitute a misdemeanor and shall subject the offender, upon conviction thereof, to a fine of not more than $1,000 or to a term of not more than 2 years in a penitentiary, or to both such fine and imprisonment.

"(e) If, at the completion of the hearing, the Board shall sustain the dismissal or other adverse action, the employee, applicant, or eligible shall be dismissed or dealt with accordingly. If the Board shall set aside the dismissal or other action, the agency shall immediately rescind such action, and, in the case of an employee, shall immediately reinstate such employee and shall pay such employee any back salary or compensation to which he may be entitled.

"JUDICIAL REVIEW

"SEC. 6. (a) Either the agency or the employee, applicant, or eligible may obtain a review of the order issued by the Board in the United States Court of Appeals for the District of Columbia or for the district wherein such party resides, is permanently located, or is employed, by filing in the court, within 60 days from the date of service upon it or him of such order, a written petition praying that the order of the Federal Appeal Board shall be set aside. A copy of such petition shall be forthwith served upon the Federal Appeal Board, and thereupon the Board shall certify and file in the court a copy of the report or findings of the Board. Thereupon the court shall have jurisdiction of the proceeding and shall have power to affirm or set aside the order of the Federal Appeal Board. The commencement of such proceedings shall operate as a stay of the findings, conclusions, or order of the Board unless otherwise ordered by the court. The review of the court shall be on the entire record and shall extend to questions of fact and questions of law. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for failure to adduce such evidence in the proceeding before the Federal Appeal Board, the court may order such additional evidence to be taken before the Board and to be adduced upon the proceeding in such manner and upon such terms and conditions as to the court may seem proper. The Board may modify its findings as to the facts, by reason of the additional evidence so taken, and shall file such modified or new findings, which, if supported by substantial evidence, shall be conclusive, and its recommendations, if any, with respect to action in the matter under consideration. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari,

as provided in section 240 of the Judicial Code, as amended (U. S. C., 1940 ed., title 28, sec. 347).

"(b) Any such order of the Board shall become final, (1) upon the expiration of the time allowed for filing a petition for review, if no such petition has been duly filed within such time; or (2) upon the expiration of the time allowed for filing a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by the United States Court of Appeals for the District of Columbia or for the district wherein the appellant resides, is permanently located, or is employed, and no petition for certiorari has been duly filed; or (3) upon the denial of a petition for certiorari, if the order of the Board has been affirmed or the petition for review dismissed by the appropriate United States circuit court of appeals; or (4) upon the expiration of 30 days from the date of issuance of the mandate of the Supreme Court, if such Court directs that the order of the Federal Appeal Board be affirmed or the petition for review dismissed.

"APPROPRIATIONS

"SEC. 7. There are authorized to be appropriated such funds as shall be necessary to accomplish the purposes of this act.

"SEPARABILITY

"SEC. 8. If any portion or provision of this act shall be held invalid in its application to any person or circumstances, the remainder of such act, and the application of such portion or provision to persons or circumstances other than those to which it is held invalid shall not be affected thereby.

"TITLE

"SEC. 9. This act may be cited as the 'Federal Appeal Act of 1947.'"

Mr. KLEIN. Mr. Chairman, it is not my purpose or desire to delay the final disposition of this bill, and therefore I have not asked for a full reading of the amendment at this time. My amendment accomplishes the same purpose and attains the same end result as would the bill now under discussion which bears the name of the gentleman from Kansas [Mr. REES]. The only difference is that it would set up additional safeguards so that we could definitely determine that the person who is branded with the stigma of being disloyal and subversive, actually is disloyal or subversive. That is practically all this amendment of mine would do.

It provides for a full and fair hearing to be held before the Federal Appeals Board. The Board is practically the same as the one in the Rees bill. There are seven members on this Board, while the bill now being debated provides for only five members. The name is different. The real difference is that I have a genuine hearing before the Board such as would be held in any court, where the accused may confront his accuser, where he may be confronted with the charges against him, where he has the right, either by counsel or personally, to cross-examine his accuser, and where he has the right to produce such witnesses as he may require to prove his innocence of the charge lodged against him.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from North Carolina.

Mr. COOLEY. Does the gentleman's bill require an investigation of every single Federal employee? Does it constitute an indictment of every man and woman now on the Federal pay roll?

Mr. KLEIN. It does not. My amendment would provide that any employee or any applicant for employment with the Federal Government, if he is investigated, if charges are brought against him in his own agency and the head of his agency, decides he should be dismissed because he is subversive or because he does not conform to the views held by some unknown person then he has the right of appeal to the Federal Appeals Board.

Mr. COOLEY. No investigation is instigated until some charges have been preferred?

Mr. KLEIN. That is correct. It does away with the tremendous expense attached to the investigation of every employee as is provided in this bill.

One more point: I also provide for an appeal to the courts from a decision of the Federal Appeal Board. I would give these employees every right that is guaranteed to any private citizen. I do not believe we ought to distinguish between an employee of the Government and a citizen of this country. If a citizen accused of crime has a right to have a trial by jury or by the court and has the right to appeal to the appellate courts, then I think these people should as well. Under my amendment they have the right to appeal from a decision of the Federal Appeal Board and go to the circuit court of appeals and from there by a writ of certiorari to the United States Supreme Court.

Mr. LYLE. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Texas.

Mr. LYLE. When they appeal to the court, what will be the jurisdiction of the court? Would the appeal be de novo?

Mr. KLEIN. No; the court would act in the same manner as in an appeal from any decision of an administrative agency. They would have the record of the Federal Appeal Board before them, and they would decide on the basis of the record.

Mr. LYLE. The question then would be whether they had acted capriciously or arbitrarily.

Mr. KLEIN. That is correct.

Mr. LYLE. And they do not have that right without this bill?

Mr. KLEIN. No. Here we leave it up to the Loyalty Board, whatever it is called, and they themselvese are the final determiners of whether the employees are subversive or not.

Mr. MORRIS. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from Oklahoma.

Mr. MORRIS. Does the gentleman's bill provide that the accused is to be confronted by those who appear against him?

Mr. KLEIN. Absolutely. That is provided for in the hearings. This is not just the ordinary employer firing his employee, which he has a right to do. There in a stigma attached to a Federal employee being dismissed for disloyalty, as the Supreme Court pointed out in the Lovett case. There is a terrible stigma attached by the Board saying "You are disloyal" or "You are a Communist or a Fascist." It will stay with him the rest of his life. He can never get rid of it. He can never get a job with the Federal Government, and he very likely can never get a job anywhere else. All I want to make definite and certain is that if he is subversive, if he is a Communist or Fascist, or whatever he has been accused of, he should be given every right to prove his innocence. He should be permitted to appeal, and go to all lengths necessary to preserve his constitutional rights.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. KLEIN. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. KLEIN. I yield to the gentleman from California.

Mr. HOLIFIELD. I might point out in answer to the gentleman from Texas, that the question is contained on page 9, line 12, where it says "Following the appeal, after consideration of all the evidence, the Board shall make a final decision." That is in line with the gentleman's bill which asks that these men be given justiciable procedure after that.

Mr. KLEIN. That is correct. Just one more point and I am through. I cannot stress this too much as a former Federal employee, and as one who is interested in maintaining the civil rights of all people. I cannot see that we have any quarrel on this question whatsoever. We all agree, as I said before, that anybody who is subversive or disloyal to the Government should not be employed by the Government. The only thing we differ on is the manner of arriving at that determination, and it seems to me if it takes a little longer or costs a little more money, that should not stop us from going ahead and seeing that justice is done.

One other point. Not only the employee under my bill has the right to appeal to the courts, but the Government, as well. If the Government feels that an employee is a Communist or a Fascist, or subversive in some other manner, the Government agency has a right to appeal if they find that the Federal Appeal Board has ruled that he is not. Nobody can claim that it is unfair to set up additional safeguards so that these people are not stigmatized for the rest of their lives by being dismissed from their employment for being Communists or Fascists, or whatever else they might be accused of, if they are actually innocent of such charges.

Mr. CELLER. Mr. Chairman, I move to strike out the last two words.

Mr. Chairman, there is no doubt that this bill is going to pass, and pass by an overwhelming majority. That does not prevent me from expressing views in opposition. It may be the unpopular thing

to do, but I remember it was unpopular for Wendell Willkie, a very distinguished Republican, who took the pains and trouble to defend a Communist before the United States Supreme Court. He did that because he felt he represented the cause of right of free speech—even to a Communist. I refer to the case involving William Schneider. It was unpopular also for James Otis to defend two Boston merchants way back in 1761 against a tyrannical action of the King of England in the promulgation of the writs of assistance. It was rather unpopular, too, for Thomas Jefferson and James Madison to oppose the alien and sedition laws. Fortunately, the minority of the Jefferson-Madison days became the majority, and the alien and sedition laws were repealed. I hope that in the not-far-distant future better counsel will prevail to the end that this bill which we are going to pass today will likewise be repealed—that the present minority will be the majority opinion.

I remember after the last war the infamous Mitchell Palmer raids, when Mitchell Palmer, then Attorney General, sought to get after those whom he deemed to be disloyal. Much confusion and much injustice resulted from those raids. If we pass this bill we will have a recrudescence of the Palmer raids.

If you will refer to the bill you will find at the bottom of page 5 and the top of page 6 what pertinent sources of information shall be used, and among those sources is the House Committee on Un-American Activities files. "Whenever any derogatory information is developed with respect to the loyalty to the United States of an employee or applicant from any of the sources set forth in subsection (c)," and among those sources are the files of the Committee on Un-American Activities. You know and I know that if we applied that test to Members of Congress, and there would be the right of dismissal of Members of Congress, based upon the hearsay files of that committee, I and many others in this Congress would be dismissed. I remember not so many moons ago the Committee on Un-American Activities, without proper investigation, hurled rather outrageous charges against our colleague from California [Mr. HAVENNER], and he was compelled to come into the well of the House to defend himself against utterly ridiculous and hearsay accusations. We make those files of the Committee on Un-American Activities a pertinent source of information as to the disloyalty of an employee of the Federal Government, and there can follow immediate dismissal with the brand of disloyalty forever upon the individual employee prosecuted and dismissed. On page 6 we have this significant language:

> Whenever any derogatory information is developed with respect to the conduct or qualification of an employee, other than with respect to his loyalty, from any of the sources set forth in subsection (c)—

Among which sources of information are the files of the Committee on Un-American Activities—

> the Commission may take such action as may be necessary to cause the removal of such employee from his office or position. In the event such action is taken, the Bureau—

Meaning the Federal Bureau of Investigation—

> shall not conduct an investigation under paragraph (1) with respect to such employee.

Thus without the FBI's investigation the commission may dismiss.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from California.

Mr. HOLIFIELD. Along the line of the gentleman's reference to the files of the Committee on Un-American Activities, on September 1, 1942, the chairman of the committee, Mr. Martin Dies, submitted to the FBI 1,121 names of Federal employees. Only two of those employees were found guilty, and one was reprimanded. The rest of them remain noted in the files of that committee, and those records can be used against them.

Mr. CELLER. I thank the gentleman. What is "disloyalty"? What is "Un-American"? There is no standard set up. There is no definition in the bill. The accused is tried by no standard, no definition. "Disloyalty" can be anything the 5 members of the Commission of Board determines. They can decide through whim or caprice—on good grounds or coffee grounds. The employee does not know in advance what provision of disloyalty he violates. His conduct may be disloyal to one or loyal to another. That is ex post facto law. The bill is palpably unconstitutional.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as I said before, all of us are heartily in accord with the principle of having loyal people in the Government. I will gladly vote for the substitute amendment offered by the gentleman from New York [Mr. KLEIN], because I believe it provides the safeguards of judicial court procedure in the determination of the disloyalty of an individual.

The gentleman from Kansas [Mr. REES], whom I respect very highly, made the statement that the individuals who were being investigated and dismissed were not being "charged with a crime." He said, "they were not charged with a crime." But I want to point out this fact. The individual is charged with disloyalty to his Government. While disloyalty is not defined in section 2 which deals with definitions or the so-called standards set up in section 8, I will skip the definitions for the moment. A finding is made on those standards that the employee is disloyal. I realize it is a privilege to work for the Government. We realize that under the civil service rules, however, a vested security to a certain extent is acquired in tenure of office, promotions, pension expectations. The loss of these attainments would be a serious pain or penalty upon an individual. It would destroy his attained, or acquired rights and it would also, as the gentleman pointed out, stigmatize an employee against further Government employment or, in many instances, against private employment. It is well known that you have to submit a job application nowadays telling where you worked last, and, as a rule, also to state why you quit. If you worked for the Government last, no doubt the prospective private employer would ask why you were discharged. Therefore we see that the individual suffers pains and penalties of a criminal act although disloyalty is not defined in the bill as a criminal act. Nor are proper standards set up to determine what "disloyalty" means. That is why it is so important that the standards which judge this employee be fair standards; that he should have every protection against an unfair decision.

I point out here that the Board finds against the individual in the first place and later on the individual has to come back to the same Board and ask that same Board which "found" against him to decide the appeal of his case. Undoubtedly, if the Board in the first place finds against the appellant, it could be considered in ordinary procedure as being prejudicial against that appellant's appeal.

I say, further, he should have the right to face his accuser. Under this bill, he does not have the right to face his accuser. Neither does he have the right to have a clear charge against him or a clear compilation of charges; in other words, a bill of particulars. Under this bill he is denied that, and that is plainly a constitutional right.

The gentleman from Kansas asked where in his bill were things unconstitutional. I think the omissions in his bill clearly deprive individuals of certain constitutional rights under common Anglo-American law and under the revised statutes as they now exist, so that employees or applicants are deprived of certain constitutional privileges. He should be allowed an appeal to a fair, impartial board—in other words, the right to a jury and a jury trial. I know that under certain administrative procedures a jury trial is denied. I realize that, although I am not a lawyer. But I think in a case which deprives a man of his livelihood and penalizes him by taking away his right to make a living for himself and his family, certainly that man should have the right to go to court and defend himself in a court of law before a fair jury with a right of counsel.

Now, Mr. Chairman, I want to point out that under this bill we are setting up a great bureaucracy. We are setting up an extra governmental department or agency. Let me point out that all employees of the Government or all applicants are considered guilty until proven innocent, which is a reversal of the prime principle of Anglo-American law that a man is innocent until he is proven guilty. Under the bill of the gentleman from New York [Mr. KLEIN], he would be presumed to be innocent until proven guilty. But under this there is a blanket cloud of guilt over all these 2,500,000 Federal employees; until they are individually cleared that cloud of suspicion of disloyalty remains. The uncertainty of job tenure will in my opinion cause untold worry and loss of morale.

This fear of witch hunting and job insecurity will drive many good American citizens away from Government employment. Those who remain will live a stultified life as mental and political eunuchs.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. REES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, with all due respect to the gentleman from New York [Mr. KLEIN], we have a rather unusual situation, whereby we strike out the contents of a bill and insert an amendment that has not even been read, a proposal that was never submitted to the committee and has not been under its consideration. All in the world we have is the explanation of the gentleman from New York [Mr. KLEIN] with respect to this proposal.

I ask for a vote on the amendment.

Mr. CARROLL. Mr. Chairman, I move to strike out the last three words.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. CARROLL. I yield.

Mr. REES. Mr. Chairman, I move that all debate on this amendment, and all amendments thereto, close in 10 minutes.

The motion was agreed to.

Mr. CARROLL. Mr. Chairman, I have listened to the debate under the rule and to the debate on the bill generally. I have studied H. R. 3812, that has now been presented as a substitute bill. It seems to me that it includes many of the important legal safeguards and protections that are not afforded by H. R. 3813.

I note it was filed the same day as H. R. 3813. I speak now to the chairman of this committee as a lawyer. Supposing a person charged under your bill came to you and asked you to defend him. What sort of a defense could you interpose for a man who is innocent? In all laws concerning the protection of property there are legal safeguards that have come down through hundreds of years. In criminal law we have cardinal legal principles protecting the rights of the accused that have come down through hundreds of years. What protection is there for an innocent man under your proposal? There is no right to subpena witnesses; there is no right to confront witnesses; there is no right of cross-examination. Suppose a man came to your office as a lawyer and asked you to defend him in this sort of a case. What would you do? The man states, "I have been a Government employee for a number of years and as a result of my Government service now I have placed against my name and reputation the terrible charge that I am disloyal to my Government. I am innocent but I have had no opportunity to prove my innocence. I do not know who has made the charge against me. I do not know what evidence has been heard that would bring this terrible calamity upon me and my family. All that I know is that a certificate of disloyalty has been issued against me and now I want to fight it in every court in the land if need be to protect my good name and reputation, for if I do not remove this stigma I shall have to leave the neighborhood in which I live and in which my children were born."

As a lawyer you will admit that there are no legal safeguards; you must admit that there is a complete denial of due process under this bill.

It will be far easier for an accused to escape the consequences of public condemnation for the conviction of a violation of criminal laws than to have a certificate of disloyalty, which is tantamount to treason, placed against his name and reputation. This is truly a bill of attainder. In a sense this has all of the objectionable features of an ex post facto law. This is concrete evidence that the oppressive march is on to whittle away our precious civil liberties. Save in a wave of general hysteria, no thinking person would bow to the frightening aspects of this legislation which is so full of prejudices and which is a complete denial of our political democracy.

Under H. R. 3812 there exists the machinery of removing from the Government service people who are disloyal. However, the bill retains certain constitutional safeguards in that the accused will have his day in court under the principle of due process.

Under H. R. 3813 there is not a single constitutional safeguard given to the accused. His right of appeal is limited to a body already prejudiced against him, a body that will truly function as prosecutor, judge, and jury. This is the strangest law I have ever seen. There is no foundation for it in the constitutional history of our Government. Only in my travels in Italy and my study of the German Government under Hitler have I ever seen legislation comparable to it.

I sincerely trust that this body will reject H. R. 3813 unless it is amended to give the accused a full and proper hearing until final judgment is entered.

No one can deny that the Government has the right to protect itself from those who are disloyal to it, but in searching and ferreting out those few who are disloyal to it definite legal standards must be established in the protection of hundreds of thousands of Federal employees, in order that they may not become the victims of political persecution.

I now yield to the gentleman from Kansas.

Mr. REES. I just want to say to the gentleman from Colorado that I am very much surprised that a lawyer as distinguished as I understand he is should take the position he does with respect to this legislation. This legislation does not in any way prosecute anyone. This is not the question of a criminal matter at all. The procedure here outlined is the sort of procedure that has been used throughout years in Government matters. This is not a matter of finding a man guilty of a crime, it is just a question that this board is there protecting if you please, the individual, the employee whose loyalty is being questioned, and the employee is entitled to be represented by counsel, and the employee can, if he wants to, bring in witnesses. Of course the board will protect the rights of the individual. This is not a question, I tell the gentleman from Colorado, of prosecuting or persecuting a man; it is just a question of whether or not you and I are going to protect the Government. An employee does not have any claim to a vested right in a job any more than the gentleman and I do.

The CHAIRMAN. The time of the gentleman from Colorado has expired.

Mr. CARROLL. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes in view of the time the gentleman from Kansas took out of my time.

The CHAIRMAN. The Chair regrets to advise the gentleman that the time has been limited.

The CHAIRMAN. The gentleman from Oklahoma [Mr. JOHNSON] is recognized for 5 minutes.

Mr. JOHNSON of Oklahoma. Mr. Chairman, I can see that the gentleman from Kansas is going to be surprised that another lawyer is against the same provision of the bill opposed by the gentleman from Colorado.

One of the most sacred things that was ever written into the Constitution, as far as I am concerned, was that every man accused of anything, including the things that would be treated in this bill, has the right to be confronted by his accusers and the right of cross-examination. Absence of that right is the only objection I have to this bill now before us. We are all agreed that if there are people in the Government service guilty of sedition, treason, or any subversive activity that they should be separated from the Government pay roll. I think there are some. They should be investigated and their services terminated. After the investigation, however, when you get down to the point where it is determined that the board thinks he is guilty, do not send him this notice that is found on page 8 which states that he shall be notified of the charges against him but then not disclosing the source or sources of information upon which such charge is based. Any lawyer in this House knows what a situation he would be up against if an information were returned against his client and then the State were allowed to put on its own evidence without he and his client being present and no opportunity to confront his accusers and cross-examine them until after the State had rested its case.

They say here that the employee is not being tried, that they are just merely determining whether he shall be separated from the Government service. But I say to you that when you separate a man from his means of livelihood, when you place a stigma on his whole family, when you taint him in such a way that no private employer would hire him, in such case he should be confronted by his accusers and have the right of cross-examination and have the right of appeal. I know of no more heinous thing than for a man to be removed from Government because he is disloyal. Think of it, to say that a man is disloyal to his own Government, and then not give him a chance to be heard! Why, it is ridiculous on the face of it.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. In a moment. The gentleman from Tennessee [Mr. JENNINGS], for whom I have a very high regard, both personally as a friend and professionally of his opinion, said that in the case of elective officials they are gotten rid of now by ouster proceedings, and he asked why we could not reach an appointive officer by this means. The difference is very elemental. In the case of the ouster proceedings the accused automatically has the right of cross-examination. Those of us who are lawyers know very well that without the right of cross-examination many a man would be found guilty as a result of the direct examination, but a jury might, and often does, acquit an individual after his accusers have been cross-examined and their testimony shown to be biased or prejudiced. When the defense counsel has the right to cross-examine his client's accusers, oftentimes the jury will bring in a verdict of not guilty.

Mr. FOLGER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from North Carolina.

Mr. FOLGER. May I ask the gentleman if he can cite any punishment that may exist to a patriotic man that would be as unfair as finding him disloyal and discharging him from the Government service?

Mr. JOHNSON of Oklahoma. I certainly do not.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. I want to call the gentleman's attention to the fact our Supreme Court in the Lovett case has held that removing an employee from office on the ground of disloyalty is criminal or penal in character. We are trying a person here for a criminal charge, under the decision of our Supreme Court.

Mr. JOHNSON of Oklahoma. And denying him his constitutional rights.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from Kansas.

Mr. REES. Is the gentleman supporting the President's order?

Mr. JOHNSON of Oklahoma. No, I am not favoring that part of the President's order which denies the accused the right to face his accusers and cross-examine them. I think it is just as wrong in that respect as this bill is. I am glad to get that straight. We come in here and say that for years and years we have done so-and-so, or that the President has ordered such-and-such. That does not make it good law. That does not make it a good Executive order. In order to get rid of the Communists on the Government pay roll do not do the very thing they do in Communist Russia. That is what this bill does. I think we have a good bill if you will amend it in that one respect.

Mr. RABIN. Mr. Chairman, will the gentleman yield?

Mr. JOHNSON of Oklahoma. I yield to the gentleman from New York.

Mr. RABIN. I simply rise to commend the gentleman for his argument and also commend the gentleman from Colorado who preceded him for his argument, and rather than take the time of the House to make a speech myself I subscribe to the arguments presented by both gentlemen.

The CHAIRMAN. All time has expired. The question is on the amendment offered by the gentleman from New York [Mr. KLEIN].

The question was taken, and on a division (demanded by Mr. KLEIN), there were—ayes 24, noes 100.

So the amendment was rejected.

The Clerk read as follows:

DEFINITIONS

SEC. 2. For the purposes of this act—

(1) The term "employee" means any officer or employee in or under the executive branch of the Government of the United States, including any officer or employee of a corporation wholly or partly owned by the United States which is an instrumentality of the United States; but does not include (A) the President or Vice President, (B) an officer appointed by the President, by and with the advice and consent of the Senate, or by the President alone, or (C) an officer or employee in the Federal Bureau of Investigation.

(2) The term "applicant" means any person who is actually being considered by the proper appointing officer for appointment to an office or position in or under the executive branch which would give him the status of an employee.

(3) The term "Commission" means the Civil Service Commission.

(4) The term "Board" means the Loyalty Review Board established by section 3.

(5) The term "Bureau" means the Federal Bureau of Investigation.

(6) The term "United States," when used in a geographical sense, means the several States, the District of Columbia, and the Territories and possessions of the United States.

Mr. MURRAY of Tennessee. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MURRAY of Tennessee: On page 2, line 15, after the comma, strike out the word "or" where it appears the second time, and, on line 16, strike out the period and insert a comma and the words "or (D) a temporary employee employed in construction or maintenance work at an hourly rate of pay."

Mr. MURRAY of Tennessee. Will the committee agree to this amendment?

Mr. REES. There is no objection to the amendment. We accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. MURRAY].

The amendment was agreed to.

Mr. KEFAUVER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER: On page 2, line 9, strike out the word "branch" and after "executive" add "legislative and judicial branches."

Mr. KEFAUVER. Mr. Chairman, it seems to me that if we are going to make this act applicable to the employees in the executive department that we ought to treat employees in the legislative and judicial departments just the same way as we do the employees in the executive department. They are just as important in the running of the Government as the employees of the executive department.

Furthermore, may I call your attention to the fact, Mr. Chairman, that there are some very big agencies of the Government in the legislative department. The legislative department, I understand, has jurisdiction over the General Accounting Office which employs thousands of employees. They have jurisdiction over the Library of Congress and have, of course, jurisdiction over the employees and clerks of the various committees up here on Capitol Hill.

The La Follette Civil Liberties Investigating Committee some years ago made a report that there were some employees in the legislative branch of the Government about whom there might be some suspicion; so, I do not see how in good faith we can ask that this board of inquisition be imposed upon the employees of the executive department and not treat the employees of the General Accounting Office and the Library of Congress or the various legislative agencies that we have set up in the same fashion.

Similarly, Mr. Chairman, it should apply to the employees of the judicial department. It seems to me, Mr. Chairman, that the employees of the judicial department or the legislative department have just as much opportunity, if not better, to do some subversive work that might interfere with the proper operation of the Government as the employees of the executive department. Let us not be in the ridiculous position of imposing on the employees of the executive department a star-chamber proceeding that we are unwilling to impose upon the employees of the judicial department or the legislative department.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from California.

Mr. HOLIFIELD. I might point out that the gentleman's amendment is consistent. If you are going to apply these standards of law to one branch they should be applied to all branches.

Mr. KEFAUVER. I thank the gentleman.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. KEFAUVER. I yield to the gentleman from North Carolina.

Mr. COOLEY. Is the gentleman for the bill in its present form?

Mr. KEFAUVER. I am not for the bill in its present form. I do want to say to the gentleman that I have given to the committee a provision which will in some way remedy the appeal section of the bill which I hope will be adopted. It would improve it a great deal. My point is that I think we should make it uniform. If we are going into this kind of thing, let us not do it one-third of the way; let us do it three-thirds of the way.

Mr. COOLEY. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, in the outset I want it known that I personally dislike and despise communism, fascism, or any other "ism" that is incompatible with true Americanism. I definitely do not think that a person should enjoy the privileges of employment by the Federal Government if that person believes in the overthrow of the Federal Government or if the person is not in sympathy with the

ancient traditions and vital purposes of the Government with which we have been so greatly pleased in America. I am just as anxious as anyone to drive from the employment of this Government every person who favors an overthrow of the Government by force or an undermining of the Government by subversive activity. Anyone who does not value and appreciate American liberty and the institutions of freedom which flourish in this country, as in no other country on earth, is not only unfit for Federal service but is actually unworthy of citizenship.

Sabotage, espionage, treason, sedition, or the advocacy thereof have been unlawful from the inception of our Government. So has the advocacy of revolution by force or violence been unlawful from the time that the American Government was created. Through the years men have been prosecuted and punished for crimes against the Government of the United States. While I am in favor of checking the spread of communism both at home and abroad and while I am in favor of ridding the Federal pay roll of employees who do not appreciate the virtues of the Federal Government and who would destroy or undermine it, I cannot embrace the pending bill.

In the first place this bill is a violent and vicious indictment of every man and woman employed in the executive branch of the Federal Government. It casts a shadow of suspicion, distrust, and disloyalty upon each and every employee of the executive branch. The sponsors of this legislation are not content to deal only with those employees of the executive branch and at whom, for good reason, the finger of suspicion has been pointed, nor are they willing to deal only with those who have committed some overt act or who have by words written or spoken indicated disloyalty to the Federal Government or to the institutions thereof, but they have by the plain language of this bill indicted every employee in plain unambiguous language. The bill provides that section 4 (a):

> An investigation shall be made, as provided for in this section, of every employee and every applicant to determine whether reasonable grounds exist for the belief that such employee or applicant is disloyal to the United States.

The employees referred to are the employees of the executive branch of the Government. So every employee of the executive branch of the Government is to be investigated. His or her loyalty to the Government is therefore suspected and questioned, and an investigation is authorized and directed. The investigation is all-embracing. Every employee is to be investigated regardless of whether there is probable cause to suspect that the employee is disloyal. The question naturally arises: What constitutes disloyalty to the United States? This is only one of the undefined and ambiguous terms used in the bill. Throughout the bill we find the expression "derogatory information." What is "derogatory information?" What constitutes "derogatory information?"

The gentlewoman from California [Mrs. DOUGLAS] challenged the committee to define the term, and to this moment no member of the committee has attempted to offer a definition of the term "derogatory information." Likewise, may I ask: What is meant by "sympathetic association with" as that expression is used in section 6 of subsection (b) of section 8? When is a person guilty of "sympathetic association with?" What elements constitute the offense? Where is the definition for the word "subversive?" When is a person guilty of "seeking to alter the form of the Government of the United States by unconstitutional means?" Is it by seeking to secure the passage of an unconstitutional act which would alter the form of our Government that constitutes this offense, or just when is the offense committed? Mr. Chairman, this bill is filled with ambiguities and meaningless expressions which are wholly undefined and which you will not find construed in any jurisdiction or in the whole history of legal jurisprudence.

The crime of "disloyalty" to the Government certainly smacks of treason. It implies evil which emanates from a diabolical heart. The very term is filled with moral turpitude. Certainly in its infamy it is next to the crime of treason. To be convicted therefore of disloyalty to one's government, even in a duly constituted court of justice, carries with it pains and punishment which follow the accused to the grave and live on to curse his posterity. Shall we deal so lightly with such a serious subject? Shall we be so careless in protecting the rights of our citizens? This bill actually directs the withholding of the source of information which might be arraigned against the suspected or the accused. The accused therefore is deprived of the right and the opportunity to attack the integrity of the informant or to know his identity. While the bill purports to provide a hearing, you know and I know that it will be a star-chamber session and will more likely be decided on ex parte testimony and upon the "derogatory information" which has been obtained from an undisclosed source. Nothing is said in this bill about the accused having the right to confront his accuser or the privilege to cross-examine those who have furnished information against him. All of the established rules of practice and procedure and the codes which represent the wisdom of the ages will be set aside in a Nation-wide witch hunt. Patriotic American men and women will have their hearts broken and their homes destroyed as the finger of suspicion of disloyalty is pointed at them and they are brought forthwith into a kangaroo court to be accused of a crime of the magnitude of treason.

I am perfectly willing for the head of every department of the Federal Government to have complete authority to discharge the employees of his department, but I am unwilling to confer upon one Cabinet officer the right to damn, degrade, and to destroy hundreds of thousands of American citizens and their rights and privileges of citizenship merely by designating that the fraternity, lodge, organization, or association to which they may belong is subversive or disloyal. I am willing to trust the heads of the departments of the Federal Government to clean house and to rid the Federal Government of those who are unworthy or unfit, but I am too devoted to the traditions of American jurisprudence to approve the machinery provided by this bill for convicting citizens of a crime of the magnitude of disloyalty.

The high crime of disloyalty to the United States is to be established merely by the preponderance of the evidence, the ancient rule for the trial of civil causes. Should a citizen be convicted of a crime of such infamy except in a manner compatible with the organic and statutory law of this Nation? If a person is guilty of acts of disloyalty or if he is not worthy or fit, certainly the head of the department in which he is employed can by diligent effort ascertain the true facts and in the exercise of good judgment terminate the employment.

This is an important piece of legislation. It does not actually involve the issue of life or death, but it involves character without which life is not worth living. I admonish you to proceed with caution and think and consider the consequences of this act before you vote to approve the bill now before you.

As I understand this bill, if derogatory information is filed against an employee, or if upon an ex parte investigation derogatory information is obtained, perhaps some derogatory statement, however slanderous or untrue is obtained by the investigating authority against the character of a citizen who happens to be an employee of the executive branch of the Government, the person involved will be summarily discharged; his means of earning a livelihood will be terminated; and thereafter some form of a hearing will be accorded him. In establishing his guilt or innocence nothing is said about the burden of proof and there is no review of the findings of fact. No; there is no review even though the decision might be arbitrary, capricious, or contrary to law.

I agree with the remark of the gentleman from Oklahoma that it is difficult to imagine an offense more infamous than the offense of disloyalty to one's Government. Yet it is easy to conceive that under this bill many patriotic liberty-loving American citizens might be convicted and condemned. If this measure is enacted, it is likewise easy to conceive that many loyal Americans against whose character no charge has ever been preferred and at whom the finger of suspicion has never been pointed might abandon their jobs with the Federal Government, resign and seek other employment, rather than undergo the ordeal and experience of being placed upon trial on a charge of being disloyal to the Government to which they are and always have been devoted.

This bill does not stop there. It does not deal only with "disloyalty," sabotage, espionage, treason; sedition, or revolution by force or violence, but in paragraph 2, subsection (d) we find that the dragnet is even more embracive. Here is the language of that section:

> Whenever any derogatory information is developed with respect to the conduct or qualification of an employee, other than with respect to his loyalty, from any of the sources

set forth in subsection (c), the Commission may take such action as may be necessary to cause the removal of such employee from his office or position.

So the bill deals with the general conduct or qualifications of all the employees without regard to "loyalty" to the Government. If in the course of this grand investigation any "derogatory information is developed with respect to the conduct or qualifications of an employee" the employee may be summarily dismissed. In this situation "the Bureau shall not conduct an investigation under paragraph (1) with respect to such employee." The development of "derogatory information" as to character or conduct is not itself sufficient to warrant dismissal.

Mr. ALMOND. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield to the gentleman from Virginia.

Mr. ALMOND. May I call the gentleman's attention to the fact that that provision merely retains and keeps in full force and effect the law now existing with reference to the right of the Civil Service Commission to refuse to employ where matters of disqualification pertinent to dishonesty or crime are developed independently of the question of loyalty.

Mr. COOLEY. This provision does not deal with applicants for employment; it deals with employees and with the dismissal of employees.

Mr. ALMOND. We are merely seeking to preserve that right.

Mr. COOLEY. Yes, but you are taking that right away from the Civil Service Commission and giving it to the Board.

Mr. ALMOND. No; I beg the gentleman's pardon, we are not, because the Civil Service Commission itself makes that investigation.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. COOLEY. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. ALMOND. I think the gentleman is in error there because the Commission is making that determination. When it discovers matters pertinent to qualifications other than those relating to loyalty it does not have to go further with the loyalty investigation.

Mr. COOLEY. Yes, but this is the method of developing charges against the accused. You cannot say that a man is not accused. You have indicted in this legislation everybody on the Federal pay roll in the executive branch.

Mr. ALMOND. I must disagree with the gentleman.

Mr. COOLEY. You are going to convict him and condemn him and discharge him purely and merely because somebody has filed derogatory information.

Mr. ALMOND. I think the gentleman is in error in his understanding of the pending bill.

Mr. COOLEY. If the gentleman will permit me to read from the bill, it says, "whenever any derogatory information is developed with respect to the conduct of or qualification of an employee." That is the language in the bill. Whatever derogatory information may be, it may be due to some rumor back in a community, the source of which you prevent the disclosure of. You do not even permit the person accused to know the source of the information so as to question the integrity of the informant.

Mr. ALMOND. The point I am trying to make with the gentleman is that this is a procedure which already exists and it is merely an expression of the intent of the Congress.

Mr. COOLEY. The gentleman cannot tell me that that is a quotation from existing law.

Mr. ALMOND. No; this is not a quotation from existing law, but the Civil Service Commission has that right and repeatedly through the years has exercised that right.

Mr. COOLEY. Then, what is the gentleman's objection to leaving the Presidential order just as it is at the present time and charge every Cabinet officer with the responsibility of cleaning his own house and ridding the pay roll of this Government of all whose loyalty is questioned or doubted. I do not object to a man being taken off the pay roll if you prefer charges against him and give him a bill of particulars and give him the right to be present and cross-examine his accusers even though it may be before a board, but that would be more in keeping with the traditions of American jurisprudence. This sort of procedure is nothing but a star-chamber proceeding by which people are going to be condemned and their lives ruined by a board which may be partisan.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. COOLEY. I yield.

Mr. HOLIFIELD. The gentleman is exactly right in his point on the declaration of information. It refers back to paragraph (c) at the bottom of page 5 and page 6, and it includes the Federal Bureau of Investigation files, the Civil Service Commission files, the Military and Naval Intelligence files, the Committee on Un-American Activities, local law-enforcement agencies, and refers to all sources of information that might be developed.

Mr. COOLEY. I think the gentleman is correct. This bill refers to: First, sabotage, espionage, or attempts or preparations therefor or knowingly associating with spies or saboteurs; second, treason or sedition or advocacy thereof; third, advocacy of revolution of force or violence to alter the constitutional form of government of the United States; and so forth.

Certainly, we do not need any laws to deal with those matters. Our laws are adequate in every respect to deal with them.

In concluding I would like for some member of the committee to tell us what this bill will cost the American taxpayers. In the report we find this language:

The committee is of the opinion that an expenditure of not more than $15,000,000 will be required during the fiscal year 1948 to carry out the provisions of the proposed legislation.

In this report we also find the following language:

Representatives of the Civil Service Commission estimate that within the first year of operation under the bill the Loyalty Board will review approximately 60,000 cases, 42,000 involving Federal employees, and 20,000 involving applicants.

If, therefore, we have 2,000,000 persons on the Federal pay roll, and it will cost $15,000,000 to investigate 60,000 people during the first year, it is clear to see that it will take decades to complete the job and the cost will run into a tremendous amount of money. Maybe this is the Republican Party's idea of economy.

Of all of the many Federal employees in the State of North Carolina, I dare say that there is not a single one whose loyalty to this Government has ever been questioned in the slightest degree, and I am sure that the same situation exists in other States, and yet all of these faithful, trustworthy, competent, and patriotic employees, under this bill, will be investigated. What a foolish waste of taxpayers' money; what an absurd approach to a problem which has been greatly exaggerated and magnified. This is the witch hunt of witch hunts.

Mr. REES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, may I say to the distinguished gentleman from Tennessee that this amendment was not considered by the committee, but if he wants to submit a bill on this subject matter the committee will take the matter under consideration and hold hearings on it. But the bill now before us deals only with employees in the executive branch of the Government. So far as the House is concerned, that is the group with which we are concerned at the present time. They are appointed by the executive branch. Other groups might be appointed under the legislative branch. I do not think other groups ought to be included in this particular bill.

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield.

Mr. KEFAUVER. If the gentleman feels he has provided the proper arrangement for the trial and questioning of these employees of the executive branch, is there any good reason why the employees of the legislative and judicial branches should not receive the same treatment?

Mr. REES. I will say to the gentleman that when employees are accepted in the legislative branch and in the judicial branch, they receive their positions from some other sources than through appointment through the executive branch. These employees are under various agencies of the Government, and the persons the gentleman has in mind are not in agencies of the Government.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from Tennessee who has also given this problem much consideration.

Mr. JENNINGS. Is it not inconceivable that a Member of Congress would bring here somebody with a subversive

tendency and hire him? Is it not inconceivable that a member of the judiciary, sworn to uphold the Constitution of the country, would appoint a person of subversive proclivities?

Mr. REES. In the little experience I have had over 10 years, my attention has never been called to anyone in the legislative or judicial branches on this subject matter. I think they are pretty thoroughly protected.

Mr. KEFAUVER. Is it not true that the employees of the legislative branch and the judiciary are under civil service? They are paid from the same source; they have the same retirement; they take the same examinations, and they have the same grades?

Mr. REES. No; they do not have the same grades. They do not take the same civil-service examinations. Employees in the legislative branch do not take the same examinations as those in the executive branch. I think this matter ought to be considered separately from this legislation.

Mr. KEFAUVER. The gentleman from Tennessee [Mr. JENNINGS] mentioned that members of the Supreme Court took an oath to support the Constitution of the United States. Every member of the Cabinet has taken an oath, has he not?

Mr. REES. Yes; but, unfortunately, we find one difficulty we are dealing with, in the executive branch of the Government, on this subject matter. The President's order found the thing that way. The President's committee, in considering the whole problem, found it was a question of dealing with those employees in the executive branch of the Government, and not those in the legislative and the judiciary. If the gentleman will submit a bill we will be glad to consider it.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The question is on the amendment offered by the gentleman from Tennessee [Mr. KEFAUVER].

The question was taken; and on a division (demanded by Mr. KEFAUVER) there were—ayes 29, noes 109.

So the amendment was rejected.

The Clerk read as follows:

LOYALTY REVIEW BOARD

SEC. 3. (a) There is hereby created, as an independent establishment in the executive branch, a Loyalty Review Board to be composed of five members appointed by the President, by and with the advice and consent of the Senate. No individual shall be appointed as a member unless he is a citizen of the United States. Not more than three of the members of the Board shall be members of the same political party. The President shall designate a member as Chairman of the Board.

(b) The term of office of each member shall be 6 years, except that (1) the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, one at the end of 2 years, one at the end of 3 years, one at the end of 4 years, one at the end of 5 years, and one at the end of 6 years, after the date of enactment of this act; (2) 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 (3) upon the expiration of his term of office a member shall continue to serve until his successor is appointed and has qualified.

(c) Any member may be removed by the President for inefficiency, neglect of duty, or malfeasance in office and for no other cause.

(d) Each member shall receive compensation at the rate of $10,000 per annum. No member shall engage in any business, vocation, or employment other than that of serving as a member.

(e) The Board is authorized to appoint such investigators, attorneys, and other employees, and to make such expenditures, as may be necessary to carry out its functions.

(f) It shall be the duty of the Board to establish such number of subordinate boards as it may deem necessary to carry out the functions imposed upon such subordinate board by section 5. Each such subordinate board shall be composed of three members who shall be employees of the Board. The office of each such subordinate board shall be at such place in the United States as may be fixed by the Board.

(g) The principal office of the Board shall be in the District of Columbia, but the Board may exercise its powers at any place in the United States.

Mr. MORRIS. Mr. Chairman, I move to strike out the last word.

Mr. REES. Mr. Chairman, will the gentleman yield for a consent request?

Mr. MORRIS. I yield.

Mr. REES. Mr. Chairman, I ask unanimous consent that all debate on this section close in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN. The gentleman from Oklahoma is recognized for 5 minutes.

Mr. MORRIS. Mr. Chairman, in my judgment this is going to be a very expensive thing. It certainly is cumbersome and complicated, and it is liable to run into politics—I mean by that dangerous politics. I really believe that you good people today are going to rue this day if you pass this bill. It is dangerous. To say that a man may be branded as a disloyal person and be found to be disloyal to the great old United States of America that we all love, and so found without being confronted with the witnesses who testify against him, is obnoxious to common sense and to justice. Suppose you could not open your mouth next year to say anything in defense of what your opponent may say about you. I am not worried about the guilty people who may be charged, I am worried about the innocent people who may be charged, and convicted.

Having sat for 9½ years as a district judge I know how dangerous it is to hear only one side of any question. I am as anxious as any of you could possible be to clean our Government of those who do not believe in our form of Government, those who are disloyal. I do not want any of them on our Government pay rolls, but certainly we ought to formulate a program that will give those who are charged a fair trial, a fair opportunity to be heard; and then we should never leave in the hands of one man in America the determination as to whether or not you or I belong to an organization that is un-American. That power should never be left in the hands of one man. Yes, it can run into politics; and you as good Republicans, and myself, and others, as good Democrats, may rue this day that we pass a law that gives the power to one man, the Attorney General of the United States, to say whether you or I are disloyal to this Government. Such power should never be reposed in the hands of any man anywhere but in the courts where everybody interested can be heard in the matter.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield.

Mr. COOLEY. With reference to the expensiveness of this legislation I call the gentleman's attention to the fact that in the report we find this language:

The committee is of the opinion that an expenditure of not more than $15,000,000 will be required during the fiscal year 1948.

And further this language:

The representatives of the Civil Service Commission estimate that within the first year of operation under the bill the Loyalty Board will review approximately 60,000 cases, 42,000 involving Federal employees, and 20,000 involving applicants.

If they only check on 42,000 a year and we have over 2,000,000 employees the gentleman can get some idea as to how long the investigation will take and the amount of money it will cost.

Mr. MORRIS. Yes; it may so bog down that we will have very little if anything done, and that little which is done will probably be done badly.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. MORRIS. I yield to the gentleman from California.

Mr. HOLIFIELD. The gentleman, as we all know, has had a distinguished career as a jurist. I want to ask him this question: Does he realize some Attorney General, any Attorney General, whether he is a Democrat or Republican, can proscribe any group or organization in the United States without giving that organization or group a chance to come before him and fight the proscription?

Mr. MORRIS. I thank the gentleman. Not only can he proscribe them, but when the waves of prejudice and malice come in this grand old country of ours, there will always be danger that some Attorney General will so proscribe them. May I say to all of you, I love you and I respect you and your judgment, even though you may disagree with me. I respect the motives behind this bill even though you may disagree with me. I am suggesting to you that this is based on hysteria. Let us not become hysterical in this country. Let us keep our feet on the ground and do sensible things, not things like this.

The CHAIRMAN. The time of the gentleman from Oklahoma has expired.

The Clerk read as follows:

INVESTIGATION OF LOYALTY OF EMPLOYEES AND APPLICANTS

SEC. 4. (a) An investigation shall be made, as provided for in this section, of every employee and every applicant to determine whether reasonable grounds exist for the belief that such employee or applicant is disloyal to the United States.

(b) After the date of enactment of this act, no applicant shall be appointed to an office or position in or under the executive branch (except to a position as an employee of the Board) prior to the determination under this act of his loyalty to the United States, unless (1) the appointing officer cer-

tifies to the Board that the immediate appointment of such applicant is absolutely required in order to perform a necessary function of the department or agency, and (2) the Board, after conducting such preliminary investigation of such applicant as it may deem necessary, notifies the appointing officer that such appointment has the tentative approval of the Board. Any applicant so appointed and any employee of the Board appointed prior to investigation under this act shall be promptly investigated under this act as an employee.

(c) It shall be the duty of the Commission to conduct preliminary investigations of all employees and applicants, and, in conducting such investigations, the following pertinent sources of information shall be used: Federal Bureau of Investigation files, Civil Service Commission files, military and naval intelligence files, the files of any other appropriate Government investigative or intelligence agency, House Committee on Un-American Activities files, local law-enforcement files at the place of residence and employment of the employee or applicant, including municipal, county, and State law-enforcement files, schools, and colleges attended by employee or applicant, former employers of applicant, references given by employee or applicant, and any other appropriate source.

(d) (1) Whenever any derogatory information is developed with respect to the loyalty to the United States of an employee or applicant from any of the sources set forth in subsection (c), the Commission shall immediately terminate its investigation, and furnish such information to the Bureau. The Bureau shall conduct a full field-loyalty investigation of such employee or applicant.

(2) Whenever any derogatory information is developed with respect to the conduct or qualification of an employee, other than with respect to his loyalty, from any of the sources set forth in subsection (c), the Commission may take such action as may be necessary to cause the removal of such employee from his office or position. In the event such action is taken, the Bureau shall not conduct an investigation under paragraph (1) with respect to such employee.

(e) If no derogatory information is developed with respect to the loyalty to the United States of an employee or applicant from any of the sources set forth in subsection (c), the Commission shall terminate its investigation and immediately notify the head of the appropriate department or agency that such investigation has disclosed no evidence that reasonable grounds exist for the belief that such employee or applicant is disloyal to the United States.

(f) Upon the completion of each full field-loyalty investigation, the Bureau shall transmit immediately to the Board a full report of the investigation which shall contain all evidence pertaining to the question of the loyalty to the United States of the employee or applicant.

Mr. MATHEWS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MATHEWS: On pages 6 and 7, strike out all of lines 19 to 24, inclusive, on page 6, and all of lines 1 and 2, inclusive, on page 7.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. MATHEWS. I yield to the gentleman from Kansas.

Mr. REES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto close in 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. MATHEWS. Mr. Chairman, the purpose of this amendment is to strike out the entire subsection (2) of subsection (d) of section 4. I believe that the striking out of this portion of the bill will not weaken the bill but, on the contrary, strengthen it for the purposes for which the bill is presented to us.

In this particular subsection it is provided that when any derogatory information is developed with respect to the conduct or qualification of an employee other than with respect to his loyalty certain action is taken. This bill deals solely in its title and its other provisions with the question of the loyalty of employees to the United States Government. In my opinion, this section has no place in the bill whatsoever. It brings in extraneous matter which I think is a dangerous procedure, and in this particular section, which has been referred to several times, lastly, I believe, by the gentleman from North Carolina [Mr. COOLEY], it goes far afield and has no connection with the loyalty of an employee of the United States Government.

In other words, if they dig up some sort of a smelly divorce case, some old social scandal, automobile accident, unpaid debt, then, according to the section, the Commission may take such action as may be necessary to cause the removal of such employee from his office or position. It does not give any additional authority to the Commission. If the information dug up is sufficient to remove him, they have that power anyhow, and if it does mean something else, then it means something that should not be in here. If it gives any additional power to the Civil Service Commission to remove a man for offenses which are not already covered, then not only should it not be in this act, which covers loyalty, but it should not be enacted at all because it gives additional reasons, to be decided in an arbitrary manner, for removing that man from office, which reasons have nothing at all to do with his loyalty.

Now, additionally, as I read this, in the event that the Commission takes such action as may be necessary to cause his removal on this information, which has nothing to do with his loyalty, then such action is taken without conducting an investigation under paragraph 1 with respect to such an employee. In other words, if they find something derogatory not due to his loyalty, and they take some action to cause his removal, then they will have to stop the investigation of his loyalty. Since it will take a long time to investigate and try him under the rules of the Commission for something not concerned with his loyalty, and since he may finally be exonerated, he never gets investigated as to loyalty at all. It seems to me that this section, besides being subject to the other objections I have raised, works against the very purpose for which the act is designed. For that reason I think the present amendment ought to be adopted, for the benefit of the act itself and, for that and the other reasons I have given, I hope the amendment will be adopted.

If the amendment is not adopted there will be left in the bill just one more ground for opposition to it.

I shall vote for the bill, Mr. Chairman, but only because of what I believe to be absolute necessity. I am against creating any more bureaus, and this bill will create one. I am against unnecessary prying into the private affairs of individuals, and I do not believe an individual should be subject to that sort of thing just because he happens to be an employee of the Federal Government any more than he should get the idea he has some kind of right to become or remain such an employee. His loyalty to our Government and its principles is one thing in which the public is vitally concerned; his previous private life, insofar as it does not involve matters which by their nature can in no way be pertinent to his efficiency or loyalty, is in a different category.

The reason I consider it to be necessary to vote for this bill, even though it is far from what I would desire, is that something must be done to remove from the pay rolls of our Government, from access to information, documents, and records vital to the safety and welfare of our Nation and from opportunity to use their positions to the detriment and damage of the very people who pay their salaries, those who do not wholeheartedly and wholemindedly believe in the principles which they are paid to maintain and foster.

We have begged the President of the United States and the heads of his executive departments and bureaus to remove them. Our pleas have gone unheeded. Only in the most flagrant and notorious cases has anything been done, and then only after great pressure. The safety of our Nation comes first. If we have to do the job awkwardly, clumsily, or even inefficiently, then let us do it that way, unfortunate as it is. The job must be done.

Mr. ALMOND. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, during the hearings with respect to this particular phase of the bill before us the Civil Service Commission itself asked that this provision be written into the bill for this reason: The bill charges the Civil Service Commission with the responsibility of making a preliminary investigation as to loyalty of all the applicants and employees. Now, that investigation must be made by the Civil Service Commission. This provision simply says that if during the course of your investigation on loyalty you find derogatory information with respect to the qualifications or the character of the employee or the applicant, you can stop right there. You do not have to complete the loyalty investigation, but terminate your investigation at that particular point and the case is ended right there.

Now, the reason why the Civil Service Commission was particularly interested in writing this provision into the bill was because already having that power to so discharge an employee on grounds relating to character and qualifications, irrespective of loyalty, they took the position that having undertaken to investigate on grounds of loyalty that they would have to complete that investigation by exhausting all of the sources of

information set up in this bill. Therefore, I say that to strike this out would make the bill more costly, because having undertaken a large investigation, without this provision in the bill, the Commission would have to go on and exhaust all the sources of loyalty set up in the bill such as the files of the Federal Bureau of Investigation, the files of the Civil Service Commission, the files of the War and Navy Departments, the files of the Committee on Un-American Activities and all other available sources of information. Therefore I say to the distinguished gentleman from New Jersey that his amendment will not accomplish what he seeks to accomplish.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ALMOND. I yield to the gentleman from Tennessee.

Mr. JENNINGS. As I understand this bill, it is aimed at disloyalty to the Government, and not at philandering and things like that.

Mr. MATHEWS. Mr. Chairman, will the gentleman yield?

Mr. ALMOND. I yield to the gentleman from New Jersey.

Mr. MATHEWS. I disagree with the gentleman's view. Since the language is that if they find something derogatory not connected with a man's loyalty the Commission may take such action as may be necessary, if the offense they find is not sufficient to discharge him, are they going to drop the whole thing and go no further with his loyalty investigation?

Mr. ALMOND. If the offense is not sufficient to discharge him, the Commission will pursue the examination with reference to the question of loyalty.

Mr. MATHEWS. Would they not do that anyhow, under this bill?

Mr. ALMOND. Yes, I think they would do it anyhow.

Mr. MATHEWS. Of course.

Mr. ALMOND. The point I am trying to make is that having undertaken a preliminary investigation on the subject of loyalty, they would feel, so the Commission has construed the law, that they would have a right to go on and complete the loyalty investigation.

Mr. MATHEWS. After they found something else on which they could discharge him?

Mr. ALMOND. That is right.

Mr. MATHEWS. I do not understand that.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. ALMOND. I yield to the gentleman from Wisconsin.

Mr. KERSTEN of Wisconsin. With positive language in the bill that makes it possible for the Commission to investigate any other derogatory matter, are we not opening the door wide to a field of investigation that really is not intended by this bill at all? Are we not making it possible to do that? Why should we spread this thing so as to include investigation of every possible type of derogatory information and open up the past life of every Federal employee?

Mr. ALMOND. The Commission has that authority and it is conducting investigations on that score already.

The CHAIRMAN. The time of the gentleman from Virginia has expired. All time has expired.

The question is on the amendment offered by the gentleman from New Jersey [Mr. MATHEWS].

The question was taken; and on a division (demanded by Mr. MATHEWS) there were—ayes 43, noes 102.

So the amendment was rejected.

Mr. HOLIFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOLIFIELD. Mr. Chairman, section 4 (c) provides for the availability of source information. Without authoritative source information it will be impossible for the Board to make a fair finding.

I submit that the files of the Committee on Un-American Activities contains thousands of names of people who have been charged with being subversive, and have never had a chance to face their accusers and refute these ill-founded charges. They are the victims of committee procedures which I do not approve of.

In the listing of governmental departments and agencies, there is included the availability of the House Committee on Un-American Activities files. In my opinion, this is a mistake.

It has been the boast of the chairman that the Committee on Un-American Activities has over 1,000,000 names in their files. In another statement he declared that approximately 100,000 of these names are subversive people. What about the other 900,000 names? Do they still include the names of Shirley Temple, Mrs. Roosevelt, David Lilienthal? They could still be used to inflict an economic death warrant.

Now the question I wish to ask is, If a man has been investigated by the Committee on Un-American Activities and his name is in their files, is that supposed to furnish prima facie evidence of his disloyalty to the Government of the United States?

In view of the fact that the committee's files contain several hundred thousand names of individuals who have not been given the right to appear before the committee and defend themselves against the charges. We might recall here, that when former Congressman Martin Dies was chairman of this committee on September 1, 1942, he submitted to the Federal Bureau of Investigation a list of 1,121 names of Federal employees who in the committee's opinion were presumably subversive. The investigation of the FBI showed that these persons in all except two instances were not guilty of disloyalty, and therefore their names were cleared. However, their names no doubt still remain in the files of the Committee on Un-American Activities as suspected of disloyalty.

The Clerk read as follows:

REVIEW OF REPORTS OF INVESTIGATIONS

SEC. 5. (a) The Board shall distribute each report of investigation transmitted to it by the Bureau in accordance with section 4 (f) to a subordinate board. As soon as practicable, the subordinate board shall review such report and make a preliminary finding upon the evidence furnished by the Bureau with respect to the loyalty to the United States of the employee or applicant under investigation, and transmit such finding to the Board. If such preliminary finding is not adverse to the employee or applicant and is the unanimous decision of the subordinate board, such finding shall become the final decision of the Board, and the Board shall immediately advise the head of the appropriate department or agency that, in the judgment of the Board, there are no reasonable grounds for the belief that such employee or applicant is disloyal to the United States. If such preliminary finding is not adverse to the employee or applicant, but is not the unanimous finding of the subordinate board, the Board shall conduct such a review of such preliminary finding as it may deem necessary. If after such review the Board agrees with the preliminary finding of the majority of the subordinate board, such finding shall become the final decision of the Board, and the Board shall immediately advise the head of the appropriate department or agency that, in the judgment of the Board, there are no reasonable grounds for the belief that such employee or applicant is disloyal to the United States. If such preliminary finding is adverse, or if the Board agrees with the adverse preliminary finding of the minority member of the subordinate board, the Board shall notify the employee or applicant under investigation in writing of the preliminary finding of the subordinate board, or of the preliminary finding of the Board, as the case may be, together with a factual statement upon which such finding is based, not disclosing, except when in the discretion of the Board, the interest of justice so requires, the source or sources of the information, and advising such employee or applicant that such preliminary finding must be appealed to the Board within 15 days after the date of such notification or it shall become the final decision of the Board.

(b) (1) If such adverse preliminary finding is appealed as provided for in subsection (a), the Board shall consider such pertinent evidence as may be submitted to it by the appellant in writing or at a hearing before the Board. Following the appeal, after consideration of all the evidence, the Board shall make a final decision, and, if such decision is not adverse to the employee or applicant under investigation the Board shall notify such employee or applicant and the head of the appropriate department or agency.

(2) If such adverse preliminary finding is not appealed, or if such final decision under paragraph (1) is adverse, the Board shall notify in writing such employee or applicant of its final adverse decision and shall certify to the head of the appropriate department or agency, that, in the judgment of the Board, reasonable grounds exist for the belief that such employee or applicant is disloyal to the United States. Such certification shall constitute authority for the discharge of such employee or the rejection of such applicant, as the case may be, and shall be accompanied by the request from the Board that for the reasons set forth in the certification, (A) the services of such employee shall be terminated within 30 days after the date of such certification, or (B) such applicant shall not be employed. If the head of the appropriate department or agency fails to comply with such request, the Board shall notify the President of such failure and request that the President take appropriate action to bring about the discharge of the employee. As used in the preceding sentence, the term "employee" includes an applicant who is appointed to an office or position after certification, pursuant to this subsection, with respect to his disloyalty.

(c) All findings and decisions of the subordinate boards and of the Board shall be based upon the standard set forth in section 8 (a).

Mr. REES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. REES: On page 9, line 6, strike out the period and insert in lieu thereof a colon and the following: "*Provided*, That the preliminary findings of the Board and factual statements furnished the employee or applicant provided for under this section shall be held as confidential by the Board."

Mr. REES. Mr. Chairman, the amendment is self-explanatory. What it means is that these findings, which I am sure will be kept confidential, will definitely so be kept. It is offered to satisfy some of the Members who are apprehensive about it. I am offering this amendment as a safeguard and ask that the amendment be adopted.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield. I yield to the gentleman from New York, who is one of those who called my attention to this proposed amendment and who will support it, I am sure, because he is very much concerned about this particular provision.

Mr. JAVITS. I thank the gentleman very much for those remarks. May I ask, too, at this point in the RECORD that it be clear that the hearing called for in page 9, line 10, which is one of the parts of this section, is available to any person accused upon his request.

Mr. REES. That is correct. That is the understanding.

Mr. JAVITS. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kansas [Mr. REES].

The amendment was agreed to.

Mr. KEFAUVER. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. KEFAUVER, of Tennessee: On page 9, line 24, after the period insert the following: "In case of such a final adverse decision under paragraph (1), such certification shall not be made until after the period for taking an appeal under subsection (d) has elapsed."

On page 10, after line 17, insert the following:

"(d) (1) Any employee or applicant may, within 30 days after the date of the notification in writing from the Board of a final adverse decision in his case under subsection (b) (1) file a complaint with the United States Court of Appeals for the District of Columbia, stating his reasons why the decision of the Board should be set aside. A copy of such complaint shall forthwith be served on the Board. Upon the filing of such complaint the court shall have exclusive jurisdiction to set aside such decision or to dismiss the complaint.

"(2) No final adverse decision of the Board shall be set aside unless the complainant establishes to the satisfaction of the court that such decision is arbitrary or capricious, or otherwise not in accordance with the law.

"(3) No employee shall be discharged, and no action shall be taken to deny employment to an applicant, under this act pending the determination of his complaint under this section, *Provided, however*, That upon an affirmative showing by the Board that the continuance of the service of the employee in the service of the Government might be dangerous to the welfare of the Government, the court may order the suspension of the employee during the pendency of the appeal."

Mr. KEFAUVER. Mr. Chairman, Congress always, in dealing with property rights, where the Federal Government is affected, has taken a great deal of pains to see that the aggrieved party had the right of appeal. I can remember that a great many arguments were made during the times of OPA and during times when the Government intervened in other matters affecting individual property rights, that they should have a right of appeal to some court from the finding of a board. I remember that Members on the Republican side, as well as Members on the Democratic side, had a great deal to say about protecting the rights of appeal from an adverse decision of boards in connection with property rights. I have supported amendments to insure the right of judicial review. Today every property right is protected against the arbitrary or capricious decision of a board by right of appeal and review. Here, today, Mr. Chairman, we are dealing with something that transcends in importance and value the right of property. We are dealing with a person's good name and good character, because it cannot be denied that the stigma once placed upon a person, of having been discharged and taken out of the employment of his Government because of the fact that he is alleged to be disloyal, is something that that man and his family will carry to the grave. Yet in this bill we afford no right of appeal. The Board is prosecutor, the Board is the judge, and the Board has the final decision, without any recourse to the courts.

Certainly, Mr. Chairman, if you are going to afford people protection of their property rights and be jealous in seeing that they have a right to be heard by a court of competent jurisdiction and an appeal, why should we not afford that same protection to an individual in a situation like this?

The provision in this amendment simply provides that after an adverse decision, within 30 days, the person has a right to appeal, and that when appeal is made, he cannot be taken out of the service unless the Board shows the court and the court orders his suspension on the ground that his continuance in the service during the pendency of the appeal might be detrimental to the Government.

It seems to me that in fairness, in common sense, in decency to the employees in the executive department of the Government, this is the least protection we can give them.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. WALTER. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, it certainly seems to me that no governmental agency ought to be given the power that the Board is given in this case. I have always subscribed to the theory that where a Government agency is given power in property rights, the power thus given should be reviewable. I am firmly convinced that the decisions of agencies, in passing on the rights of our citizens, are as good as they are or as bad as they are because over the agency there is a possibility of a review, and over its decision there is a possiblity of review.

In this measure we are giving to the Board the right to do that which all of us criticized so strongly in the National Labor Relations Act when it was first set up. We are constituting this Board a judge, jury, and prosecutor, with the power to make final decision. It seems to me, if we are going to be consistent in following out our ideas of judicial review, we should support this amendment. Certainly no harm can come from the possibility of a review. I could not imagine a court's setting aside a decision of an agency unless that decision were a very bad one. I believe we owe it to those loyal employees of our Government who might be improperly charged with something that would result in their separation from their employment the right to appeal to some other tribunal.

Mr. EBERHARTER. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield?

Mr. EBERHARTER. I believe the gentleman was the author of a bill that the House passed in the last session which sought to correct some of the abuses perpetrated by these boards.

Mr. WALTER. Yes; that is correct; and as I read this bill, it does not come within the provisions of the Administrative Procedure Act. By the very provisions of this bill the appeal provided for in that act is denied to an employee of the Government.

Mr. HOLIFIELD. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield.

Mr. HOLIFIELD. Is not the power provided in this bill similar to that granted to many boards, such as the OPA, where they were judge, jury, and prosecutor?

Mr. WALTER. The gentleman is correct.

Mr. ALMOND. Mr. Chairman, I rise in opposition to the amendment.

Mr. REES. Mr. Chairman, will the gentleman yield for a motion?

Mr. ALMOND. I yield.

Mr. REES. Mr. Chairman, I move that all debate on this amendment and all amendments thereto close in 10 minutes.

The motion was agreed to.

The CHAIRMAN. The gentleman from Virginia is recognized for 5 minutes.

Mr. ALMOND. Mr. Chairman, all of us will concede that in every instance it is the will of the Congress to protect the right of any individual charged with any offense. I wish to emphasize this in connection with this amendment and in my opposition to it. Here we are setting up an administrative procedure. We are dealing with a subject that is separate and apart from judicial procedure. If we are to encumber this bill translating the administrative features of it into judicial features and providing for the establishment of records during all of these hearings and for the prosecution of appeals through the courts we will

never get anywhere in our effort and desire to rid the pay rolls of this Government of subversive individuals.

Another objection I have to this amendment is that the Supreme Court of the United States in the case of *Eberline v. United States* (257 U. S. 83) has held—and that ruling still stands without qualification—that the courts will not interfere with the administrative actions of departments and agencies in the matter of the removal of employees. Let us take, for example, the situation which has developed in the State Department in recent days which has been called to the attention of this body through the press: For reasons satisfactory I am sure to the great American Secretary of State he has extirpated from the rolls of that sensitive Department 10 individuals. Who they are, what they did, how long they had been there I do not know, but it was necessary to remove them. Are his hands to be tied by legislation of this sort when only the question of the loyalty of the employee is involved? Are his hands to be tied by long-drawn-out procedures through the judicial branch of the Government?

If we adopt this amendment we will cut the very heart out of this bill, we will destroy the effort we are here making to write upon the statute books of this Nation a law which does give protection and which does provide for the right of appeal with representation by counsel, with the right to summon witnesses and give more rights to the individual involved than any other piece of legislation on the statute books in reference to this problem.

Is there any right of appeal under the Hatch Act? Is there any right of appeal to the judicial department under the amendments to the appropriation acts? Is there any right of appeal under the McCarran amendment which applies to the sensitive agencies of this Government, mainly the State, War, and Navy Departments? Of course, I know that the purpose of the distinguished gentleman from Tennessee is good, but if we adopt this amendment, we write finis to the effectiveness of this bill to accomplish the purpose which we are seeking to accomplish.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. ALMOND. I yield to the gentleman from Tennessee.

Mr. JENNINGS. In other words, what it is sought to do here is to have a summary procedure where these people are given a reasonable hearing, and we also do it in view of what Bobby Burns said: "It is the fear of hell and the hangman's noose that keep the wretch in order."

Mr. KEFAUVER. Mr. Chairman, will the gentleman yield?

Mr. ALMOND. I yield to the gentleman from Tennessee.

Mr. KEFAUVER. If the gentleman had read the amendment or had listened to the amendment, it states the court will not set aside the decision unless it finds it is arbitrary, capricious, or otherwise not in accordance with law. Does anybody want one separated from the pay roll where the action is arbitrary, capricious, or not in accordance with law? If the gentleman does not, he should support this amendment.

Mr. ALMOND. In reply to the gentleman, there is a procedure established through this proposed legislation where a course of investigation has been conducted and there is a right of appeal to a fair and impartial board. When that boards says an individual is subversive or disloyal the matter ought to end right there. It affects the security of this Nation.

Mr. OWENS. Mr. Chairman, will the gentleman yield?

Mr. ALMOND. I yield to the gentleman from Illinois.

Mr. OWENS. I have great respect for the gentleman from Virginia. I like his argument concerning loyalty. It is a very fine argument: But I cannot understand why you put in subparagraph (d) 2 of section 4. Of course, that is going back. But I cannot understand why that was put in, in view of the argument the gentleman has just made.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

The Chair recognizes the gentleman from New Jersey [Mr. CASE].

Mr. CASE of New Jersey. Mr. Chairman, this amendment should be supported. It is quite true that the matter of discharge of employees has always been regarded as an administrative matter. Until now, however, except in the case of a few so-called sensitive agencies we have not attempted to discharge a man for an opinion. We have come to the point where we must do that. At least I think this bill must be passed. But the fact that we are entering into a new field, we are making new law, establishing new principles, justifies, indeed requires, also our establishing a further new principle, that of court review in cases of this kind. Under the suggested amendment the court review would be limited to case where the action of the board is arbitrary, capricious or not in accordance with law. That is not an extensive review. It is the least review that should be permitted. Of course, this is not an offense in the sense of involving a crime. Yet the penalty is one of the most severe that could be inflicted on any man. I think the amendment should be supported.

Mr. REES. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield to the gentleman from Kansas.

Mr. REES. Does the gentleman support the theory the courts should determine who ought to be hired and fired by the agencies? It is a new procedure.

Mr. CASE of New Jersey. It is a new precedure. It is a new precedure to fire a man for an opinion. We should also take the further step.

Mr. HAND. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield to the gentleman from New Jersey.

Mr. HAND. The distinction which is not being made is that these people are being fired on disloyalty charges, which amounts to treason almost, therefore their rights must be protected.

Mr. CASE of New Jersey. I fully agree.

Mr. JAVITS. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield to the gentleman from New York.

Mr. JAVITS. Does the gentleman see any difference between firing insofar as it affects a man's reputation and a dishonorable discharge from the Army in this situation?

Mr. CASE of New Jersey. I think the gentleman's point is well taken.

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. CASE of New Jersey. I yield to the gentleman from North Carolina.

Mr. COOLEY. Does not the gentleman agree that under the amendment offered by the gentleman from Tennessee that the appeal to the courts would be just about as restrictive as it would be possible to make it? In other words, the courts would review only the question whether the Board had acted arbitrarily or capriciously or contrary to law.

Mr. CASE of New Jersey. The gentleman repeats what I have tried to bring out before.

Mr. COOLEY. No citizen should have his rights adversely affected if that were the case.

Mr. CASE of New Jersey. I thank the gentleman.

The CHAIRMAN. The Chair recognizes the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Chairman, any individual against whom a finding of disloyalty is made by this Board may occupy the position of one in the public's mind who is, for all practical purposes, guilty of treason. Our present law permits appeals from decisions of the Federal Trade Commission along the lines of the amendment offered by the gentleman from Tennessee, wherein property is involved. The same appellate action can be taken from the decision of the Interstate Commerce Commission wherein property is involved. The same action can be taken from practically all boards or commissions where property is involved.

Now, we are not dealing with the ordinary administrative discharge where the services of a person might be terminated for various other reasons. This is an unusual proceeding. The name and reputation of an individual is involved. I value my reputation, and I think the least we can do, having in mind the fundamental concepts of our Government, and keeping in mind the way of life we believe in, is to permit a person to take an appeal from this Board to the circuit court of appeals on questions of law or, in the narrow field to which this amendment is confined, where the court finds that there has been capricious or arbitrary action taken by the Board. My friend from Virginia comes from a great Commonwealth that with my own home Commonwealth of Massachusetts had representatives on the committee which drafted the Constitution of the United States, and I believe they had in mind that the individual has rights to be guaranteed and protected by the Constitution; rights that the individual possessed prior to the Constitution, and these rights are inherent, coming to us

through natural law. The Constitution guarantees and protects these inalienable rights, and certainly the least we can do on an extraordinary bill of this nature is to permit one found to be disloyal by the Board, if they feel an error has been made, to go to the courts on appeal within the purview of this amendment.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired. All time has expired.

The question is on the amendment offered by the gentleman from Tennessee [Mr. KEFAUVER].

The question was taken; and on a division (demanded by Mrs. NORTON), there were—ayes 69, noes 107.

Mr. KEFAUVER. Mr. Chairman, I demand tellers.

Tellers were ordered, and the chairman appointed as tellers Mr. REES and Mr. KEFAUVER.

The Committee again divided, and the tellers reported that there were—ayes 67, noes 113.

So the amendment was rejected.

Mr. KEATING. Mr. Chairman, I offer an amendment, which is at the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. KEATING, of New York: On page 9, line 22, after the word "Board," strike out "reasonable grounds exist for the belief that," and insert "it is established by the preponderance of the evidence that."

Mr. REES. Mr. Chairman, unless the gentleman wants to speak on the amendment, we accept it.

The amendment was agreed to.

Mr. HOLIFIELD. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let us review the meaning of the review provisions found in section 5.

SECTION 5. REVIEW OF REPORTS OF INVESTIGATIONS

(a) The section purports to safeguard the rights of the employee by a process of review of subordinate boards' decisions. But it is actually another set of brakes applied to the functioning of the public business; it is another step adroitly planned to prevent any person of original thought or action from being hired for public work. An employee turned down must be furnished with a factual statement upon which such finding is based.

Yet the Board does not have to tell the applicant the source or sources of the information. And he has just 15 days in which to file appeal, without recourse, though the investigation may have consumed months or years.

No crime is defined; no judicial procedure is set up; there is no separation of powers.

Yet the hapless applicant is handed an economic death sentence without knowing who his accusers are, or what the accusations are.

It is not until all these months of investigation are completed and the Board has actually made its decision that the subject learns of adverse comment. Then, without knowing the identity of his accusers or what they said, without any resources save his own for counter-investigation, apparently the Board alone may decide whether the applicant is to be given a hearing; there is no guaranty that his sworn testimony, and the sworn testimony of his witnesses, will be given even the same weight as the unknown adverse remarks.

(b) (2) Again, a highly prejudicial and inconclusive phrase is used; if the finding is adverse, the Board certifies to the agency that "reasonable grounds exist." Note that: not conclusive, but reasonable grounds, exist for branding a man a traitor to his country, without trial, without definition of a crime, without facing his accusers, without knowing the charges, except such statement as the Board chooses to give him.

This is a heresy trial, a witch hunt, set up in the very spirit of Torquemado or of Heinrich Himmler.

One of the very worst abuses of the present inept system of loyalty rating has been that even hearsay and anonymous testimony has been given greater weight in determining loyalty than the sworn testimony of the subject and his own witnesses. It took repeated Congressional storms even to induce a hearing for the accused. This bill reverts to the very worst period of the history of loyalty investigations in the Civil Service Commission. In one instance, the Commission's Loyalty Rating Board gave greater weight to the discredited affidavit of a man confined to a mental institution than to the reputable witnesses produced by the accused. Absolutely no procedure for court appeal is provided in this appeal machinery.

Since this language is used, "The Board shall make a final decision," it may be seriously doubted if a court would receive an action. Certainly few applicants for Government employment can afford the cumbersome expense of court litigation.

(c) In the majority opinion in the Supreme Court hearing on the firing of Lovett, Watson, and Dodd, the Court said:

Were this case to be not justifiable, congressional action, aimed at three named individuals, which stigmatized their reputation and seriously impaired their chance to earn a living, could never be challenged in any court. Our Constitution did not contemplate such a result.

Alexander Hamilton said—Federalist Paper No. 78:

A limited constitution * * * contains certain specified exceptions to the legislative authority; such, for instance, as that it shall pass no bills of attainder, no ex post facto laws, and the like. Limitations of this kind can be preserved in practice no other way than through the medium of the courts of justice, whose duty it must be to declare all acts contrary to the manifest tenor of the Constitution void. Without this, all the reservations of particular rights or privileges would amount to nothing.

Yet this bill is a vast mass bill of attainder, ex post facto insofar as it relates to present employees and to the antecedent affairs of future applicants.

Mr. McDONOUGH. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. McDONOUGH. Is the gentleman arguing against this amendment that is before the House?

Mr. HOLIFIELD. If the gentleman had been listening to my statement, I am speaking on section 5. There is no amendment before the House. It has been voted on, and I am speaking pursuant to a motion to strike out the last word.

Mr. McDONOUGH. I am talking about the amendment offered by the gentleman from New York [Mr. KEATING] which was accepted, which requires that the evidence must be sufficient to prosecute and that the evidence is conclusive.

Mr. HOLIFIELD. No; it says that it is established by the preponderance of the evidence.

Mr. McDONOUGH. That is right—that they must be sure.

Mr. HOLIFIELD. That is not so.

Mr. McDONOUGH. It must be conclusive. The preponderance of the evidence certainly would amount to that. You are arguing against the amendment which was adopted.

Mr. HOLIFIELD. It would be on the preponderance of the evidence. Why not give the appellant the right to go before a court and determine whether that preponderance of evidence or finding was based on a judicial basis or not? Why not submit such finding to a jury of his peers?

Mr. HUGH D. SCOTT, JR. Mr. Chairman, will the gentleman yield? The gentleman says that this measure would prevent persons of original thought from entering the service. Is there anything so original about communism?

Mr. HOLIFIELD. The gentleman knows that I am not arguing for communism. I have made the statement on this floor time and again that I am not for communism or fascism either, but I am for the principles contained in the Bill of Rights. This bill absolutely takes away many of those principles, by omission. Section 6 itself provides for conviction by "association." Where can you find anywhere in the Constitution conviction by association? We all know that criminal conviction is based on individual guilt, under the American system. If my brother happened to be a Communist or a Fascist, then, by association, under this bill I could be tarred with the same pitch. I wonder if the gentleman realizes that section 6 provides that just that can occur under this bill?

Mr. COOLEY. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield.

Mr. COOLEY. I would like the gentleman, while he has the floor, to try to ascertain from the committee the cost of this legislation to the taxpayers of the country. In view of the fact that they say it will cost $15,000,000 for the first year to investigate 42,000 Government employees, and if there are 2,000,000 on the pay roll it will take about 50 years at $15,000,000 a year.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. REES. Mr. Chairman, I move that all debate on this section and all amendments thereto do now close.

The motion was agreed to.

The Clerk read as follows:

RULES AND REGULATIONS OF THE BOARD

SEC. 6. The Board is authorized and directed to make such rules and regulations as it may deem necessary to carry out the provisions of this act. Such rules and regulations, and any amendments thereto, shall be published promptly in the Federal Register, and, among other things, shall provide that all statements presented to the Board by an appellant shall be under oath, and that an appellant shall have the right to be represented by legal counsel, to produce evidence and witnesses, and to furnish affidavits or other written statements of competent persons. Such rules and regulations shall provide that no finding or decision of the Board shall be made except after the concurrence of at least three members of the Board, and that the Board shall maintain a permanent record showing how each member voted upon each finding and decision.

ATTENDANCE OF WITNESSES AND PRODUCTION OF DOCUMENTARY EVIDENCE

SEC. 7. (a) For the purposes of this act, the Board may require by subpena the attendance and testimany of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as it deems necessary. Any number may administer oaths or affirmations to witnesses appearing before the Board. Subpenas may be issued under the signature of the Chairman of the Board or any member designated by him, and may be served by any individual designated by such Chairman or member.

(b) Such attendance of witnesses at any designated place of hearing, and the production of books, records, correspondence, memoranda, papers, and documents at any designated place of hearing, may be required from any place in the United States. Witnesses summoned under this section shall be paid the same fees and mileage as are paid witnesses in the district courts of the United States.

(c) In case of contumacy by, or refusal to obey a subpena issued to, any person, the Board may invoke the aid of any court of the United States within the jurisdiction of which the investigation or proceeding is being conducted, or where such person resides or carries on business. Such court may issue an order requiring such person to appear before the Board, there to give or produce testimony or books, records, correspondence, memoranda, papers, or documents, bearing upon the matter under investigation or in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. All process in any such case may be served in the judicial district whereof such person is an inhabitant or wherever such person may be found.

(d) Any person who without just cause fails or refuses to attend and testify or to answer any inquiry or to produce books, records, correspondence, memoranda, papers, or documents, in obedience to a subpena of the Board, shall, upon conviction thereof, be punished by a fine of not more than $1,000, or by imprisonment for not more than 1 year, or both such fine and imprisonment.

STANDARD TO BE USED BY BOARD

SEC. 8. (a) The standard which the Board shall use as the basis for the removal from employment or for the refusal of employment in the executive branch of the Government on grounds relating to loyalty shall be that, in the judgment of the Board, it is established by the preponderance of the evidence that reasonable grounds exist for the belief that the employee or applicant investigated is disloyal to the United States.

(b) Activities and associations of an employee or applicant which may be considered by the Board in connection with the determination of disloyalty may include one or more of the following:

(1) Sabotage, espionage, or attempts or preparations therefor, or knowingly associating with spies or saboteurs.

(2) Treason or sedition or advocacy thereof.

(3) Advocacy of revolution of force or violence to alter the constitutional form of government of the United States.

(4) Intentional, unauthorized disclosure to any person, under circumstances which may indicate disloyalty to the United States, of documents or information of a confidential or nonpublic character obtained by the employee making the disclosure as a result of his employment in or under the executive branch of the Government.

(5) Performing or attempting to perform his duties as an employee, or otherwise acting, so as to serve the interests of another government in preference to the interests of the United States.

(6) Membership in, affiliation with, or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons, designated by the Attorney General as totalitarian, Fascist, Communist, or subversive, or as having adopted a policy of advocating or approving the commission of acts of force or violence to deny other persons their rights under the Constitution of the United States, or as seeking to alter the form of government of the United States by unconstitutional means.

(c) The Attorney General shall, after full investigation, from time to time have published in the Federal Register a list of the organizations, associations, movements, groups, and combinations of persons designated by him pursuant to paragraph (6) of subsection (b). At the request of the Board, the Attorney General shall submit to the Board the reasons for the inclusion upon any such list of the name of any such organization, association, movement, group, or combination of persons.

Mr. HAND. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HAND: On page 14, strike out all of lines 5 to 23, inclusive, and substitute therefor the following:

"Membership in, affiliation with, or active association with the Communist Party or any foreign or domestic organization, association, movement, group, or combination of persons which advocates or approves the commission of acts by force or violence, to deny other persons their rights under the Constitution of the United States, or seeks to alter the form of government of the United States by unconstitutional means."

Mr. HAND. Mr. Chairman——

Mr. REES. Mr. Chairman, will the gentleman yield for a consent request?

Mr. HAND. I yield.

Mr. REES. Mr. Chairman, I ask unanimous consent that all debate on this amendment and all amendments thereto and all amendments to this section close in 15 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas?

There was no objection.

The CHAIRMAN. The gentleman from New Jersey is recognized.

Mr. HAND. Mr. Chairman, I think the purpose of this amendment is fairly clear and explains itself. We start out pretty well in section 8 by defining the various things which enter into "disloyalty," such as subversive activities, sabotage, espionage, treason, or sedition, the advocacy of revolution, and so forth. Then we go over to subsection (6) and we have a provision which I cannot take and which I hope the members of this committee will not take. That section of the bill reads:

Membership in, affiliation with, or sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons, designated by the Attorney General as totalitarian, Fascist, Communist, or subversive.

Mr. Chairman, I am certainly unwilling to have the Attorney General or any other official define for me or define for the 140,000,000 people of this country what he thinks at a given time may constitute communism, or may constitute fascism, or subversive activity. I find myself very frequently, as many of the Members do, in complete disagreement with the philosophy of the present Attorney General. For all I know the Attorney General may ultimately come to the conclusion that Republicans are subversive, which would be a deplorable thing. We may have a Republican Attorney General who may have a very disagreeable effect on Members on the other side of the aisle. Some day we may have a Socialist Attorney General The point is that it is wrong in principle and very wrong and dangerous in principle, in my humble judgment, to put into the hands of one man the power to define these very vague words and phrases which appear in this section.

The purpose of my amendment is merely to leave in all these definitions which the Congress sets up and to include the Communist Party as a recognized subversive party, but to strike out the right of the Attorney General to find for all of us what he himself happens to consider constitutes fascism or subversive activities.

I sincerely hope the amendment will be adopted because I think the bill as it is written in this particular is a very dangerous piece of legislaton. I hope this secton will never become law. I predict that it will not.

Mr. HOLIFIELD. Mr. Chairman, I offer a substitute for the Hand amendment.

The Clerk read as follows:

Amendment offered by Mr. HOLIFIELD as a substitute for the amendment offered by Mr. HAND: On page 14, strike out subsection (6), lines 5 to 14, inclusive.

The CHAIRMAN. The gentleman from California is recognized for 3 minutes.

Mr. HOLIFIELD. Mr. Chairman, I prepared this amendment before the gentleman from New Jersey offered his. My reason for offering my amendment as a substitute is that I believe that section (c) is better than the President's loyalty order. The President's loyalty order says that the Attorney General can have a secret list of organizations which he does not have to publish. This section (c) from lines 15 to 23 provides that the Attorney shall have published in the Federal Register these organizations

so that Federal employees will know what organizations are on the subversive list.

It also provides that the Attorney General shall submit to the board the reasons for same. That is a great improvement over the President's loyalty order. If my amendment is agreed to, then that particular part of the section will remain in the bill.

Now in regard to the part which my amendment would strike out. My amendment strikes out all of section 8 (b) (6). Some of this section is acceptable as far as I am concerned, but then there are the words "or sympathetic association with." What in the name of God and high heavens is sympathetic association? In line 9 there are the words "or subversive." Where is there a legal definition of the word "subversive"? Again it is left up to the Attorney General as to who is subversive, as to whether I may be in sympathetic association with someone, and so forth. This leaves the gate to hell wide open. Why, it leaves it wide open for people of ill-will to wreak vengeance upon someone in his Government department, whether they be a Democratic or Republican supervisor. They could accuse a man of being in "association with," or "subversive." I maintain that is not language that will stand up in any court of law. How can you prove whether I am sympathetic or not with a person who is actually subversive? I say that opens the gate to a tremendous witch hunt. It might be the opinion of some board or some Attorney General that an individual has associated with some group. That is why I have offered this particular amendment and ask that it be agreed to. I make the charge to the committee that the words "loyal" "disloyal", "subversive" and "sympathetic association" throughout this bill have not been defined and I challenge you to define those words. Unless they are defined this bill is full of loose terms and words and susceptible to capricious findings.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from California [Mr. HOLIFIELD].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. HAND].

The amendment was rejected.

Mr. McDONOUGH. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McDONOUGH: On page 14, line 7, after the word "persons," insert "known to the Board or."

Mr. McDONOUGH. Mr. Chairman, my amendment will broaden the powers of the Board and will remove the single and individual power of the Attorney General to alone designate which organizations are totalitarian, Fascist, Communist, or subversive. It will also remove the possibility of political preference or personal prejudice by the Attorney General. The Board must have some discretion and since the Board is bipartisan we can be more certain of a fair determination than we can if the Attorney General is given this sole authority as the bill now provides. My amendment will also give the Board the right to agree or disagree with the Attorney General in his findings. I urge the House to adopt my amendment, because I am convinced that it will be an improvement of the bill as it is now written. Let me read the bill as it is now and as it will be if amended as I propose:

(6) Membership in, affiliation with, sympathetic association with, any foreign or domestic organization, association, movement, group, or combination of persons designated by the Attorney General.

My amendment adds:

known to the Board or designated by the Attorney General.

I trust that the committee will support my amendment and the House will adopt it.

Mr. REES. Mr. Chairman, there is no objection to the amendment. We accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. McDONOUGH].

The amendment was agreed to.

Mr. JAVITS. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. JAVITS: Page 14, line 5, strike out the comma after the word "in" and insert in lieu thereof the word "or" and strike out all after the comma following the word "with" to the word "any" in line 6.

Mr. JAVITS. Mr. Chairman, the purport of my amendment will be to strike out the words "or sympathetic association with." As I said before, those are words unknown in law. They have not been defined here and they strike me, and I believe they strike a good many other Members of this House, as being nothing but a thought-control law. If we leave them in, we would be endeavoring to penalize people who attend meetings, people who read certain types of literature or people who engage in certain types of discussion. Let us remember that this paragraph (6) applies entirely outside of any interest directly or indirectly affecting the Federal employee's job, which is covered by the first five specifications.

The justification for amending this bill on the floor is very great because we are all united as to the purpose. We all want subversives out of the Government service. What we are trying to do is to write a piece of legislation that will suit that purpose without depriving Federal employees of their basic civil rights. The best way to defeat the purpose of this bill and the purpose of everything we are trying to do in preserving our democracy, is to deprive people of their basic civil rights.

It is important to note that it is not a question of this bill or nothing. The State Department, under existing law, can summarily fire employees for disloyalty, the Civil Service Commission can fire them summarily from other agencies, and the President's Executive order regarding loyalty investigations and firing for disloyalty is in effect. We are, therefore, not under such pressure as to prevent us from passing legislation to eliminate subversives in the Federal establishment and without invading the rights as citizens of the great body of loyal and conscientious Federal employees

The word "affiliation" under my amendment remains in the paragraph. It has been defined by the Supreme Court in the case of *Bridges* v. *Wixon* (326 U. S. Supreme Court Reports) to be the following:

Evidence of a working alliance to bring the proposed program to fruition.

Therefore, my amendment gives full coverage both as to direct membership in any subversive group, and as to any kind of activity of a "fellow traveler" variety. But the words "or sympathetic association" are as wide open as a barn door for thought control and the House should definitely take them out.

Mr. KERSTEN of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Wisconsin.

Mr. KERSTEN of Wisconsin. Would not that phrase "sympathetic association" range anywhere from a mild interest to strong support?

Mr. JAVITS. As the gentleman says, it would include anything from a mild interest to strong support, depending on the temper of the people who are on the Board. If the people who are on the Board want to run a totalitarian show they can ruin anyone whose thoughts they do not agree with, by firing him from the Government and placing a permanent stigma upon him that he was disloyal.

Mr. REES. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment, if you will observe, would, of course, weaken the bill. It strikes at the heart of the thing, because as a matter of practice, these subversive organizations would fail to initiate or accept the membership in the organization, the most ardent supporters, and leave them in the status of sympathetic associates.

Mr. JENNINGS. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from Tennessee.

Mr. JENNINGS. In other words, this language simply has the meaning ordinarily given to an accessory to a crime. Accessories are those who are present, ready, and consenting to aid and abet. When they do that, they are guilty as principals. To associate with means to run with, bed up with, gang up with, or cooperate with.

Mr. MUNDT. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from South Dakota.

Mr. MUNDT. I would like to say that if you strike those words out you would defeat this act from operating with regard to a very great number of Communists, because all the witnesses before the Un-American Activities Committee from the Communist Party and from the FBI point out that among Communists they retain a large number of actual members who are not card carriers, who could not be used as actual participants,

but who show very definite sympathetic association with them. You would delete some of your most dangerous affiliates.

The CHAIRMAN. The time of the gentleman from Kansas has expired. All time has expired.

The question is on the amendment offered by the gentleman from New York [Mr. JAVITS].

The question was taken; and on a division (demanded by Mr. JAVITS) there were—ayes 34, noes 106.

So the amendment was rejected.

Mr. KEATING. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. KEATING: Page 13, line 7, after "evidence that", strike out "reasonable grounds exist for the belief that."

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. KEATING].

The amendment was rejected.

The Clerk read as follows:

REPORTS OF BOARD

SEC. 9. Before January 15 of each calendar year commencing after the date of enactment of this act, the Board shall submit to the Congress and the President a report outlining its work during the preceding year, together with any recommendations it may deem advisable with respect to its activities. Such report shall contain a statement with respect to the status or disposition of the cases of those disloyal employees with respect to whom the Board notified the President under section 5 (b).

Mr. HOBBS. Mr. Chairman, I am tremendously concerned over this bill. I have very, very regretfully come to the conclusion that as it stands I simply cannot go along with it; not that that matters to anyone but me, but I want to give my reasons for the faith that has come to be in me.

In the first place, I think it will necessarily fail to accomplish its manifest purpose. I want that purpose effectuated and fully accomplished.

In my deliberate judgment, this is an ex post facto bill within the condemnation of section 9 of article I of the Constitution. As to those employees who are now in the service of the executive branch of our Government, this bill certainly changes the rules under which they were employed. They were employed on an annual-salary basis, contemplating permanent employment so long as they did their work acceptably, and complied with their oath of office and the then rules, subject, of course, to the pleasure of the appointing power. They risked their lives on the faith they had in their Government. Some gave up, or declined, better jobs, for the supposed security of Government employment. They had the right to that faith, for it was assured by the guaranty of our Constitution, the laws made pursuant thereto, and the rules governing the conditions of service. It is, therefore, abhorrent to the American sense of fair play to change those rules, virtually without notice, and wholly without cause, thereby branding them as guilty of the treasonous sin of disloyalty involving punishment for life. That abhorrence of such injustice caused us to outlaw all ex post facto laws.

I know what Mr. Justice Oliver Wendell Holmes wrote in *McAuliffe* v. *New Bedford* (155 Mass. 216): "The petitioner may have a constitutional right to talk politics, but he has no constitutional right to be a policeman." But in that case McAuliffe was found guilty of violating rule 31 of the police regulations of that city. That rule was not new, nor had it been changed, and the officer was shown to have known of it by saying, "I admit I am guilty."

So, when we train our guns on those who came in under the law we wrote, and complied with it by taking the oath it required, attesting their fealty, we have no right to change the law governing their employment merely because we have changed our mind.

In the second place, we are the legislative, not the executive, branch of our Government. By the law we wrote we committed the trust of "hiring and firing" employees of the executive department to them. Why should we set up boards to oust them from the proper sphere of their prerogatives? Especially is the question pertinent when the Chief Executive has exercised his power and already set up the machinery for doing exactly what this bill seeks to do.

The Supreme Court held in the Meyers case and again in the Morgan case, that the Chief Executive has the right to fire employees in the executive branch at his own will and pleasure.

Why will we borrow trouble? Have we not enough of our own?

In the third place, may I ask why this bill, after creating new boards to usurp the function and do the duty of the responsible heads of departments in the executive branch, should take away from the boards the power to decide what groups are "totalitarian, Fascist, Communist, or subversive," and make the Attorney General the sole judge to make this decision?

In the fourth place, this bill outlaws friendship with sinners. It does not qualify its condemnation of "sympathetic association" with "group or combination of persons" by stipulating what kind of sympathy, nor what kind of association. For aught appearing in this bill the "sympathetic association" condemned might just as well be that of pity for stupid folly sought to be reformed, as approving.

The law under which Father Cummings was convicted would also have prohibited the giving a cup of cold water to a feverish, dying man.

The Clerk read as follows:

PRECEDENCE OF INVESTIGATIONS OF, AND ACTIONS WITH RESPECT TO, EMPLOYEES

SEC. 10. In carrying out the provisions of this act, investigations by the Commission and the Bureau, and actions by the subordinate boards and the Board, with respect to employees shall take precedence over investigations by the Commission and the Bureau, and actions by the subordinate boards and the Board, with respect to applicants.

Mr. BUCK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, this bill appears to me to set up a great deal of cumbersome machinery to do a job that ought already to be the prime responsibility of every executive or supervisor who is worthy of his salt. If the President had required the exercise of this responsibility, this bill at this great cost would be unnecessary.

The Clerk read as follows:

FINGERPRINTS OF EMPLOYEES

SEC. 11. As soon as practicable after the date of enactment of this act, the head of each department or agency in the executive branch of the Government shall submit to the Bureau, through the Commission, the name and fingerprints of every employee of such department or agency whose name and fingerprints have not theretofore been submitted by such department or agency, and shall from time to time thereafter submit the names and fingerprints of new employees. Information secured by a search of the Bureau's name and fingerprint files shall be transmitted to the head of each department or agency through the Commission.

AUTHORIZATION OF APPROPRIATIONS

SEC. 12. There are authorized to be appropriated from time to time such sums as may be necessary to carry out the provisions of this act.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. CANFIELD, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H. R. 3813) to provide for removal from, and the prevention of appointment to, offices or positions in the executive branch of the Government of persons who are found to be disloyal to the United States, pursuant to House Resolution 267, he reported the bill back to the House with sundry amendments adopted by the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Is a separate vote demanded on any amendment? If not, the Chair will put them en gross.

The amendments were agreed to.

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

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. KEFAUVER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. KEFAUVER. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies, and the Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. KEFAUVER moves that the bill be recommitted to the Committee on Post Office and Civil Service, with instructions that the committee report the bill back to the House with the following amendment: On page 9, line 24, after the period insert the following: "In case of such a final adverse decision under paragraph (1), such certification shall not be made until after the period for taking an appeal under subsection (d) has elapsed."

On page 10, after line 17, insert the following:

"(d) (1) Any employee or applicant may, within 30 days after the date of the notification in writing from the Board of a final

adverse decision in his case under subsection (b) (1) file a complaint with the United States Court of Appeals for the District of Columbia, stating his reasons why the decision of the Board should be set aside. A copy of such complaint shall forthwith be served on the Board. Upon the filing of such complaint the court shall have exclusive jurisdiction to set aside such decision or to dismiss the complaint.

"(2) No final adverse decision of the Board shall be set aside unless the complainant establishes to the satisfaction of the court that such decision is arbitrary or capricious, or otherwise not in accordance with the law.

"(3) No employee shall be discharged, and no action shall be taken to deny employment to an applicant, under this act pending the determination of his complaint under this section: *Provided, however*, That upon an affirmative showing by the Board that the continuance of the service of the employee in the service of the Government might be dangerous to the welfare of the Government, the court may order the suspension of the employee during the pendency of the appeal."

Mr. REES. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit, offered by the gentleman from Tennessee.

Mr. KEFAUVER. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 133, nays 248, not voting 48, as follows:

[Roll No. 111]

YEAS—133

Abernethy
Albert
Bates, Mass.
Battle
Beckworth
Bender
Blatnik
Bloom
Boggs, La.
Bolton
Brophy
Buchanan
Burleson
Byrne, N. Y.
Camp
Carroll
Case, N. J.
Celler
Cooley
Crosser
Davis, Wis.
Deane
Delaney
Dingell
Donohue
Douglas
Drewry
Eberharter
Engle, Calif.
Feighan
Fernandez
Flannagan
Fogarty
Folger
Forand
Fulton
Gary
Gordon
Gore
Gorski
Gossett
Granger
Gwynne, Iowa
Hale
Hand
Hardy
Harless, Ariz.
Harris
Hart
Havenner
Hays
Hedrick
Herter
Heselton
Hinshaw
Hobbs
Holifield
Huber
Hull
Jackson, Calif.
Jackson, Wash.
Jarman
Javits
Johnson, Okla.
Jones, Ala.
Judd
Karsten, Mo.
Kean
Keating
Kefauver
Kennedy
Kersten, Wis.
Kilday
King
Kirwan
Klein
Lane
Lanham
Lea
Lemke
Lesinski
Lodge
Lucas
Lusk
Lyle
Lynch
McCormack
Madden
Mahon
Mansfield
Marcantonio
Miller, Calif.
Miller, Conn.
Monroney
Morgan
Morris
Murdock
Murray, Wis.
Nixon
Norblad
Norton
Pace
Poage
Poulson
Price, Ill.
Priest
Rabin
Rains
Ramey
Rayburn
Richards
Robsion
Rooney
Sabath
Sadowski
Sasscer
Sheppard
Smathers
Smith, Maine
Smith, Va.
Smith, Wis.
Somers
Spence
Teague
Towe
Trimble
Walter
Whittington
Williams
Wilson, Tex.
Winstead
Wolverton
Worley

NAYS—248

Allen, Calif.
Allen, Ill.
Allen, La.
Almond
Andersen, H. Carl
Anderson, Calif.
Andresen, August H.
Andrews, Ala.
Angell
Arends
Arnold
Auchincloss
Bakewell
Banta
Barrett
Beall
Bell
Bennett, Mo.
Bishop
Blackney
Boggs, Del.
Bonner
Bradley
Bramblett
Brehm
Brooks
Brown, Ga.
Brown, Ohio
Bryson
Buck
Buffett
Bulwinkle
Burke
Busbey
Butler
Byrnes, Wis.
Canfield
Cannon
Carson
Case, S. Dak.
Chadwick
Chapman
Chelf
Chenoweth
Chiperfield
Church
Clason
Clevenger
Coffin
Cole, Kans.
Cole, N. Y.
Colmer
Cooper
Corbett
Cotton
Coudert
Courtney
Cox
Cravens
Crawford
Crow
Cunningham
Curtis
Dague
Davis, Ga.
Davis, Tenn.
Dawson, Utah
Devitt
D'Ewart
Dirksen
Dolliver
Domengeaux
Dondero
Doughton
Elliott
Ellis
Ellsworth
Elston
Engel, Mich.
Evins
Fallon
Fellows
Fenton
Fisher
Fletcher
Foote
Gallagher
Gamble
Gathings
Gavin
Gearhart
Gillette
Gillie
Goff
Goodwin
Graham
Grant, Ala.
Grant, Ind.
Gregory
Griffiths
Gross
Gwinn, N. Y.
Hagen
Hall, Leonard W.
Halleck
Harness, Ind.
Harrison
Hendricks
Hess
Hill
Hoeven
Hoffman
Holmes
Hope
Horan
Howell
Jenison
Jenkins, Ohio
Jenkins, Pa.
Jennings
Jensen
Johnson, Calif.
Johnson, Ill.
Johnson, Ind.
Jones, N. C.
Jones, Ohio
Jones, Wash.
Jonkman
Kearney
Kearns
Keefe
Kerr
Kilburn
Kunkel
Landis
Larcade
Latham
LeCompte
LeFevre
Lewis
Love
McConnell
McCowen
McDonough
McDowell
McGarvey
McGregor
McMahon
McMillan, S. C.
McMillen, Ill.
Mack
MacKinnon
Macy
Maloney
Manasco
Martin, Iowa
Mathews
Meade, Ky.
Meade, Md.
Merrow
Meyer
Michener
Miller, Md.
Miller, Nebr.
Mills
Mitchell
Morton
Muhlenberg
Mundt
Murray, Tenn.
Nodar
Norrell
O'Brien
O'Hara
O'Konski
Owens
Passman
Patterson
Peden
Peterson
Phillips, Calif.
Phillips, Tenn.
Ploeser
Potts
Preston
Price, Fla.
Rankin
Redden
Reed, Ill.
Rees
Reeves
Rich
Riehlman
Riley
Rizley
Robertson
Rockwell
Rogers, Fla.
Rogers, Mass.
Rohrbough
Ross
Russell
Sadlak
St. George
Sanborn
Sarbacher
Schwabe, Mo.
Schwabe, Okla.
Scoblick
Scott, Hardie
Scott, Hugh D., Jr.
Scrivner
Seely-Brown
Short
Sikes
Simpson, Ill.
Simpson, Pa.
Smith, Kans.
Springer
Stanley
Stefan
Stevenson
Stigler
Stratton
Sundstrom
Taber
Talle
Taylor
Thomas, N. J.
Tibbott
Tollefson
Twyman
Vail
Van Zandt
Vorys
Vursell
Weichel
Welch
West
Wheeler
Whitten
Wigglesworth
Wilson, Ind.
Wolcott
Wood
Woodruff
Youngblood
Zimmerman

NOT VOTING—48

Andrews, N. Y.
Barden
Bates, Ky.
Bennett, Mich.
Bland
Boykin
Buckley
Clark
Clements
Clippinger
Cole, Mo.
Combs
Dawson, Ill.
Dorn
Durham
Eaton
Elsaesser
Fuller
Gifford
Hall, Edwin Arthur
Hartley
Hébert
Heffernan
Johnson, Tex.
Kee
Kelley
Keogh
Knutson
Mason
Morrison
O'Toole
Patman
Pfeifer
Philbin
Pickett
Plumley
Powell
Rayfiel
Reed, N. Y.
Rivers
Shafer
Smith, Ohio
Snyder
Stockman
Thomas, Tex.
Thomason
Vinson
Wadsworth

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Kelley for, with Mr. Vinson against.
Mr. Powell for, with Mr. Hébert against.
Mr. Pfeifer for, with Mr. Clements against.
Mr. Philbin for, with Mr. Cole of Missouri against.
Mr. Buckley for, with Mr. Snyder against.
Mr. Keogh for, with Mr. Hartley against.
Mr. Rayfiel for, with Mr. Mason against.
Mr. Heffernan for, with Mr. Eaton against.
Mr. O'Toole for, with Mr. Dorn against.
Mr. Dawson of Illinois for, with Mr. Clippinger against.

Additional general pairs:

Mr. Andrews of New York with Mr. Morrison.
Mr. Fuller with Mr. Rivers.
Mr. Gifford with Mr. Thomas of Texas.
Mr. Wadsworth with Mr. Johnson of Texas.
Mr. Stockman with Mr. Barden.
Mr. Reed of New York with Mr. Durham.
Mr. Bennett of Michigan with Mr. Clark.
Mr. Smith of Ohio with Mr. Combs.
Mr. Knutson with Mr. Boykin.
Mr. Elsaesser with Mr. Patman.
Mr. Edwin Arthur Hall with Mr. Bland.
Mr. Shafer with Mr. Kee.
Mr. Plumley with Mr. Pickett.

Mr. BATES of Massachusetts and Mr. BENDER changed their votes from "nay" to "yea."

Mr. MICHENER changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. REES. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 319, nays 61, not voting 49, as follows:

[Roll No. 112]

YEAS—319

Abernethy
Albert
Allen, Calif.
Allen, Ill.
Allen, La.
Almond
Andersen, H. Carl
Anderson, Calif.
Andresen, August H.
Andrews, Ala.
Angell
Arends
Arnold
Auchincloss
Bakewell
Banta
Barrett
Bates, Mass.
Beall
Beckworth
Bell
Bender
Bennett, Mo.
Bishop
Blackney
Boggs, Del.
Boggs, La.
Bolton
Bonner
Bradley
Bramblett
Brehm
Brooks
Brophy
Brown, Ga.
Brown, Ohio
Bryson
Buck
Buffett
Burke
Burleson
Busbey
Butler
Byrne, N. Y.
Byrnes, Wis.
Canfield
Cannon
Carson
Case, N. J.
Case, S. Dak.
Chadwick
Chapman
Chelf
Chenoweth
Chiperfield
Church
Clason
Clevenger
Coffin
Cole, Kans.
Colmer
Cooper
Corbett
Cotton
Coudert
Courtney
Cox
Cravens
Crawford
Crow
Cunningham
Curtis
Dague
Davis, Ga.
Davis, Tenn.
Davis, Wis.
Dawson, Utah
Deane
Devitt
D'Ewart
Dirksen
Dolliver
Domengeaux
Dondero
Donohue
Dorn
Doughton
Drewry
Elliott
Ellis
Elston
Engel, Mich.
Evins
Fallon
Fellows
Fenton
Fisher
Flannagan
Fletcher
Foote
Fulton
Gallagher
Gamble
Gary
Gathings
Gavin
Gearhart
Gillette
Gillie
Goff
Goodwin
Gorski
Gossett
Graham
Grant, Ala.
Grant, Ind.
Gregory
Griffiths
Gross
Gwinn, N. Y.
Gwynne, Iowa
Hagen
Hall, Leonard W.
Halleck
Hand
Hardy
Harless, Ariz.
Harness, Ind.
Harris
Harrison
Hart
Hays
Hendricks
Herter
Hess
Hill
Hinshaw
Hoeven
Hoffman
Holmes
Hope
Horan
Howell
Hull
Jackson, Calif.
Jackson, Wash.
Jenison
Jenkins, Ohio
Jenkins, Pa.
Jennings
Jensen
Johnson, Calif.
Johnson, Ill.
Johnson, Ind.
Jones, N. C.
Jones, Ohio
Jones, Wash.
Jonkman
Judd

Kearney	Murray, Wis.	Seely-Brown
Kearns	Nixon	Sheppard
Keating	Nodar	Short
Keefe	Norblad	Sikes
Kennedy	Norrell	Simpson, Ill.
Kerr	O'Brien	Simpson, Pa.
Kersten, Wis.	O'Hara	Smathers
Kilburn	O'Konski	Smith, Kans.
Kilday	Owens	Smith, Maine
Kunkel	Pace	Smith, Va.
Landis	Passman	Smith, Wis.
Lane	Patterson	Spence
Lanham	Peden	Springer
Larcade	Peterson	Stanley
Latham	Phillips, Calif.	Stefan
Lea	Phillips, Tenn.	Stevenson
LeCompte	Ploeser	Stigler
LeFevre	Poage	Stockman
Lewis	Potts	Stratton
Lodge	Poulson	Sundstrom
Love	Preston	Taber
Lucas	Price, Fla.	Talle
Lusk	Priest	Taylor
Lynch	Ramey	Teague
McConnell	Rankin	Thomas, N. J.
McCowen	Redden	Tibbott
McDonough	Reed, Ill.	Tollefson
McDowell	Rees	Towe
McGarvey	Reeves	Trimble
McGregor	Rich	Twyman
McMahon	Richards	Vail
McMillan, S. C.	Riehlman	Van Zandt
McMillen, Ill.	Riley	Vorys
Mack	Rizley	Vursell
MacKinnon	Robertson	Walter
Macy	Robsion	Weichel
Mahon	Rockwell	Welch
Maloney	Rogers, Fla.	West
Manasco	Rogers, Mass.	Wheeler
Martin, Iowa	Rohrbough	Whitten
Mathews	Ross	Whittington
Meade, Ky.	Russell	Wigglesworth
Meade, Md.	Sadlak	Williams
Merrow	St. George	Wilson, Ind.
Meyer	Sanborn	Wilson, Tex.
Michener	Sarbacher	Winstead
Miller, Md.	Sasscer	Wolcott
Miller, Nebr.	Schwabe, Mo.	Wolverton
Mills	Schwabe, Okla.	Wood
Mitchell	Scoblick	Woodruff
Morton	Scott, Hardie	Worley
Muhlenberg	Scott, Hugh D., Jr.	Youngblood
Mundt	Scrivner	Zimmerman
Murray, Tenn.		

NAYS—61

Battle	Gordon	Lesinski
Blatnik	Gore	Lyle
Buchanan	Granger	Madden
Camp	Hale	Mansfield
Carroll	Havenner	Marcantonio
Celler	Hedrick	Miller, Calif.
Cole, N. Y.	Herlelton	Miller, Conn.
Cooley	Hobbs	Monroney
Crosser	Holifield	Morgan
Delaney	Huber	Morris
Dingell	Jarman	Murdock
Douglas	Javits	Norton
Durham	Johnson, Okla.	Price, Ill.
Eberharter	Jones, Ala.	Rabin
Ellsworth	Karsten, Mo.	Rains
Engle, Calif.	Kean	Rayburn
Feighan	Kefauver	Sabath
Fernandez	King	Sadowski
Fogarty	Kirwan	Somers
Folger	Klein	
Forand	Lemke	

NOT VOTING—49

Andrews, N. Y.	Fuller	Pfeifer
Barden	Gifford	Philbin
Bates, Ky.	Hall, Edwin Arthur	Pickett
Bennett, Mich.	Hartley	Plumley
Bland	Hébert	Powell
Bloom	Heffernan	Rayfiel
Boykin	Johnson, Tex.	Reed, N. Y.
Buckley	Kee	Rivers
Bulwinkle	Kelley	Rooney
Clark	Keogh	Shafer
Clements	Knutson	Smith, Ohio
Clippinger	McCormack	Snyder
Cole, Mo.	Mason	Thomas, Tex.
Combs	Morrison	Thomason
Dawson, Ill.	O'Toole	Vinson
Eaton	Patman	Wadsworth
Elsaesser		

So the bill was passed.

The Clerk announced the following pairs:

Mr. Vinson for, with Mr. Kelley against.
Mr. Hébert for, with Mr. Powell against.
Mr. Snyder for, with Mr. Pfeifer against.
Mr. Clements for, with Mr. Bloom against.
Mr. Cole of Missouri for, with Mr. Dawson of Illinois against.

Additional general pairs:

Mr. Andrews of New York with Mr. Pickett.
Mr. Wadsworth with Mr. Thomas of Texas.
Mr. Hartley with Mr. Morrison.
Mr. Knutson with Mr. Rivers.
Mr. Eaton with Mr. Rooney.
Mr. Smith of Ohio with Mr. Buckley.
Mr. Plumley with Mr. Philbin.
Mr. Bennett of Michigan with Mr. Johnson of Texas.
Mr. Clippinger with Mr. Keogh.
Mr. Gifford with Mr. Heffernan.
Mr. Mason with Mr. Clark.
Mr. Shafer with Mr. Rayfiel.
Mr. Reed of New York with Mr. Barden.
Mr. Edwin Arthur Hall with Mr. Kee.
Mr. Elsaesser with Mr. O'Toole.
Mr. Fuller with Mr. Boykin.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

EXTENSION OF REMARKS

Mr. REES. Mr. Speaker, I ask unanimous consent that all Members who spoke on the bill H. R. 3813 may be permitted to revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. COLMER asked and was given permission to extend his remarks in the RECORD and include an editorial.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3993) entitled "An act making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes."

The message also announced that the Senate agrees to the amendment of the House of Representatives to the Senate amendment No. 12 to the above-entitled bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 3493) entitled "An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes."

The message also announced that the Senate recedes from its amendment No. 78 to the above-entitled bill.

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON NATIONAL SECURITY ACT OF 1947

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I offer a privileged resolution (H. Con. Res. 70) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That in accordance with paragraph 3 of section 2 of the Printing Act approved March 1, 1907, the Committee on Expenditures in the Executive Departments of the House of Representatives be, and is hereby, authorized and empowered to have printed for its use 5,000 additional copies of the hearings held before said committee during the current session on the bill (H. R. 2319) "The National Security Act of 1947."

With the following committee amendment:

Page 1, line 6, strike out "five" and insert "three".

The committee amendment was agreed to.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RAILROAD REORGANIZATIONS

Mr. WALTER. Mr. Speaker, I ask unanimous consent that certain members of the Committee on the Judiciary may have until midnight tomorrow night to file minority views on the bill (H. R. 3980) to enable debtor railroad corporations expeditiously to effectuate reorganizations of their financial structures; to alter or modify their financial securities; and for other purposes, and to incorporate those views with the majority report.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

RESIGNATION FROM COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

WASHINGTON, D. C., *July 15, 1947.*

Hon. JOSEPH W. MARTIN, Jr.
The Speaker, House of Representatives, Washington, D. C.

MY DEAR MR. SPEAKER: I hereby submit my resignation as a member of the standing committee of the House of Representatives on the Committee on Merchant Marine and Fisheries.

Sincerely,

FRANKLIN J. MALONEY.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

EXTENSION OF REMARKS

Mr. POULSON asked and was given permission to extend his remarks in the RECORD and include two editorials.

Mrs. ROGERS of Massachusetts asked and was given permission to extend her remarks in the RECORD and include a description of the AMVETS Post in the House of Representatives.

Mr. O'KONSKI asked and was given permission to extend his remarks in the RECORD and include an article.

HOUR OF MEETING TOMORROW

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock a. m. on tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ELECTION TO COMMITTEE ON FOREIGN AFFAIRS

Mr. HALLECK. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 299

Resolved, That FRANKLIN J. MALONEY, of Pennsylvania, be, and he is hereby, elected a member of the Standing Committee of the House of Representatives on the Committee of Foreign Affairs.

The resolution was agreed to.

ELECTION TO COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. HALLECK. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

House Resolution 300

Resolved, That MITCHELL JENKINS, of Pennsylvania, be, and he is hereby, elected a member of the standing committee of the House of Representatives on the Committee on Merchant Marine and Fisheries.

The resolution was agreed to.

EXTENSION OF REMARKS

Mr. MACKINNON and Mr. LANDIS (at the request of Mr. HALLECK) were given permission to extend their remarks in the RECORD.

COMMITTEE ON EXPENDITURES IN THE EXECUTIVE DEPARTMENTS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the Committee on Expenditures in the Executive Departments have until midnight tonight to file a report on the unification bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

COMMITTEE ON BANKING AND CURRENCY

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may have until midnight tonight to file a report on H. R. 3738.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the call of the committees in order on tomorrow be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows:

To Mr. SNYDER (at the request of Mr. HOFFMAN) for 5 days, on account of official business.

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. SADOWSKI] is recognized for 30 minutes.

OUR POLICY TOWARD GERMANY

Mr. SADOWSKI. Mr. Speaker, what has happened to our policy for Germany? Two years ago at Potsdam we had decided to render Germany powerless to wage another war; to eliminate her war potential; to destroy the war plants; to denazify Germany; to give Germany a decent living standard, but not superior to that of her neighbors. To make Germany pay reparations in capital goods; to decartelize her economy; and to punish her war criminals. What has happened to this policy? Have we made certain that Germany cannot wage war again? Have we made certain that German history will not repeat? These questions are being asked by not only the people of the United States but by the people of the entire world, and they are entitled to know the truth.

At the meeting of the Big Three at Potsdam, August 2, 1945, it was agreed to eliminate for all time Germany's war potential, and it was decided that the production of metals, chemicals, machinery, and other items that are necessary to a war economy be rigidly controlled and restricted to peacetime needs.

In practical terms this decision meant that Germany should develop her light industries, her agricultural resources, and export coal and other raw materials, the proceeds of which were to be used to pay for the needed importation of food and other items, thus relieving the American taxpayer.

Immediately after victory, high officials began to distort the Allied policy toward Germany.

As soon as this became apparent, General Eisenhower made it plain—in unmistakable terms—that all Allied officials must conform to the official policy adopted by the Big Three.

The same interests which defeated the Allied policy toward Germany after World War I, are again in favor of preserving German economic power intact.

During the war, Allied policy toward Germany was largely influenced by certain selfish British interests. In this respect, British insistence on controlling the Rhineland stems from the thought of nursing the Ruhr's assets as a joint British-German enterprise which would constitute an economic threat to the United States.

Two years of Allied occupation of Germany have produced the following results:

(a) Germany's heavy industry is largely intact and operating and planning for the whole of Germany from the western zone.

(b) The leaders of Germany heavy industries and finance—stanch supporters of the Nazi regime—have retained the full control of the German economic life.

(c) With the exception of those few now being tried in the United States zone, most of Germany's economic and political leaders have so far escaped justice.

It took Germany 12 years to defeat the reparations program after World War I; it took her less than 2 years to deny reparations to her 18 victim nations. A typical illustration is the fact that out of 1,557 plants earmarked for reparations by Allied authorities, only 6 plants intact were delivered to the 18 nations up to February 1947.

Gen. Omar N. Bradley, discussing recently the organization of the D-day invasion, said:

> Today it seems strange that in an operation as risky as a cross-channel invasion, we could keep that confidence in success—while in an undertaking as full of promise as peace should be, we surrender so easily to our doubts and fears.

It is tragic, indeed, that having organized the greatest amphibious invasion the world has ever known, we are now stricken by a paralysis in the organization of the peace. This is all the more ironic when we are the victors and the Germans decisively beaten on the field of battle.

For a moment the flash of victory in war seemed to lighten up the path to peace but, unfortunately, the glow of military victory no longer shines with the brilliance of 3 years ago. Today we are working in shadows, fumbling and groping, as though peace is some sort of hypnotic disease which numbs our senses, our courage, and our power to act. Today it is the Germans who have taken the initiative. They are no longer beset by fears and doubts. They know what they want and they are determined that the fruits of victory shall be theirs—not ours. This, too, is strange—strange because the victors had the means, and still do, to follow through their military triumph.

Policies were established at Yalta and Potsdam. Our Government formulated JCS-1067—all designed to complete the task of ridding the world of the cancer of German militarism. But policies are not enough. It takes men with sincere and courageous devotion in order to make those policies work. That is where we have failed. Many of the key officials responsible for the carrying out of our policies in Germany have never been sympathetic toward this program. They have distorted its meaning and have given priority to the rehabilitation of Germany's power over our long-term security requirements. I do not intend to mention all the men responsible but there are a few that I have in mind who you should know, because I believe their records to date will indicate one major reason why we are failing.

Mr. Robert E. Murphy, political adviser to the American military government, has been a consistent exponent for those who have regarded the Potsdam decisions as a handicap. Mr. Murphy is responsible for the policy in the United States zone, exempting half of the members of the Nazi Party from mandatory removal. It is these Nazis—members after May 1, 1937—and their cohorts, who form the basis of the Nazi resurgence. Mr. Murphy and a majority of the Denazification Policy Board, including General Meade and General Draper, are some of the individuals responsible for the mad haste to turn denazification over to unregenerate German nationalists and pan-Germans, so that military government officials can, in Army parlance, "go home."

Mr. Murphy and his cohorts are responsible for calling elections at a time when they could only solidify the power of these insidious forces. Mr. Murphy and his cohorts are responsible for the brush-off given sincere anti-Nazi, pro-Democratic Germans, seeking to assist honest military government. It was Mr. Murphy, who, as early as August 1945, barely 90 days after VE-day, calmly announced that denazification was substantially complete.

A side light to the work of denazification in the American military zone, i the fact that when investigators revealed that Public Law No. 8, promulgated by the Allied Control Council, which was designed to weed out Nazis from key positions, was a failure, Brigadier General Meade, a member of the Denazification Policy Board, ordered the report to be suppressed.

Another key official in the American military government is William H. Draper, chief economic adviser to General Clay. In early 1946 General Draper told newspapermen that he felt that Germany should be allowed to produce 10,000,000 tons of steel annually. But while General Draper thought that the Germans were entitled to 10,000,000 tons per year, the Allied Control Council knew very well that Germany could get along on much less steel. Consequently, they decided to permit Germany to produce 5,800,000 tons a year, approximately 42 percent less than the generous recommendation of General Draper.

It is interesting to note that General Draper's expertness on Germany stems from the fact that he is a vice president of Dillon, Reed & Co. This, of course, in itself does not impugn his ability to render outstanding services to his Government, but there is an unhappy coincidence in the fact that Dillon, Reed & Co. has had considerable financial dealings in Germany. This American banking house has been helpful on a large scale, in financing German industry since 1925. The German steel industry was a major beneficiary of these financial transactions. The biggest German steel combine, Vereinigte Stahlwerke, was a recipient of about $125,000,000 worth of loans floated by Dillon Reed. Is it strange, therefore, that General Draper should be concerned about retaining Germany's steel capacity in high gear?

But General Draper is not only interested in German steel production. It was under his direction that a group of economists, headed by Prof. Calvin B. Hoover, of Duke University, prepared a report immediately after Potsdam, which in essence, declared the Potsdam decisions to be unworkable. There is no doubt in my mind that not only does General Draper fully concur with this report but that it seems to have been deliberately conjured in order to discredit Big Three agreements in Germany.

Furthermore, the plans of General Draper and his cohorts were carefully laid. The Calvin Hoover report was the forerunner of several more so-called authoritative studies on the German situation culminating in Herbert Hoover's recommendations which seem to be the final nail in the coffin of Potsdam.

If we have failed in placing the right men in the right places, the British are most certainly not far behind. They, too, were committed to the program of Potsdam but the key officials who were appointed to carry out the decisions, view them as do their chief counterparts in the American zone of occupation.

Sir Brian Robertson, who holds an office in the British zone corresponding to that of our General Clay, has been in the position to thwart the implementation of thorough-going denazification and decartelization in the British zone.

Another British gentleman, Sir Percy Mills, until recently held an office similar to that of General Draper in the American zone. But who is Sir Percy Mills? He represented the Federation of British Industries which, in turn, is the counterpart of the Federation of German Industries and closely connected with them. In 1939, after Hitler had overrun Austria and Czechoslovakia, Mills made an alliance with the Federation of German Industries at Dusseldorf, known as the Dusseldorf agreement, whereby the British heavy industry and the Nazi industry agreed to divide the world markets in two spheres. Under this agreement, Nazi heavy industries received all of Europe and the British heavy industries obtained the monopoly in the British Empire. Interestingly, this agreement was specifically aimed at eliminating the United States from the export field. Like his colleague, Sir Brian Robertson, Sir Percy is also a bitter foe of effective decartelization and has been eminently successful in preventing the elimination of Germany's war potential in the British zone.

Since the execution of allied policy has been entrusted to the men I have mentioned, it is not surprising that the most powerful German industrial war lords have retained their power in spite of everything. For instance, let us take the case of Herr Ernst Poensgen, who was the brains behind German heavy industry for more than 30 years. In 1943 he was retired under the express orders of Hitler in order that his services could be utilized in the event of Germany's defeat. At the time of his retirement he was head of the Vereingite Stahlwerke. For his outstanding service to the Nazi cause, he was decorated by Hitler personally as the Wehrwirtschaftsfuehrer—the highest decoration awarded to Nazi tycoons. Because of his intimate tie-ups with British heavy industry, he was reappointed head of the Vereingite Stahlwerke a few months ago. Although he was a member of the Nazi Party, he was never denazified and instead of being indicted as a war criminal, he now plans the reconstruction of Germany's war potential.

Another notorious gentleman, Herman Abs, head of the Deutsche Bank, was given every facility to go through the British lines with seven billions of marks in cash, to establish business again in the British zone. Abs was even more powerful than Schacht during the Nazi regime. Ever since his reception by the British, he has acted as advisor on economics and finances to the commander of the British zone, Sir Shelton Douglas. It was Abs who was instrumental in granting a loan of 125,000,000 reichsmarks to Vereinigte Stahlwerke for the repairing of war-damaged plants.

Another favorite of the Military Government in Germany is Dr. Harold Rasch, who was former deputy director of the German Bi-Zonal Committee. It was he who conceived the plans for the procurement of RFC loans to Germany. It was he, who, during the war, was a high official in the Mannesmann Combine, chief looter of occupied Europe in 1940. There are many other key officials, American, British, and German who are today trying to resume business as usual, but I think that the examples cited are sufficient to give concern to all of us.

The German campaign, however, does not only work on the high levels of economics and international finance. It operates through every possible channel of information. Way back in June 1945, the Germans launched the popular slogan of "food for Germany." They had not forgotten the lesson of World War I, when German propagandists came to this country in droves and went up and down the land, pleading for the poor, helpless, starving, innocent Germans—concluding that the ramparts of western civilization were being attacked by eastern bolshevism, and that it was therefore the obligation of the Allies to help put the Germans back on their feet.

This propaganda was most effective and was one of the determining wedges through which the Germans were able to evade the disarmament clauses of the Versailles Treaty and obtain billions from the Allies for the rebuilding of their war potential.

This campaign was so effective that the German propagandists of World War II have not hesitated to employ it again. In June 1945, pro-German groups began to manufacture the food-for-Germany propaganda. In Chicago, for instance, the American Relief for Germany was organized; its sponsor—the notorious German-language newspaper, the Chicago Abendpost; its purpose—to raise money and to create sympathy for the Fatherland. A newspaper reporter present at this German rally reported as follows:

> I felt like I was attending a Hitler rally and I do not doubt that the meeting was organized by former members of the Nazi bund. The audience was composed of readers of the Abendpost and members of organizations which were formerly influenced by the bund.

Wild cheers greeted the statement at this meeting made by Herr A. F. W. Siebel, one-time president of the Germania Club, when he stated that Allied treatment was inhuman—that most Germans are kind and peace-loving and that all Germany's misbehavior was due to the the Versailles Treaty. Conversely, mention of General Eisenhower's name was greeted with booing.

Another organization which operated in this field at the same time, was the German-American Republican League, headed by Kurt Mertig. Mertig's infamous record of anti-Semitic, pro-Hitler activities is indicative of the forces

which were manipulating this so-called humanitarian project. As a founder of the notorious Citizens' Protective League in 1936, Mertig was able to use the league as a rallying spot for Bundists, and even non-German pro-Fascists. Mertig was also an active member of the Friends of New Germany, the forerunner of the German-American Bund.

Another special pleader in this insidious campaign was Theodore Hoffman, national chairman of the Steuben Society, which is today very busy in Washington, lobbying for the fatherland. Hoffman was a warm admirer and defender of Hitler and described him as an idealist. The Steuben Society was also actively opposed to American aid to Great Britain during the war and was a consistent supporter of Hitler's and Germany's policies.

It was these organizations and individuals who initiated the campaign for food for Germany, but once having set the movement in motion, these forces decided that more respectable leadership should take over. This has been done, so that today many well-intentioned organizations and prominent Americans are carrying forward their spade work. In reality, this crusade was the opening gun in a well-planned campaign of whining and pity, whose ultimate goal was the rebuilding of a strong and aggressive Germany. Once they were able to convince the American people that the Germans were starving, then it would be easy for more respectable people to come out with the proposition that we must rebuild Germany's industrial war potential in order that she may feed herself.

I should like to digress for one moment to point out that one prominent American who has been of inestimable value to the German cause, both after World War I and at the present, is Mr. Herbert Hoover. It was he who gave the German campaign of 1919 the halo of respectability. Today, Mr. Hoover is being used again for the same purpose.

The present campaign has succeeded to such an extent that many Americans have lost all sense of proportion. Our newspapers are replete with detailed reports about the so-called caloric deficiencies of the Germans today. Our lecture platforms are also being utilized by so-called experts who describe in detail the plight of the "poor" Germans. But what about Germany's victims, our allies—those who were bled white and who were starved for years by the "poor, poor" Germans? How strange it is that these heroic peoples do not get the same kind of attention. How strange it is that while the Germans have expert Americans who are more German than the Germans themselves, pleading their special cause, few Americans take up the tragic plight of Germany's victims.

An indication of American action with regard to the question of help to Germany and to our allies may be gleaned from the following statistics. I realize that statistics can be most boring but these figures are most significant. In the first 6 months of 1946, 926,519 tons of food were shipped to Germany, while only 55,000 tons were shipped to the D. P. camps. In this connection, I might add that the bizonal agreement signed by former Secretary of State Byrnes and Foreign Minister Bevin, specifically stated that the DP's could not expect to receive help at the expense of the Germans themselves. German farmers in this same period received 1,106,333 sacks of grain; 14,721 tons of seed; 22,085 tons of burlap; 45,528 tons of fertilizer. German publishers received about 13,500 tons of wood pulp. In addition to these shipments, tens of thousands of tons of food and goods were shipped to Germany from private agencies. In August 1946, for example, 1,305 tons of food and 123 tons of clothing were sent. I should like to point out that the total amount of supplies received by Germany from the United States of America during this period was equal to the gross amount of supplies received by the rest of Europe from this country. And, mind you gentlemen, the rest of Europe were our allies. Incidentally, we are now shipping a monthly average of 350,000 tons of food to Germany, part of which is lost in the black market, while German farmers defiantly withhold their own crops from the market. And let me remind you again, gentlemen, that this 350,000 tons of food per month for Germany is more than all of our allies combined received from us for the same period.

Right here it would be appropriate to bring to your attention an article that appeared in the New York Times this Sunday, July 13, 1947, by Delbert Clark from Berlin, stating that Dr. Josef Baumgartner, Bavarian Minister of Agriculture, who on March 4 belligerently criticized the United States Military Government and openly resisted the United States food collection program in Bavaria, is now the leading candidate for the top bizonal post of director for food and agriculture. Under the new government of western Germany, with the seat in Frankfurt on the Main, the bizonal executive committee nominates executive directors and the economic council in the role of parliament ratifies them. Quoting from the article:

> As for Dr. Baumgartner, one high United States official said recently the reason that he had not been punished for the March 4 speech was that it was a virtual paraphrase of a secret speech by Herbert Hoover to United States zone minister presidents in Stuttgart a short time before. Dr. Baumgartner was not prepared to supply a copy of Mr. Hoover's remarks, but it is a fact that at one point he quoted from that speech.

The other candidate for this important post is Hans von Schlange-Schoeningen sponsored by the British. He is a notorious Prussian Nazi thoroughly incompetent.

So, it is a choice between Satan and the devil.

Unlike her neighbors, whose farmlands were ruined and buildings and machinery burned and removed, Germany's farms and farm buildings, tractors, and machinery were practically untouched by the war. This has been verified by everyone who has been there.

Congress is entitled to know just why the food collection program from German farms has been so unsuccessful. Just who is backing Dr. Baumgartner, who sabotaged this program and is now being rewarded with the bi-zonal directorship of food and agriculture?

Our failure in Germany, however, can also be seen from the fact that contrary to allied agreements on the vesting and marshaling of Germany's external assets, very little has been accomplished. The problem of German external assets was examined by the Allied Control Council in Berlin in October 1945. The Council promulgated a law vesting and marshaling Germany's foreign assets. An External Assets Commission was set up which was supposed to have complete jurisdiction over this matter, but the External Assets Commission remains on paper only. The French, the British, and the Russians have bypassed this organization and have not even bothered to consult it.

Thus, in the negotiations with Switzerland on German external assets, the western allies agreed that the Swiss retain 50 percent of German assets in that country. The allied negotiators agreed to accept $58,000,000 worth of German gold in Switzerland, representing a small fraction of about $400,000,000 worth of looted gold sent by Germany to Switzerland. Our negotiators have agreed to permit the Swiss to determine what constitutes a German asset and what does not. Our negotiators have agreed that only property owned by Germans living in Germany or Germans subject to repatriation, be considered, which of course, excludes thousands of Nazis who have gone to Switzerland or to other countries, and all those who have cloaked for German firms for years. Our negotiators agreed to turn over 50 percent of German assets to Swiss firms possessing claims against Germany before verifying whether those firms are bona fide Swiss organizations and not agents or dummies for German big business. Our negotiators have agreed to exclude German Government property in Switzerland as subject to the terms of this agreement. Incidentally, a similar agreement was made with Sweden. It is quite obvious, of course, that these agreements represent an important victory for German cartels and preserves financial power abroad.

In the field of decartelization, the Allies have also permitted the Germans to retain their grip on the huge combines. The gigantic Siemens Electrical Trust, Vereinigte Stahlwerke, Mannesmann, I. G. Farben, and so forth, are still operating and there is no indication, in spite of our avowed intentions, that they will be effectively decartelized and their equipment delivered as reparations to Germany's victims. The Germans are very confident about the retention of these huge trusts. A case in point is that of Herr Dinkelbach, a leading financial adviser of the German steel monopoly during the Hitler regime. He was the go-between for Germany's industrial war lords and the Nazis. He was a member of the party and an organizer of German heavy industry for Hitler. Today, he is director of Iron and Steel in the British zone. On the 17th of January of this year, Dinkelbach reported to German and Ruhr industrialists on the future prospects of the work of decartelization. He said that

to begin with, four enterprises under British direction were to be decartelized, but he assured his colleagues that while these enterprises were to be divided completely into constituent elements, there would be no change in ownership. According to Dinkelbach, the four concerns would remain as juridical bodies but not as organizational bodies. Furthermore, he stated that 25 or 30 smaller groups into which they would be subdivided would eventually be rejoined under the North German Iron and Steel, control of which would be ruled by Herr Dinkelbach. In this capacity, he would not only be director of the whole concern on behalf of the British, but trustee for the shareholders and owners. Herr Dinkelbach, of course, has never been touched by the British denazification policy, and as a matter of fact, he has succeeded, by virtue of his position, in freeing 27 of the 31 high officials of the Vereinigte Stahlwerke who were previously arrested as notorious Nazis.

It is not strange, therefore, to note that despite the so-called threat of decartelization, shares are rising in the very businesses earmarked for this operation.

In the case of I. G. Farben, incorporated and incartelicized, while it is true that its leading managers at last are now in the dock at Nuremberg, there is no indication that Farben will be broken up completely. For a better explanation of this, I should like to refer you to two outstanding books which have recently been published, namely Treason's Peace, by Howard Watson Ambruster, and I. G. Farben by Richard Sasuly. When you study the disclosures made in these books, you will understand why I. G. Farben remains a threat to world peace at this late date.

In reparations, we have a similar picture of failure. Reparation deliveries from the western zones have been at a standstill for many months. This has been confirmed by the official reports of the Inter-Allied Reparations Agency located in Brussels. Out of more than 1,500 plants earmarked for delivery as reparations, only six full factories were delivered by February 1947. There has been no significant increase since then.

Closely bound up with the problem of reparations is the coal situation. Mr. Hoover complains that "we are supplying France with Ruhr coal which could be used for the manufacturing of exports in Germany." Actually, a similar situation obtains with respect to the delivery of coal to our wartime Allies, as in the case of reparations. France, for instance, has received a very small portion of the coal she was supposed to obtain. Whereas, at Potsdam, it was agreed that for a period of 8 months ending April 1946, Germany would export 25 million metric tons of coal to her neighbors, this program has not been met. As a matter of fact, less than one-third of the promised coal has been delivered. Today, coal shipments from Germany are very low. Moreover, whatever coal France receives today from Germany is paid for by the French, either in dollars or gold. It is evident, therefore, that not only is France failing to receive sufficient coal in accordance with the previous Allied agreements, but she is paying for whatever coal she does obtain, thereby draining her own meager financial resources.

Coal is the bloodstream of the European economy and so long as the Allies pursue policies which prevent a maximum distribution of German coal to the liberated nations, European recovery will lag and create unrest. In this connection, we should not forget that exports of German coal will not only help our wartime allies and relieve the American taxpayer of unnecessary burdens, but would also enable the Germans to obtain the funds to import foodstuffs and other necessities.

Experts who have made comprehensive studies of this problem have clearly pointed out that Germany's export market could be easily expanded to 60,000,000 tons of coal per year. These coal exports should produce a substantial part of the necessary exchange to provide for the imports considered essential to the German postwar economy.

It is most important to remember that the essential element for the rebuilding of the shattered economy of Germany's victims is coal.

In 1937, a normal year, Germany exported 45,640 tons of coal, coke, and briquettes. In 1938 the average hard coal production in the Ruhr was 416,000 tons per day. For the year 1947, the average daily output has been about one-half of this figure. The excuse that the low steel production is the cause for the low coal production is fallacious; the whole German mining industry requires about 290,000 tons of iron and steel products to mine 115,000,000 tons of coal per year, which would double the present output.

Since in peacetime Germany exported 45,000,000 tons of coal, it stands to reason that Germany can export 50,000,000 tons of coal per year, which would give her an income of at least $750,000,000, which she could use to pay for food and other imports.

From the very beginning of our occupation of Germany, coal was used as the weapon of the whole scheme to undermine our established policy towards postwar Germany. Contrary to popular belief, German coal mines have not been destroyed. According to British reports, out of 120 large mines in the Ruhr only 15 were damaged and all were repaired by the end of 1945.

The latest reports on German coal production, that is for the last month, June 1947, show that it has declined 20,000 tons per day. We are entitled to know what is wrong. France, Belgium, Holland, Italy, Sweden, Denmark—all the countries of Europe, are being held up in their recovery program because of this sabotage of German coal production The Germans have the manpower, they have the mines, they have the food. Why is not the coal being produced? Six months ago German miners received 500 food calories daily in excess of that received by Polish coal miners. Polish coal production has surpassed prewar production. German coal production is only 40 percent of prewar. The answer is obvious. German coal is being withheld deliberately, so that the allied countries will not manufacture their own iron and steel and revive their manufacturing industry. They must remain a European cow pasture, and Germany again will have the monopoly of European iron and steel production, and with it, the manufacturing industry and military might and power.

Remember this, you can have steel mills in France, Belgium, Holland, Italy, and so forth, but you cannot operate them without coal. The coal is in Germany. Before the war, Germany maintained an industrial monopoly in Europe because she controlled the European coal. For instance, France had steel mills, but was compelled to send her iron ore to Germany and then pay Germany through the nose for the manufactured iron and steel products, because Germany denied to France a sufficient amount of coal.

This same policy applied to all the other European countries. Thus they were made to be dependent upon Germany. And so it was that Germany became an industrial giant, and her neighbors were reduced to agricultural peasants.

In the field of reeducating the Germans, again failure seems to hang over our efforts like a black cloud. From reports we learn that the officials in charge of this work have admitted that there is no policy whatsoever, except in a negative sense. In other words, much of our educational efforts run along the line of attempting to refute what the Russians tell the Germans. I know that refutation is far from sufficient in the reeducation of the German mind, which has been poisoned with militarism and superrace concepts since Bismarck. German youth is still saturated with this dual ideology. Tragically, there is no indication of any well-planned program for overcoming this short-sighted approach.

This brief outline of the situation in Germany today is not a promise of peace. It is, on the contrary, the indication that we are on the road to a new and more frightful catastrophe.

Like obedient puppets, the Allies are carrying out the wishes of the Germans. They have asked for the preservation of their industrial might; we have assented. They have raised the cry of "food for Germany," and without any hesitancy, and in complete indifference to the plight of our wartime allies, we rushed tons of food to the Germans in spite of the fact that the German farmers are actively sabotaging food deliveries. They have asked for the revision of the level of industry; we have assented. They have asked for the withholding of reparations; we have assented. In short, we are voluntarily assenting to commit the blunders of 1919—blunders which cost our people thousands of lives and billions of dollars.

Now, to top it all, on yesterday, Robert Moses, New York construction coordinator, left Germany for New York after spending 3 weeks in Germany on a study for rebuilding destroyed German cities. He will make recommendations and submit plans for the rebuilding of German cities. Now is not this something! How happy the people of Warsaw, London,

Rotterdam, Stalingrad, and Lidice will be to read this news!

The strange part of this tragedy is the fact that we really are not helpless; that we do have a program for the demilitarization, denazification, and disarmament of Germany. Yes; we do have a program, but those who are supposed to carry it out regard it as obsolete, unworkable, dangerous. In this talk I have shown, however, that the discarding of our original policies was not accidental. Yet, in the long run, so long as we live in a democracy, the people must bear the chief responsibility. So long as they remain apathetic, the powerful drive to rebuild German power shall continue. So long as the people remain indifferent to a tragedy which is happening before their eyes, then that tragedy will unfold to its logical conclusion.

The hour is late, but the fight for peace and security can still be won. It remains for all of us to join hands as we did during the war years, and demand that our Government get back on the right track. Yes; we want a democratic Germany, and not a powerful militaristic Germany.

There is little reason to believe that the Germans are becoming democratic. Nazis in power—the report by the International Committee to Study European Questions, a committee composed of most distinguished experts, states that the Nazis are getting back into power by the simple expediency of placing their men into the democratic institutions created by the Allies. They report that Nazism is as alive as ever. And they add, that Germany has enough hidden assets in foreign countries to pay for all food imports for 3 years. It is surprising that our press ignored this report, but gives much space to the Pan-German defiant utterances of such fanatical German leaders as Kurt Schumacher, the Social Democrat, and others who act as if Germany were an innocent virgin, deserving of every consideration.

The Gallup poll of February 7, 1947, indicates that the overwhelming sentiment among the peoples of five allied nations—the United States, Great Britain, Canada, Holland, and France—is that the warlike ideals of Germany have not been rooted out, and that she will one day become an aggressor nation again.

In the last 25 years we have had to fight Germany twice. In the last 200 years all of Germany's neighbors have been the victims of German brutal aggression and militarism. There is always a German leader—Frederick the Great, Bismarck, the Kaiser, Hitler, and now there is Herr Kurt Schumacher. He will bear watching.

Do you know, Mr. Speaker, that it is the policy of the State Department not to issue passports to Congressmen or Senators who desire to visit Germany and see for themselves what is going on, unless the War Department approves the passport? What is up? Why this secrecy? Did we, the Congress, abdicate our foreign policy to the big-business interests, cartellists, and the War Department?

Mr. Speaker, I formally request that before this Congress adjourns a strong congressional committee be appointed to thoroughly investigate our entire German policy and to see that demilitarization, denazification, decartellization are carried out, and that Germany's war potential is destroyed and that she remain powerless to wage another war.

SPECIAL ORDER

The SPEAKER pro tempore (Mr. O'KONSKI). Under previous order of the House, the gentleman from California [Mr. PHILLIPS] is recognized for 30 minutes.

AN AMERICAN FOREIGN POLICY

Mr. PHILLIPS of California. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a translation of a cable report from London to a Norwegian paper, and that I may also include a list of the nations of the world to which the United States has furnished either money aid or other aid since the end of the fighting war.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PHILLIPS of California. It has been my intention for some time to call to the attention of the House the preliminary report of the Committee on Foreign Affairs, the subcommittee on Foreign Economic Policy, and to congratulate the committee on that report. I commend it to the attention of the Members of the House.

The other day the gentleman from Arkansas [Mr. HAYS] discussed on this floor certain aspects of the international situation. He called attention to the statement of Mr. John Foster Dulles, which was quoted in the New York Times. The comments were in the report of the Commission on a Just and a Durable Peace, appointed by the Federal Council of Churches of Christ in America. The New York Times said that the commission called for "a United States foreign policy primarily composed of moral ingredients," and the gentleman from Arkansas called attention to one of the most significant sentences in the report:

> Whatever the views of the American people about the military aspects of national defense, they should make clear that they do not put primary reliance upon material defense. Our chief reliance is upon a moral offensive.

During the remarks of the gentleman from Arkansas, the gentleman from Illinois [Mr. DIRKSEN] made a statement, the serious truth of which is just now beginning to impress itself upon the entire Nation. He said:

> We are getting exactly nowhere; we are very nearly back today to the point where we were when hostilities ended in 1945.

It is neither right nor proper that anyone should stand upon this floor and waste time in pointing the finger of blame for such a situation. The gentleman from Wisconsin [Mr. KEEFE] made a very enlightening statement during the remarks of the gentleman from Arkansas. The gentleman from Wisconsin spoke of the hearings before the Deficiency Subcommittee of the Committee on Appropriations, of which latter committee both he and I are members. He spoke of the difficulties, familiar to all of us, encountered in getting accurate or even understandable information out of the people who come before the Committee on Appropriations on matters having to do with international problems. The gentleman from Wisconsin said this:

> I have not been able to get a single answer from anybody, from the State Department, or any other place, for the simple reason, that they do not know.

This is the incredible conclusion to which anyone must come who attempts to draw some basis in fact from the statements on American foreign policy.

It seemed to me that the most pertinent comments, during the remarks of the gentleman from Arkansas, were made by the gentleman from California [Mr. NIXON]. He pointed out that a very eloquent plea was being made for bipartisan cooperation on foreign policy. He reminded the Congress that we have actually had bipartisan cooperation. Then the gentleman from California asked this question:

> I should like to ask this: Does the gentleman not feel that a true bipartisan foreign policy means that it must be bipartisan in its inception and creation, as well as in its execution?

I am not talking idly, Mr. Speaker. I hold in my hand an illustration of the sort of thing the gentleman from California [Mr. NIXON] must have had in mind when he spoke. I suggest, as frequently pointed out on this floor, that it is a bit hard for the membership of this Congress to keep from being confused by the various plans and doctrines, about which we read in the public press. It is even harder to make plans and programs coincide, when released to us, at different times, by the same person.

General Marshall, as the United States envoy to China, believed that some sort of cooperation should be required of the representatives of the Chinese Government and the representatives of the Communist forces in China. Secretary Marshall, as the envoy of the United States to Europe, believes that we should stand against all communistic encroachments, and that we should support and cooperate only with those nations who are willing to take a firm stand with us against communism. I gather this is the Truman doctrine, as clarified in the Marshall plan.

Since graduation day at Harvard, we have Dr. Marshall with us, and I am curious to see if the good doctor agrees with the Secretary, or with the general. I hope his doctorate retains its luster longer than the foreign policy of the United States has remained unchanged historically.

Here is the illustration, Mr. Speaker: This is the cabled report the Norwegian paper—Dagsavisa—had from its London correspondent:

> Inasmuch as the British Government has now definitely stated that it has no intention to seek any American loan for itself, it is up to America to take the initiative. It is known that while England and other European countries need loans from America owing to their dollar shortage, America herself needs to invest dollars abroad. England would be in a better position, however, if the offer comes from the United States.

Mr. Speaker, I call your particular attention to this, which was emphasized in the dispatch:

Dagsavisa's correspondent has ascertained that there have been certain American feelers regarding an American proposal of taking over the total expenses of British occupation troops in other parts of the world, including Germany, Austria, Greece, and the Near East.

Dagsavisa is a conservative paper, and the leading newspaper of Trondheim, Norway. The quotations are exact translations from the issue of May 30, 1947. This was a page 1 item, from the paper's own London correspondent. The remainder of the dispatch was as follows:

However, since the British Government for time being is intent upon getting along in its national economy without a new dollar loan, and inasmuch as the present dollar credit is expected to be exhausted inside a year, severe savings will be put into effect in England. One of the first measures is a further cut in imports from countries with "hard currency," America and Sweden included. Such cuts may be put into effect within a couple of weeks.

They were put into effect. The news item concludes:

When the dollar loan is exhausted, a sharpened economic crisis is expected. At such a time, it is held in London, however, that America will have offered several European countries loans of dollars in order to keep American exports going.

This is important, Mr. Speaker. If there is to be cooperation between the legislative and executive branches of this Government, in what I sincerely believe to be the Nation's time of greatest crisis, then I ask, with the gentleman from California [Mr. NIXON], Should not a true bipartisan policy be bipartisan in its inception and creation, as well as in its execution?

Should not the State Department take the Congress, or some committee of this Congress, into its confidence, before it proposes so freely, without consulting the people, to take over the total expenses of British occupation troops in all parts of the world?

I am not opposed to helping Britain. I am opposed to the free handing out of the productive capacity of the United States, which is what we are actually giving or lending, to any nation, including Britain, unless we know what we are doing, and why, and where, and on what terms. I do not believe that is effective aid, nor do I believe it will bring happiness to the people, nor peace to the troubled world.

The United States is a liberal nation; liberal in its thought and in its ideals; and liberal with its money. I asked permission to include with this statement a list of the 59 nations of the world, to which the United States has given aid, in some form or other, since the end of the shooting war. I copied it from a little bulletin put out by Prentice-Hall, Inc. It is a most illuminating statement. Please note, Mr. Speaker, that there are only 9 nations which have not received aid of some kind from us since the end of the war. These are Afghanistan, Bulgaria, Ireland, Luxemburg, Rumania, Siam, Sweden, Switzerland, and the Union of South Africa.

The 59 nations to which we have furnished aid are as follows:

	Thousands of dollars
Albania: through UNRRA	40,502
Argentina: Cultural and technical aid, bank credits	297
Austria: Supplies, bank credits, surplus property	63,000
Australia: Lend-lease and fixed war installations	54,894
Belgium: Loans, lend-lease, surplus property	494,000
Bolivia: Cultural and technical aid	245
Brazil: Bank credits, cultural and technical aid	70,680
Burma: Lend-lease	11,000
Canada: Alaska highway	128,312
Chile: Bank credits, cultural and technical aid	42,195
China: Export-Import bank credits, surplus property, lend-lease	1,482,793
Colombia: Bank credits, cultural and technical aid	859
Costa Rica: Inter-American highway, cultural and technical aid	1,540
Cuba: Cultural and technical aid	190
Czechoslovakia: Export-Import bank credits and surplus property	31,304
Denmark: Export-Import bank credits and surplus property	40,000
Dominican Republic: Cultural and technical aid	75
Ecuador: Bank credits, cultural and technical aid	1,288
Egypt: War installations	11,800
El Salvador: Inter-American highway, cultural and technical aid	327
Ethiopia: Export-Import bank credits and surplus property	4,000
Finland: Export-Import bank credits and surplus property	92,500
France: Export-Import bank credits and surplus property	+1,950,000
Germany: Supplies	400,000
Great Britain: Loan, surplus property	+4,400,000
Greece: Economic assistance, UNRRA, lend-lease, surplus property	790,000
Guatemala: Inter-American highway cultural and technical aid	627
Haiti: Cultural and technical aid	86
Honduras: Inter-American Highway, technical and cultural aid	418
Hungary: Surplus property	15,000
Iceland: Fixed war installations	65,000
India: Surplus property	50,000
Italy: Economic relief, Export-Import Bank loans, special considerations	538,000
Iran: Surplus property, lend-lease	30,000
Iraq: Educational aid	41
Japan: Supplies	267,000
Korea: Supplies, surplus property	62,000
Lebanon: Educational aid	90
Liberia: Civic improvements	20,200
Mexico: Bank credits, cultural and technical aid	87,574
Netherlands: Export-Import Bank credits, lend-lease, surplus property	377,384
New Zealand: Surplus property, war installations	5,707
Nicaragua: Inter-American Highway, cultural and technical aid	2,430
Norway: Export-Import Bank credits, lend-lease	56,500
Panama: Inter-American Highway, cultural and technical aid	47
Paraguay: Cultural and technical aid	38
Peru: Bank credits, cultural and technical aid, war installations	2,930
Philippines: War claims	695,000
Poland: Export-Import Bank credits, surplus property	90,000
Portugal: War facilities	(1)
Saudi Arabia: Export-Import Bank credits, surplus property	12,000
Spain: War installations	136
Soviet Union: Lend-lease	250,000
Syria: Educational aid	10
Turkey: Economic and military aid, Export-Import Bank credits	270,000
Uruguay: Surplus property, cultural and technical aid	733
Venezuela: Cultural and technical aid	144
Yemen: Surplus property	1,000
Yugoslavia: UNRRA aid	(1)

[1] Value undetermined.

While we are on this subject of figures, and of money, suppose I give you a few more statistics:

The national debt as of June 19, 1947, was $257,257,391,869.

You will observe it has begun to come down in the last 6 months.

We have a National income of about $190,000,000,000. We talk about a national budget of $33,000,000,000 and we add emergency appropriations each day the Congress stays in session. We appropriate for "world recovery" and we appropriate for defense and for the demands of the armed services.

We have advanced $5,950,000,000 to the World Bank, and the Bank has loan requests for $2,550,000,000. That leaves the bank $3,400,000,000, which is less, Mr. Speaker, than the amount we loaned one nation, Britain, ourselves.

Of the British loan, of $3,750,000,000, about $2,000,000,000 or more than half, has been exhausted in 10 or 11 months for food and housing demands, not for rehabilitation of the British economy. Britain now proposes to curtail tobacco purchases, and American films, and to buy wheat elsewhere, which is a good idea, as the purchases evidently had some relation to rising food costs here, and to turn to eastern Europe for other food items.

The German territory occupation costs, in the Anglo-American zone alone, are $600,000,000 a year. This suggests a minimum of $2,000,000,000 ahead. Some of this might be recovered (a) by production in Germany, and (b) by peace treaty stipulations, but I am old enough, Mr. Speaker, when I think of the latter course, to remind the Congress of the Young-Dawes attempts of a quarter century ago, and their unsatisfactory results.

It would be conservative to estimate that the Truman-Marshall program would cost the United States before this Congress expires on January 3, 1949, at least $12,000,000,000. That would include the following: To the Near East, to Europe, $1,000,000,000 each; to France and to Germany, $1,500,000,000 each; to England and to China (including Korea), $2,500,000,000 each. I allow $2,000,000,000 for emergencies. Total, $12,000,000,000.

We propose, in the next few days, to appropriate:

For European relief (post UNRRA)	$332,000,000
For Greek-Turkish aid	400,000,000
For the costs of occupation aid	525,000,000
For our costs in IRO	71,000,000
A total of	1,328,000,000

Of the aid furnished Europe since VE-day, figured on dollar purchases, Europe has used 14 percent for reconstruction and 86 percent for food and for nonessentials, in which I include tobacco, films, and cars.

On April 23, in speaking on this subject, you will recall, Mr. Speaker, I quoted from various European newspapers and their editorials on the President's speech. This was the speech which gave the Truman doctrine to the world. You will recall that considerable concern was expressed in all the papers I quoted, both liberal and conservative. This concern still exists regarding the Marshall plan. The London Observer said editorially, on June 22:

> Europe is offered (in the Marshall plan) even larger amounts of dollars, just at the moment when dollar asphyxiation is imminently threatening, on one condition: That this time the dollars should be used on a joint program that really provides a cure.

Another editorial in the same paper recently stated:

> Nineteen hundred and forty-eight is Presidential-election year in the United States; no favorable decision can be expected from America during that year.

This is a serious charge, Mr. Speaker, to a Nation which has strained its resources to help save and feed and reconstruct the world. It does not suggest an unreserved acceptance of the present foreign policies of the Administration.

The simple truth of the situation is, Mr. Speaker, that 26 months after a dishonest armistice, the world is still at the crossroads. The logic of the Soviet sabotage stands naked for all people to see. The free nations of the world are forcibly reminded of the fact that peace can never be built where there is no common agreement on the fundamental moral issues of life, liberty, and the pursuit of happiness.

Moral realism may be a tough medicine to take, but it is the only way to heal the world and unite the nations in a common effort for world peace. Our ineffective relief programs have collapsed because our leaders overlooked the basic fact that world recovery can only spring from a spiritual and political rebirth in each individual nation.

We should admit frankly that the postwar international house was built on sand. The international organizations since VE-day have been built on the sands of compromise, make-believe, and outright dishonesty. I regret that I am compelled to admit that our own Government has been a party to this moral fraud on the international scene. We have believed that an unending stream of billions of dollars would buy recovery and settle the peace.

This moral fraud was first imposed on the American people by the false prophets of the Office of War Information. They began to advertise the Soviet tyranny as a democracy. They even called it a more advanced democracy than our poor capitalist America. This was the song of Russia. This was the new world of the Soviet. This was the country of the common man, as preached by Soviet agents and fellow travelers.

At Tehran and Yalta, this preposterous lie became an official American policy.

It is a sad commentary on our world leadership that a strong and free America ever stooped to sign the Tehran, Yalta, and Potsdam agreements. After all, let us meet the insane Soviet's overestimation of themselves by simply stating the historic facts that while Great Britain alone faced the Nazis, that band of international plotters called the Politburo lived up to the letter of the sinister Molotov-Ribbentrop Pact without which World War II could never have begun. The Kremlin is guilty of making the Nazi war possible. Further, let us also record for the record that but for American military power and American industrial power, the Soviet Union would have prevailed.

Why should we not destroy at once this Soviet myth and get back to the clear daylight of historical reality. Let us once and for all have done with the dangerous after-effect of the lies of our own leftist propagandists. Let us respect the maltreated Russian people themselves, who even now must suffer the indignity of the Stalin-Molotov regime.

Looking back upon the last chaotic years of total war, and the consequent international anarchy, it becomes clear why we have come perilously close to international disaster. As the elected representatives of the American people, we are here to acknowledge the self-deception of the postwar American policy, and to warn all of our citizens that what the world now needs is a rebirth of Christian leadership and of moral courage in international affairs.

No billions of dollars can save the world from catastrophe. No perennial handouts can make the world recover. No dollar credit can make up for the moral debit of the postwar situation.

The United States has been dangerously generous in its assistance to postwar relief and rehabilitation. The unselfish help which our people have given to a crushed world is without parallel in human history. For most of it we have not even received a decent amount of gratitude. From the Kremlin we have heard nothing but vilification of our motives. America is about fed up with the distortions of the Kremlin. The ship of world recovery has sailed into Soviet headwinds.

It is imperative that we scrutinize the true reasons for the failure of world recovery. In spite of all we and other freedom-loving nations have done, world recovery seems to be slipping from our hands.

Have we been misguided in our policies? Have we been too extravagant and careless with our reliefs? Have we misunderstood the whole problem of world recovery? What immediate action are we prepared to take to recover lost time and to establish world peace on a true and honest foundation? First, Mr. Speaker, let us understand that whatever international postwar organization one mentions, it is found that the United States plays a major and loyal part in it. It is almost superfluous to add that the United States, in practically all cases, is paying the major portion of operational and administrative expenses. Here is a brief list of international organizations which enjoy American participation and assistance: the United Nations, the World Bank, the International Monetary Fund, the International Refugee Organization, the International Emergency Food Organization, the International Trade Organization, the International Civil Aeronautics Organization.

As I read that list, I think of at least a half dozen that I have not included in it.

From the majority of these international organizations, the Soviets are missing, having decided that their philosophy precludes any real international cooperation where a Soviet veto cannot be enforced. This fact in itself should have opened our eyes to the truth that Moscow is not wholeheartedly interested in the economic or social recovery of a broken world. Stalinism feeds on misery and glories in human despair.

If any further proof were needed to prove this fact, the Soviet behavior within UNRRA tells an unbroken story of power politics in relief, with England and America paying the bills. If anyone feels that UNRRA has been maligned more than it deserves, then this must be charged to the fact that the western governments never had the courage to inform their people of the day by day intimidations and pressures which the Soviet Union forced upon UNRRA leadership. It was inevitable that UNRRA should become the scapegoat, since our own administration kept up the pretense that all was well between the east and the west.

Yet even if UNRRA was permitted to deteriorate in to little more than an Anglo-American soup kitchen for Soviet occupied eastern Europe, without credit being given to the source of the relief, I doubt if American humantarianism would seriously regret it, because through UNRRA millions of human lives were saved from starvation. To the people of America, human relief has never been contaminated by political malice.

UNRRA ended its historical life on June 30. It will be remembered as the great humanitarian dream which was stymied within and without, blocked and frustrated by Soviet sabotage abroad, and the leadership of many of the Soviet's friends and fellow travelers at home. It was a tragic and expensive lesson, but it now appears to have been an unavoidable lesson.

UNRRA is also an instructive example of how any international organization tends to become irresponsible and inefficient by the very fact of being international; that is, not responsible to any government, and not liable for a rigid accounting to any supervising body. It is a question in my mind, Mr. Speaker, whether human psychology can ever become internationalized, in the sense of

being responsible to all governments when it is not responsible to any government in particular. We have well established authority for the axiom that a man cannot serve two masters; certainly he cannot serve many masters.

Certain safeguards have been written into the constitution of the World Bank and the International Monetary Funds. It remain to be seen how they will work.

It is now obvious to the world that Mr. Molotov went to Paris with the idea of making the new Marshall plan over into another prolonged UNRRA experiment. Just as Moscow never contributed anything to the UNRRA relief program, but kept on dominating UNRRA policies, and taking credit for the relief, so the Kremlin would like to have the United Nations continue to play a benevolent fool on the international stage, while the commissars direct the play behind the scenes or, as the case might be, simply stop the play.

It will not help world recovery to internationalize American assistance by taking authority away from the American Government and throwing it to a few international functionaries. Moscow does not operate that way. Neither is Washington minded to operate that way in the future. At long last, our people themselves have forced their Government to realize that truculent and insulting Soviet puppets have no right to expect help from a democratic nation which still believes in human dignity. Let the Titos, the Dimitrovs, and their friends cry on Molotov's shoulder. If they need a wailing wall, as well they might, let them go and wail before the wall of the Kremlin. Since when has it become a national policy for an independent and great people like the American Nation to appease and assist world communism and its dictators in Soviet-controlled areas?

Above all, let the world at long last grasp the meaning of the overlooked fact, that the postwar Soviet Union today is an industrial vacuum, as I said once before on this floor. Let there be an end to the Soviet myth. Let the curtain fall for the Soviet bluff, which tries to cover up the fact that the Soviet Union is short of everything except political intrigue and deceptive propaganda regarding its own strength. May I suggest, Mr. Speaker, that in this new atmosphere of international realism and truth, Mr. Stalin may begin to grasp that one cannot fool all of the people all of the time.

AN AMERICAN POLICY

In conclusion, Mr. Speaker, there must be a constructive and politically wise American foreign policy. I suggest for your consideration the following six-point program:

First. The aim of American assistance, to any country, must be recovery and not relief. The United States must encourage such nations as are ready to work their own way to economic recovery. This applies to big nations and to small nations. It is in the interest of world peace. I prefer to call it the American plan, rather than the plan of General Marshall, or Secretary Marshall, or Dr. Marshall.

Second. The United States must be particularly watchful to prevent our own Nation from becoming weakened economically. This is the Soviet's game, and the success of any program, whether it be through our generosity or our shortsightedness, would simply be to permit Moscow to challenge the freedom we proclaim and protect. This is in the interest of keeping freedom alive and strong.

Third. The United States must plan at once for the recovery of German industry, to work for all European nations adhering to freedom, and to work for the establishment of a German economy which will permit a decent and ample livelihood to the German people, while they remain on the road to self-government and self-respect. This German recovery must be worked out in cooperation with France and with Great Britain, and with all democratic peoples of Europe who traditionally have depended upon German trade. This is in the interest of European recovery.

Fourth. The United States must exemplify to the world the much needed truth that the free flow of commerce means economic happiness for all nations which are willing to trade with other nations in peace. To this I add, Mr. Speaker, that I hope the State Department will not interpret this suggestion to mean that American agricultural products must be used as the only trading commodities, in all international trade negotiations.

Fifth. I suggest that American domestic and foreign policies are interdependent and that a bipartisan foreign policy, therefore, cannot long survive, if the domestic policies are treated by the administration as political issues for partisan politics. This has been one factor which has handicapped postwar recovery, and until the administration is willing to demonstrate its desire for a bipartisan policy, and not only to ask for one, this will be a factor which will delay the peace.

Sixth. Finally, Mr. Speaker, and most important of all to me, as I also said on this floor on April 23, the American Government, while living up to its pledge to the United Nations, the World Bank, and other postwar peace organizations, must retain the right to operate its world policy and world economic assistance in conformity with historic American principles and, if need be, through such American organizations and institutions as this Government may find most suitable for such purposes.

SPECIAL ORDER

The SPEAKER pro tempore. Under previous order of the House, the gentlewoman from Massachusetts [Mrs. ROGERS] is recognized for 3 hours.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include certain letters and other material regarding the veterans.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

VETERANS' LEGISLATION

Mrs. ROGERS of Massachusetts. Mr. Speaker, I asked for 3 hours tonight in which to discuss veterans' legislation, the legislation that has not been allowed by the leaders to pass the House of Representatives. I am prepared to remain those 3 hours. It is very late, Mr. Speaker, and the Members have had a long day, and I am thinking particularly of the personnel of the House. I remember, Mr. Speaker, that during the war we had many evening and even night sessions in order to secure legislation that we might order the matériel of war to send to our men in the fox holes abroad, to send to the men in the mountains in Italy, to send to the men on ships at sea—ships, submarines, airplanes, jeeps, and everything else that goes with a war. We never considered then whether the Congress was working late or whether the personnel was working late.

I remind you, Mr. Speaker, that there are many young men here tonight who, if we should have another war, might have to go, and we would be legislating late for those boys in order that they might have the matériel of war with which to try to protect themselves and protect the country. What do they think now about the boys we promised so much to when we have sold war supplies with the assurance we would give them every care when they came back.

I remind the House, Mr. Speaker, that we have just as great a duty to our disabled veterans, the men who have paid the price of war, as we had to send those men matériel of war with which to fight. We owe them hospitals, all kinds of prosthetic appliances and training equipment, and education, and houses.

Mr. Speaker, this is the first time anyone has had 3 hours in which to discuss veterans' legislation. I remind the House that it is a very unusual thing to have to ask unanimous consent for 3 hours in order to bring to the attention of the House the measures the House Committee on Veterans' Affairs has reported out of the committee to the House, the measures that have gone to the Rules Committee for rules and have not been granted rules. I remind the House of the number of times I have asked the leadership on both the Republican and the Democratic sides to allow some of the very important legislation that has been unanimously reported out of the Committee on Veterans' Affairs and which was endorsed by all the veterans' organizations to come up by unanimous consent or to come up under suspension of the rules. But those requests have not yet been granted.

It has been rumored, Mr. Speaker, that we are adjourning on the 26th of July. There are a very few days left in which to pass necessary legislation, but there is plenty of time to pass that legislation. It is my recollection that year after year veterans' legislation has been almost the last to pass the Congress. We talk about the veterans, we even cry about them; the Congress does not consider their legislation until the closing days of the session. We do not give their legislation enough time for debate.

What is the answer, Mr. Speaker; why is there discrimination against the veteran? Why do the veterans come first in war and last in peace? Next year is too late. What can Members who ran for Congress on help to veterans say when they go home?

Mr. Speaker, this legislation must not be called up too late.

SPECIAL ORDERS GRANTED

Mr. Speaker, many members of the Committee on Veterans' Affairs have asked for time to speak with me during these 3 hours. Most of them have had to leave. They expected to speak last evening and they have work to do tonight of great importance and out of consideration for them, I ask unanimous consent that I may have 3 hours Thursday night, 3 hours Friday night, and 3 hours Saturday night, in which to discuss veterans' legislation. They can then make their plans to stay.

The SPEAKER pro tempore (Mr. O'KONSKI). Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I wish to emphasize the point I made before, and that is in the cashing of the terminal-leave bonds, the legislation on which passed the House a few days ago, that the country will save money in interest. Beyond all that it is an obligation owing to the enlisted veterans. The officers had this privilege, and it is only fair to grant it to the men who served under them. Last year the House passed legislation which would allow the men to cash their terminal-leave bonds at once. However, the passage of this legislation should in no way jeopardize or interfere with the enactment of legislation for the disabled veterans or for legislation which would help certain veterans under the GI bill of rights. Under the GI bill of rights we made contracts with the veterans that must be fulfilled. They need the benefits today, not next autumn or next year. Next year is too late. For the disabled, the war is an ever-present reality which pain does not let them forget. It is hoped that the veterans will get pleasure and comfort in the right to cash their bonds. Many of them need it so badly. It is to be hoped that other much-needed legislation will pass before it is too late. I remind the House that there are various bills for the veterans before the Committee on Rules today. I remind the House that there are other ways of bringing up veterans' legislation, such as suspensions, unanimous-consent requests, and so forth. The time is very short, but not too short to secure the passage of that legislation. It has been indicated by leaders of the House that legislation would pass before we adjourn. Are these idle promises? That should be the "must" legislation in this session of Congress. I do not believe any Member of Congress wants to go back home and tell the veterans that this Congress has done practically nothing for the disabled veterans. The record speaks for itself.

Mr. Speaker, the following three bills have been enacted into law:

H. R. 1353, which was passed by both Houses of Congress, and was approved on February 21, 1947, is now Public Law No. 5. This law repealed the time limit for reinstatement of National Service Life Insurance and permitted World War II veterans to reinstate their insurance without the necessity of a physical examination.

H. R. 1327, passed by both Houses and approved on April 15, 1947, is now Public Law No. 34. This law provides for a renewal for a fifth 5-year period of Government life insurance under the 5-year level-premium term plan for World War I veterans. Had this law not been enacted, approximately 30,000 World War I veterans would have been obliged to drop their Government insurance.

H. R. 1844, passed by both Houses and approved on May 21, 1947, is now Public Law No. 83. This law permits the Administrator of Veterans' Affairs to grant easements of lands belonging to the United States which are under his supervision and control. It will obviate the necessity of introducing a special bill every time such an easement is required.

House Joint Resolution 196, passed by both Houses—in the Senate as Senate Joint Resolution 115—was approved on June 14, 1947, and is now Public Law No. 91. This authorizes the Administrator of Veterans' Affairs to continue the offices of his department in the Republic of the Philippines. Under existing laws the right to so function would have ceased at the end of the fiscal year of 1946–47. The new law extends operations for 1 year.

H. R. 3060, passed by both Houses—S. 1135 passed in the Senate—was approved on June 14, 1947, and is now Public Law No. 94. This law extends for 1 year the authority now given to the Administrator of Veterans' Affairs to enter into leases for periods not exceeding 5 years.

H. R. 2368, passed by both Houses, was approved on June 26, 1947, and is now Public Law No. 115. This law increases the appropriation for revolving fund from $1,500,000 to $3,000,000 for the purpose of making loans by the Veterans' Administration (not to exceed $100) to service-connected disabled veterans of World War II who are undertaking vocational training. The fund of $1,500,000 was insufficient for the prevailing load, and many disabled veterans were unable to borrow from the fund.

The following bills have been reported to the House, but the bills have not been allowed to come up for action.

The Kearney bill, H. R. 246, was reported from committee, unanimously, on February 26, 1947, under Report No. 77. The Committee on Rules has been requested to grant a special rule for its consideration and a hearing upon that request was held on May 22. No decision has been reached to date. A discharge petition is upon the Speaker's desk, but sufficient names have not been obtained. This bill would increase the ceiling of wages for those veterans undergoing on-the-job training, as follows: Veteran without dependents, $250 per month; veteran with one dependent, $325 per month; veteran with two or more dependents, $350 per month.

The Meade bill, H. R. 3888, was reported from committee on June 20, 1947, under Report No. 620. This measure applies distinctly to those veterans attending school under the Servicemen's Readjustment Act, and increases the subsistence allowances as follows: Veteran without dependents, $65 per month—same as at present—veteran with one dependent, $105 per month, plus $20 for the first child and $15 additional for each additional child.

The Talle resolution, House Concurrent Resolution 54, was reported from committee on July 2, Report No. 714, and is now upon the Consent Calendar of the House. This resolution provides for the use of Schick General Hospital at Clinton, Iowa, by the Veterans' Administration. This hospital has been abandoned by the War Department, and its use is recommended as a domiciliary home for veterans of that area. Rules Committee reported a rule for consideration on July 3, 1947.

The Ramey bill, H. R. 3308, was reported from committee on May 21, 1947, Report No. 396, and has been on the Consent Calendar since that time, having been passed over without prejudice three times. It would increase the minimum subsistence allowance payable to service-connected disabled veterans who are attending school.

The O'Konski bill, H. R. 3961, was reported from Committee on Veterans' Affairs on June 25, 1947, Report No. 690, and passed the House (unanimously) on June 30; in the Senate this bill has been reported favorably and is now upon the calendar awaiting consideration. It provides for a 20-percent increase in the pensions now received by Spanish-American War veterans and their dependents, as well as Civil War veterans and their dependents.

The Wheeler-Meyer-Johnson bill, H. R. 2181, was reported from committee on April 30, 1947, under Report No. 327. It passed the House on May 12. This bill provides for veterans who are receiving institutional or farm training.

The Mathews bill, H. R. 4007, was reported from committee on July 2, 1947, under Report No. 780. This bill supersedes H. R. 3583, which is for a similar purpose. It provides for automobiles for service-connected disabled veterans who sustained the loss, or loss of use of a foot or a hand, or who are blind. The Rules Committee was requested to permit a special rule but has taken no action upon a hearing held upon this request.

The Patterson bill, H. R. 3889, was reported from committee on July 8, 1947, under Report No. 808, and is now upon the Consent Calendar. This measure would establish a presumption of service connection for chronic and tropical diseases. It would fill a need caused by extensive service by veterans of World War II in tropical countries.

The Mathews bill, H. R. 4055 was reported from committee on July 11, 1947, and is now upon the Consent Calendar

of the House. This bill would grant to veterans of the Indian wars and to their dependents the same increase in pension (20 percent) that was given to Civil War and Spanish-American War veterans by H. R. 3961, which was passed by the House unanimously.

The Crow bill, H. R. 3623, was reported from committee on July 2, 1947, and is now upon the Consent Calendar of the House. It provides that members of the Communist Party shall be ineligible for veterans' benefits and exacts penalties for infraction of the law.

The following letter shows the need for H. R. 4007:

BOSTON, MASS., *July 8, 1947.*

DEAR MRS. ROGERS: I am a blinded amputee veteran of this past World War and although entitled to a car under the present bill, being an amputee, I am not able to qualify for one, being blinded in the same action in which I lost my left leg, blinded in addition to the loss of my leg, I cannot get a car as I cannot see to drive it myself, and I would like to add my case to the many you have already heard about who are left out of the present bill which just ended last month.

I think I am entitled to a car as an amputee but also more so being blinded, through no fault of my own and in action in Italy in the Infantry.

I have been following the accounts of your committee in trying to have the old bill changed and fairer distribution of cars to amputees, either through a new bill or an amendment to the old one. I find it very hard getting around and need a car as much or more so than a sighted amputee. I spent 2 years in Army hospitals, and besides the loss of a leg and being blinded my other leg is also badly damaged and this adds to my problem of traveling. I know there are hundreds of other veterans like me who were left out of the car bill and are entitled to them just as much as the sighted amputees.

You have my permission to use my case in any way you see fit to help bring about a fair bill on autos for amputees now. We need these cars now and hope Congress will take action before they close this session.

Sincerely yours,

Ex-Tech. Sgt. PHILIP H. HURRELL.

GENERAL LEAVE TO EXTEND

Mrs. ROGERS of Massachusetts. Mr. Speaker, I also ask unanimous consent that the members of the committee and all Members may extend their remarks at this point in the RECORD if they so wish.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

ENROLLED BILLS SIGNED

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 3493. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1948, and for other purposes;

H. R. 3993. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1948, and for other purposes;

H. R. 3950. An act to reduce individual income-tax payments; and

H. J. Res. 233. Joint resolution authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 1419. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue sewer bonds.

BILL AND JOINT RESOLUTION PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, a bill and joint resolution of the House of the following titles:

H. R. 3950. An act to reduce individual income taxes; and

H. J. Res. 233. Joint resolution authorizing the President to approve the trusteeship agreement for the Territory of the Pacific Islands.

ADJOURNMENT

Mr. McDOWELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 12 minutes p. m.), under its previous order, the House adjourned until tomorrow, Wednesday, July 16, 1947, at 11 o'clock a. m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

927. A letter from the Secretary of War, transmitting a draft of a proposed bill to authorize the transfer of certain troop-kitchen railway cars to the War Department, and for other purposes; to the Committee on Armed Services.

928. A letter from the Acting Secretary of the Navy, transmitting report of proposed transfer of equipment to Junior Naval Reserve Unit, Sanford, Fla.; to the Committee on Armed Services.

929. A letter from the Acting Secretary of the Navy, transmitting report of proposed transfer of equipment to All Hallows Episcopal Church, Snow Hill, Md.; to the Committee on Armed Services.

930. A letter from the Under Secretary of Agriculture, transmitting a draft of a proposed bill to provide for the liquidation and dissolution of the Tennessee Valley Associated Cooperatives, Inc.; to the Committee on Agriculture.

931. A letter from the Chairman, Reconstruction Finance Corporation, transmitting a report of activities of the Reconstruction Finance Corporation for the month of February 1947; to the Committee on Banking and Currency.

932. A letter from the Acting Secretary of the Navy, transmitting a report of a proposed transfer of a picket boat to the United States, Coast Guard Auxiliary Flotilla 33, of California; to the Committee on Armed Services.

933. A letter from the Archivist of the United States, transmitting a report on records proposed for disposal by various Government agencies; to the Committee on House Administration.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. WELCH: Committee on Public Lands. H. R. 1330. A bill to abolish the Jackson Hole National Monument as created by Presidential Proclamation No. 2578, dated March 15, 1943, and to restore the lands belonging to the United States within the exterior boundaries of said monument to the same status held immediately prior to the issuance of said proclamation; with amendments (Rept. No. 914). Referred to the Committee of the Whole House on the State of the Union

Mr. WELCH: Committee on Public Lands. S. 272. An act to provide for the utilization of surplus War Department-owned military real property as national cemeteries, when feasible; without amendment (Rept. No. 915). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. House Resolution 244. Resolution for the initiation of investigations looking to the provision of additional water for southern California and the Colorado River Basin, and for other purposes; without amendment (Rept. No. 916). Referred to the Committee of the Whole House on the State of the Union.

Mr TABER: Committee on Appropriations. House Joint Resolution 240. Joint resolution making temporary appropriations for the fiscal year 1948; without amendment (Rept. No. 917). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 292. Resolution providing for the consideration of H. R. 4127, a bill to amend the Civil Service Retirement Act of May 29, 1930, as amended; without amendment (Rept. No. 918). Referred to the House Calendar.

Mr. WELCH: Committee on Public Lands. H. R. 3325. A bill to enable Osage Indians who served in World War II to obtain loans under the Servicemen's Readjustment Act of 1944, and for other purposes; with an amendment (Rept. No. 919). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. S. 1498. An act to provide support for wool, and for other purposes; without amendment (Rept. No. 920). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. S. 338. An act to amend the Plant Quarantine Act approved August 20, 1912, as amended, by adding thereto a new section; with amendments (Rept. No. 921). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOPE: Committee on Agriculture. H. R. 4124. A bill to amend the peanut marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended; without amendment (Rept. No. 922). Referred to the Committee of the Whole House on the State of the Union.

Mr. REED of Illinois: Committee on the Judiciary. H. R. 3980. A bill to enable debtor railroad corporations expeditiously to effectuate reorganizations of their financial structures; to alter or modify their financial securities; and for other purposes; with amendments (Rept. No. 923). Referred to the Committee of the Whole House on the State of the Union.

Mr. WELCH: Committee on Public Lands. H. R. 3834. A bill to authorize a project for the rehabilitation of certain works of the Fort Sumner irrigation district in New Mexico, and for other purposes; without amendment (Rept. No. 924). Referred to the Committee of the Whole House on the State of the Union.

Mrs. ROGERS of Massachusetts: Committee on Veterans' Affairs. H. R. 3814. A bill to provide for the establishment of a veterans' hospital for Negro veterans at the birthplace of Booker T. Washington in Franklin County, Va.; with an amendment (Rept. No.

925). Referred to the Committee of the Whole House on the State of the Union.

Mr. ELSTON: Committee on Armed Services. H. R. 3417. A bill to provide for the conveyance to Escambia County, State of Florida, of a portion of Santa Rosa Island which is under the jurisdiction of the War Department; with an amendment (Rept. No. 926). Referred to the Committee of the Whole House on the State of the Union.

Mr. SIKES: Committee on Armed Services. H. R. 3735. A bill to authorize and direct the Secretary of War to donate and convey to Okaloosa County, State of Florida, all the right, title, and interest of the United States in and to a portion of Santa Rosa Island, Fla., and for other purposes; with amendments (Rept. No. 927). Referred to the Committee of the Whole House on the State of the Union.

Mr. CHAPMAN: Committee on Interstate and Foreign Commerce. H. R. 3632. A bill to extend the time within which applications may be made to the Railroad Retirement Board for certain refunds from the unemployment trust fund; without amendment (Rept. No. 928). Referred to the Committee of the Whole House on the State of the Union.

Mr. HOWELL: Committee on Interstate and Foreign Commerce. Senate Concurrent Resolution 14. Concurrent resolution favoring a fair representation of American small businessmen on policy-making bodies created by Executive appointment; without amendment (Rept. No. 929). Referred to the House Calendar.

Mr. HOPE: Committee on Agriculture. H. R. 4110. A bill to amend title I of the act entitled "An act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges," approved June 29, 1935 (the Bankhead-Jones Act); without amendment (Rept. No. 930). Referred to the Committee of the Whole House on the State of the Union.

Mr. LECOMPTE: Committee on House Administration. House Concurrent Resolution 70. Concurrent resolution authorizing the Committee on Expenditures in the Executive Departments of the House of Representatives to have printed for its use additional copies of the hearings on the bill H. R. 2319, the National Security Act of 1947; with an amendment (Rept. No. 931).

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. BREHM:

H. R. 4200. A bill to provide for, foster, and aid in coordinating research relating to dental diseases and conditions; to establish the National Institute of Dental Research, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. D'EWART:

H. R. 4201. A bill to authorize payments to the public-school district or districts serving the Fort Peck project, Montana, for the education of dependents of persons engaged on that project; to the Committee on Public Lands.

By Mr. ROGERS of Florida:

H. R. 4202. A bill to amend the Reconstruction Finance Corporation Act so as to authorize the Reconstruction Finance Corporation to purchase loans guaranteed or insured under the Servicemen's Readjustment Act of 1944; to the Committee on Banking and Currency.

By Mr. WELCH:

H. R. 4203. A bill to establish eligibility for burial in national cemeteries, and for other purposes; to the Committee on Public Lands.

By Mr. BECKWORTH:

H. R. 4204. A bill to amend the Reconstruction Finance Corporation Act so as to authorize the Reconstruction Finance Corporation to purchase loans guaranteed or insured under the Servicemen's Readjustment Act of 1944; to the Committee on Banking and Currency.

By Mr. DEVITT:

H. R. 4205. A bill to provide for the settlement and payment to certain motor carriers of claims against the United States for damages resulting from Federal possession, control, and operation in time of war of the carriers' transportation systems and properties; to provide for just compensation to such carriers for the use of such transportation systems and properties during such possession, control, and operation, and for other purposes; to the Committee on the Judiciary.

By Mr. TOWE:

H. R. 4206. A bill to provide for the payment of a uniform allowance to officers of the National Guard of the United States; to the Committee on Armed Services.

H. R. 4207. A bill to amend Thirty-second United States Code, section 49 (67 N. D. A.), as amended, to provide for an active-duty status for all United States property and disbursing officers; to the Committee on Armed Services.

By Mr. COLE of New York:

H. R. 4208. A bill to amend section 251 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mr. DAVIS of Tennessee:

H. R. 4209. A bill authorizing the Administrator of Veterans' Affairs to grant an easement in certain land to the city of Memphis, Tenn., for street-widening purposes; to the Committee on Veterans' Affairs.

By Mr. HAGEN:

H. R. 4210. A bill to provide for an amendment to chapter 29 of the Internal Revenue Code; to the Committee on Ways and Means.

By Mrs. BOLTON:

H. R. 4211. A bill to amend section 301 of the Federal Food, Drug, and Cosmetic Act so as to prohibit the introduction into interstate commerce of salt, in certain containers, not having a required content of iodides; to the Committee on Interstate and Foreign Commerce.

By Mr. MEADE of Kentucky:

H. R. 4212. A bill to provide increased subsistence allowance to veterans pursuing certain courses under the Servicemen's Readjustment Act of 1944, as amended, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. REED of New York:

H. R. 4213. A bill to change the order of priority for payment out of the German special deposit account, and for other purposes; to the Committee on Ways and Means.

By Mr. HOFFMAN:

H. R. 4214. A bill to promote the national security by providing for a Secretary of Defense; for a national military establishment; for a Department of the Army, a Department of the Navy, and a Department of the Air Force; and for the coordination of the activities of the National Military Establishment with other departments and agencies of the Government concerned with the national security; to the Committee on Expenditures in the Executive Departments.

By Mr. KUNKEL:

H. R. 4215. A bill to create the office of Senator at Large in the Senate of the United States for ex-Presidents of the United States; to the Committee on the Judiciary.

By Mr. LEMKE:

H. R. 4216. A bill to define some acts constituting lack of good behavior within the terms of article III, section 1, of the Constitution of the United States of justices and judges of courts of the United States; to the Committee on the Judiciary.

By Mr. MACK:

H. R. 4217. A bill appropriating funds for the construction and equipment of a new school building in the town of Moclips, Grays Harbor County, Wash.; to the Committee on Appropriations.

By Mr. GRAHAM (by request):

H. J. Res. 239. Joint resolution proposing an amendment to the Constitution of the United States with respect to religious freedom; to the Committee on the Judiciary.

By Mr. TABER:

H. J. Res. 240. Joint resolution making temporary appropriations for the fiscal year 1948; to the Committee on Appropriations.

By Mr. McCORMACK:

H. J. Res. 241. Joint resolution to provide for the preparation of a plan for the participation by the United States in the observance and celebration in Cuba of the fiftieth anniversary of American and Cuban victories in the War with Spain; to the Committee on Foreign Affairs.

By Mr. ROSS:

H. Con. Res. 72. Concurrent resolution to call a conference for the revision and strengthening of the United Nations Charter; to the Committee on Foreign Affairs.

By Mr. LODGE:

H. Con. Res. 73. Concurrent resolution establishing a joint committee to investigate high prices of consumer goods; to the Committee on Rules.

By Mr. FOOTE:

H. Con. Res. 74. Concurrent resolution establishing a joint committee to investigate high prices of consumer goods; to the Committee on Rules.

By Mr. KNUTSON:

H. Res. 293. Resolution to authorize the Committee on Ways and Means to continue its investigation and study of the internal-revenue laws; to the Committee on Rules.

By Mr. HOFFMAN:

H. Res. 294. Resolution authorizing the printing of 6,000 additional copies of the third intermediate report, entitled "Investigation of the Participation of Federal Officials in the Formation and Operation of Health Workshops"; to the Committee on House Administration.

By Mr. EATON:

H. Res. 295. Resolution authorizing the Committee on Foreign Affairs to conduct studies and investigations of all matters coming within the jurisdiction of that committee and providing for participation by members of other standing committees of the House of Representatives; to the Committee on Rules.

By Mr. HERTER:

H. Res. 296. Resolution to create a Select Committee on Foreign Aid; to the Committee on Rules.

By Mr. KNUTSON:

H. Res. 297. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 293; to the Committee on House Administration.

By Mr. HOPE:

H. Res. 298. Resolution authorizing the Committee on Agriculture to make studies and investigations into matters relating to agriculture; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COLE of Missouri:

H. R. 4218. A bill for the relief of Criss Y. Hurst; to the Committee on the Judiciary.

By Mrs. DOUGLAS:

H. R. 4219. A bill for the relief of Leopold Kahn, Jr.; to the Committee on the Judiciary.

By Mr. HART:

H. R. 4220. A bill for the relief of Emil Sbarbori; to the Committee on the Judiciary.

H. R. 4221. A bill for the relief of Edna Perfetti; to the Committee on the Judiciary.

H. R. 4222. A bill for the relief of Anthony Perfetti; to the Committee on the Judiciary.

By Mr. HESS:

H. R. 4223. A bill relating to the retired status of Capt. Richard W. Wuest, United States Navy, retired; to the Committee on Armed Services.

By Mr. MILLER of California:

H. R. 4224. A bill for the relief of Mrs. Nellie C. Mitchell; to the Committee on the Judiciary.

By Mr. POULSON:

H. R. 4225. A bill for the relief of Hanna Mussbach; to the Committee on the Judiciary.

H. R. 4226. A bill for the relief of Mrs. Maddalena Danna Vivalda and her minor son; to the Committee on the Judiciary.

By Mr. SOMERS:

H. R. 4227. A bill for the relief of Maria Veltri Magnone; to the Committee on the Judiciary.

By Mr. VAN ZANDT:

H. R. 4228. A bill to authorize the appointment of Sidney F. Mashbir as a colonel, Adjutant General's Department, United States Army; to the Committee on Armed Services.

PETITIONS, ETC.

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

745. By the SPEAKER: Petition of Pelham Chapter, United World Federalists, petitioning consideration of their resolution with reference to strengthening the United Nations; to the Committee on Foreign Affairs.

746. By Mrs. NORTON: Petition of State Camp of New Jersey, Patriotic Order Sons of America, petitioning the Congress of the United States to designate the order of the stars of our flag to be seven rows of seven stars each, upon the admittance of Hawaii to the Union; to the Committee on the Judiciary.

747. By the SPEAKER: Petition of various national organizations, petitioning consideration of their resolutions with references to request for repeal of various laws imposing special Federal excise taxes upon motor vehicles and trailers, gasoline and lubricating oil, tires and tubes, automotive parts and accessories; to the Committee on Ways and Means.

748. Also, petition of Holy Name Society, Holy Rosary Church, Gary, Ind., petitioning consideration of their resolution with reference to investigating subversive activities of foreign agents working in the United States; to the Committee on Foreign Affairs.

SENATE

WEDNESDAY, JULY 16, 1947

Rev. Clarence Cranford, D. D., minister, Calvary Baptist Church, Washington, D. C., offered the following prayer:

We thank Thee, our Father, for the principles that have made us great as a nation. We thank Thee for the heritage of freedom we enjoy. Keep America strong within, that she may be respected by her neighbors without. To that end, bless the homes of America. Bless her schools and her churches. Bless the leaders of government. Give them patience and wisdom as they strive to lead the world in the way of peace and freedom. Amen.

THE JOURNAL

On request of Mr. WHITE, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 15, 1947, was dispensed with, and the Journal was approved.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolution:

On July 11, 1947:

S. 665. An act to reimburse certain Navy personnel and former Navy personnel for money stolen or obtained through false pretenses from them while they were on duty at the United States naval training station, Farragut, Idaho; and

S. J. Res. 122. Joint resolution consenting to an interstate oil compact to conserve oil and gas.

On July 15, 1947:

S. 1420. An act to authorize the issuance of certain public-improvement bonds by the Territory of Hawaii; and

S. 1421. An act to provide for the appointment of one additional Assistant Secretary of Commerce, and for other purposes.

On July 16, 1947:

S. 116. An act for the relief of Mrs. Mabel Jones and Mrs. Mildred Wells Martin;

S. 640. An act to authorize the Secretary of Commerce to sell certain property occupied by the Weather Bureau of East Lansing, Mich., and to obtain other quarters for the said Bureau in the State of Michigan; and

S. 816. An act to repeal the Post Roads Act of 1866, as amended, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3678) making appropriations for the Military Establishment for the fiscal year ending June 30, 1948, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ENGEL of Michigan, Mr. CASE of South Dakota, Mr. TIBBOTT, Mr. SCRIVNER, Mr. KERR, Mr. MAHON, and Mr. NORRELL were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 3839) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1948, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. WIGGLESWORTH, Mr. PHILLIPS of California, Mr. ROBERTSON, Mr. COUDERT, Mr. HENDRICKS, Mr. ANDREWS of Alabama, and Mr. THOMAS of Texas were appointed managers on the part of the House at the conference.

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

H. R. 185. An act to authorize the sale of certain public lands in Alaska to the Catholic Society of Alaska for use as a mission;

H. R. 388. An act for the relief of Bert Harrington, Jr.;

H. R. 434. An act for the relief of Lewis H. Rich;

H. R. 439. An act for the relief of Roy Durbin;

H. R. 618. An act for the relief of Fred O. Donohue;

H. R. 640. An act for the relief of Harley Shores;

H. R. 769. An act for the relief of the estate of Ruth Horton Hunter;

H. R. 890. An act for the relief of Jessie Thompkins;

H. R. 1078. An act for the relief of Mrs. Audrey Ellen Gooch;

H. R. 1085. An act for the relief of Mrs. Marie Salamone;

H. R. 1175. An act for the relief of the estate of Daphne Ward Pope, deceased;

H. R. 1215. An act for the relief of Kazue Oda Takahashi;

H. R. 1226. An act for the relief of Mrs. Maud M. Wright and Mrs. Maxine Mills;

H. R. 1316. An act for the relief of Archer C. Gunter;

H. R. 1319. An act for the relief of Calvin J. Frederick;

H. R. 1648. An act for the relief of Willie P. Goodwin, J. M. Thorud, and W. H. Stokley;

H. R. 1654. An act for the relief of the estate of Mrs. Elizabeth Campbell;

H. R. 1730. An act for the relief of Mrs. Beulah Hart;

H. R. 1744. An act for the relief of the estate of Curtis Wilson, deceased;

H. R. 1864. An act for the relief of Mrs. Raiford D. Smith;

H. R. 1933. An act for the relief of Mrs. Elizabeth F. McCombie;

H. R. 1953. An act for the relief of John F. Reeves;

H. R. 2129. An act for the relief of R. C. Owen, R. C. Owen, Jr., and Roy Owen;

H. R. 2213. An act for the relief of A. J. Sprouffske;

H. R. 2348. An act for the relief of Charles J. Smith;

H. R. 2350. An act for the relief of Mrs. Daisy Park Farrow;

H. R. 2373. An act for the relief of Stanley-Yelverton, Inc.;

H. R. 2374. An act for the relief of Nita H. Stanley;

H. R. 2432. An act for the relief of Harry V. Ball;

H. R. 2471. An act to provide for periodical reimbursement of the general fund of the District of Columbia for certain expenditures made for the compensation, uniforms, equipment, and other expenses of the United States Park Police force;

H. R. 2506. An act for the relief of the estate of Louis T. Klauder;

H. R. 2534. An act for the relief of James H. Underwood;

H. R. 2811. An act for the relief of G. F. Allen, former Chief Disbursing Officer, Treasury Department, and for other purposes;

H. R. 2984. An act to amend the act of June 1, 1910, so as to regulate the installation of radio or television transmitting antennas, masts, or other structures in the District of Columbia;

H. R. 3045. An act to authorize the Commissioners of the District of Columbia to prescribe the processes and procedures for recording instruments of writing in the Office of the Recorder of Deeds of the District of Columbia, and for other purposes;

H. R. 3064. An act authorizing and directing the Secretary of the Interior to issue a patent in fee to the surviving members of the Laguna Band of Mission Indians of California;