of World War I who have reached the age of 70 years; to the Committee on Veterans' Affairs.

By Mr. WHEELER:

H. R. 5493. A bill to provide an additional method for computing certain benefits payable under the Federal Employees' Compensation Act to persons who continue their employment after sustaining injury, and for other purposes; to the Committee on Education and Labor.

H. R. 5494. A bill to authorize the reinstatement or issuance of national service life insurance covering the lives of certain individuals notwithstanding the provisions of the Insurance Act of 1951, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. DONDERO:

H. J. Res. 334. Joint resolution proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. GOODWIN: Memorial of Massachusetts Legislature memorializing Congress to take the necessary steps to continue the maintenance of a post office in the North End district of the city of Boston; to the Committee on Post Office and Civil Service.

By Mr. HESELTON: Resolution of the General Court of the Commonwealth of Massachusetts memorializing Congress to take the necessary steps to continue the maintenance of a post office in the North End district of the city of Boston; to the Committee on Post Office and Civil Service.

By Mrs. ROGERS of Massachusetts: Memorial of General Court of Massachusetts to take the necessary steps to continue the maintenance of a post office in the North End district of the city of Boston; to the Committee on Post Office and Civil Service.

By the SPEAKER: Memorial of the Legislature of the State of Massachusetts, memorializing the President and Congress of the United States, relative to taking the necessary steps to continue the maintenance of a post office in the North End district of the city of Boston; to the Committee on Post Office and Civil Service.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. ANFUSO:

H. R. 5495. A bill for the relief of Fedele Miranda; to the Committee on the Judiciary.

By Mr. BEALL:

H. R. 5496. A bill for the relief of F. Archie Meatyard; to the Committee on the Judiciary.

By Mr. FENTON:

H. R. 5497. A bill for the relief of Helga G. Jordan and her son; to the Committee on the Judiciary.

By Mr. MORANO:

H. R. 5498. A bill for the relief of Eliseu Joaquim Boa; to the Committee on the Judiciary.

By Mr. PATTEN:

H. R. 5499. A bill for the relief of Tamaki Sakasai Cordova; to the Committee on the Judiciary.

By Mr. ROBERTS:

H. R. 5500. A bill for the relief of Herman E. Mosley; to the Committee on the Judiciary.

By Mrs. ROGERS of Massachusetts:

H. R. 5501. A bill for the relief of John R. Keane; 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:

439. By Mr. CANFIELD: Resolution of the Grand Lodge of the State of New Jersey, Order of Sons of Italy in America, urging the President and the Senate to bring about a revision of the peace treaty with Italy; to the Committee on Foreign Affairs.

440. Also, resolution adopted at a mass meeting of the Central of Polish Organizations at the Polish Peoples Home, Passaic, N. J., pledging every effort for the liberation of the Polish Nation from the bonds of communistic control and to correct the shameful agreements of Yalta and Tehran; to the Committee on Foreign Affairs.

441. By Mr. HALE: Petition of Aerie No. 1248 of the Fraternal Order of Eagles, Rumford Falls, Maine, urging the Federal Government and its agencies to be unceasing in their efforts to secure the freedom of William N. Oatis, by honorable means, and offering support and vitality of its membership to the executives of the Associated Press in their campaign to secure the release of Mr. Oatis by the communication of the true facts of the case to the free peoples of the world, and urging the Federal Government to bar the correspondents from the Soviet news agency, Tass, as well as all satellite nation correspondents from official Government press conferences where vital information may be revealed, until the release of Mr. Oatis has been secured; to the Committee on Foreign Affairs.

442. By the SPEAKER: Petition of Antonio Fernós-Isern, president, the Constitutional Convention, San Juan, P. R., relative to expressing to the United States its sentiments of respect and its gratitude for the adoption of Public Law 600 of 1950; to the Committee on Interior and Insular Affairs.

SENATE

THURSDAY, SEPTEMBER 27, 1951

(Legislative day of Wednesday, September 19, 1951)

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

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

Eternal God, our need is the altar of our prayer. The panoply of Thy love is the sanctuary of our devotion. Thou hast called us whose lives pass swiftly, as a watch in the night, to labor with Thee in the unfolding purpose of the ages. Since it is of Thy mercy that this another day is added to our mortal lives, sanctify our work; let no unhallowed words pollute the tongues which Thou hast made to praise and bless Thee. May the meditations of our minds and hearts be acceptable in Thy sight. So distill upon us the dews of Thy quietness and Thy calm that in simple trust and deeper reverence we may be found steadfast and abounding in the work of the Lord, knowing that in Him and for Him and with Him our labor is not in vain. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, September 26, 1951, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

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:

On September 25, 1951:

S. 1074. An act to repeal certain obsolete laws relating to the Post Office Department.

On September 26, 1951:

S. 24. An act to amend the act entitled "An act to provide better facilities for the enforcement of the customs and immigration laws," approved June 26, 1930, as amended;

S. 462. An act for the relief of Rosita Anita Navarro and Ramona Alicia Navarro;

S. 495. An act for the relief of Richard J. Walling; and

S. 665. An act for the relief of D. Lane Powers and Elaine Powers Taylor.

On September 27, 1951:

S. 83. An act for the relief of First Lt. James E. Willcox;

S. 295. An act for the relief of Michail Ioannou Bourbakis;

S. 427. An act for the relief of Nene Baalstad;

S. 626. An act for the relief of Polly Anne Caldwell;

S. 810. An act for the relief of Howard I. Smith;

S. 880. An act for the relief of Ann Lamplugh;

S. 906. An act for the relief of Marie Kristine Hansen; and

S. 1279. An act for the relief of Davis Min Lee.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed the following bill and joint resolutions, in which it requested the concurrence of the Senate:

H. R. 1628. An act to provide for the acquisition of land and the construction thereon of buildings and appurtenances essential for forest fire control operations of the Forest Service, United States Department of Agriculture, at or near Missoula, Mont., and for other purposes;

H. J. Res. 330. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Chicago International Trade Fair, Inc., Chicago, Ill., to be admitted without payment of tariff, and for other purposes; and

H. J. Res. 333. Joint resolution to extend the time for use of construction reserve funds established under section 511 of the Merchant Marine Act, 1936, as amended.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. STENNIS, and by unanimous consent, the Committee on the Judiciary was authorized to sit during the session of the Senate today.

TRANSACTION OF ROUTINE BUSINESS

Mr. MCFARLAND. Mr. President, I ask unanimous consent that Senators be permitted to transact routine business, without debate.

The VICE PRESIDENT. Without objection, it is so ordered.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

EXECUTIVE COMMUNICATIONS, ETC.

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

TEMPORARY ADMISSION INTO UNITED STATES OF CERTAIN ALIENS

A letter from the Attorney General, transmitting, pursuant to law, copies of orders entered in cases granting temporary admission into the United States of certain aliens (with accompanying papers); to the Committee on the Judiciary.

SUSPENSION OF DEPORTATION OF ALIENS—WITHDRAWAL OF NAMES

Two letters from the Attorney General, withdrawing the names of Fajgla Tuchmajer Ajzin nee Tuchmajer and Ilona (Helen) Goldstein from reports relating to aliens whose deportation had been suspended, transmitted to the Senate on July 2, 1951, and August 1, 1951, respectively; to the Committee on the Judiciary.

AMENDMENT OF CIVIL AERONAUTICS ACT OF 1938 RELATING TO CIVIL PENALTIES IN CERTAIN CASES

A letter from the chairman of the Civil Aeronautics Board, transmitting a draft of proposed legislation to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases (with an accompanying paper); to the Committee on Interstate and Foreign Commerce.

PETITIONS AND MEMORIALS

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

By the VICE PRESIDENT:

Resolutions of the General Court of the Commonwealth of Massachusetts, relating to the continued maintenance of a post office in the north end district of the city of Boston, Mass.; to the Committee on Post Office and Civil Service.

(See resolutions printed in full when presented by Mr. LODGE (for himself and Mr. SALTONSTALL) on September 26, 1951, p. 12095, CONGRESSIONAL RECORD.)

A cablegram in the nature of a petition from Antonio Fernós-Isern, president of the Constitutional Convention of Puerto Rico, San Juan, P. R., expressing the gratitude of the convention to the Senate for the passage of Public Law 600, of 1950, relating to the formation of a constitution for the people of Puerto Rico; to the Committee on Interior and Insular Affairs.

A telegram in the nature of a petition from William Green, president, American Federation of Labor, San Francisco, Calif., relating to the passage of the Revenue Act of 1951, with certain amendments; ordered to lie on the table.

RESOLUTIONS OF INDEPENDENT FOOD AND GROCER ASSOCIATION OF NEW HAMPSHIRE, NEW CASTLE, N. H.

Mr. BRIDGES. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, resolutions adopted by the Independent Food and Grocer Association of New Hampshire, in convention assembled at Wentworth-by-the-Sea, New Castle, N. H., relating to the establishment of ceiling prices for Prime graded beef, and so forth.

There being no objection, the resolutions were referred to the Committee on Banking and Currency and ordered to be printed in the RECORD, as follows:

Resolved, That members of this convention hereby go on record as requesting Washington officials to permit retailers to precube steaks by any tenderizing machine, regardless of make.

Whereas one large retail corporation is allowed such privileges; and

Whereas steaks cannot be precubed, they simply cannot be prepared and sold in many markets because of labor costs and lack of time: Therefore be it

Resolved, That this convention requests officials to alter rules and regulations to allow precubing of steaks.

Resolved, That this convention go on record as favoring the establishment of ceiling prices for Prime graded beef.

Whereas buying Prime grade beef at a higher price a pound above Choice ceilings and selling them at Choice ceiling prices results in a smaller profit to the retailer; the present situation is unfair and an extreme hardship on retailers selling Prime beef: Therefore be it

Resolved, That this convention go on record vigorously urging officials to take necessary steps to establish ceiling prices for Prime graded beef.

Be it resolved, That this convention go on record as favoring ceiling prices on all live cattle on the hoof.

Whereas we do not believe that ceiling prices on beef and pork can be effective until ceilings are placed on live cattle; be it further

Resolved by this convention, That, in the interest of the consumer and those engaged in the meat industry, it urge officials to bring about price ceilings at the source.

Resolved, That this convention does hereby go on record to urge Michael DiSalle, Director of the Office of Price Stabilization, that the practice of compelling grocery stores to display prominently 1, 2, 3, or 4 group signs be discontinued.

Whereas this convention believes that such a practice is discrimination and thus militates against the best interest of small-size grocery store operators; and

Whereas directors of this association unanimously voted such a change at a meeting of the board of directors on May 2, 1951: Therefore be it

Resolved, That Mr. DiSalle be requested that the posting of group members be eliminated from the OPS rules and regulations.

Be it resolved by the Independent Food and Grocers' Association of New Hampshire in annual convention assembled, That it urge all retailers in the State, acting in their individual capacities, to hold the line on fair trade products so that they may continue to enjoy the benefits from fair trade and make their individual contributions to a sound price structure in the distribution of trade-marked commodities; be it further

Resolved by the Independent Food and Grocers' Association of New Hampshire in annual convention assembled, That it urge grocers to study competitive conditions in their own areas, with special reference to the nature and extent of the sale of fair trade merchandise in outlets, so that they may develop more efficient sales methods and do a more productive merchandising job than is being done in such outlets.

Resolved, That the members of this convention hereby emphatically state that they are opposed to any store operation by the members of this association that is not consistent with the good and welfare of the consumer during periods of national emergency.

Resolved by the Independent Food and Grocers' Association of New Hampshire, in annual convention assembled, That all manufacturers be urged to follow the policy of paying at least 2 cents for coupon redemptions; be it further

Resolved by this association, That we go on record as expressing our gratitude for the cooperation of many leading manufacturers who have to date increased their payment from 1 cent to 2 cents in payment for the service rendered by Independent Grocers in the State of New Hampshire; be it also

Resolved with passage of this resolution, That the executive secretary be instructed to publish its contents in the association's monthly bulletin.

Resolved, That this convention go on record in expressing its gratitude to officers and directors who have served faithfully during the past year at no compensation, but did so in the interest of the progress of this association.

Resolved, That this convention does hereby express its appreciation to all officers, committee members, wholesalers, distributors, and manufacturers for their financial cooperation in making this convention a success; and be it further

Resolved, That this convention express its appreciation to its guest speakers and all those who participated and assisted in the speaking programs.

Resolved by the Independent Food and Grocers' Association of New Hampshire in annual convention assembled, That United States Senate bill 719 should be defeated, as this amendment would weaken prohibitions of the Robinson-Patman Act against sellers discrimination between their customers in price and service.

Whereas Senate bill 719 should be defeated on grounds that it would nullify protection which has been afforded small business by the present Robinson-Patman Act; and

Whereas passage of Senate bill 719 would encourage and support unfair and monopolistic price discrimination against independent food retailers; be it further

Resolved, That this convention go on record as instructing the executive secretary to notify members of the New Hampshire delegation in Congress of this convention's opposition to Senate bill 719.

Resolved, That members of this convention hereby go on record to instruct the executive secretary, accompanied by a member of the board of directors who is a competent authority on the present meat situation and appointed by the President, that both men represent this State association present, in person, resolutions concerning rules and regulations of the Office of Price Stabilization to members of the New Hampshire delegation in Congress and to officials of the OPS in Washington.

Whereas it is of vital importance to the consumer and retailer that the importance of these resolutions must not be underestimated; and

Whereas alterations of the present meat regulations must be made immediately or retailers will be forced out of the legitimate market, while black markets and thus higher prices continue to grow, thus encouraging the eventuality of meat rationing and exhorbitant meat prices, which will certainly destroy our economy and bring about unreasonable hardship on our people; be it further

Resolved, That this convention instruct our president and executive secretary to fulfill the request made in this resolution.

Resolved, That members of this convention hereby go on record requesting officials to adjust prices on beef ribs to permit a profit.

Whereas the retailer who buys extra ribs has a scant 2- or 3-cent margin between his cost and his selling price, before he even begins trimming.

Resolved, That members of this convention vigorously urge Washington officials to adjust OPS rules and regulations to permit the sale of beef tenderloins, now prohibited.

Whereas wholesalers and packers are permitted to sell them, while retailers can't buy them for resale in any form; and

Whereas the present rule discriminated against the retailer does not protect the consumer; be it further

Resolved, That this convention favors being given permission to sell beef tenderloins.

Resolved, That members of this convention request Washington officials to permit retailers to preroll ribs of beef and other cuts.

Whereas rush-hour boning, rolling, and tying is impossible in many markets.

INCREASE IN LIMIT OF EXPENDITURES BY COMMITTEE ON APPROPRIATIONS

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably without amendment, Senate Resolution 204, reported by the Senator from Tennessee [Mr. McKELLAR] from the Committee on Appropriations on September 11, 1951. I ask for its present consideration of the resolution.

The VICE PRESIDENT. The resolution will be read.

The legislative clerk read the resolution, as follows:

Resolved, That the Committee on Appropriations hereby is authorized to spend from the contingent fund of the Senate, during the Eighty-second Congress, $10,000 in addition to the amount, and for the same purposes, specified in section 134 (a) of the Legislative Reorganization Act approved August 2, 1946, and Senate Resolution No. 162, agreed to June 29, 1951.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SALTONSTALL. Mr. President, reserving the right to object, I understand from the Senator from Arizona that the resolution is reported by the unanimous decision of the committee, and increases in limit the expenditures by the Committee on Appropriations.

Mr. HAYDEN. Yes; by $10,000, to provide for the large amount involved in conducting hearings and stenographic services.

Mr. SALTONSTALL. I have no objection.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 204) was considered and agreed to.

EXTENSION OF AUTHORITY FOR COMMITTEE ON LABOR AND PUBLIC WELFARE TO EMPLOY ADDITIONAL PERSONNEL

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, Senate Resolution 143, submitted by the Senator from Montana [Mr. MURRAY] on May 23, 1951, and referred to the Committee on Labor and Public Welfare. I ask for its immediate consideration.

The VICE PRESIDENT. The title of the resolution will be stated for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. Res. 143) extending the authority of the Committee on Labor and Public Welfare to employ additional personnel, reported from the Committee on Rules and Administration with amendments.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

The VICE PRESIDENT. The amendments will be stated.

The first amendment was, on page 1, line 5, to strike out "additional personnel" and insert "one additional staff member and one additional clerical assistant."

The amendment was agreed to.

The next amendment was, in line 6, to strike out "August" and insert "January."

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

Resolved, That the authority of the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, under Senate Resolution 215, Eighty-first Congress, agreed to February 9, 1950, authorizing the Committee on Labor and Public Welfare to employ one additional staff member and one additional clerical assistant, is hereby continued until January 31, 1952.

INTERNAL SECURITY—INCREASE IN LIMIT OF EXPENDITURE BY JUDICIARY COMMITTEE

Mr. HAYDEN. Mr. President, from the Committee on Rules and Administration, I report favorably, with amendments, Senate Resolution 198, reported by the Senator from Nevada [Mr. McCARRAN] from the Committee on the Judiciary on August 27, 1951, and I submit a report, No. 841, thereon. I ask for its present consideration.

The VICE PRESIDENT. The clerk will state the title of the resolution for the information of the Senate.

The LEGISLATIVE CLERK. A resolution (S. 198) increasing the limit of expenditures by the Committee on the Judiciary relating to the internal security of the United States.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

Mr. SALTONSTALL. Mr. President, reserving the right to object, I understand from my colleague from Arizona that the report was not made by unanimous decision of the committee. Therefore, I hope the Senator will not press for action at this time.

Mr. HAYDEN. I will simply say, Mr. President, that there was no disagreement in the committee at all as to the desirability of continuing the activities of the committee for a reasonable period of time. The proposal was to provide money to carry on the activities of the committee until January 31, 1953. The Senator from Nebraska [Mr. WHERRY] has been particularly insistent in the committee that all the committees should come to the Senate in January and work out their problems for a year at a time; in other words, that we should not make 2-year authorizations. But the Committee on Rules and Administration realized that the activities of this committee were such that it ought to be able to plan ahead. So instead of fixing the time for a year, the committee provided for 6 months in the next year, which would bring it up to June 30. I am sure the chairman of the Committee on the Judiciary, while, of course, he would like to have the resolution provide for a year and a half, will be entirely satisfied with provision for 6 months.

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

Mr. HAYDEN. Yes.

Mr. SALTONSTALL. The ranking Republican member of the Committee on the Judiciary, the senior Senator from Wisconsin [Mr. WILEY] is present. If he has no objection I have no objection. If he knows of no objection from the point of view of the Committee on the Judiciary I have no objection.

Mr. WILEY. I know of no objection.

There being no objection, the Senate proceeded to consider the resolution which had been reported from the Committee on Rules and Administration with amendments in line 4, after the word "by", to strike out "$195,000" and insert "$117,000", and in line 10, after the word "before", to strike out "January 31, 1953", and insert "June 30, 1952."

The amendments were agreed to.

The resolution (S. Res. 198), as amended, was agreed to, as follows:

Resolved, That the limitation of expenditures under Senate Resolution 366, Eighty-first Congress, relating to the internal security of the United States, agreed to December 21, 1950, is hereby increased by $117,000, and such sum together with any unexpended balance of the sums previously authorized to be expended under such resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee and covering obligations incurred under such resolution on or before June 30, 1952.

BILLS INTRODUCED

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

By Mr. TAFT:

S. 2185. A bill for the relief of Annemarie E. Peterson and Wilhelm Ernst Geisel; to the Committee on the Judiciary.

By Mr. KEFAUVER:

S. 2186. A bill to amend section 1 of title 17 of the United States Code to make the public reproduction or rendition of a musical composition by or upon a coin-operated machine a public performance for profit when a fee is not charged for admission to the place where such reproduction or rendition occurs, and for other purposes; to the Committee on the Judiciary.

By Mr. HENDRICKSON (for himself, Mr. SMITH of New Jersey, Mr. MARTIN, and Mr. DUFF):

S. 2187. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; and

S. 2188. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and

the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. HENDRICKSON when he introduced the above bills, which appear under a separate heading.)

SUPPLEMENTAL COMPACTS BETWEEN NEW JERSEY AND PENNSYLVANIA RELATING TO DELAWARE RIVER TUNNELS AND BRIDGES

Mr. HENDRICKSON. Mr. President, on behalf of myself, my colleague, the senior Senator from New Jersey [Mr. SMITH], and the Senators from Pennsylvania [Mr. MARTIN and Mr. DUFF], I introduce for appropriate reference two bills. The purpose of these bills is to obtain authorization from the Congress for a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania for the ultimate purpose of providing vehicular tunnels or additional bridges across the Delaware River.

I will have considerably more to say on these bills at some later date.

The bills introduced by Mr. HENDRICKSON (for himself, Mr. SMITH of New Jersey, Mr. MARTIN, and Mr. DUFF) were read twice by their titles and referred to the Committee on Public Works, as follows:

S. 2187. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; and

S. 2188. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes.

REVENUE ACT OF 1951—AMENDMENTS

Mr. HENNINGS submitted an amendment intended to be proposed by him to the bill (H. R. 4473) to provide revenue, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. DIRKSEN submitted an amendment intended to be proposed by him to House bill 4473, supra, which was ordered to lie on the table and to be printed.

HOUSE BILL AND JOINT RESOLUTION REFERRED

The following bill and joint resolution were each read twice by their titles and referred as indicated:

H. R. 1628. An act to provide for the acquisition of land and the construction thereon of buildings and appurtenances essential for forest-fire-control operations of the Forest Service, United States Department of Agriculture, at or near Missoula, Mont., and for other purposes; to the Committee on Agriculture and Forestry.

H. J. Res. 330. Joint resolution to permit articles imported from foreign countries for the purpose of exhibition at the Chicago International Trade Fair, Inc., Chicago, Ill., to be admitted without payment of tariff, and for other purposes; to the Committee on Finance.

EXECUTIVE MESSAGE REFERRED

As in executive session,

The VICE PRESIDENT laid before the Senate a message from the President of the United States submitting the nomination of John A. Roseen, of California, to be United States marshal for the Northern District of California, vice Edward J. Carrigan, which was referred to the Committee on the Judiciary.

ADDRESS, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, and so forth, were ordered to be printed in the Appendix, as follows:

By Mr. NEELY:

Address on the International Labor Organization, delivered by George Delaney, international representative of the American Federation of Labor, at the AFL convention in San Francisco, Calif., on September 19, 1951.

By Mr. WILEY:

Statement prepared by him and other material regarding crime along the water front.

By Mr. MURRAY:

Article entitled "Missouri Waltzes to 'Billion Dollar Blues,'" written by Albert H. Jenkins, and published in the Machinist Monthly Journal for October 1951.

By Mr. STENNIS:

Editorial entitled "Senator BUTLER Called the Turn," published in the Kearney (Nebr.) Hub, referring to the proposed admission of Hawaii as a State.

By Mr. SCHOEPPEL:

Statement by Everett C. Seal before the Senate Committee on Banking and Currency on September 18, 1951, on the question of the imposition of slaughter quotas on the meat industry.

TRIBUTE TO EMIL RIEVE, GENERAL PRESIDENT OF THE TEXTILE WORKERS OF AMERICA, CIO

Mr. MURRAY. Mr. President, I arise to pay tribute to one of America's outstanding labor leaders, Emil Rieve, general president of the Textile Workers of America, CIO. His life is not only a story of a successful trade unionist, but is also a mirror of American democracy. It reflects a life of a man who, in accordance with American tradition, rose from poverty to become a great public figure.

Mr. Rieve was born in 1892 in Warsaw, Poland, of Alsatian ancestry. He came to the United States when he was 13 years of age, and after only 4 years of schooling he went to work in a Pennsylvania hosiery mill for $2.50 a week. After he joined the American Federation of Hosiery Workers, an affiliate of the United Textile Workers in the American Federation of Labor, his ability, zeal, and hard work on behalf of the underpaid and oppressed workers in the textile mills earned for him the national presidency of the Federation by 1929.

Through the years of the great depression between 1929 and 1932, when mill after mill was shut down, and thousands upon thousands of workers were looking for jobs that did not exist, Mr. Rieve did not give up the fight but continued to give his unceasing and untiring efforts to the cause of the people he represented. And with the election of President Roosevelt in 1933 and the passage of legislation by the Congress guaranteeing labor freedom to organize and the right to bargain collectively, the United Textile Workers added thousands of men to its union rolls.

Later Mr. Rieve became the guiding spirit of the Textile Workers Organizing Committee which was set up by the CIO in 1937, and out of which grew the Textile Workers Union of America, which has contributed to peaceful labor relations in the textile industry.

He has served five terms thus far as president of the Textile Workers of America, and during that time the organization has increased its membership threefold, now numbering over 450,000 members, and their wages have tripled in the same period.

Mr. Rieve has a great record for public service. During World War II he served as a member of the War Labor Board. Once again in the present national great emergency he is serving on the Wage Stabilization Board.

In September 1942 he represented the United States as one of its delegates at the first Inter-American Conference on Social Security at Santiago, Chile. He has served on the labor committee of the American Heart Association and the National Committee for the Physically Handicapped. In these two fields he has endeavored to make American working people aware of the deadliest killer of mankind, heart illnesses, and the need for a national program to aid persons with physical handicaps.

His work is not only one of personal achievement, but has helped make America a better land in which to live.

REVENUE ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 4473) to provide revenue, and for other purposes.

Mr. STENNIS. Mr. President, I ask unanimous consent to make a 1-minute statement.

The VICE PRESIDENT. Without objection, the Senator may proceed.

Mr. STENNIS. Mr. President, on last Monday, September 24, there was a yea-and-nay vote on the adoption of a committee amendment to the pending tax bill. This vote is recorded on page 11958 of the RECORD for said date, and correctly records the Senator from Mississippi as voting in the negative. The Senator from Mississippi came into the Chamber just before the roll call was started and understood from a colleague that the vote was on the Capehart amendment, and also understood the Presiding Officer to announce that the vote was on the Capehart amendment. On examination of the RECORD of said date, on page 11957, I find that the Presiding Officer was announcing that the Capehart amendment, as amended, had been agreed to and the roll call was on the adoption of the committee amendment as amended. If the Senator from Mississippi had so understood the issue on the roll call, he would have voted "yea"; but as he was of the impression it was the Capehart amendment, similar to the Capehart amendment voted on at

the session of September 22, he voted "nay."

The Senator from Mississippi does not ask permission to change his vote, as he is of the opinion that such a request should not be made except under very extraordinary circumstances. He does make this statement so that the RECORD may be clear as to his intentions to vote in favor of all associations being brought within the sphere of tax responsibility under some fair taxing formula.

Mr. WILLIAMS. Mr. President, I have an amendment pending at the desk. I ask unanimous consent to modify the amendment.

The VICE PRESIDENT. The Senator from Delaware asks unanimous consent to modify his amendment——

Mr. WILLIAMS. On page 1, line 2, I wish to strike out the date "November 1, 1951" and insert the date "January 3, 1953."

The VICE PRESIDENT. That amendment has already been agreed to. The amendment was modified last night.

Mr. WILLIAMS. Was it modified also on page 3, line 19?

The VICE PRESIDENT. It was modified in two places.

Mr. WILLIAMS. I understood there was objection. I did not know that the objection had been withdrawn.

Mr. STENNIS and Mr. GEORGE addressed the Chair.

The VICE PRESIDENT. Does the Senator yield to the Senator from Mississippi or the Senator from Georgia?

Mr. STENNIS. Mr. President, will the Senator yield for a parliamentary inquiry?

Mr. WILLIAMS. I yield the floor.

Mr. STENNIS. Mr. President, I make a point of order. The Senator from Mississippi was presiding last evening, and is of the opinion very definitely that that amendment was not adopted. The question never was put. The Senator from Nevada [Mr. MALONE] obtained the floor before there was an opportunity to put the question on the amendment offered by the Senator from Delaware.

The VICE PRESIDENT. If the yeas and nays had not been ordered, the Senator could modify his own amendment.

Mr. STENNIS. The yeas and nays had been ordered.

The VICE PRESIDENT. The RECORD ought to speak for itself on that point.

Mr. WILLIAMS. Mr. President, I think the Senator from Mississippi, who was presiding last night, is correct. I noticed this morning that the RECORD does not indicate that the amendment had been changed, but in order that there may be no confusion I ask unanimous consent that the amendment now on the desk be made to read, on page 1, line 2, "January 3, 1953" instead of "November 1, 1951"; also the same change on page 3, line 19.

The VICE PRESIDENT. The Chair is advised that the Senator from Louisiana [Mr. LONG] made an objection which he later withdrew, and that the Senator from Delaware was given unanimous consent to modify his amendment. The Journal so shows. If the Senator wishes to modify it again in the same way, the Chair presumes there would be no harm in the duplication.

Mr. GEORGE. Mr. President, the Journal, of course, imparts verity. There is no need to do anything else.

Mr. WILLIAMS. I am satisfied, so long as it is understood.

The VICE PRESIDENT. The question now is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS] as modified.

Mr. GEORGE. Mr. President, I stated last night that the committee would accept the amendment if modified in this way. I have no objection whatever to it.

Mr. President, I ask unanimous consent that the order for the yeas and nays on this amendment be rescinded, unless some Senator wishes a yea-and-nay vote. The committee is entirely willing to accept the amendment as modified.

Mr. CAIN. Mr. President, the Senator from Washington had intended to speak in support of the pending amendment. In a most willing effort to accommodate the wishes of other Senators to have the matter disposed of and to have a vote at this time, I only ask unanimous consent that a brief statement which I have prepared be printed in the RECORD as a part of my remarks.

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

STATEMENT BY SENATOR CAIN

Mr. President, much was said on and about the pending amendment last night and little needs to be said today but I do want to say this.

The junior Senator from Washington finds it difficult to grapple with more than one problem at a time. My present interest runs directly and only to what the Williams amendment intends to accomplish.

That my own expenses are heavy, that I possess a healthy and growing but expensive family, that I maintain two homes one of which is several thousand miles away, that I speak sometimes for honorariums in order to make ends meet and to benefit from an extra trip to my State, or that I believe that serious consideration ought to be given to raising the rate of annual compensation now given to members of the Congress, are matters of no importance or concern at the moment.

These questions, which are of real importance to most members of the Congress, can be fully discussed and action taken on them when S. 1117, a bill to create a Commission on Congressional Salaries, is called up for debate by the majority leader.

In supporting the Williams amendment I am urging the adoption of a measure which will cost me a considerable sum of money I can ill afford to lose. That, however, is beside the point at issue. I am anxious to vote for the pending amendment, as I have been in support of its purpose since first I came to the Senate, because I do not believe that the President of the United States, or the Vice President, or the Speaker of the House, or the members of Congress are entitled to a tax privilege or exemption which is not available to citizens, generally. I am very positive in my conviction that all of our annual compensation, regardless of its size, ought to be taxable.

The VICE PRESIDENT. The Senator from Georgia [Mr. GEORGE] asks unanimous consent that the order for the yeas and nays be vacated. Is there objection?

Mr. WILLIAMS. Mr. President, I object. I am perfectly willing to have the amendment voted on. However, several Senators who were called from the Chamber last night did not have an opportunity to vote. I told them that a vote would be taken today.

The VICE PRESIDENT. The Senator from Delaware objects.

Mr. GEORGE. Mr. President, I hope the yea-and-nay vote may proceed, because there is no objection to the amendment.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the Senator from Delaware [Mr. WILLIAMS], as modified. On this question the yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from New Mexico [Mr. CHAVEZ] is absent on official business and if present would vote "yea."

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. TOBEY] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

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

The Senator from Maine [Mr. BREWSTER], the Senator from Pennsylvania [Mr. DUFF], and the Senator from California [Mr. NIXON] are detained on official business. If present and voting, the Senator from Maine [Mr. BREWSTER] would vote "yea."

The yeas and nays resulted—yeas 74, nays 10.

Mr. GEORGE, Mr. BRIDGES, and Mr. JOHNSON of Colorado addressed the Chair.

The VICE PRESIDENT. The Senator from Georgia.

Mr. JOHNSON of Colorado. Mr. President——

The VICE PRESIDENT. The Senator from Georgia is recognized.

Mr. JOHNSON of Colorado. Mr. President, a point of order.

The VICE PRESIDENT. The Senator from Colorado will state it.

Mr. JOHNSON of Colorado. I was in the Chamber before the Chair finished announcing the result, and I was trying to attract the attention of the Chair.

The VICE PRESIDENT. The Chair did not hear the Senator from Colorado.

Mr. GEORGE. Mr. President, I ask unanimous consent that the Senator from Colorado be allowed to cast his vote.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the name of the Senator from Colorado will be called.

The legislative clerk called the name of Mr. JOHNSON of Colorado, and he voted in the affirmative.

Mr. BRICKER. Mr. President——

The VICE PRESIDENT. For what purpose does the Senator from Ohio rise?

Mr. BRICKER. Mr. President, has the vote been recorded?

The VICE PRESIDENT. The Chair tried to record it, but it was unrecorded. [Laughter.]

Mr. BRICKER. I ask unanimous consent that I may be permitted to vote.

The VICE PRESIDENT. Is there objection? Of course, unless the Senator from Ohio was in the Chamber, seeking recognition at the time when the vote was being taken, and before the result was announced, it is in opposition to the rule to give such unanimous consent. The Chair cannot even submit such a question unless the Senator from Ohio can state that he was in the Chamber, seeking recognition.

Mr. BRICKER. I think I came in the door just as the Senator from Colorado asked for recognition and was recognized. I do not know exactly what the situation at that time was.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Massachusetts will state it.

Mr. SALTONSTALL. Because of the addition of the vote of the Senator from Colorado, the final result of the vote has not yet been announced; and therefore I believe the Senator from Ohio is in order.

The VICE PRESIDENT. The new tabulation has not been announced; that is correct.

The Chair will recognize the Senator from Ohio "under dem heads," as the Senator from Alabama used to remark; but this will be the last one that will be recorded. [Laughter.]

The Senator from Ohio.

The legislative clerk called Mr. BRICKER's name, and he voted in the affirmative.

Mr. ELLENDER. Mr. President——

The VICE PRESIDENT. This raises more trouble.

The Senator from Louisiana.

Mr. ELLENDER. I vote "nay."

The VICE PRESIDENT. The Chair will declare a 10-minute recess for Senators to come into the Chamber. [Laughter.]

Mr. CASE. Mr. President——

The VICE PRESIDENT. The Senator from South Dakota.

The legislative clerk called Mr. CASE's name, and he voted in the affirmative.

Mr. HOLLAND. Mr. President——

The VICE PRESIDENT. The Senator from Florida.

Mr. HOLLAND. I think the distinguished Vice President should know that several of us have been embarrassed by the fact that the bells in our offices did not ring for this particular vote. But for the fact that my junior colleague had me called to the floor, I would not have known the vote was in progress.

The VICE PRESIDENT. The Chair thought the bell of the Senator from Florida always rang. [Laughter.]

Mr. HOLLAND. Mr. President, the Senator from Florida desires to express his appreciation; and in the sense that the Vice President means, the Senator assures the Vice President that his opinion is correct. [Laughter.]

Mr. CASE. Mr. President——

The VICE PRESIDENT. For what purpose does the Senator from South Dakota rise?

Mr. CASE. I merely would like to state that the Senator from Louisiana [Mr. LONG] has stated to me that the bell in his office did not ring; and I wish to say that the bell in my office did not ring, either.

The VICE PRESIDENT. Well, the Senator from Louisiana has voted.

Mr. GEORGE. Mr. President, I call for the regular order.

The result was announced—yeas 77, nays 11, as follows:

YEAS—77

Aiken	Hill	Monroney
Bennett	Hoey	Moody
Bricker	Holland	Morse
Butler, Md.	Humphrey	Mundt
Butler, Nebr.	Ives	Neely
Byrd	Jenner	O'Conor
Cain	Johnson, Colo.	O'Mahoney
Capehart	Johnson, Tex.	Pastore
Carlson	Johnston, S. C.	Robertson
Case	Kefauver	Russell
Connally	Kem	Saltonstall
Cordon	Kerr	Schoeppel
Dirksen	Kilgore	Smathers
Douglas	Knowland	Smith, Maine
Dworshak	Langer	Smith, N. J.
Eastland	Lehman	Smith, N. C.
Ecton	Lodge	Sparkman
Ferguson	Long	Stennis
Flanders	Magnuson	Taft
Frear	Martin	Thye
George	Maybank	Watkins
Gillette	McCarran	Welker
Green	McCarthy	Wiley
Hendrickson	McClellan	Williams
Hennings	McMahon	Young
Hickenlooper	Millikin	

NAYS—11

Benton	Fulbright	McKellar
Bridges	Hayden	Murray
Clements	Hunt	Underwood
Ellender	McFarland	

NOT VOTING—8

Anderson	Duff	Tobey
Brewster	Malone	Wherry
Chavez	Nixon	

So Mr. WILLIAMS' amendment, as modified, was agreed to.

Mr. GEORGE. Mr. President, I agreed to accept this amendment, not that it has any place whatsoever in this bill, so far as concerns the fixing of congressional salaries or the salary of the Speaker of the House or the salary of the Vice President or the salary of the President; but when the amendment was modified so that it would not become effective until January 3, 1953, I did not think it was worth while to lose more time on the amendment, because in the interval between now and January 3, 1953, Congress will have ample time to deal with this problem.

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

Mr. GEORGE. I yield only for a question.

Mr. McFARLAND. I wish to ask a question.

Mr. GEORGE. Yes, I yield.

Mr. McFARLAND. Does the Senator from Georgia think it is fair for one Congress to have a privilege and then try to bind another Congress which will not have that privilege?

Mr. GEORGE. I am satisfied that the other Congress will take care of itself.

Mr. McFARLAND. But the other Congress will not come into existence until after this amendment has become effective, and at that time the present Congress will be out of existence.

Mr. GEORGE. Mr. President, before January 3, 1953, we can do the thing we should do though, not, of course, in connection with a tax bill. The only legitimate purpose this amendment could have is merely to strike out a tax exemption which had been given to certain officers. That is all right; it is legitimate, and that is what the amendment does. However, so far as the salary is concerned, the Congress will have all of next year in which to determine what should be the salary of the President, the salary of the Vice President, the salary of the Speaker of the House, and the salaries of the Members of the Congress.

Mr. McFARLAND. Of course, I understand that.

ANNOUNCEMENT OF SUSPENSION OF COLLECTOR AND DEPUTY COLLECTORS OF INTERNAL REVENUE

Mr. GEORGE. Mr. President, an investigation has been going on in certain of the revenue offices of the country. I now wish to announce—not for the purpose of delaying consideration of the tax bill—that the President this morning has suspended Collector Smyth and, I believe, six of his deputies or assistants in the San Francisco office, which is collection district No. 1, I believe, because of disclosures which have been made or which were made during the course of yesterday and the day before.

Mr. WILLIAMS. Mr. President, the Senator from Georgia has just called attention to the fact that the President has announced the dismissal of the collector of internal revenue, Mr. Smyth, in the San Francisco district, along with eight other employees. I merely want to say that I am glad that the Commissioner of Internal Revenue has at last recognized the deplorable conditions which existed in that office, and that apparently he is taking greatly needed but rather belated action, but at least I am glad that he is taking steps to correct that situation. I hope that he will continue, and will expose and reveal to the people of California and other people throughout the country exactly what these men have done, and that he will see that action is taken to punish them. The conditions in this office are, if possible, in an even worse condition than those which exist in New York.

Mr. CONNALLY. Mr. President, I think the Senator from Delaware used unfortunate language when he referred to the Commissioner of Internal Revenue having belatedly taken steps, and so on. The Commissioner of Internal Revenue has only been in office a very short time, and he is not to be blamed for the conditions in the San Francisco district.

Mr. WILLIAMS. Mr. President, the Senator from Texas is partially correct. Perhaps I should say it was the belated action on the part of the Bureau of Internal Revenue. It is not necessary now to go into the question of who is responsible but I will say that someone here in Washington is responsible for dragging their feet on this case.

Mr. CONNALLY. Very well.

Mr. WILLIAMS. But I express my own opinion that it has been most unfortunate for the State of California that the action was not taken prior to this time.

Mr. CONNALLY. That may be, but the present Commissioner of Internal Revenue is not to blame for it, since he has been in office only a very short time, a week or 10 days or 2 weeks, and he ought not to be blamed for it. He should be praised instead of being abused.

Mr. WILLIAMS. Mr. President, the present commissioner has been in office 2 months, and his predecessor, Mr. Schoeneman before that knew of the deplorable conditions existing in that area and did nothing. I was amazed to find that the collector himself was not even paying his own taxes, yet still he was allowed to continue in office.

Mr. MILLIKIN. Mr. President, I would also like to say with reference to the dismissal or suspension of certain revenue officers in California, that the Senate Finance Committee, under the initiative of the Senator from Delaware [Mr. WILLIAMS], had already commenced preliminary investigations of the situation in California.

REPORT ON INCOME BY GOVERNMENT OFFICIALS (H. DOC. NO. 244)

The PRESIDING OFFICER (Mr. HILL in the chair) laid before the Senate a message from the President of the United States, which was read and referred to the Committee on Finance.

(For President's message, see today's proceedings of the House of Representatives, pp. 12268–12269.)

REVENUE ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 4473) to provide revenue, and for other purposes.

Mr. GEORGE. Mr. President, I hope now that we may have the next amendment which Senators wish to offer to this bill.

Mr. BRIDGES and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mr. BRIDGES. Mr. President, I send to the desk an amendment and ask that it be read.

The PRESIDING OFFICER (Mr. HILL in the chair). The clerk will state the amendment.

The CHIEF CLERK. On page 331, line 22, after the word "organizations", it is proposed to insert "or hospitals"; and on page 332, line 6, after the comma, it is proposed to insert "or to the benefit of a hospital, or an institution for the rehabilitation of physically handicapped persons which maintains or is building for proper maintenance such a hospital or institution staffed or to be staffed by qualified professional persons for the treatment of the sick and/or the rehabilitation of the physically handicapped."

Mr. WILLIAMS and Mr. MAYBANK addressed the Chair.

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

Mr. BRIDGES. I agreed to yield first to the Senator from South Carolina.

Mr. MAYBANK. Mr. President, I may say I had certain amendments which were sent to the desk, but which cover more or less the same subject as that covered by the amendment of the Senator from New Hampshire. In order to save time, I send to the desk an amendment to the amendment of the Senator from New Hampshire, which I have discussed with the distinguished Senator from New Hampshire.

The PRESIDING OFFICER. Does the Senator from New Hampshire yield to the Senator from South Carolina for that purpose?

Mr. BRIDGES. I yield.

The PRESIDING OFFICER. The clerk will state the amendment proposed by the Senator from South Carolina to the amendment of the Senator from New Hampshire.

The LEGISLATIVE CLERK. On line 9 of Mr. BRIDGES' amendment, after the word "handicapped", it is proposed to insert the words "or an eleemosynary corporation under State law exempt under section 101 (6) of the Internal Revenue Code."

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

Mr. BRIDGES. I yield to the Senator from Ohio.

Mr. TAFT. Mr. President, I opposed this amendment in committee, but I opposed it because it did not seem to me that we should retroactively authorize universities or any other institutions to receive a tax exemption on an unrelated business which they had been operating previously, and which I think was always taxable. However, since the committee saw fit to give retroactive treatment in a tax exemption on unrelated business to universities and other educational institutions, I agree fully that it ought also to be extended to hospitals, and to cases of the kind covered by the amendment of the Senator from New Hampshire. So I may say that if the House will accept the other provision—I think the House bill already contained the other provision——

Mr. GEORGE. Oh, yes.

Mr. TAFT. I think I shall fully support this amendment in conference, to see that hospitals are accorded the same treatment as that given to universities.

Mr. BRIDGES. I thank the Senator.

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

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

Mr. MILLIKIN. I simply want to say that in view of the explanations which have been made to me on this subject by the distinguished Senator from New Hampshire and by Senators from other States, I hope the amendment will be adopted. I think it is just.

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

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

Mr. ROBERTSON. Mr. President, I should like to ask the distinguished Senator whether the effect of this amendment is merely limited to relieving hospitals and eleemosynary institutions from the payment of taxes on money which they collected from an unrelated business and spent under the assumption that it was not taxable, but that it does not go to the extent of relieving them from the payment of taxes on such collections in the future.

Mr. BRIDGES. That is correct. I would in no way undertake to ask for any future exemptions. This is merely to take care of the past. That is what the distinguished Senator from South Carolina and I are attempting to do.

Mr. MAYBANK. I would say that is correct.

Mr. ROBERTSON. All these benefits then are intended for charitable institutions which have already spent the money, thinking they had the right to do so without taxation.

Mr. BRIDGES. That is correct.

Mr. MAYBANK. Mr. President, I should like to say to the Senator from Virginia that this is the amendment about which I spoke to him recently.

Mr. GEORGE. Mr. President, I accept the amendment.

Mr. BRIDGES. Mr. President, I may say to the Senator from Georgia that I accept the amendment of the Senator from South Carolina to my amendment.

The PRESIDING OFFICER. The Senator from New Hampshire modifies his amendment to include the amendment of the Senator from South Carolina, as the Chair understands.

Mr. BRIDGES. That is correct.

Mr. GEORGE. Mr. President, let me make a brief statement. The House included in its bill the section which is now numbered 601, on page 331, which merely exempts colleges and universities, educational institutions which in past years were engaged in what now is probably unrelated business, from past taxation; that is, from the tax imposed prior to the time Congress dealt with this subject.

This amendment simply broadens it so as to exclude those past years in the case of the institutions mentioned in the amendment. In committee I voted to strike out the entire provision. It ought to be stricken out, or all these institutions should be given the same treatment; and that, as I understand, is exactly what this amendment undertakes to do.

Mr. BRIDGES. That is correct.

Mr. GEORGE. Mr. President, I am glad therefore to take this amendment to conference.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Hampshire [Mr. BRIDGES], as modified.

The amendment, as modified, was agreed to.

The PRESIDING OFFICER (Mr. STENNIS in the chair). The bill is open to further amendment.

Mr. HUMPHREY. Mr. President, I should like to call up my amendment "9-24-51-E."

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Minnesota.

The CHIEF CLERK. On page 150, it is proposed to strike out lines 11 through 17, and insert in lieu thereof the following: "receipt of such stock shall be recognized unless (A) it appears that any corporation which is a party to such reorganization (i) was not intended to continue the active conduct of a trade or business after such reorganization or in fact ceased to continue the active conduct of a trade or business within 3 years thereafter, or (ii) was used principally as a device for the distribution of earnings and profits to the shareholders of any corporation a party to the reorganization, or (B) the stock of any such corporation is sold or exchanged by such shareholder within a period of 3 years from the date of the distribution."

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

Mr. HUMPHREY. I am happy to yield.

Mr. McFARLAND. May I inquire of the Senator if he would be willing to have a limitation of debate on this amendment?

Mr. HUMPHREY. Yes. The Senator from Minnesota will not want more than 15 minutes on this amendment.

Mr. McFARLAND. I ask unanimous consent, Mr. President, that the debate on the amendment be limited to 15 minutes to a side, the time to be controlled by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Georgia [Mr. GEORGE]; that any amendments to the amendment must be germane, and that the same limitation of debate be applied to any amendments that may be offered to the amendment.

The PRESIDING OFFICER. The Senator from Arizona has presented a unanimous-consent request that debate on the amendment be limited to 15 minutes to the side, the time to be controlled by the Senator from Minnesota and the Senator from Georgia. Is there objection to the request? The Chair hears none, and it is so ordered. The Senator from Minnesota is recognized.

Mr. HUMPHREY. Mr. President, I do not believe there is a great deal of disagreement between the Senator from Georgia and the Senator from Minnesota on this amendment. I recall that a year ago we discussed this particular provision in the revenue act. This is known as the spin-off provision, and it affects, of course, corporate enterprises. The spin-off is a device which is used for the establishment of new corporate enterprises out of the undistributed reserves and earnings of large corporate business. My whole purpose in offering the amendment is directed toward what I feel is the strengthening of the provisions which are in the Senate bill. The Senate bill has recognized the problem which is inherent in what we call corporate spin-offs. The Senate bill has included certain protective language to make such spin-offs responsible, efficient, and going business organizations. It was my opinion that we could strengthen the bill a little bit more. It is for that reason that I call to the attention of the chairman of the committee this particular amendment.

Mr. President, I have prepared a statement, and since the amendment is rather technical, I should like to make it.

Section 317 of the bill—and this is the section to which the amendment applies—would free from tax the type of corporate reorganization known as a spin-off. A spin-off occurs when a part of the assets of a corporation is transferred to a new corporation and the stock in the latter is distributed to the shareholders of the original corporation without a surrender by the shareholders of any of their stock in the original corporation.

In other words, Mr. President, corporation A has some undistributed earnings, and in large amounts. Corporation A sets up corporation B. The stock of corporation B is distributed to the original stockholders of corporation A, and the loophole which may be inherent in this provision is that the stockholders of corporation A may dispose of their stock on the basis of capital-gains treatment and not the earned-income treatment.

Under present law, the receipt by the shareholders of the stock of the new corporation would generally be taxable as a dividend to the extent of the earnings and profits of the existing corporation. Under the section as added by the Senate amendment, no tax whatever would be payable by the shareholders at the time of their receipt of the new stock. Their only tax liability would be a capital-gains tax upon the subsequent sale of that stock.

Let me digress there, Mr. President. Here is corporation A. Let us assume it has accumulated $50,000,000 of undistributed earnings. Fifty million dollars could be distributed in dividends to the original stockholders. If it was, the dividends would be taxable at the earned-income rate. Under the device known as the spin-off, corporation A with the $50,000,000 can set up a new corporation B, issue stock in that amount to the original stockholders of corporation A. One would think that the issuance of that stock, as with, let us say, a cooperative, where there would be allocated reserves, would be subject to the earned-income tax rate, but under the committee provision the stock is not subject to the earned-income tax rate. It is subject to the capital-gains rate when it is subsequently sold. That is the operation that takes place in a spin-off organization.

Now what are the pitfalls here, or what are the possible loopholes? The loophole has to do with whether or not the spin-off corporation, the new corporation, actually is engaged in business, whether it actually stays engaged in a going business for a continuous period of time. My amendment incorporates new language, which I think I can explain in a few words.

The proposed amendment would provide a total of three safeguards in order to forestall tax avoidance.

The first of these limitations—part (i) of clause (A)—would deny tax-free treatment where it appears that any of the corporations involved was not intended to continue the active conduct of a trade or business or in fact ceased to continue the active conduct of a trade or business within 3 years after the reorganization.

Let me simplify that. In other words, if the business of one of these new spin-off corporations did not last any longer than 3 years, it would be obvious that the purpose of the spin-off reorganization was to obtain capital-gains treatment, which is the low-tax treatment, in lieu of the high earned income-tax treatment. The inclusion of the words of the amendment would provide a protective mechanism to see to it that when undistributed dividends are used to form a new corporation, there shall be at least a 3-year period of gainful activity to prove the legitimacy of the operation. This covers the case where in fact the shareholder has used the reorganization as a device for the distribution of earnings and profits by selling the stock of one of the corporations.

The second of these limitations—part (ii) of clause (A)—would deny tax-free treatment where it appears that any of the corporations involved is used principally as a device for the distribution of earnings and profits to shareholders. This change merely carries out the purpose of one of the limitations now in the bill, as that purpose is explained in the report of the Committee on Finance. The limitation now in the bill is too narrowly expressed, since it covers only the case where the new corporation is used as a device for the distribution of earnings and profits. The amendment prohibits the use of either the new or the old corporation for that purpose.

I am not going to argue the question further. I recall last year's colloquy. I was checking it in the RECORD and I found that the chairman of the committee was fully aware, as he is aware of every one of these problems of taxation, of the definite possibility of tax avoidance unless the law was quite precise and specific.

I may say for the committee that the provisions in the committee bill are better than those contained in tax bills prior to this time. It is my feeling, however, that since, as the record reveals, there are literally billions of dollars of undistributed dividends, billions of dollars of earnings, when corporate tax rates go up, when earned income-tax rates go up, the temptation is ever present to take undistributed profits and create a new corporation, issue stock in the new corporation to the stockholders of the original corporation, and permit the stockholders of the original corporation to cash in their new stocks, not as dividend, which it really is in fact, not as a profit taxable under earned-income-tax rates, but taxable under capital-gains-tax rates.

So I should like consideration by the committee and acceptance of the amendment. I believe that it is constructive. I do not say that it will save vast amounts of money, or gain a great deal of new revenue, but I do believe, and this is the whole object of my argument, that as we step up the corporate rates, as we step up the earned-income rates, and as undistributed profits gather in the pool of a major corporation,

in the case either of a split-up or a spin-off, which are two different types of reorganization of corporate structure, but particularly in the case of a spin-off it is imperative to provide that the new corporation which is established shall conduct for at least a 3-year period, a going, vital business, and to make it positively certain that during that 3-year period any exchange of stock or sale of stock shall not be treated on the basis of capital-gains rates, but rather on the basis of earned income tax rates. This is the protection which I believe to be necessary.

Mr. President, I yield the floor.

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

Mr. HUMPHREY. I yield for a question.

Mr. LEHMAN. As I understand the amendment, of which I am one of the sponsors, there is no disposition on the part of the Senator from Minnesota to handicap a company in legitimately increasing its business or the effectiveness of its business by means of setting up another corporation. I understand further that it is the purpose of the amendment merely to avoid tax evasion through the disposal of the stock or the proceeds of the stock within a period which would not be covered by the safeguards usually surrounding capital-gains transactions.

As a test or standard it is proposed that any proceeds received by the stockholder from the company must be held for a period of 3 years, thus indicating that the formation of the new corporation is not a device for the purpose of evading taxes, but merely a step which a company might legitimately take in furtherance of its business interests, or the extension of its business.

Mr. HUMPHREY. The Senator is absolutely correct. The spin-off provision was originally plugged in 1932, as the result of an extensive investigation. The Senator from New York knows that corporate split-ups are permissible under the law, and that therefore anyone who wishes to engage in a legitimate operation of dividing a corporation for the purpose of business expansion or business activity has that mechanism within the law. The corporate spin-off has been used—and this statement can be well documented—not for the purpose of expansion of legitimate-business activity, but as a tax-avoidance device. I think we can best judge that when we find that the stock of the new corporation created by the spin-off is not sold on the basis of earned income tax rates, but is sold on the basis of capital gains tax rates.

I conclude by saying that whenever we find in a tax bill a situation, an amendment, or a provision which permits the transfer or change of earned income into capital gains for the purpose of obtaining capital gains tax treatment, we can rest assured that there is a possibility that it is for purposes of tax avoidance. All I am trying to say is that when business expands legitimately, or when corporations legitimately split up to expand their activities, that is all well and good. There is ample law to protect that situation. That is a legitimate function of American corporate enterprise. But when a spin-off corporation does not stay in business long enough to produce a product or render any service, it is patent that it amounts to a tax avoidance scheme to obtain treatment as capital gains, at a 25-percent rate, rather than as earned income at a rate of 50 percent.

I remind the Senator that these spin-offs are the result of the use of the bonds, assets, and undistributed profits of a corporation which could have been distributed in dividends to the original stockholders, and would have been subject to high individual income tax rates. Instead, we find a situation in which undistributed dividends are put into a new corporation. A new series of stock shares is issued and distributed to the original stockholders of the parent corporation, thus permitting the stock to be sold not on the basis of dividends, but on the basis of a capital-gains transaction, subject to capital-gains tax treatment.

I know that this is a technical subject. I do not suppose that it has any great appeal to the average citizen. But these are the kind of devices which are used to avoid proper payment of taxes. I submit that when we are raising tax rates it is important to plug any potential loophole. There is not a great deal of disagreement between the Senator from Georgia and myself.

Mr. LEHMAN. I thank the Senator from Minnesota. I am in full agreement with him.

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

The PRESIDING OFFICER. The time of the Senator from Minnesota has expired.

Mr. CAIN. I ask unanimous consent that I be permitted to ask one question of the Senator from Minnesota.

The PRESIDING OFFICER. Is there objection?

Mr. GEORGE. Mr. President, I will yield time out of my time.

Mr. CAIN. I am very grateful.

The Senator from Minnesota has aroused my interest and curiosity by what he has referred to as a spin-off tax dodge. I wonder if the Senator can refer me to that portion of the hearings in which I can read more of the testimony on that question.

Mr. HUMPHREY. If the Senator will look up the testimony of Mr. Alvord, representing the United States Chamber of Commerce, he will find it.

Mr. CAIN. I thank the Senator.

Mr. GEORGE. Mr. President, I will say to the Senator from Washington that the testimony in the RECORD is testimony in favor of the amendment, not against it.

Mr. President, this is as simple a case as it could possibly be. Let me illustrate it. A mercantile corporation located in one city in my State wanted to establish a mercantile business of the same kind in another city in my State. It could not do it. It could do it under the committee amendment by merely transferring a part of its assets to the other city, and going there and doing business.

What did it do? It had to create two new corporations outright, dissolve the old corporation, and go through an expensive court procedure in order to accomplish one single business purpose.

The Senator from Minnesota is disturbed about the capital gains aspect. Anyone who holds a share of stock in any corporation for 6 months, under present law can sell it and receive capital-gains treatment. What the Senator wants to do, apparently, is to make a person who takes a share of stock in one of the new corporations hold it for 3 years.

Mr. HUMPHREY. Mr. President, will the Senator yield to me at that point?

Mr. GEORGE. I yield. That is what the Senator's amendment would do.

Mr. HUMPHREY. It is not as though someone bought a share of stock in a corporation. What happens in connection with the corporate spin-off is that undistributed dividends are utilized to create a new corporation, and the stock of the new corporation is distributed among the stockholders of the old corporation. I submit that there is a difference. Those undistributed dividends should be taxed at the rate of earned income. Under the terms of the committee amendment they would become taxable at the rate of capital gains, as is the case when stock is held for 6 months.

Mr. GEORGE. Mr. President, there is a business reason for the committee amendment. It has passed the Congress three times, I believe. I know it has passed twice. There have been some purely technical objections to it.

The amendment which the Senator from Minnesota is now offering would probably make the section unworkable. Suppose a person who obtained a share in a new corporation died within 6 months. The stock would have to be sold. Suppose he went into bankruptcy, and the sheriff came and locked his front door. He would have to make way with his stock, or the sheriff would do it for him. So it is an unworkable provision. There is every possible safeguard in this section. Listen to this:

> No gain to the distributee from the receipt of such stock shall be recognized unless it appears that (A) any corporation which is a party to such reorganization was not intended to continue the active conduct of a trade or business after such reorganization, or—

In other words, this cannot be done merely for the purpose of liquidation; this is not a liquidation provision at all—

> (B) the corporation whose stock is distributed was used principally as a device for the distribution of earnings and profits to the shareholders of any corporation a party to the reorganization.

If he cannot establish those things he cannot get the benefit of this section. He can do the same thing indirectly by creating two new corporations and dissolving the old one.

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

Mr. GEORGE. I yield.

Mr. HUMPHREY. Is not that what is called the corporate split-up? Is that what the Senator is referring to?

Mr. GEORGE. Yes. That is the corporate split-up. That is permissible under existing law, and has been all the while.

Mr. HUMPHREY. Indeed. I make no point about that. My only point is this: Under the terms of the committee amendment it is provided that this procedure may not be followed for tax-avoidance purposes. The parties must be engaged in an active business. But there is no time element. That is what I am concerned about.

Mr. GEORGE. That is true; but why put in a time element, which would make the section unworkable? In these uncertain times we cannot foresee how long we can carry on a business, or when we may have to sell the stock. I believe that the Senator's amendment is wholly unnecessary.

I call attention to another fact. This whole question will be in conference. Every particle of the section is to be examined in conference anyway, and the House conferees will raise any question they wish to raise. Undoubtedly they will discuss the question of whether or not the safeguards in this section are adequate and sufficient to prevent tax avoidance.

I do not believe that the Senator from Minnesota would be wise to press his amendment. It is well to have it in the RECORD, so that the House conferees may raise the issue.

Mr. HUMPHREY. I appreciate the last statement of the Senator from Georgia. I want the Senator to know that my only purpose in offering the amendment is the one which the Senator from Georgia has noted, namely, that when undistributed profits are spun off—and that is what it means—into a new corporation, if the new corporation stays in business for only 1 or 2 months the new corporation could thereby get capital-gains treatment. It is possible that someone may want to do it. I know that is not the purpose of the committee amendment.

Mr. GEORGE. The person must be able to show that the business will continue.

Mr. HUMPHREY. He must show it when he initiates the business. Continuation ought to be predicated on some time element before he can liquidate the stock. I do not say that the company must stay in business.

Mr. GEORGE. He must be able to show that he did not have any purpose of that kind in mind at the time the new corporation was formed. The burden of proof is on him to show that the business will continue. There is a very good business reason why that should be done.

I should like to read from a letter which I received from Representative EMANUEL CELLER, chairman of the Subcommittee on Study of Monopoly Power of the House Committee on the Judiciary. I do not care to put all of the letter into the RECORD. However, I should like to read a portion of it which I believe is pertinent to this discussion. He speaks of section 317:

> Section 317 of the pending tax bill as it is being considered by the Senate would permit the divestiture by overly concentrated corporations of certain of their subsidiaries. While the scope of the section as presently written is extremely limited—

That is the only criticism he offers—

> nevertheless, I feel that it may be of importance in assisting corporations to voluntarily simplify corporate structures which evidence indicates have become vastly complicated and have pervaded many aspects of the economy. Past experience under the Public Utility Holding Company Act speaks well of the benefits to be derived from this type of approach. It is incongruous that under existing law it is possible for a complex corporation to be compelled to divest itself of its holdings because it has violated the Sherman Act and at the same time to be penalized taxwise were it to seek to dissolve itself into competing units upon a voluntary basis.

That is the substance of Mr. CELLER's letter, and it is unquestionably a correct evaluation of what the section would do.

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

Mr. GEORGE. Gladly.

Mr. HUMPHREY. I am sure the Senator realizes that I am not objecting to what we call corporate spin-offs for legitimate corporate purposes. My fear, and the Senator's fear—which was documented by the amendment in the tax bill—is that sometimes abuses may occur from the corporate spin-off procedure.

I ask the Senator from Georgia whether he would be willing to take my amendment to conference and try to work it out in conference.

Mr. GEORGE. It will be in conference as the bill now stands. I do not want to add another condition, when the complaint already is that we are limiting the provision too stringently to make it workable. I assure the Senator that the subject will be in full conference, and we will be able to consider it in conference. I do not want to add the amendment to this section.

Mr. HUMPHREY. I hope that when the Senator from Georgia is engaged in the conference, as he will be, he will take into consideration the arguments I am making in terms of the time element involved.

Mr. GEORGE. I shall be glad to do so.

Mr. HUMPHREY. Which I believe is important.

Mr. GEORGE. Undoubtedly it is. I will say to the Senator from Minnesota that if we took the amendment to conference our hands would be tied, and we would not be able to depart from it; whereas the House would be free. Therefore I believe it would be much wiser to leave the section as it is, because unquestionably it would perform a good service, if it is a properly safeguarded section, and the House conferees will undoubtedly scrutinize it with great care.

Mr. HUMPHREY. I may say to the distinguished chairman of the committee that one of my purposes in offering the minor amendments is to get them into the RECORD, so that when the Senator goes to work on them in conference there will be at least some expression of a difference of opinion in the RECORD with respect to these provisions.

Mr. GEORGE. That is a perfectly legitimate purpose, and I welcome it. However, if we must have a roll-call vote——

Mr. HUMPHREY. There is no intention of having a roll-call vote.

Mr. GEORGE. I believe we would be embarrassed by not being able to consider something on the subject.

Mr. HUMPHREY. I may say to the Senator from Georgia that we have had a number of roll-call votes. We have not had many Senators present to listen to the arguments. All I will ask for is a voice vote, without a roll call. I shall rely upon the good judgment and the good, constructive purposes of the Senator from Georgia to carry this matter to conference. I know that he will try to improve it in conference as best it can be improved.

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

Mr. GEORGE. Yes.

Mr. CAIN. I should like to say to the Senator from Georgia and the Senator from Minnesota that I do not profess to be an authority on the question of spin-offs. The Senator from Minnesota made reference to the testimony of Mr. Ellsworth C. Alvord, which begins at page 1451 of the hearings. I would draw to his attention the fact that Mr. Alvord has recommended rather strongly that the principle which was approved by each of the two Houses of Congress within the past 3 years, as it relates to spin-offs, be included as an amendment to the bill which is before the Senate.

The PRESIDING OFFICER. The time of the Senator from Georgia has expired. The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY].

The amendment was rejected.

Mr. HUMPHREY. Mr. President, I send another amendment to the desk.

The PRESIDING OFFICER. The Chair would ask whether there are any other amendments to the section which has been opened up? If not, without objection, the committee amendment——

Mr. HUMPHREY. Mr. President, I must object to closing the section, unless we have a quorum call, because other Senators may have amendments to offer to it.

The PRESIDING OFFICER. The Chair is advised that there are no other amendments with reference to section 317.

Mr. GEORGE. I do not believe the section was opened up within the meaning of the agreement. An amendment was offered to it, but the amendment was rejected. The section has been approved, subject to any amendment that may be offered to it.

Mr. CAPEHART. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. CAPEHART. Is that the section which has to do with excess-profits taxes?

Mr. GEORGE. Oh, no; not at all.

The PRESIDING OFFICER. Let the Chair state the point involved. The Chair has been advised that under the practice adopted the other day, when an amendment is offered to a section the

section is deemed to have been opened up. It is left dangling in the air unless it is readopted. If there are no other amendments——

Mr. GEORGE. I know of no other amendments, but if an amendment is subsequently brought up, I shall be glad to have it considered.

Mr. CAPEHART. Mr. President, I shall take only 2 minutes of the Senate's time.

Mr. GEORGE. Mr. President, will the Senator from Indiana permit us to act on this section?

Mr. CAPEHART. Provided I may have the floor after the section is acted on. I ask unanimous consent that I may have the floor after the vote is taken on the question before the Senate.

The PRESIDING OFFICER. Unanimous consent is requested that the Senator from Indiana have the floor after the vote is taken. Without objection, it is so ordered.

The question is on agreeing to section 317. Without objection, the section is agreed to.

Mr. HUMPHREY. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. The section is adopted with the limitation which the distinguished chairman of the Committee on Finance announced.

The PRESIDING OFFICER. The Chair so understands.

LEAVE OF ABSENCE

On request of Mr. CAIN, and by unanimous consent, Mr. MCCARTHY was excused from attendance on the sessions of the Senate from this time until Monday of next week.

REPORT ON INCOME BY GOVERNMENT OFFICIALS

The PRESIDING OFFICER. The Senator from Indiana is recognized.

Mr. CAPEHART. Mr. President, I shall take only a few minutes.

I hold in my hand the message the President has just sent to the Congress. I have read it. I know of no possible way to cure the situation the President discusses in his message except perhaps by the enactment of some sort of legislation.

However, certainly the situation is an unfortunate one. It seems to me that this is the first time in the 175 years of the history of the United States that it has become necessary for the Congress to enact legislation in order to eradicate corruption from our Government.

I wish to call the attention of the President of the United States to the fact that he and his predecessor have been running the administration of this Government for the past approximately 20 years, and they have hired and controlled all the employees, and have made all the appointments, and have had full and complete charge of the Government; and except for 2 years, they have also had full and complete charge of the legislative branch of the Government. It seems to me that the present situation is most unfortunate.

I remember that when I was a member of the RFC investigating committee, a report was issued on corruption within the Government. That occurred not many months ago. The President of the United States himself called the report asinine.

I believe I am also correct when I say that only perhaps a week or two ago, when the attention of the President was called to certain activities of the chairman of the Democratic National Committee, the President said he had personally checked into the case and that he found nothing wrong.

I also remember that when the 5-percenter investigation was under way, and when it went directly into the White House, it was the President of the United States who exonerated those around him.

Now he asks the Congress to pass a bill in an effort to clean up the corruption which has been going on. Evidently the President feels that it has been going on, and I know it has been going on for the past 20 years.

It is an unfortunate thing. I do not know how we can deal with it, other than possibly by passing such a bill as the one the President advocates in his message. I certainly will vote for such a bill. I have no objection to filing my income each year with anyone; I do not care who knows how much or how little I make.

However, my point is that it is a terrible thing that in the course of 20 years the administration of this Government could become so corrupt and so rotten that it is necessary for the President of the United States to ask the Congress to pass a measure in an attempt to control the situation, and particularly when that request comes to Congress from a President who for many years has been in charge of our Government, who has hired all the Government employees, who has made all the appointments, and who has had full and complete control of the Government; a President who on every occasion in the past—I believe I am correct in this statement; I wish to be correct in it—and in every instance in the past has condoned and protected and defended such things, even to the extent that when we issued our RFC report, he tried to belittle the efforts of the committee by saying that the committee's report was asinine—meaning, of course, that there was simply nothing to the report. Why the President took that attitude we on the committee at the time could never understand, because we knew he was wrong; and as I have repeatedly stated, we never so much as scratched the surface in respect to that investigation. Of course, the best proof of that fact is what is being developed now as a result of the investigation by the so-called Hoey committee.

Mr. President, I wish to assure the President of the United States that, as one Member of this body, I will do everything within my power, even to the extent of voting for the passage of proposed legislation for that purpose, to try to break up the corruption that is going on in the Government. I will do everything in my power to help the President—even if we have to pass bills on that subject, much as I would dislike to see such bills passed—to clean up the situation, because the American people are losing confidence and have lost confidence in their Government. I think the primary reason for that is that in each and every instance when the Congress has uncovered such matters the President himself has taken the attitude that the report was asinine, that there was nothing to it, that he personally had looked into the matter, and that everyone around him and everyone in his household was lily white. Yet from day to day the people read in the newspapers that that is not true.

In closing, Mr. President, I wish to say again that I think it is most unfortunate that it is necessary for Congress to take some action now to clean up the situation within the administration.

Again I wish to say that if the enactment of legislation for this purpose is necessary I shall vote for it and work for it, because the unsavory conditions must be cleaned up; and if the enactment of legislation is the only way by which they can be cleaned up, then let us enact the legislation.

However, it is the first time in the 175 years of the history of this Nation that such a situation has developed. To judge by the President's own message to Congress, evidently the President is now concerned about the situation. He has not been concerned about it in the past, but evidently he is now. This is the first time in the entire history of our Nation that it has been necessary to do anything of this sort.

I wish to call to your attention, Mr. President, the fact that the President of the United States and his party have had 100-percent control of this Government for the past 20 years, and they have hired all the employees and have made all the appointments. The Government employees are their people.

For that reason, I shall join with the President in trying to help him clean up his own house and clean up his own administration.

Again I say that, much as I regret the necessity for it, if it becomes necessary to enact legislation in connection with this matter I shall support its enactment.

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

Mr. CAPEHART. I yield.

Mr. MARTIN. Mr. President, I should like to ask the distinguished Senator from Indiana whether what we need is to observe the laws we already have. The laws we already have have kept America clean and have protected the Nation for 175 years, less the few years of the present administration and the preceding administration. If those laws were enforced, would not we be in good shape?

Mr. CAPEHART. I do not think there can be any question about that. As I said a moment ago, this is the first time in the 175 years of the history of our country that it has been necessary to do a thing of this sort.

This situation, Mr. President, reminds me a little of a statement which was made by my opponent in the last election. He heaped great praise upon the President of the United States and said

that he is the first President of the United States to establish a Loyalty Board to screen the loyalty of the Federal employees. My answer to that statement was similar to my answer in the present case; I pointed out that it is the first time in the 175 years of the history of our Nation that it has been found necessary to screen the loyalty of Federal employees. I also pointed out that the President and his administration have hired all those employees. Of course, my opponent wanted to praise the President for appointing a Loyalty Board or a disloyalty board, whichever one may wish to call it; but my answer was that this is the first time in the history of our Nation that it has been necessary to do such a thing, because it is the first time in the history of the United States that there have been disloyal persons in the Government, after the Government hired thousands and thousands of persons, and now finds it is necessary to question their loyalty. Disloyal persons should never have been hired in the first place.

What the President now criticizes would never have happened had not the head of the administration condoned, time after time, the corruption and wrongdoing in the Government. I want to help him straighten it out, because the situation is a very nasty one.

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

Mr. CAPEHART. I yield.

Mr. MARTIN. I should like to ask this question: In our form of government, is not it the duty of the Executive to screen very carefully all prospective appointees before the appointments are made?

Mr. CAPEHART. That is correct. Of course, some bad apples will get in now and then; but the administration must accept responsibility for those it hires and must accept responsibility for their official activities and must accept responsibility for the situation which exists in the Government today, which the President now asks the Congress to clean up by means of enacting legislation. The administration must accept that responsibility.

Mr. MARTIN. It should not be necessary for Members of Congress—as it has been necessary for the distinguished senior Senator from Delaware [Mr. WILLIAMS] to do—continually to call attention to corruption and inefficiency in the Bureau of Internal Revenue or among the collectors of revenue. That is not a congressional duty.

Mr. CAPEHART. That is correct.

Mr. MARTIN. That belongs in the executive branch of the Government.

Mr. CAPEHART. That is correct.

Mr. President, I presume that one of the reasons why I may feel a little more deeply on this subject than do some others is that I was one of the members of the RFC investigating committee. We worked hard and long, and we were conscientious and sincere. There was no partisanship in the committee. We exposed what had happened, and we admitted that we had not even scratched the surface in making that investigation. Then we sent our report to the President of the United States, but he said it was asinine, and he said he did not believe it, and he said that everyone around him was lily-white. I presume that is why I feel a little more deeply on this subject than others do, because the President tried to embarrass me and the others on the committee, and now the President sends to us a message in which he asks us to pass a bill to take care of the bad situation which has developed.

Mr. President, I favor the passage of such a bill, and I shall do all within my power to help the President clean up the bad situation.

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

Mr. CAPEHART. I yield.

Mr. MILLIKIN. Mr. President, I do not think the Senator from Indiana feels deeply enough about the President's message. I think it is hogwash; I think it should be thrown into the garbage can. I think it is another example of the cheap political tricks to attempt to throw blame on others to escape the blame falling where it belongs.

There is not the slightest question about it. In order to cover this whole field of fault which the people are justly finding in the gentleman's administration, he wants to put an implication of fault on the whole Congress, on the whole judiciary.

Mr. CAPEHART. Let me say——

Mr. MILLIKIN. Let me say something to the Senator. These things which the President wants to put of record, as the Senator has pointed out, so far as the President's own appointments are concerned, should have been found out before the appointments were made, and he has the right, right now, to find them out without any congressional legislation. He can find out the facts about every employee in the executive department, and if an employee will not give him the desired information, the President can fire him.

Mr. CAPEHART. Certainly.

Mr. MILLIKIN. What is the point of all this? Let us not dignify it by treating it seriously. It is garbage, it is hogwash; it should be thrown into the garbage can.

Mr. CAPEHART. Of course, the Senator is 100 percent correct, and he possibly states the situation better than I tried to do.

Mr. MILLIKIN. If the Senator will yield——

Mr. CAPEHART. I yield.

Mr. MILLIKIN. There is but one difference between us. I will not help the President in a program of the kind suggested in his message. That is the only difference between us. One of the most sacred rights in this country is the right of privacy. The people of the States who send us here are well acquainted or have ample opportunity to become acquainted with the sources of our income. If we make any improper uses of our income or give it improper influence we are subject to expulsion by this body, we are subject to defeat by the people who send us here; and I am not going to sit in silence and not protest this effort of the President to cover the Members of Congress with this cheap, smear type of politics. This message ought not to be before the Senate. It is too slick, too undignified, too cheap, too degrading.

Mr. CAPEHART. Mr. President, let me say that my reason for saying I would try to help the President straighten out conditions is because, as a member of the RFC investigating committee and because there was much which did not come out, which was not in the open hearings, I possibly have a better understanding of how deep-seated this corruption is. In my opinion it is so deep-seated, and will have such a terrific impact and effect upon the American people, once they find it out, that I think I would be willing to try to help remedy the condition. I feel it is so terrible that I think I would be willing to go along and work with the President in trying to straighten it out, notwithstanding the fault. As the Senator says, the President today has all the power he needs to straighten it out.

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

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

Mr. MILLIKIN. When I was a young man, to paraphrase a little, my father said, "Son, if you ever pick up a piece of filth, do not try to clean it up. Do not try to make it smell good. Drop it, and get away from it." That is what we ought to do with this message. [Laughter.]

Mr. CAIN. Mr. President, will the Senator from Indiana yield?

The PRESIDING OFFICER. The Senator from Indiana may yield for a question only.

Mr. CAPEHART. I yield for a question.

Mr. CAIN. Mr. President, may I in a few words lay the foundation for a question I have in mind? The distinguished Senator from Indiana has made reference to the 5 percenter inquiry which was conducted some months ago. During that inquiry one of the President's important aides, Harry Vaughan, was subjected to certain criticism, in response to which Mr. Vaughan said that so long as his two bosses, one the President of the United States, and the other his wife, were satisfied with him, it was no concern of the Congress at any time as to what he was doing. Does the Senator from Indiana believe that the President's message of this morning means that the President, today and from now on, will be willing to admit that the representatives of the people, the Congress of the United States, have a legitimate right to concern themselves with the standard of morality and honesty maintained by the executive branch of the Government?

Mr. CAPEHART. I would say the message so indicates, or at least it implies that he feels that the situation is so terrible that he himself cannot straighten it out, and therefore he must have legislation in order to clean up his own mess, to clean up that which he ought to clean up himself—that which he never should have permitted to happen, but which has happened. Again he seems to feel that, though he is the Chief

Executive and can fire anyone he wants to at any time, and, as the able Senator from Colorado said, can ask any employee to divulge to him the source of his income, and if he does not do it, discharge the employee unless he be in the civil service. He now wants us to clean up his mess, and to do that which, up to this time, if I observe events correctly, he has refused to do.

Mr. CAIN. Mr. President, will the Senator from Indiana yield for one additional question?

Mr. CAPEHART. I yield.

Mr. CAIN. The Senator from Indiana seems, then, to be saying that if the President of the United States actually means what he has said in the message of this morning, he meant the net result will be healthy and refreshing for the country. Is that the purport of what the Senator is saying?

Mr. CAPEHART. The President is asking the Congress to pass a law requiring every Federal employee, every member of the administration, every official of the Government, legislative and judicial, to file a report as to the sources of his income; and personally I have no objection to that. Notwithstanding what the able Senator from Colorado said, I shall vote for it. I have no objection to it at all, personally. As a result of being a member of one of the investigating committees, I feel that the situation is so serious that the Congress ought to forget politics and the partisan viewpoint in this case, and that both sides of the aisle ought now to help the President do that which he has the right to do himself, and that he ought to do himself, in a situation which he himself has, in my personal opinion, created. In the face of the fact that he has said all the criticism in the past has been asinine, that his boys are all lily-white, that there is absolutely nothing at all to the criticisms, he now comes to the Congress and wants us to help him. I shall be very happy to help him, because I think the situation is serious.

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

Mr. CAPEHART. I yield for a question.

Mr. CAIN. My only interpretation of the President's message of today is that it is an implied apology to the Senate for having referred to a report by one of the standing committees of the Senate as being asinine. Does the Senator think that a fair interpretation?

Mr. CAPEHART. I would think so.

REVENUE ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 4473) to provide revenue, and for other purposes.

Mr. IVES. Mr. President——

The PRESIDING OFFICER. The senior Senator from New York is recognized.

Mr. IVES. Mr. President, I send to the desk an amendment and ask that it be read and considered at this time.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from New York.

The CHIEF CLERK. On page 162, line 7, it is proposed to insert after the word "beryl" the word "garnet."

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

Mr. IVES. The Senator from New York has a brief statement he would like to make, and then he will be glad to yield.

The PRESIDING OFFICER. The Senator from New York declines to yield for the time being.

Mr. IVES. Mr. President, I propose this amendment because of facts brought to my attention only a few days ago. The amendment would add garnet to those minerals granted depletion allowances under section 319 (iii) of the committee bill.

Mr. James A. Barr, Chief of the Industrial Minerals Section of the Defense Minerals Administration, informed my office by phone on September 26 that the mineral called garnet was more highly strategic from the point of view of national defense than any mineral presently granted depletion allowances under the committee bill. Mr. Barr emphasized garnet's strategic importance primarily because of the very limited supply available in the United States, and the almost complete absence of stockpiled reserves.

On the basis of this information, I urge that this amendment, which would grant a 15-percent depletion allowance for garnet, be agreed to. I am particularly concerned with this problem because over 90 percent of the garnet mined in the United States comes from the State of New York, believe it or not.

At this point in my remarks, Mr. President, I ask unanimous consent to have printed in the body of the RECORD a description of the garnet industry in New York published by the New York State Department of Commerce.

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

GARNET

New York has large reserves of high quality garnet ore accessible for surface mining. While competition from garnet mines situated in other States, and in foreign countries, has been negligible, the garnet industry has operated under handicaps in recent decades due to the rise of manufactured competitive products. Among the most important of these artificial abrasives are aluminum oxide (fused alumina) and silicon carbide. There is no indication that this situation is about to change, for such products can generally be produced to meet various abrasive requirements exactly and consistently. Such all-round controls are impossible with the natural mineral. Moreover, in recent years the artificial abrasives, which were once relatively expensive, have come down to the price level of garnet abrasives. (See table 17.) Nevertheless, there are many uses for which garnet is superior to any artificial product. Progress has been continuous in developing new methods of ore treatment and new forms of abrasive garnet. With such progress, the garnet industry will quite probably be able to compete successfully in many fields of abrasive requirements.

The mineral, garnet, is valuable because of its physical properties. Among the high grade natural abrasives, it ranks fourth in order of hardness, namely: diamonds, corundum, emery, garnet. In Moh's old scale of hardness, it ranges from 6.5 to 7.5. In this scale, talc has a hardness of 1, quartz 7, diamond 10. The type of abrasive garnet produced by New York has a hardness of 7.5.

Grains of garnet are irregular, many-angled particles, which have numerous chisel-like cutting edges. These grains have just enough brittleness to break under the strain of use, producing further sharp edges, rather than to wear down to a smooth surface. Furthermore, particles of garnet have enough flat surfaces to permit firm attachment to the paper or cloth backing; at the same time they expose a number of cutting edges which are practically in the same plane and therefore abrade evenly.

The bulk of the garnet output is used for the manufacture of abrasive-coated papers and cloths. The remainder is used mainly as loose grain or powder for surfacing and polishing marble, slate, soapstone, and so forth, for sandblast operations, and for surfacing plate glass. The Ford Motor Co. at one time used garnet for surfacing plate glass between the coarse sanding and the final rouge polishing.

Background of the industry: New York is the leading garnet-mining State, in fact, the most important garnet-mining area in the world. A garnet-mining industry has operated continuously in the State over many decades, and during years of acute depression the Adirondack mines have been the only ones to remain active in the United States, as is suggested in table 15. No production figures for individual States have been revealed in recent years.

TABLE 15.—*Active garnet-mining States, selected years, 1908–46*

	New York	New Hampshire	Vermont	North Carolina	Idaho
1908	Active	Few tons	Inactive	Few tons	Inactive.
1910	do	Active	do	Active	Do.
1917	do	do	do	do	Do.
1920	do	do	do	Inactive	Do.
1930	do	do	do	do	Do.
1935	do	Inactive	do	do	Do.
1940	do	do	Active	Active	Active.
1946	do	do	Inactive	Inactive	Do.

Source: Minerals Yearbook.

Although New York is the leading producer of abrasive garnet, the industry is a small segment of the total mineral industry of the State, contributing, generally, less than 1 percent of New York's total value of mineral production. Moreover, for the past two decades abrasive garnet has had to meet the keen competition of manufactured abrasives, like silicon carbide and fused-alumina. Output of garnet declined from a peak attained in the 5-year period 1924–29 (table 16), and recovery from the low output in the period 1930–34 was at a much slower rate than the recovery of manufactured abrasives which were becoming less and less expensive (table 17). However, gains have been substantial and steady within the past 10 years, production in 1946 exceeding the previous peak in 1924–29.

TABLE 16.—*Abrasive garnet sold or used by producers, United States, 1900–1947*

	Annual average	Annual average
	Short tons	
1900–1904	3,872	$132,895
1905–09	4,345	136,743
1910–14	4,475	145,498
1915–19	5,021	221,011
1920–24	6,575	524,908
1925–29	6,868	540,996
1930–34	3,057	218,805
1935–39	3,852	292,160
1940–43 [1]	5,127	340,030
1945	6,306	375,198
1946	7,743	570,186
1947	8,722	614,071

[1] 1944 figures not available.

Source: Minerals Yearbook.

TABLE 17.—*Garnet, silicon carbide, and fused-alumina abrasives, average value per ton, selected years, 1920–46*

	1920	1930	1940	1946
Abrasive garnet [1]	$79.33	$62.79	$54.99	$73.64
Silicon carbide [2]	190.16	93.02	71.44	85.48
Fused-alumina [2]	181.10	87.53	55.46	63.34

[1] Average value of output sold or used by producers in the United States.

[2] Average value of output sold, shipped or used, from manufacturing plants in the United States and Canada. No figures available for United States only.

Source: Minerals Yearbook.

The production of silicon carbide and fused alumina is localized mainly in the Niagara Falls area of the United States and Canada. The head offices and finishing plants are all in New York State. The industry on both sides of the Niagara River is integrated so closely that it probably would be difficult to present production figures based on political division. In any event, the United States Bureau of Mines has to keep the figures for New York concealed and publishes only the combined figures for Canada and the United States. Now that power has been made available at low rates in other parts of the country, there is, of course, no assurance that the Niagara area will be able to retain its dominating position in silicon carbide and fused-alumina abrasives. Electric energy cost is a larger part of the total production cost of silicon carbide than it is of the total cost of any other electroprocess chemical product, which means that adequate and low-rate power is quite probably the primary factor in the location of this industry.

The garnet mining enterprises and ore deposits: Garnet-bearing rocks occur over a wide area in Warren, Essex, and Hamilton Counties, and especially in the district adjacent to the intersection of the boundaries of these counties, as shown by figure 12. No other section of the country can match the deposits of the Adirondacks. In recent years two companies have mined garnet ore in the area. The Barton Mines Corp., North Creek, Warren County, has been a steady producer. The Warren County Garnet Mills, Wevertown, N.Y., has produced intermittently. The approximate locations of several known deposits are indicated in figure 12.

Barton garnet deposit, Gore Mountain: This deposit is located about two-thirds of a mile north of the summit of Gore Mountain, and extends 4,000 feet in an east-west direction, with a surface width ranging from 50 to 300 feet, and garnet content of 10 to 12 percent. The garnet occurs as imperfect crystals which average 4 to 5 inches in diameter. Frequently crystals are found which measure a foot in diameter and individual crystals 3 feet in diameter have been taken out. The uniformity of the distribution of crystals, their large size, the comparatively high garnet content, and the surface occurrence of the garnet ore have caused it to be the most desirable and most productive deposit in recent years. In 1924, the Barton Corp. placed in operation a modern concentration plant and since then mining has been continuous. During the war, substantial additions were made to the plant facilities, including the most modern fine milling equipment. The extent and depth of the unmined portion of the ore body is not known, but reserves appear to be ample for an extended period of operation.

Casey Mountain deposit: This deposit at one time was worked extensively by the American Glue Co. The garnet occurs as small crystals, ½ to 3 inches in diameter and forms from 4 to 8 percent of the rock. Considerable underground mining was necessary at high cost.

Ruby Mountain deposit: This deposit consists of a series of bands of garnet-rich rock on the southwest slopes of Ruby Mountain. No mining has ever taken place. The deposit has been surveyed by the North River Garnet Co. and it is claimed that the reserves are comparable in quantity to those of the Barton deposit, Gore Mountain.

Peaked Mountain deposit: The deposit northwest of Peaked Mountain extends for a distance of 1 mile, is at least 40 feet thick throughout most of its length, and has a garnet content of 5 to 6 percent distributed uniformly throughout the ore. The deposit southwest of Peaked Mountain can be traced for a distance of one-half mile, is no more than 30 feet in thickness, and has a garnet content slightly below 5 percent. The deposits of Peaked Mountain have never been worked. They are no better in quality than those of Ruby Mountain and are more inaccessible.

Thirteenth Lake deposit: This deposit is located 1 mile east of the north end of Thirteenth Lake. It was worked for about 20 years, prior to 1928, by the North River Garnet Co. The deposit has a garnet content of 4 to 8 percent with crystals ranging from ½ to 3 inches in diameter. It appears that the richest parts of the ore body have been mined.

Gore Mountain deposit. Located a mile and a half north of the Barton Mine, a continuous band of garnet-bearing rock stretches to the northeast for about 2 miles. The band averages about 100 feet in width and has a garnet content of about 5 percent disseminated in the form of small to medium crystals, with an apparent maximum diameter of 3 to 4 inches one-fourth mile north of the Barton mine. Gore Mountain is a thin band of garnet-bearing rock, which contains garnet crystals up to 4 inches in diameter. It is otherwise similar to the more northern deposit.

The Oven Mountain and Rexford deposits carry garnet in large crystals. They have not been worked since 1900. No detailed information concerning the reserves and quality of the garnet ore is available.

Wevertown and Johnsburg deposits: A number of small scattered deposits near Wevertown and Johnsburg have been worked intermittently in recent decades by the Warren County Garnet Mills. The garnet often occurs in great aggregates, and in places it constitutes nearly the whole of the rock mass, but these rich deposits are very small, so that it quite probably would be uneconomic to install machinery for mining.

Panther Mountain and Twin Lakes Mountain deposits: On the West flank of Panther Mountain and on the south side of Twin Lakes Mountain (see Piseco Lake Quadrangle) are lenses of garnet-rich rock, with a garnet content, gaged by rough estimate, of 10 percent in places, and with crystal sizes ranging from a fraction to 3 inches in diameter.

Summary: The account of the individual garnet deposits confirms the point that garnet ore reserves in the Adirondacks are very large and that they are of good quality. The forces that limit exploitation of these deposits are mainly those of supply and demand. Existing operations can take care of present needs and could probably be expanded to fill much larger requirements, if they existed, more economically than new operations could be set up. The competition of artificial abrasives for many uses will limit, to some extent, any increase in the demand for natural garnet in the future.

Mr. IVES. Mr. President, in support of this amendment I should like to bring only three points to the attention of the Senate: first, that garnet is vital to national defense; second, that it conforms to the criteria for granting of depletion allowance; and third, that the estimated tax loss is almost negligible.

Garnet is vitally important from the point of view of national defense. Its most strategic use is in the process of grinding optical lenses. It has been estimated that almost 50 percent of all optical lenses manufactured in this country, Canada, and free Europe combined are fine-ground with abrasive powders supplied by American garnet mines. Moreover, almost 70 percent of the optical lenses used for gun sights, range finders, cameras, periscopes, binoculars, and bomb sights are ground with garnet abrasives. In this regard it should be noted that the only other mineral which can be used for quality fine-grinding is corundum. However, corundum comes from South Africa, which—in time of war—would pose a critical transportation problem.

In addition to garnet's use in lense-grinding, over 85 percent of all hypodermic syringes manufactured in this country are ground with garnet. The Becton-Dickinson Co.—by far the major hypodermic syringe producer in the country—uses garnet exclusively for grinding its syringes.

Other major industrial uses for garnet are the making of plate glass and the manufacture of coated abrasives, such as sandpaper. Plate glass is used in military vehicles, planes and ships, and over one-third of all plate glass made in this country is ground with garnet. Coated abrasives also play a vital role in the production of innumerable manufactured items.

This brief description of the military uses of garnet clearly documents its critical nature in this time of national emergency.

In addition to its critical nature, garnet conforms to the criteria generally established for the granting of depletion allowances. Garnet represents a depletable mineral asset, and it is in the national interest to encourage its replacement through discovery of new deposits. Most important is the fact that no new garnet deposit of acceptable quality has been located for over 20 years. With this in mind, funds must be supplied—through the granting of depletion allowances—for stepped-up exploration projects.

Finally, the estimated revenue loss stemming from adoption of this amendment would be less than $25,000 per year. This loss is almost negligible in light of the importance of stimulating discovery of new garnet deposits.

I urge that my Senate colleagues give most serious consideration to the adoption of this amendment and I request the distinguished chairman of the Finance Committee kindly to accept it in order that it may be taken to conference.

Mr. KERR. Mr. President, the committee has no objection to accepting the amendment offered by the Senator from New York.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. IVES].

The amendment was agreed to.

Mr. IVES. I thank the Senator from Oklahoma.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KEFAUVER. Mr. President, I offer the amendment, which I send to the desk and ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Tennessee.

The CHIEF CLERK. At the proper place in the bill it is proposed to insert the following:

That section 421 of the Internal Revenue Code is amended by adding at the end thereof the following: "The provisions of this section shall apply to irrevocable trusts to the extent that the income is owned by any individual who dies on or after December 7, 1941, while in active service as a member of the military or naval forces of the United States or of any of the other United Nations and prior to January 1, 1948."

The PRESIDING OFFICER. The Chair will state the parliamentary situation. Section 319 was opened by the presentation and adoption of the Ives amendment. Are there any other amendments to section 319? If not, the question is on the adoption of section 319, as amended by the Ives amendment. Without objection, that section as amended, is agreed to.

The question now is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

Is there any request for a limitation of time with reference to this amendment?

Mr. KEFAUVER. Mr. President, I have a very brief statement in connection with it.

Under the internal revenue code, the family of a man in the armed services who loses his life in the service is not charged any income tax during the time he was in the service. My amendment would apply a similar rule. I have talked with the chairman of the committee [Mr. GEORGE] and with the Senator from Colorado [Mr. MILLIKIN] and I have also conferred with Representative COOPER, a member of the House Ways and Means Committee. Mr. COOPER feels that the principle of the amendment is entirely proper, and I am advised that the Senator from Georgia and the Senator from Colorado have no objection to the amendment.

Mr. KERR. Mr. President, speaking for myself and expressing what I believe to be the attitude of the chairman of the committee and of the distinguished Senator from Colorado [Mr. MILLIKIN], I have no objection.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

The amendment was agreed to.

Mr. KERR. Mr. President, did the Kefauver amendment open up a section?

The PRESIDING OFFICER. It was not to any particular section, the Chair is advised.

Mr. ECTON. Mr. President, I call up my amendment "9-20-51-C," and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment offered by the Senator from Montana.

The CHIEF CLERK. On page 128, beginning with line 2, it is proposed to strike out all through line 8 on page 129 and in lieu thereof insert the following:

(a) Amendment of section 23 (x): Section 23 (x) (relating to medical, dental, and so forth, expenses) is hereby amended by striking out in the first sentence thereof "to the extent that such expenses exceed 5 percent of the adjusted gross income."

Mr. ECTON. Mr. President, this amendment is very brief and it will not take very much time to state to the Senate why I have proposed it.

Under the present law, medical expenses and doctor's bills are deductible from individual income-tax returns, provided the amount of such expenses and bills exceeds 5 percent of the adjusted income. It seems to me that in fairness to the individual worker, producer, and taxpayer he should be permitted to deduct doctor's bills and medical expenses from his income before he pay taxes to his Government.

We permit allowance to be made for repairs, expenses, depreciation on every conceivable kind of machinery, tools, and place of business. But the individual, the man, the producer, the worker, the laborer, the farmer does not have the right to deduct his medical expenses. We permit a deduction in connection with machinery, tools, and places of business, but we do not permit them when it comes to the human element. It is the human element that makes the machinery and tools and the industrial plants efficient, and makes them prosperous enough so that taxes can be paid to the Federal Government.

Mr. President, it seems to me that the amendment involves simply a matter of sheer justice to the taxpayers of the country, so as to permit them to make medical deductions before they pay Federal income taxes.

Let us consider a man in the lower income brackets. Maybe he has from $1,500 to $2,000 a year net income. Let us say he has three or four children. They need eyeglasses. They need medical attention through the year. But unless the amount of medical expense is a very sizable sum, so that it will exceed more than 5 percent of his adjusted income, he cannot deduct any of it from his income taxes before he has to pay them.

All of us who have had any experience with hospital bills, nurses' bills, doctors' bills, bills for operations, or for anything pertaining to health, know that such things are very expensive in these days. A little minor appendectomy costs approximately $250. Such items should be deductible, in my opinion.

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

Mr. ECTON. I yield.

Mr. EASTLAND. What will the Senator's amendment cost?

Mr. ECTON. I have been told that the Treasury estimated the cost to be around $15,000,000. I do not know if that is correct or not. Perhaps the chairman of the Finance Committee may inform us on that point. I submitted the amendment to the committee when the bill was under consideration there, in order to give its members fair warning that I intended to pursue the matter on the Senate floor, if necessary.

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

Mr. ECTON. I yield.

Mr. KERR. As a matter of information in respect to the question asked by the Senator from Montana, the staff of the Senate Finance Committee advised me that the estimate of revenue which would be lost by adoption of the amendment is approximately $700,000,000 a year.

Mr. ECTON. That is considerably more than the figure given to me. I understand the amount to be around $15,000,000. But, be that as it may, Mr. President, the amount of money the Treasury would not receive on account of my amendment, to me is immaterial. I think we lose sight of the fact that the income tax takes income away from the citizens of this country who have earned the money, and we should not be so much concerned with how much the Federal Treasury is going to be deprived of by some of the amendments which are offered. We should be more concerned as to how much we are taking away from the individual American citizen. When we talk about health, and making the individual pay income taxes on money he has paid out in fees of various kinds, medical expenses, doctor's bills, hospital bills, which he pays out in order to maintain his health and the health of his family, it is immaterial whether the amount which the Federal Treasury loses is $15,000,000 or $700,000,000, so far as I am concerned. The tax is wrong in principle. We permit businessmen and business institutions and all kinds of enterprises to deduct their operation expenses. They can deduct all their repair bills. I should like to ask why it is that the individual citizen, the producer of taxes, is not permitted to deduct what he pays out for repairs on himself and his family which makes it possible for him to continue paying taxes.

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

Mr. ECTON. I yield.

Mr. HUNT. I should like to ask the distinguished Senator from Montana if he does not feel that medical, hospital,

and dental bills are absolutely necessary expenditures?

Mr. ECTON. They certainly are. If the human being is not kept in trim and kept well, he is not able to produce so as to pay taxes to the Federal Government.

Mr. HUNT. Mr. President, may I ask the distinguished Senator another question?

Mr. ECTON. I am glad to yield.

Mr. HUNT. Does not the Senator from Montana consider that expenditures made to maintain one's health, such as hospital, medical, and dental expenditures, are far more essential, and that with respect to them the taxpayer certainly should receive the same treatment as that received by the businessman, who is traveling around the country, supposedly in the interest of his business, but entertaining, staying at luxurious hotels, buying liquor, and throwing money around? The businessman is allowed to deduct those charges. He is exempt from paying taxes on them. I ask the Senator: Would it not be far more just and fair to allow individual taxpayers exemptions on the bills they have to pay to keep body and soul together?

Mr. ECTON. I certainly agree with the Senator from Wyoming, and I appreciate the comments he has made. I agree with him 100 percent. That is the only reason I have offered the amendment. I have thought about the matter for a long time, and I know many others have done so. People throughout the country are interested in the proposal. They have asked me personally, and I know they have asked all other Senators personally why it is that an individual taxpayer cannot deduct his medical expenses and list them as legitimate expenses, which they certainly are, in order to keep himself fit so he can work and produce and pay taxes.

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

Mr. ECTON. I yield.

Mr. HUNT. May I ask the Senator what particular group of people it is that this law, as it now stands, most adversely affects?

Mr. ECTON. It adversely affects, I would say, all of those in the lower-income groups, especially those who receive below $5,000 a year.

Mr. HUNT. Mr. President, will the Senator yield for one more question?

Mr. ECTON. I yield to the Senator from Wyoming.

Mr. HUNT. In every way possible, in designing this bill and considering the tax matter, does not the Senator from Montana feel that that is the group of people it is our duty here to try to help in every way we can?

Mr. ECTON. I thank the Senator. I agree with him. After all, we can have all our industries, all our wonderful plants and tools, and all the complicated machinery; but unless we have the individual worker to manage and operate them and to apply the mechanical power, we have nothing. During the days of national preparedness, when our productivity is one of our strongest and foremost lines of defense, it behooves each and every one of us to do everything possible to keep the production line going. Unless we make it possible for the individual to help to take care of himself, the human element in the production line, all the billions we spend for preparedness will go for naught.

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

Mr. ECTON. I am glad to yield to the Senator from South Dakota.

Mr. CASE. I feel that the distinguished Senator from Montana has brought up a very interesting and worthwhile point in the debate on the tax bill. The Senator from Montana has had a great deal of experience in farming and ranching in the West. I should like to ask him if it is not true that when a rancher or farmer has to call a veterinarian to treat a sick horse or a sick cow, that expense is deductible as a part of the cost of operating the farm or ranch.

Mr. ECTON. The Senator from South Dakota is absolutely correct. As a rancher and farmer I have many times called the veterinarian for a sick cow or a sick horse. Such cost is deductible. But if one of my children should become ill and I should have to call a doctor in the middle of the night, that cost is not deductible.

Mr. CASE. If the Senator had to repair a fence or a machine, the cost of such repair would be deductible.

Mr. ECTON. The Senator is correct. All repairs are deductible.

Mr. CASE. On everything except the human body.

Mr. ECTON. On everything except the human body, which is the main connecting link in this whole process. Without the human element, it makes no difference how many hogs, cows, or horses we have, or how much machinery we have, or how many industrial plants we have. We must have the individual, and the individual must be well and fit and able to manage and use the tools.

Mr. CASE. Let me say to the Senator that I express the hope that the committee will accept his amendment. It seems to me that the repair of the taxpayer so that he can function and produce and pay taxes is just as logical and sound as the repair of a machine on the farm, which the taxpayer uses.

Mr. ECTON. I thank the Senator from South Dakota. Let me say further that I believe this would be the greatest investment this country could make at this time. The suggestion is made that the Government would lose $700,000,000 in revenue. Let me say to the distinguished Senator from Oklahoma, who is handling the bill on the floor at the moment, that even if my amendment did bar the Federal Treasury from receiving $700,000,000 during the next fiscal year, I can say in all honesty and sincerity that I believe that would be the greatest investment we could make in behalf of the American people. If we keep the individual citizen of this country well and healthy—and he will do it himself if we only leave him enough money to do it—he can produce 10 times that amount in actual taxes through his labors and his productivity.

One further word, and I shall be through. I repeat that this amendment seems to me to be fair and just and necessary in order to enable the individual citizen to meet his responsibilities by keeping himself fit and keeping his family fit during these very trying times. I sincerely hope that the chairman of the Finance Committee will be willing to accept this amendment.

Mr. HUNT. Mr. President, has the time of the Senator from Montana expired?

The PRESIDING OFFICER. There is no time limitation.

Mr. HUNT. I should like to ask the distinguished Senator one further question, if I may.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair). Does the Senator from Montana yield to the Senator from Wyoming?

Mr. ECTON. I am glad to yield to the Senator from Wyoming.

Mr. HUNT. I think the Senator from Montana is aware of the fact that today some 50,000,000 people in the United States carry health- and hospital-insurance policies. I ask the Senator from Montana whether premium payments on such policies are exempt under our present income-tax law.

Mr. ECTON. I do not believe they are, unless the total of such premiums plus the doctor's bills exceeds 5 percent of the adjusted income.

Mr. HUNT. The only way they would be exempt would be under the present exemption of $1,200 applicable to all taxpayers before the income tax is effective.

Mr. ECTON. Yes.

Mr. HUNT. The point I am attempting to make is that in order to maintain health, to take care of catastrophic illness, or ordinary illness, hospital bills, and bills for operations, 50,000,000 of our people today, realizing the great cost of medical service, carry that type of insurance. My point is that that insurance, for which we pay a premium every month, should be exempt from income tax.

Mr. ECTON. It certainly should. I agree with the distinguished Senator from Wyoming. Fire-insurance premiums on barns, industrial plants, and business institutions are deductible, but when it comes to a little health insurance on the individual producer himself the cost of such insurance is not deductible.

Mr. HUNT. Here again we have the situation which we so often find in legislation, both on the State level and the national level. Every consideration is given to livestock. We think nothing of providing from $30,000,000 to $50,000,000 for the eradication of the hoof-and-mouth disease. But when it comes to doing something for the health of the people such a program does not receive the consideration to which it is entitled. As the Senator from Montana has pointed out, fire-insurance premiums on barns or automobiles or stores are exempt, but the cost of insuring the human body or the health of the individual is not exempt.

Mr. ECTON. I appreciate the contribution which the Senator from Wyoming

has made to this discussion. I merely wish to say that in the present tax law we are not giving the individual any consideration whatever. We are not increasing his $600 exemption. That is left as it is. Is seems to me that with a low exemption, even though it is $100 more now than it was a few years ago, it is almost a necessity that we give the individual taxpayer a little benefit in this bill. This is a good way to do it.

In connection with what the Senator from Wyoming has stated, if we leave to the worker and the producer and everyone else enough to take care of his own health he will do it himself, without the Government having to do it for him at some time.

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

Mr. ECTON. Yes.

Mr. HUNT. I may say that the huge corporations today almost without exception maintain health plans for their employees, under which the employees are afforded, partially at least, medical services and hospitalization. Does the Senator know that corporations are allowed to use such expense as a cost of business and to charge it in such a way that they do not have to pay a tax on it?

Mr. ECTON. Yes.

Mr. HUNT. Why should not the same principle apply to an individual taxpayer?

Mr. ECTON. It should, I will say to the distinguished Senator from Wyoming. That is my point. There is nothing wrong with the amendment. It is fair. It is just. It is reasonable. So far as the amount of money is concerned, whatever it may be, of which the Treasury would be deprived, I say to the Senator from Wyoming that eventually it would bring additional revenue into the Federal Treasury. It would be the best and greatest investment we have ever made.

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

Mr. ECTON. Yes.

Mr. CASE. With respect to the question asked by the Senator from Wyoming about the payment of insurance premiums, I believe the answer which the Senator from Montana gave was correct. Further on in the committee amendment, at the bottom of page 128, I read:

> The term "medical care," as used in this subsection, shall include amounts paid for the diagnosis, cure, mitigation, treatment, or prevention of disease, or for the purpose of affecting any structure or function of the body (including amounts paid for accident or health insurance).

As I recall the answer which the distinguished Senator from Montana gave to the question posed by the distinguished Senator from Wyoming, it was that the expense for health and accident insurance would be deductible to the extent that such expense, with other expenses, exceeded 5 percent of income.

Mr. ECTON. That was my impression.

Mr. CASE. I believe that is correct, because the language does say: "including amounts paid for accident or health insurance."

However, it means that the total paid for that insurance, plus other amounts, must exceed 5 percent of adjusted net income before any credit is given.

Mr. ECTON. Yes. I will say further that corporations and institutions which carry group insurance can deduct the expense as a part of operating expenses. They are not concerned with the 5 percent. I believe that the individual person in this country is entitled to the same kind of consideration, especially tax consideration, which is given to a corporation or business. Again, Mr. President, I hope that the amendment will be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. ECTON].

Mr. KERR. Mr. President, the committee considered the amendment at considerable length and came to the conclusion that it could not be agreed to. I am sure the Senator from Montana is aware of the fact that all medical expenses were taken into account in arriving at the basis or the figure for the individual exemption. The committee bill makes provision for the extraordinary medical expenses of the taxpayer. At any time that they exceed 5 percent of the taxpayer's income, they become a deductible item, up to a reasonable amount, which, under the bill, may be a very considerable amount.

In addition to that, with reference to citizens of 65 years of age and older, although the estimated loss of revenue was $30,000,000 to $35,000,000, the committee bill provides that the medical expenses are a deductible item regardless of whether they may amount to 5 percent of the net income.

The distinguished Senator from Montana made a very persuasive argument, that medical expenses are necessary in maintaining the health of an individual. So is food, and so is shelter. So is clothing. So are all the other items which were taken into account in arriving at the figure which is in the law as an exemption for each individual, and which is not taxable.

Certainly it would be marvelous if the revenue needs of our country would permit the acceptance of this amendment. Certainly it would be marvelous if the exemption could be a thousand dollars for each individual. If that were the case it would do a great deal of damage to the tax structure from the standpoint of the efficiency in the procurement of revenue.

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

Mr. KERR. I am glad to yield to my good friend from Montana.

Mr. ECTON. Is it not true that there is a depletion allowance so far as certain mineral resources are concerned, and has it not been stated on the floor that the Treasury is losing approximately $750,000,000 annually because of the depletion allowance? Is it not fair, may I ask the Senator from Oklahoma, for the Federal Treasury to do without $700,000,000 as a depletion allowance on the human element, the individual citizen and producer, as it is to lose to the Federal Treasury $750,000,000 annually on depletion allowance in the case of some of our mineral resources?

Mr. KERR. I remind the Senator from Montana that there is a depletion allowance in the present revenue structure of $600 in the form of an exemption for each individual. I remind the Senator with reference to the individual expenses for medical service, hospitalization, and insurance against such expenses, that if an individual's expenses in that regard exceed 5 percent of his income, it becomes a deductible item. I remind the Senate that there is a depletion allowance in the bill of a very low rate of taxation on the first few thousand dollars of the individual's income.

Those items have been taken into consideration in the formulation of the tax structure, in arriving at the point where we now are with reference to individual exemptions, and with reference to the very low tax rate applicable to the first few thousand dollars of the income of an individual taxpayer.

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

Mr. KERR. I am glad to yield for a question.

Mr. ECTON. Does not the Senator from Oklahoma believe that the so-called $600 depletion allowance would just about be taken up in the process of paying for the food and meeting the cost of living, which the Senator from Oklahoma mentioned a short time ago?

Mr. KERR. The Senator from Oklahoma is aware of the high cost of living, and the Senator from Oklahoma is aware of the fact that one of the highest elements in the cost of living is what it now costs for medical expenses, and so forth.

If the Senator from Montana were to have his way, I say to him that the cost for that element of the expenses of the taxpayer would become a great deal higher very quickly. I believe the Senator knows that to be a fact. I do not believe that we would be justified in sacrificing $700,000,000 of revenue for this item, no matter how worthy we may regard it to be.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. ECTON].

Mr. McCLELLAN. Mr. President, I have just returned to the floor. I have been occupied in committee meetings all morning, and shall soon return to a meeting. I should like to ask the author of the amendment, the distinguished Senator from Montana, whether his amendment provides any limit as to the percentage of income, in the case of the deduction which may be made for medical expenses or the expense of medical services?

Mr. ECTON. No; under my amendment there is no such limitation.

Mr. McCLELLAN. Is there a percentage limit—for instance, up to 5 percent or up to 10 percent of taxable income?

Mr. ECTON. No.

Mr. McCLELLAN. Does not the Senator from Montana believe that in order to prevent flagrant abuse in connection with such a deduction, there should be a limitation which would be of practical application in the average case?

Mr. ECTON. It might be all right to have that.

Under the present law I believe there is a $2,500 limitation, over and above the 5-percent limitation, as to the amount which may be deducted. A while ago it was brought out that in view of the present limitation, only those in the very high income groups can ever avail themselves of these deductions.

Mr. KERR. Mr. President, will the Senator from Montana yield for a question?

Mr. ECTON. I yield.

Mr. KERR. Is it not a fact that, rather than being available only to the very high income groups, the exemption is available to the low-income groups because if the expense exceeds 5 percent of the taxable income, the expense becomes a deductible item? In that case, the smaller the income of the taxpayer, the sooner his medical expenses will exceed 5 percent of his taxable income.

Mr. ECTON. I agree with the Senator in that respect; but I most humbly call his attention to the fact that in the case of operations, hospital rooms, the services of nurses, the services of doctors, and so forth, the cost is about the same, regardless of whether one's income is $2,000 or $10,000 a year.

Mr. KERR. There is no question of that; but it does not take very long for that expense to exceed 5 percent of the taxable income of a man who has a salary of $2,000, does it?

Mr. ECTON. Let us consider those in even a lower income group.

Mr. KERR. In the case of a man who has an income of $1,000, any amount of medical expenses in excess of $50 will exceed 5 percent of his income.

Mr. ECTON. In the case of a man who earns $1,500 a year, under the 5-percent provision he will have to spend more than $75 a year for medical expenses before he can even begin to have a deduction for his medical expenses.

Mr. KERR. That is not true in the case of a man of high income, is it?

Mr. ECTON. If several of that man's children have to be examined during the year, and if the cost of each examination is $25, why should not that expense be deductible?

Mr. KERR. The taxpayer has a $500 exemption for each of his children, does he not?

Mr. ECTON. I beg the Senator's pardon?

Mr. KERR. Are not children looked upon in many ways as delightful, and so on, but is there not also included in the picture the aspect of children's being a subject of a tax exemption or deduction?

Mr. ECTON. Mr. President, as was so ably stated by the distinguished Senator from Wyoming, it seems to me that we should be willing to treat our own citizens as well as we treat our livestock and our business institutions.

Mr. McCLELLAN. Mr. President, as I explained a moment ago, because of committee duties I have been unable to be on the floor very much to hear the debate. So I have to miss much of the debate on amendments which are submitted.

Fortunately—and I am very thankful for it—the health of myself and my family has not been such as to necessitate any heavy expenses on my part for medical treatment. However, I should like to see included in the law a provision, in particular, which would give persons and families of small incomes a deduction for necessary medical expenses. Our citizens who are in that category of income suffer illnesses and are compelled to have operations and extraordinary medical expenses which they simply cannot afford; they are unable to meet those expenses. If we continue constantly to increase their taxes, as we feel we are obliged to do in the present emergency, I do not know what provision can be made to help them in that connection; but I do know that there is a need for relief of this character. So long as such relief is reasonable and necessary, I believe that the money those in the low-income groups spend to relieve suffering in their families or for the preservation of the health of members of their families should constitute a proper deduction in connection with their income tax, and should not be subject to taxation.

Mr. HUNT. Mr. President, I should like to address a question to the Senator from Oklahoma. As I understood him a few moments ago, I believe he said that the amendment of the Senator from Montana would cause a loss of revenue in the amount of approximately $700,000,000. Is that correct?

Mr. KERR. Yes; that is the estimate of the staff of the Finance Committee.

Mr. HUNT. That is the estimate of the staff of the Finance Committee?

Mr. KERR. Yes.

Mr. HUNT. Does the Senator from Oklahoma feel that that is anywhere near a correct estimate?

Mr. KERR. I think it is a conservative estimate of the revenue loss which would occur as a result of the adoption of this amendment.

Mr. HUNT. That is three-quarters of a billion dollars.

Mr. KERR. That is very true. The Senator from Wyoming would be among those who would know about the income of doctors and dentists and nurses and hospitals and the life-insurance programs. The effect of this amendment would be to make all those expenses tax-deductible items. The Senator from Wyoming knows better than I do how many billions of dollars a year are spent in the United States for those purposes.

The effect of this amendment would be to make those expenses in their entirety deductible from the income of taxpayers before their taxable incomes could be determined.

Mr. McCLELLAN. Mr. President, will the Senator from Wyoming yield to me, to permit me to ask a question?

Mr. HUNT. I yield.

Mr. McCLELLAN. I wish to ask the distinguished member of the Finance Committee, the able Senator from Oklahoma [Mr. KERR], whether consideration has been given by the committee to working out an exemption or an allowable deduction for medical services, relating to the amount of the taxable income of the taxpayer?

Mr. KERR. Yes; that has been done, and these exemptions are presently in the law and in the bill: first, any medical expense up to $2,500 for a single person or $5,000 for a married couple, if it is in excess of 5 percent of their income, is deductible under the present law.

Mr. McCLELLAN. If it is in excess of 5 percent of their income, it is deductible?

Mr. KERR. That is correct.

Mr. McCLELLAN. Are such medical expenses in excess of 5 percent of the taxable income deductible in the case of all persons? In other words, a taxpayer cannot begin to take such a deduction until he has expended 5 percent of his income for that purpose; is that correct?

Mr. KERR. That is true at this time, with reference to all taxpayers.

The committee version of the bill contains a provision which gives to those who are 65 years of age or older the privilege of deducting as expenses whatever their medical expenses may be, without regard to the 5-percent limitation, but with regard to the $2,500 and the $5,000 limitation. So that under the law at the present time, and if the committee bill is approved, any citizen over 65 years of age may deduct expenses for medical, dental, hospital, and other health services.

Mr. McCLELLAN. Is that true of those under 65 years of age.

Mr. KERR. Under 65, they may deduct their expenses to the extent that they exceed 5 percent of their taxable income.

Mr. McCLELLAN. In other words, after they have expended 5 percent of their income for medical services, any amount expended over and above that becomes deductible, up to $2,500?

Mr. KERR. For the individual, or $5,000 for the couple. That is in the law now, so that a citizen with $2,000 taxable income pays the first $100, and what is above that is a deductible item. The citizen with $5,000 taxable income pays the first $250 without tax deduction, and whatever he is required to spend above that, up to $2,500, is deductible under the law at this time.

Mr. McCLELLAN. I wish to thank the able Senator from Oklahoma, because I think we ought to make the matter very clear in the record, and I feel that relief should be given to certain small-income groups for any extraordinary expense they may have.

Mr. KERR. I may say to the Senator that the small-income groups do not pay any taxes now.

Mr. McCLELLAN. I would think that many of the small-income groups pay a great deal in the way of taxes.

Mr. KERR. It depends on what the Senator means by small-income groups. The Senator knows the exemption allowed to the family, I am sure.

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

Mr. HUNT. Mr. President, I have the floor. I desire to make a very brief statement, after which I shall yield to the Senator from Colorado.

I think the Senator from Oklahoma knows, as he said to me, the terrific expense of a family nowadays. A family must have hospitalization and medical care. There can be no question

about that. The expense is terrific today, and it constitutes a great hardship, especially on the low-income groups. Does not the Senator feel that if they were allowed a deduction for medical, hospital, and dental care, more opportunity would be given and better care of one's health would be taken, especially in the low-income group, if they realized that that was a deductible item? In other words, we would be contributing something to the building of the health of the people.

Mr. KERR. Mr. President, I cannot agree with the Senator. He himself has just said that many thousands of Americans at this time participate in a health program. The Senator is very well aware of the fact that health programs are available at reasonable cost, and he is always aware of the fact that the cost of the health program is a deductible item for anyone 65 years of age or over, and that, to the extent that it and all other medical expenses exceed 5 percent of the taxpayers' income, it is now a deductible item in all cases.

Mr. HUNT. It is not deductible for anyone under 65. My contention is—and I wish the Senator agreed with me—that voluntary health insurance plans are available, that 50,000,000 of our people are taking advantage of them, and that certainly the payments made in connection with those programs should be deductible. Unfortunately they are not.

I should like to ask one more question. What is the situation with reference to the man under 65 years of age who is totally and permanently disabled?

Mr. KERR. To begin with, I would say he is in a mighty bad fix. [Laughter.]

Mr. HUNT. I would say he is practically helpless.

Mr. GEORGE. Mr. President, let me say that if he is a veteran he is taken care of, and if he is under any pension system such as is found in nearly every industry, he is taken care of.

Mr. HUNT. Yes, and if he is on welfare, he is taken care of.

Mr. GEORGE. That is correct.

Mr. HUNT. But there is still a large group who are in none of the three classes. I think that about 23,000,000 of our people now are receiving some sort of medical care from the State; but there is still a large group of people who are not.

Mr. GEORGE. I do not know where they are, but what the committee did was to say that every person who had reached the age of 65, or his spouse, even though she had not reached the age of 65, who received medical or dental care, would now be allowed to deduct the total of the expense, without regard to the 5-percent figure, but maintaining the maximum limit, because there are still some rich people who become ill. There are not too many of them left, but those who are left become ill and finally die.

Mr. ECTON rose.

Mr. HUNT. Mr. President, would the distinguished chairmen of the committee be willing to accept an amendment including permanently and totally disabled persons?

Mr. GEORGE. That is a social-security problem, not a tax problem.

Mr. ECTON. It would be.

Mr. HUNT. But a great many people do not like to depend on public-welfare organizations merely because they may be permanently and totally disabled.

Mr. GEORGE. I should dislike to see such a provision as that adopted. When this bill goes to conference we shall have many other features to consider. We think it will be very liberal. I should like to exempt not only the expense of medical care, but even the grocery bills, of people who reach a certain age, and also I should like to exempt expenditures for heat and light and everything else, but obviously that would result in a serious loss of revenue, at a time when we are trying to raise a great deal of money. I should like to see many of these exemptions made if we could reach a point where it would be possible to readjust taxes downward, which I had fervently hoped might be the case within my lifetime, though I have about abandoned hope, I may say to the Senator. But at the present time I think it must be agreed we have given liberal treatment in this bill. We have provided that any person 65 years of age, or whose spouse is 65 years of age or under, may have a total deduction of all medical, hospital, and dental expenditures up to $2,500, and, for the two, as I understand, practically up to $3,750. But, at any rate, we had to keep the upper limit on the deduction, and we could not at this time be justified in saying that every person would have a total deduction for all medical expenditures, without bearing a part of it himself.

That is the situation. Of course, morally, I grant that one can justify the complete elimination, the complete deduction of hospital and medical expenditures; and I devoutly hope that it may come, but it is not here now, if we are to raise much revenue. It would cost the Government too much.

Mr. MILLIKIN, Mr. ECTON, and Mr. JOHNSON of Colorado addressed the Chair.

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

Mr. HUNT. The Senator from Wyoming would like to yield first to the senior Senator from Colorado, who has been on his feet for quite a long while.

Mr. JOHNSON of Colorado. Mr. President, I merely wanted to call attention to the adjusted or standard deductions which are permitted to all taxpayers. If they make out the short form, they may take 10 percent for standard deductions without itemizing them at all. If above $5,000, and if they make out the 1040 form, they may deduct 10 percent for standard deductions, which in many cases would cover the medical needs of the family.

For example, if a family with a gross income of $5,000, let us say, makes out the short form, the family would be permitted a standard deduction of $500; if they had $4,000, they would have a standard deduction of $400, and if they had $10,000 they could have a standard deduction of $1,000, without itemizing it at all, and it would cover such things.

Mr. HUNT. Of course, the Senator knows that that cannot apply and is not all applied to medical, hospital and dental care.

Mr. JOHNSON of Colorado. Oh, no.

Mr. HUNT. And it represents about 1 week's expenses nowadays if one is in the hospital and receiving medical care.

Mr. President, I yield the floor.

Mr. MILLIKIN. Mr. President, I wonder where I might offer a friendly and I hope a constructive suggestion to the distinguished Senator from Montana, who I believe has sounded a very human and constructive proposal.

Mr. ECTON. I shall be happy to hear what the distinguished Senator has to say.

Mr. MILLIKIN. I believe that if the question raised by the distinguished Senator were put to a vote, considering that a $700,000,000-a-year loss of revenue is involved, it would probably not prevail. I am wondering if there is not some place in between to give recognition to the undoubted appeal of the Senator's proposal, reminding the distinguished Senator that there are many ways by which we may go to heaven, but we cannot take them all in one jump. What I am suggesting is this: Why does not the Senator get together with the staff members and ascertain what revenue would be involved in raising the $2,500 limit to $3,000, as an illustration, or some raise which would give recognition to the principle for which the Senator is fighting and which, at the same time, would not unduly burden the revenues at this time? Some day we may reach the happy period when we can start to reduce taxes. I believe we will; I do not quite share all the pessimism of the distinguished Senator from Georgia on the subject. Heretofore when we have reduced taxes we have enlarged exemptions, and it may be that later on we can enlarge the exemptions and go considerably further.

All I am suggesting is that if we cannot go the whole way, perhaps we can take to conference a more modest approach. It is my recollection that the senior Senator from Michigan [Mr. FERGUSON] has an amendment along that line, and it might be advisable to get in touch with him, and possibly a proposal can be worked out which might be taken to conference.

Mr. ECTON. I should like to state that there is a difference between what I believe the Treasury will lose under my amendment and what has been stated by the Finance Committee. My understanding was that the loss would be about $15,000,000. The Senator from Oklahoma stated the loss would be approximately $700,000,000.

Mr. MILLIKIN. If the Senator will let me interrupt him, I talked with the chief of the Joint Committee on Revenue Taxation, and he personally gave me an estimate. He personally thought the loss of revenue would be approximately $700,000,000.

Mr. ECTON. Was that in connection with the $2,500 limitation?

Mr. MILLIKIN. No. He was talking about what the Senator's amendment would cost.

Mr. ECTON. My amendment does not disturb the $2,500 limitation.

Mr. MILLIKIN. I am suggesting that the Senator discuss with some of the members of the staff what a $5,000 raise in the limitation would do to the revenue.

Mr. ECTON. That is not what I am getting at, if I may say so to the Senator.

Mr. MILLIKIN. Pardon me.

Mr. ECTON. I am objecting to the fact only the portion of medical expenses can be deducted which exceeds 5 percent of the income of the taxpayer. I contend that that is wrong, that when we take from 20 to 25 percent of his income through withholding, immediately, out of his pay check, we should not penalize him that extra 5 percent merely because he happens to have a doctor's bill, and make him pay income tax on it.

Mr. MILLIKIN. I understood the Senator's argument. I am not arguing against it. I have great sympathy for what he is saying, but I have a realization of what can and cannot be done; and I want to save something out of the fine things the Senator is proposing.

Mr. ECTON. I am very grateful to the very able Senator from Colorado, but I was not interested in raising the $2,500 limitation, and I do not believe my amendment affects the limitation of $2,500 at all. All it does is to strike out the 5-percent limitation, so as to permit all medical and doctors' bills to be deducted as legitimate deductions in computing income tax.

Every individual has to pay all medical expenses without deduction except for the portion which is above 5 percent of his adjusted gross income; and with only a $600 exemption allowed and the tax rate as high as it is, I contend that it is grossly unfair.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Montana [Mr. ECTON]. [Putting the question.]

Mr. ECTON. I ask for a division.

Mr. GEORGE. Mr. President, this amendment is so important that I regret having to suggest the absence of a quorum. The Senator's amendment would probably mean a loss to the Treasury of from $1,000,000,000 to $2,000,000,000. The average medical expenses during the year will run about $100 to a family. When that is taken into consideration it can be seen that the Government would lose a large amount of revenue. We have dealt fairly with the people so far as medical expenses are concerned. It is true that there is a just reason for giving them a credit, but we cannot do what the Senator from Montana suggests so long as we are going to carry on an expensive Government such as the one we have, and when we have to come somewhere within striking distance of the budget. We have given a straight statutory deduction of 10 percent to everyone in the lower-income bracket, and we have said that when a person reaches the age of 65 he will have a total exemption as to medical expenses. That is as liberal as we can be if we are going to protect the revenues at all.

I am willing to have a division, but I should like to have a sufficient number of Senators present so that we can ascertain the will of the Senate. I would not want to take the amendment to conference and struggle with it without having more than a mere handful of Senators on the floor.

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

Mr. GEORGE. I yield.

Mr. ECTON. Would the distinguished chairman of the Finance Committee be willing to accept a change to 3 percent from 5 percent?

Mr. GEORGE. I did not understand the Senator's suggestion.

Mr. ECTON. Would the Senator be willing to permit deductions for medical expenses which exceed 3 percent of the taxpayer's income?

Mr. GEORGE. Mr. President, on an income of $2,000 all the taxpayer is paying is $100 for his own medical expenses. On an income of $3,000 the amount would be $150. I know it is heavy, but in the younger years of life medical expenses generally are not too heavy for the average American to bear. It is only when they reach advanced years that medical expenses become particularly burdensome to most persons.

I earnestly hope the time will come when substantially what the Senator from Montana is suggesting can be brought about either through an increase of general exemptions or through a total deduction of all medical expenses. I am afraid the Senator's proposal would cost so much that we could not justify it under present conditions. I had hoped that what we had done would be accepted as a reasonable solution of the problem at the present moment. If we were at a point where we could begin to reduce taxes, then the Senator's proposal would be altogether reasonable, right, and equitable. It certainly would appeal to everyone. But at this time it is very difficult to see how it can be justified.

Mr. ECTON. Mr. President, I appreciate the strenuous labors through which the chairman and the members of the Finance Committee have gone in the past several months. I know what a difficult job they have had, but, nevertheless, Mr. President, in these difficult times there are many young people, as well as persons over 65 years of age, who are finding it most difficult to meet the expenses of living and to take care of their children. It seemed to me that this was one way to give them most just and reasonable relief in view of increased taxation.

Mr. GEORGE. What the Senator has said is true. Mr. President, I am willing to have a division on the question.

The PRESIDING OFFICER. The question is on the amendment of the Senator from Montana [Mr. ECTON]. A division is requested.

On a division the amendment was rejected.

The PRESIDING OFFICER. Without objection, the committee amendment, section 307, is agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, 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 House to the bill (S. 11) to provide for the appointment of conservators to conserve the assets of persons of advanced age, mental weakness, not amounting to unsoundness of mind, or physical incapacity.

The message also announced that the House had passed a joint resolution (H. J. Res. 335) amending an act making temporary appropriations for the fiscal year 1952, and for other purposes, in which it requested the concurrence of the Senate.

TEMPORARY APPROPRIATIONS FOR 1952

Mr. McKELLAR. Mr. President, I ask the Chair to lay before the Senate House Joint Resolution 335.

The PRESIDING OFFICER (Mr. CLEMENTS in the chair) laid before the Senate the joint resolution (H. J. Res. 335) amending an act making temporary appropriations for the fiscal year 1952, and for other purposes, which was read twice by its title.

Mr. McKELLAR. Mr. President, I ask unanimous consent for the immediate consideration of the joint resolution. I will say to the Senate that the joint resolution is one which is necessary to have passed.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

Mr. CORDON. Mr. President, reserving the right to object, may I inquire whether the resolution simply extends for a specific period of time the provisions of existing resolutions?

Mr. McKELLAR. That is exactly what it does.

The PRESIDING OFFICER. Is there objection to the present consideration of the joint resolution?

There being no objection, the joint resolution (H. J. Res. 335) amending an act making temporary appropriations for the fiscal year 1952, and for other purposes, was considered, ordered to a third reading, read the third time, and passed, as follows:

Resolved, etc., That clause (c) of section 4 of the joint resolution of July 1, 1951 (Public Law 70), as amended, is hereby amended by striking out "September 30, 1951" and inserting in lieu thereof "October 31, 1951."

REVENUE ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 4473) to provide revenue, and for other purposes.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. JOHNSTON of South Carolina. Mr. President, I call up my amendment 9-26-51-B.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. At the proper place in the bill it is proposed to insert the following:

SEC. —. Retirement annuities and pensions of Government employees.

(a) Exclusion from gross income. Section 22 (b) (2) (relating to exclusion from gross income of amounts received as annuities, etc.) is amended by adding at the end thereof a new subparagraph as follows:

"(C) Retirement annuities and pensions of Government employees.—In the case of amounts received as a retirement annuity, retirement pay, or pension provided by the United States, any State or any political subdivision thereof, or any agency or instrumentality of any of the foregoing, so much of such annuity, pay, or pension received during the taxable years as—

"(i) does not exceed $1,500, and

"(ii) does not, without the application of this subparagraph, cause the gross income to exceed $4,000,

shall be excluded from gross income. For the purposes of the second sentence of subparagraph (A) of this paragraph the amounts received as an annuity which are excluded from gross income under this subparagraph shall not be considered in computing the amount 'received as an annuity', or the 'amount received in the taxable year', or the 'aggregate amount excluded from gross income under this chapter'."

(b) Effective date: The amendment made by this section shall be applicable only with respect to taxable years ending after the date of the enactment of this act.

Mr. JOHNSTON of South Carolina. Mr. President, it will noted that the amendment gives an exemption on pensions and annuities to those who are connected with the United States Government, with State or political subdivisions, and who at the present time are drawing annuity pay or pensions. There are many reasons for the amendment. One reason is that today people who have been placed on annuities are are being paid with a dollar that is really worth approximately only 54 cents as compared with what it was worth in 1939. The bill under consideration will increase taxes. To show that we, who represent the Federal Government, think that something should be done for those who are on pensions, a few years ago we increased the amount of the annuities to either $300 per annum or 25 percent, whichever was the lesser of the two. The amendment, in effect, takes care of those people, though not by so large an amount. There is nothing like that amount involved.

Mr. President, I listened to the argument in the Senate concerning a somewhat similar amendment a few years ago. Objection at that time was made because some men or women who had thousands of dollars worth of property, who were receiving incomes of $40,000 or $50,000 annually, would be benefited by the amendment which was then under consideration. If one reads my amendment carefully it will be noted that any person who receives a gross income in excess of $4,000 will not be benefited by the terms of the amendment.

Mr. President, one only has to talk to some of those who are now retired, and drawing annuities, who are trying to live on the small amounts of annuities they are receiving, to realize why the amendment should be adopted. We are expending billions of dollars, which is causing the value of the dollar to decrease. The purchasing value of the present dollar represents only about 54 percent of the value of the dollar in 1939. My amendment covers only the little man. The large income taxpayer is not benefited by the amendment.

The statement may be made, however, that retired persons above the age of 65 receive double exemptions now. That is true, but that is not an exemption given under the pending bill. That exemption has been provided under previous laws. In the pending bill an additional tax is added on those who are subject to taxation.

Mr. President, thousands of persons who are on retirement pay at the present time are under 65 years of age, many of them not more than 55 or 60 years of age. Some of them are totally disabled. That is the reason they have retired. When the tax on the retirement pay of such persons is added up it will not be found to be large, for a great many of them, because of other exemptions which are provided by law, are already out from under taxation. My amendment cares for a need which we are facing at the present time. We have not done what I think we should have done; that is, increase the amount of annuities for retired Federal Government employees.

Mr. President, it will be found that some of those who are on retirement pay retired on the basis of the 1939 salaries, which means that in some instances they are on retirement pay which is not half the amount of retirement pay on which employees retire today. We are trying to help those who need to be helped. We have discussed this question in my committee. We feel that something should be done for those who are on annuities at the present time, because the value of the dollar has depreciated.

Mr. President, I hope the Senate will act favorably on this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON].

Mr. GEORGE. Mr. President, I must oppose this amendment. I regret to say this, but there is no good reason, morally or otherwise, why an income of $2,000 should not be taxable, whether it is paid in a pension by the United States Government or earned by a man who earns his daily livelihood by the sweat of his brow. We cannot justify such treatment. We have done the best we could. Every Government official who is retired because of disability does not include that allowance in his income. He does not compute it. If he has reached the age of 65, he is entitled to a double deduction of $1,200 before his income is touched. If his wife is 65, they have a total deduction of $2,400.

But I prefer to base my argument on the broad ground. There is no reason morally why an income paid by the Federal Government should any more be exempt from taxation than an income earned by a person in like circumstances who works for his living in private life.

If this process continues, and special privileges are constantly urged for those who are working for the Government, the time will come when there will be a revulsion of feeling. They are being treated fairly, and there is no need to press such proposals. Yesterday we voted on an amendment after long debate denying the exemption of $1,440. Now the exemption is $1,500, but there is an outside limitation of $5,000. That means people who are receiving retirement benefits up to $5,000. It means men who are retired from the Army, Navy, or the Marine Corps. It means Government employees. When they retire at 65 they have a double exemption. What more do our people want? How unwise it is to press for special privileges for the classes who are receiving something from the Government.

I sincerely hope that the amendment will be defeated.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from South Carolina [Mr. JOHNSTON].

Mr. IVES. Mr. President, I was not present to hear all the statements which have been made on this amendment by the junior Senator from South Carolina. However, after listening to the latter portion of the remarks of the distinguished Senator from Georgia, it seems to me the amendment we have before us is a vast improvement over the amendment on which we voted yesterday. It may not be perfect. I dare say that it would be almost impossible at this time—or perhaps initially at any time—to write a perfect provision dealing with this question. However, the proposal before us does contain certain restrictive provisions which were lacking in the amendment that was under consideration yesterday.

For this reason I strongly favor this particular proposal, and I trust that it may be possible to bring it to an aye-and-nay vote, so that those of us who desire to be recorded in its favor may have an opportunity to be recorded. Therefore, I suggest the absence of a quorum, because I do not think there are enough Senators present to order the yeas and nays.

Mr. GEORGE. Mr. President, I want a quorum on this amendment. I want to know whether the Senate wishes to give to Government employees a special privilege. If so, Senators will have an opportunity to vote for it. That is stating it frankly, but that is what this amendment would do.

Mr. IVES. In that connection, however—and I do not like to take issue with my distinguished colleague—I wish to point out that one of the chief criticisms raised with regard to the amendment considered yesterday was that it was all-embracing. In this particular amendment the Senator from South Carolina has endeavored to restrict its provisions within more moderate limitations, so that from this point on we can move forward and have an all-embracing

measure at some time in the future—presumably as soon as possible.

The PRESIDING OFFICER. The absence of a quorum is suggested. The clerk will call the roll.

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

Aiken	Hennings	Monroney
Bennett	Hickenlooper	Moody
Benton	Hill	Morse
Brewster	Hoey	Mundt
Bricker	Holland	Murray
Bridges	Humphrey	Neely
Butler, Md.	Hunt	Nixon
Butler, Nebr.	Ives	O'Conor
Cain	Jenner	O'Mahoney
Capehart	Johnson, Colo.	Pastore
Carlson	Johnson, Tex.	Robertson
Case	Johnston, S. C.	Russell
Clements	Kefauver	Saltonstall
Connally	Kem	Schoeppel
Cordon	Kerr	Smathers
Dirksen	Kilgore	Smith, Maine
Douglas	Knowland	Smith, N. J.
Duff	Langer	Smith, N. C.
Dworshak	Lehman	Sparkman
Eastland	Lodge	Stennis
Ecton	Long	Taft
Ellender	Magnuson	Thye
Ferguson	Martin	Underwood
Flanders	Maybank	Watkins
Fulbright	McCarran	Welker
George	McClellan	Wiley
Gillette	McFarland	Williams
Green	McKellar	Young
Hayden	McMahon	
Hendrickson	Millikin	

The PRESIDING OFFICER. A quorum is present.

Mr. IVES. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is the request for the yeas and nays sufficiently seconded?

Mr. GEORGE. I hope that the yeas and nays will be ordered. I do not believe I have exhausted all of my time for debate.

The PRESIDING OFFICER. There is no time limitation on the amendment.

Mr. GEORGE. I hope the yeas and nays will be ordered because the question is a straight test on whether we are to give special privileges to only Federal and State employees who have retired on pension.

The PRESIDING OFFICER. Is the request for the yeas and nays sufficiently seconded?

The yeas and nays were ordered, and the Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family, and if present would vote "nay."

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from Delaware [Mr. FREAR] are absent on official business, and if present would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from New Hampshire [Mr. TOBEY] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Wisconsin [Mr. MCCARTHY] is absent by leave of the Senate.

The result was announced—yeas 18, nays 70, as follows:

YEAS—18

Cain	Johnston, S. C.	Murray
Ecton	Kem	Nixon
Ferguson	Knowland	O'Conor
Gillette	Langer	Schoeppel
Hendrickson	Lehman	Thye
Ives	Magnuson	Underwood

NAYS—70

Aiken	Hayden	Monroney
Bennett	Hennings	Moody
Benton	Hickenlooper	Morse
Brewster	Hill	Mundt
Bricker	Hoey	Neely
Bridges	Holland	O'Mahoney
Butler, Md.	Humphrey	Pastore
Butler, Nebr.	Hunt	Robertson
Capehart	Jenner	Russell
Carlson	Johnson, Colo.	Saltonstall
Case	Johnson, Tex.	Smathers
Clements	Kefauver	Smith, Maine
Connally	Kerr	Smith, N. J.
Cordon	Kilgore	Smith, N. C.
Dirksen	Lodge	Sparkman
Douglas	Long	Stennis
Duff	Martin	Taft
Dworshak	Maybank	Watkins
Eastland	McCarran	Welker
Ellender	McClellan	Wiley
Flanders	McFarland	Williams
Fulbright	McKellar	Young
George	McMahon	
Green	Millikin	

NOT VOTING—8

Anderson	Frear	Tobey
Byrd	Malone	Wherry
Chavez	McCarthy	

So the amendment of Mr. JOHNSTON of South Carolina was rejected.

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. KEFAUVER obtained the floor.

Mr. MCFARLAND. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. MCFARLAND. I have been asked by numerous Senators whether we would finish this bill tomorrow, or whether we would have a session on Saturday. I feel confident that if we can arrive at a unanimous-consent agreement regarding the further consideration of the bill, we can complete action on the bill tomorrow.

Mr. GEORGE. Why not tonight?

Mr. MCFARLAND. I would hope we could do so tonight, but I do not think we shall be able to do so, to be frank about it.

Mr. President, I ask unanimous consent that in connection with the consideration of all future amendments, debate on the amendments be limited to 30 minutes, or 15 minutes to each side, to be controlled, respectively, by the proponent of the amendment and the Senator from Georgia [Mr. GEORGE].

Mr. DOUGLAS. Mr. President, reserving the right to object——

Mr. MCFARLAND. What is it?

Mr. DOUGLAS. Has the Senator from Arizona finished his statement?

Mr. MCFARLAND. No, I have not yet finished it.

Mr. DOUGLAS. I am sorry.

Mr. MCFARLAND. I further ask that all amendments to the committee amendments be required to be germane, and that the time on such amendments to committee amendments be controlled, respectively, by the proponent of the amendment and the Senator from Georgia [Mr. GEORGE] or, if the Senator from Georgia favors the amendment, then by the acting minority leader, the Senator from Massachusetts [Mr. SALTONSTALL] or any Senator whom he may designate.

Mr. President, there are certain exceptions to be made to that proposed agreement, one of them being the capital gains amendment and another being the amendment in regard to depletion allowances.

Let me inquire how much time the Senator from Minnesota wishes to have available for debate on that amendment.

Mr. HUMPHREY. So far as I am concerned, one hour would be adequate; but I have just been informed that some other Senator wishes to have one hour and one-half allowed.

Mr. MCFARLAND. The Senator from Nevada wished to have at least 1½ hours allowed on the amendment, or 45 minutes for each side.

Mr. KERR. Mr. President, will the Senator from Arizona yield?

Mr. MCFARLAND. I yield.

Mr. KERR. The Senator from Nevada wished to have 1½ hours for each side, on that amendment.

Mr. MCFARLAND. Is the Senator from Oklahoma sure about that?

Mr. KERR. I am positive of it.

Mr. MCFARLAND. Of course, that would be a long time.

Mr. KERR. The Senator from Minnesota had requested 1 hour for each side.

Mr. MCFARLAND. I thought the Senator from Minnesota wished to have 1 hour available altogether.

Mr. HUMPHREY. Mr. President, we originally requested 1 hour for each side; but, at the second request of the majority leader and in order to expedite action, we reduced that, to half an hour for each side.

Mr. KERR. I am positive that the request of the Senator from Nevada was for 1½ hours for each side.

Mr. MCFARLAND. One hour and one-half for each side?

Mr. KERR. Yes.

Mr. MCFARLAND. Well, we shall have to take what we can get; so I make that exception.

Mr. DOUGLAS. Mr. President, reserving the right to object, let me say that we have a capital-gains amendment which I do not think can be discussed adequately in 15 minutes by each side. In the case of that amendment, I should like to have a total of 1 hour allowed, or half an hour for each side.

Mr. MCFARLAND. The Senator requests 30 minutes for each side in the case of that amendment, does he?

Mr. DOUGLAS. Yes.

Mr. MCFARLAND. Then I further request that in the case of the capital-gains amendment, the limitation be 1 hour, or 30 minutes for each side.

I further request that in the case of any amendments to those two amendments, the debate be limited to 30 minutes, with the same provisions as to germaneness and control of the time.

The PRESIDING OFFICER. Will the Senator from Arizona restate his unanimous-consent request?

Mr. McFARLAND. I shall try to do so.

Mr. McCARRAN. Mr. President, will the Senator from Arizona yield to me?

Mr. McFARLAND. Mr. President, first, I yield to the Senator from Nevada.

Mr. McCARRAN. Mr. President, I apologize for not being on the floor to hear the entire colloquy.

Mr. McFARLAND. Let me restate my request. I ask unanimous consent that it be ordered that the limitation of debate on all amendments be 30 minutes, 15 minutes to a side, the time to be controlled by the proponent of any amendment offered and the Senator from Georgia, in the event he opposes the amendment; and in the event he favors the amendment, then by the acting minority leader or by any Senator whom he may designate; that there be an exception as to two amendments, namely, that the time for debate on the depletion amendment be limited to 1 hour and 30 minutes on each side, the time to be controlled by the proponent of the amendment and the Senator from Georgia, and that all amendments to that amendment must be germane; that debate on amendments to amendments to be limited to 30 minutes, 15 minutes to a side; that as to the capital gains amendment, the time for debate be limited to 1 hour, 30 minutes to a side, and that all amendments to the bill and to the amendments must be germane.

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

Mr. McFARLAND. I yield.

Mr. HUMPHREY. There is still a further amendment, the 12½ percent income tax amendment, on which we would like a half hour to a side.

Mr. McFARLAND. I make the same request in regard to the 12½ percent income-tax amendment.

The PRESIDING OFFICER. Is there objection?

Mr. McCLELLAN. Reserving the right to object, will the Senator yield for a question?

Mr. McFARLAND. I yield.

Mr. McCLELLAN. I understand that an amendment will be offered to repeal the split-income or community-property principle which was written into the tax law in 1948, I believe. Under the proposed agreement as stated by the distinguished majority leader, how much time would be allotted to each side on that amendment?

Mr. McFARLAND. There would be 30 minutes.

Mr. McCLELLAN. Fifteen minutes to each side?

Mr. McFARLAND. No, 30 minutes to a side. I should like to inquire whether any Senator intends to offer such an amendment.

Mr. HUMPHREY. It is my intention to do so, and I prefer that it shall be included in this unanimous-consent agreement. I had thought that would be a part of the general agreement.

Mr. McCLELLAN. I asked the question because I thought there was a misunderstanding, I may say to the Senator from Minnesota.

Mr. McFARLAND. How much time does the Senator from Arkansas suggest?

Mr. McCLELLAN. Fifteen minutes to a side would be satisfactory to me, but I thought the Senator's understanding was that it was to be 30 minutes to a side.

Mr. HUMPHREY. It was. That was our original request, but I am trying to cooperate with the majority leader in order to cut the time down, in order that we may get down to business.

The PRESIDING OFFICER. Is there objection?

Mr. KEFAUVER. Reserving the right to object, I wonder if the majority leader would include also the amendment I am going to offer to the wagering section. It is very important.

Mr. McFARLAND. Mr. President, I cannot hear the Senator's request.

The PRESIDING OFFICER. The Senate will please be in order.

Mr. KEFAUVER. I wonder whether the majority leader would make an exception in the case of the amendment I am going to offer in connection with the wagering section. It will bring up a great many questions, and it would be very difficult to present the pros and cons if debate were limited to 15 minutes to each side. Could we not make it 30 minutes to a side?

Mr. McFARLAND. If the Senator insists on it, I will make an exception in regard to that one amendment. But let me call the Senator's attention to the fact that we have been in session on this bill for several days. We are now in the second week of debate upon the bill. The Senate is becoming tired of listening to debate, and I feel that we would accomplish more by cutting down our remarks. But I will make an exception in the case of the Senator's amendment to the wagering section.

Mr. President, I also request that debate on the bill be limited to 1 hour to a side, the time for the proponents to be controlled by the Senator from Georgia——

Mr. HOLLAND. Mr. President, reserving the right to object, the Senator from Florida had understood, from a reply to a question which he addressed to the Senator from Minnesota on the first day of the consideration of the bill, that there was not to be an amendment proposed to the split-income provision of the bill.

Apparently the Senator from Florida was mistaken in that understanding, and he would like to know now exactly what allotment of time is permitted under the unanimous-consent request for that particular amendment.

Mr. HUMPHREY. Mr. President, may the Senator from Minnesota be permitted to reply?

The PRESIDING OFFICER. The request is that time for debate on the split-income amendment be limited to 30 minutes to a side.

Mr. HUMPHREY. Mr. President, I did say to the Senator from Florida that I was in doubt whether we would offer such an amendment, but I feel now that we shall offer the amendment, in view of certain action which has taken place.

I have just been asked by one of my colleagues to request that the time on this amendment, instead of being 15 minutes to a side, be 30 minutes, because there seem to be Senators who wish to have something to say about it, and I have no objection to that. I know the Senator from Arkansas is interested in the amendment, the Senator from Florida is interested in it, and 30 minutes to a side would be very reasonable. I would not need more than 15 minutes, myself.

Mr. McFARLAND. I make an exception on that amendment by asking that 30 minutes to a side be allowed for debate.

Mr. HUMPHREY. Thirty minutes to a side?

Mr. McFARLAND. Yes, on this amendment.

The PRESIDING OFFICER. Is there objection?

Mr. MILLIKIN rose.

Mr. LEHMAN. Reserving the right to object——

The PRESIDING OFFICER. The Senator from Colorado.

Mr. MILLIKIN. Mr. President, may I ask the distinguished majority leader what time has been set aside for what I understand will be an amendment directed toward mining exploration and development?

Mr. McFARLAND. An hour and a half to a side.

Mr. HUMPHREY. No, no, not on that amendment. The time is 15 minutes to a side on that particular amendment.

Mr. McCARRAN. We had an agreement to an hour and a half to a side on that amendment.

Mr. HUMPHREY. That was on the depletion allowance amendment.

Mr. McFARLAND. That is what I am talking about. That was the understanding. But if it can be set aside, and the time reduced, I shall not object.

Mr. HUMPHREY. I should be glad to accept an hour to a side, as far as I am concerned.

Mr. MILLIKIN. I do not care to object. However, it is a very important subject.

The PRESIDING OFFICER. Does the Senator from Arizona include that amendment in his request?

Mr. McFARLAND. Yes; I accept the suggestion. I hope we may be able to get through with our consideration of the bill by the middle of next week.

Mr. LEHMAN. Mr. President, reserving the right to object, may I have the attention of the distinguished majority leader. In connection with the split-income amendment, do I correctly understand that the time is 30 minutes to each side?

Mr. McFARLAND. Fifteen minutes to a side.

Mr. LEHMAN. I should be obliged to object, unless we could have 30 minutes to a side on that amendment.

Mr. HOLLAND. Reserving the right to object, the Senator from Florida was just assured by the majority leader that there would be 30 minutes to a side.

Mr. McFARLAND. Very well.

The PRESIDING OFFICER. The unanimous-consent request included 30 minutes to each side on the split-income amendment.

Mr. GEORGE. This subject has been discussed in the Senate for many, many years, but I have no doubt that since

the amendment was last suggested, new ideas have entered the minds of proponents, so I think there ought to be 30 minutes to a side.

The PRESIDING OFFICER. The Chair would advise the Senator from New York that included in the unanimous-consent request of the majority leader was a request for 30 minutes to each side for debate on that amendment.

Mr. LEHMAN. Reserving the right to object, and simply for the sake of clarity, may I request a statement definitely setting forth the amendments on which time for debate in excess of 15 minutes to a side has been agreed to?

Mr. McFARLAND. There was one, the depletion amendment, on which there was an hour and thirty minutes to a side. On the capital-gains amendment the agreement calls for 1 hour, 30 minutes to a side.

Mr. HUMPHREY. That is correct.

Mr. GEORGE. That is a new subject, too, Mr. President. There should be at least a half hour to each side.

Mr. McFARLAND. We had an agreement regarding the split-income amendment of 1 hour, 30 minutes to a side.

Mr. HUMPHREY. That is correct.

Mr. McFARLAND. We had another agreement with respect to the development and exploration provision, which was 30 minutes to a side.

Mr. HUMPHREY. To each side?

Mr. McFARLAND. To each side, yes.

Mr. HUMPHREY. And then the 12½ percent income-tax amendment.

Mr. McFARLAND. On that the time is to be 30 minutes to a side.

Mr. HUMPHREY. That is correct. And on the capital-gains amendment, a half hour to a side?

Mr. McFARLAND. That is correct.

The PRESIDING OFFICER. The Senator from Arizona might advise the Senate that there was a request for 30 minutes for each side on the wagering amendment.

Mr. McFARLAND. That is correct.

Mr. KNOWLAND. May I inquire of the Senator from Minnesota if his amendment proposing to do away with split incomes will also deprive the community property States of the privilege of the split-income provision?

Mr. HUMPHREY. It is not doing away with the benefits of the split income; it applies to every area of the country.

Mr. SALTONSTALL. As I understand, on the capital gains tax provision an hour has been assigned, 30 minutes to each side; on depletion, 3 hours, or an hour and a half to each side; on development and exploration, 1 hour to each side; the 12½ percent income tax provision, 1 hour to each side; on wagering, an hour to each side; on the split-income provision, an hour to each side, and on all other amendments half an hour, and on the bill itself 2 hours. Am I correct?

Mr. KERR. Mr. President, I understand the depletion amendment is a general amendment which refers to the depletion feature.

The PRESIDING OFFICER. To that amendment an hour and a half to each side is assigned.

Mr. SALTONSTALL. Mr. President, I should appreciate a statement by the Chair as to his understanding of all the suggestions.

The PRESIDING OFFICER. The time agreed to for debate on the amendments is as follows: On depletion, an hour and a half to each side; on capital gains, 30 minutes to each side; on the wagering amendment, 30 minutes to each side; on split incomes, 30 minutes to a side; on development and exploration, 30 minutes to a side, and as to any other amendments, 30 minutes, or 15 minutes to each side.

Mr. SALTONSTALL. How about the 12½-percent income tax amendment?

The PRESIDING OFFICER. The time agreed upon is 30 minutes to each side.

Mr. SALTONSTALL. And as to all other amendments, 15 minutes to a side?

The PRESIDING OFFICER. Yes, and 2 hours on the bill.

Mr. SALTONSTALL. All amendments must be germane; and appeals and motions are included in the request, are they not?

The PRESIDING OFFICER. That is correct.

Mr. CAPEHART. Mr. President, I received unanimous consent on yesterday to offer an amendment to the excise-profits-tax section. What time will be allowed for debate on that subject?

The PRESIDING OFFICER. Fifteen minutes to a side.

Mr. CAPEHART. I have no objection to that.

Mr. LANGER. Mr. President, I should like to see the consideration of the bill concluded. Many amendments are offered, and there will be amendments offered to the amendments. I should like to have the majority leader set the time for a vote on the bill at 12 o'clock next Monday. There will be all kinds of arguments on Friday and Saturday, and if we set the time to vote on the bill at 12 o'clock on Monday we will know that we have to complete action on all the amendments by that time.

Mr. McFARLAND. Mr. President, I do not know whether we can get through with all the amendments by 12 o'clock on Monday. I could not agree to Tuesday. We will work all tomorrow night and all Saturday night before I will make it Tuesday. I am willing to say that in the event action on the amendments is completed the vote on the bill itself may be postponed until Monday at 12 o'clock and the Senate may proceed to vote on the bill immediately at 12 o'clock noon on Monday. All the amendments would have to be disposed of before that time. In the event the amendments were not disposed of before that time, the vote on the bill would have to take its regular course.

Mr. SALTONSTALL. Mr. President, I rise to propound a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. SALTONSTALL. What is the effect of the agreement? The majority leader suggests 12 o'clock on Monday for a vote on the bill, but if action on the amendments is not completed there would be an indefinite date for a vote on the bill.

The PRESIDING OFFICER. There is to be a vote on the bill at 12 o'clock on Monday following a quorum call, if action on all the amendments is completed. If the amendments have not been acted on the bill will take its regular course.

Mr. GEORGE. Mr. President, if we have a session tonight and a session tomorrow night and on the next night, if necessary, we will finish the bill. I have listened carefully to the amendments. There are only approximately two or three that will not be squarely in conference, but the distinguished Senators who have organized to make a fight on the committee bill are not willing to allow a free conference upon all the amendments, with only about two exceptions. The issues are drawn, and they have to be fought out in conference. Every month of delay is costing $106,000,000 in excise taxes alone. It is not possible to put excise taxes into effect the day after the bill is passed; it takes some time.

We are just killing time. There is no purpose here except a purely political purpose. That is all there is to it. The issues will be fought out on amendments which will be in conference, with the exception of only two or three of the amendments. I would much rather have no unanimous-consent agreement, if the Senate will be content to remain in session. I am able to sit here continuously until the bill is disposed of. I have been patient, I have been indulgent; but there is no point in further indulgence—none whatever. I hope very much that the Senater from Arizona will withdraw his request for a unanimous-consent agreement. Such an agreement as is now proposed would carry the debate over into the middle of next week, unless night sessions were held.

Mr. McFARLAND. Mr. President, I give notice that we are going to hold night sessions after tonight. We shall begin at 10 o'clock in the morning, and we will have night sessions on Friday and Saturday nights. Altogether too much time has been allowed. If the Senator from Georgia wants me to withdraw my request, I am willing to withdraw it. I leave it as it is, and if any Senator wants to object, I will let it go.

Mr. HUMPHREY. Mr. President, I feel obliged to make a brief comment on the remarks which have been made——

The PRESIDING OFFICER. The Senator from Tennessee [Mr. KEFAUVER] has the floor. He yielded to the majority leader to make a unanimous-consent request.

Does the Senator from Tennessee yield to the Senator from Minnesota?

Mr. McFARLAND. Mr. President, if any Senator wants to object to the unanimous-consent request, it is all right with me.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona?

Mr. LANGER. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. HUMPHERY. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield to the Senator from Minnesota for a question.

Mr. HUMPHREY. There has been a desire on the part of the junior Senator from Minnesota and those associated with him to make progress on this bill. There has been a desire to limit debate ever since Saturday of last week. There has been a desire to limit the debate to a half hour, with the exception of four amendments which were offered as of Saturday of last week.

Mr. President, I personally take exception to the comment that the effort is one of politics, because I will say that the politics in this bill is not on the side of those who are proposing this amendment, because it is not politics to ask the American people to pay more taxes; and that is what we are doing. What we are putting up a fight for is to see that some of those who are not paying their fair share of the taxes pay it, and we are also putting up a fight to meet, for the first time, the requirement that many have asked for, that is, the requirement of a balanced budget. We have heard a great deal of loose talk about balancing the budget, but when someone makes a determined effort to balance the budget someone else objects to it.

I take sharp exception to what has been said. We are fighting about billions of dollars of revenue. We lost $500,000,000 yesterday because we did not adopt an amendment which would put the effective date of the corporation tax back to January 1. I think that was something worth fighting for. I insist that we proceed according to the general outline of the majority leader; that we proceed to make progress on this bill, in which effort we shall cooperate.

Mr. McFARLAND. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. McFARLAND. I certainly desire to make progress with the bill, but I could not see very much progress made with the unanimous-consent agreement I proposed, so we will go ahead as we are.

May I ask the Senator from Tennessee a question?

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

Mr. KEFAUVER. Yes; I yield.

Mr. McFARLAND. Will the Senator agree to a limitation of debate on his amendment?

Mr. KEFAUVER. I will agree to 45 minutes to a side.

Mr. GEORGE. Mr. President, that is so unreasonable that I would have to object. Let the Senator proceed.

Mr. LEHMAN. Mr. President, will the Senator from Tennessee yield?

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

Mr. KEFAUVER. Yes.

Mr. LEHMAN. I want to join my distinguished colleague from Minnesota in saying that I take personal exception to the remarks of the distinguished chairman of the Finance Committee, greatly as I respect and admire the work he has done on this bill, his high motives and the industry which he has shown in this instance, as in every other instance with which I have been familiar since I came to the Senate 2 years ago. But for him to impute political motives is, I think, unreasonable and unfair. My associates and I are fighting to make this bill productive, and in the interest of all the people of the United States. There is no doubt that we are facing a deficit of from $10,000,000,000 to $15,000,000,000. All the bill as it now stands will raise during the current year—and I am now quoting from the statements made on the floor by members of the Finance Committee—all that will be raised during this current year will be less than $3,000,000,000, leaving a deficit of somewhere between $10,000,000,000 and $12,000,000,000.

Mr. GEORGE. Mr. President, may I remind the Senator——

Mr. LEHMAN. The Senator from New York has not yielded.

The PRESIDING OFFICER. Does the Senator yield?

Mr. GEORGE. Let us finish the bill or we will not raise anything during this current year.

Mr. LEHMAN. The Senator from New York has not finished and does not yield.

The PRESIDING OFFICER. Let the Senate be in order.

Mr. LEHMAN. I say that I believe the bill, as it now stands, favors men of high incomes, corporations, and others, and discriminates against the man of small and moderate income.

Mr. GEORGE. Mr. President, I resent that statement, and no man worthy of a seat in this Senate will make that statement. [Manifestations of disorder in the galleries.]

The PRESIDING OFFICER. The Senate will be in order and also occupants of the galleries.

Mr. GEORGE. And I am willing to go to the American people on it.

Mr. LEHMAN. The Senator from New York has not yielded and I say that the Senator from New York does not withdraw——

The PRESIDING OFFICER. The Senator will suspend. Let the Chair admonish the occupants of the galleries that they are the guests of the Senate, and they must preserve order.

Mr. LEHMAN. If the Senator from New York and his colleagues were not convinced that we are fighting for an equitable bill, a bill that would come at least within hailing distance of a balanced budget, do you think for a moment that we would be standing on the floor of the Senate battling with all our hearts, with all our power, with all our might for the achievement of that end?

As the Senator from Minnesota has said, to fight for higher taxes, for higher revenue, is an unpopular thing, not a popular thing. That is why we are justified in resenting the implication and the imputation that we are seeking to debate and to fight for our principles in this matter for political reasons, for political advantage. The only thing we can achieve in this matter is, first, loyally to serve the interest of the people of the United States; second, to serve the people of the United States by bringing the revenues at least within hailing distance of the appropriations, all of which have been voted on by substantially every Member of the Senate, and to which we are obligated.

The third thing we are fighting for is equity and fairness to all the people of the United States, rich and poor alike. I hope that that will be understood, and that the implication that was stated here 15 minutes ago shall not stand unchallenged. I am unwilling, as was my colleague from Minnesota, to allow it to stand unchallenged.

Mr. KEFAUVER. I send to the desk my amendment numbered 24.

Mr. McFARLAND. Will the Senator yield for a question?

Mr. KEFAUVER. Yes, I yield.

Mr. McFARLAND. Mr. President, I plead with all the Members of the Senate to get down to consideration of this bill seriously, as we have throughout the previous days of its consideration. I am sure that long debate on the bill is not going to accomplish very much. I call attention to the fact that we have promised to recess by 6 o'clock this evening to accommodate our friends on the other side of the aisle.

I gave notice of an all-day session tomorrow and a session tomorrow night, and an all-day session Saturday and a session on Saturday night. I know it is going to be hard on the Senate to meet that call. It is not necessary to do that. Not only do Senators jeopardize the health of the Members of the Senate, but they jeopardize their amendments when they prolong the debate. I hope the Senator from Tennessee will limit himself to a half hour to his side, on his amendment. I plead with him to do that in order that we may conclude for today by 6 o'clock.

Mr. KEFAUVER. Mr. President, I have no desire to talk at any length, but the amendment provides for an entire section, and the Senator from Maryland [Mr. O'CONOR], the Senator from Wisconsin [Mr. WILEY], the Senator from Wyoming [Mr. HUNT], and the Senator from New Hampshire [Mr. TOBEY] join with me in sponsoring the amendment.

Mr. McFARLAND. Very well. I will not ask the Senator to limit himself.

Mr. KEFAUVER. Mr. President, I send to the desk amendment designated 9-22-51-24, offered by me on behalf of myself, the Senator from Maryland [Mr. O'CONOR], the Senator from Wisconsin [Mr. WILEY], the Senator from Wyoming [Mr. HUNT], and the Senator from New Hampshire [Mr. TOBEY].

The PRESIDING OFFICER. Does the Senator desire the amendment read, or does he ask that it be printed in the RECORD?

Mr. KEFAUVER. I ask that the amendment be printed in the RECORD at this point.

The PRESIDING OFFICER. Without objection it is so ordered.

The amendment offered by Mr. KEFAUVER for himself and other Senators is as follows:

On page 251, beginning with line 4, strike out all through line 6 on page 259.

At the proper place insert the following:

"SEC. —. Illegal businesses.

"(a) Illegal wagering.

"(1) Disallowance of business expenses: Section 23 (a) (relating to deductions from

gross income) is amended by adding at the end thereof the following new paragraph:

"'(3) Illegal wagering: No deduction shall be allowable under paragraph (1) or (2) to a taxpayer for any expense paid or incurred in or as a result of illegal wagering.'

"(b) Special records and returns: Section 54 (relating to records and special returns) is amended by adding at the end thereof the following new subsection:

"'(g) Wagering houses.

"'(1) Additional records: Every person liable to any tax imposed by this chapter who operates a wagering house shall file an annual return, which shall contain or be verified by a written declaration that it is made under the penalties of perjury, listing records of net daily gains and losses resulting from wagering transactions during the taxable year and shall, in addition to such other records as may be prescribed to be made under subsection (a), keep such records, render under oath such statements, make such other returns, and comply with such rules and regulations as the Secretary may from time to time prescribe.

"'(2) Illegal wagering: Every person liable to any tax imposed by this chapter who operates a wagering house illegally shall, in addition to such other records as may be prescribed to be made under this chapter, keep records of every wagering transaction, the amount wagered, the name and address of every person participating in the wagering transaction, and the date of such wagering transaction.

"'(3) Inspection: All books and records of wagering houses shall be open to inspection at all times by agents of the Bureau of Internal Revenue upon identification and request.

"'(4) Definition: As used in this subsection the term "wagering house" means any room, building, vehicle, vessel, or other place in which wagering transactions are carried on as a business.

"'(5) Penalty: Any person required under this subsection, or required by law or regulation made under authority thereof, to make a return, keep any records, or supply any information, who willfully fails to make such return, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than 2 years, or both, together with the costs of prosecution.'

"(c) Individuals engaged in illegal businesses: Section 54 (relating to records and special returns) is further amended by adding at the end thereof a new subsection as follows:

"'(h) Net worth statements by certain individuals: Every individual who has, during the taxable year or during any of the 5 years preceding the taxable year, received gross income in excess of $10,000 from one or more unlawful trades or businesses, shall file with his return for the taxable year, in such form and in such detail as the Secretary may by regulations prescribe, a statement of net worth showing, as of the close of the taxable year, each asset and liability of such individual, of such individual and his spouse jointly, and, in the case of a joint return by an individual and his spouse, each asset and liability of such spouse. Such statement shall contain or be verified by a written declaration that it is made under the penalties of perjury.'

"(d) Preservation of records: Section 54 (relating to records and special returns) is further amended by adding at the end thereof the following new subsection:

"'(i) Preservation of records: Every person required to keep records pursuant to the provisions of this section or pursuant to regulations issued under the authority thereof shall retain such records for a period of 7 years after the time of the transactions to which they relate.'

"(e) Effective date: The amendments made by this section shall be applicable only with respect to taxable years ending after the date of enactment of this act."

Mr. KEFAUVER. Mr. President, the amendment is offered on behalf of the members of the former Senate Crime Investigating Committee. I think it is important first to examine part VI of the bill, which has to do with wagering.

This provision provides for a special tax of 10 percent of the amounts bet in an organized lottery, where the people are not all present at the time the lottery is operated. It provides also for a tax of 10 percent of the amount which may be bet with bookmakers, provided, however, that if a bookmaker lays off any part of a bet with a so-called lay-off man, he may claim credit for the amount so laid off, and the person to whom it is laid off will have to pay the tax. The interpretation and explanation would apply to the policy business or the numbers racket which is prevalent in so many large cities.

The bill also provides for an occupational tax of $50 for each person who is engaged in wagering. That means that any person who is operating a lottery or any person who is engaged in the numbers business or who may be an agent operating for someone else, will have to pay an occupational tax of $50 in order to carry on his business. It is calculated that this tax would raise $400,000,000 a year.

I wish to show—and the other members of the committee join with me in the idea—that this tax would not raise such an amount of revenue. If the laws against gambling are strictly enforced, and if the income tax laws are amended as we propose in the substitute amendment, a great deal more money will be recovered that way. Moreover, a great deal more money will be forced into the legitimate channels of commerce, where the State and Federal Governments will receive taxation.

I realize that the Committee on Finance has been hard put to find methods of raising revenue. However, it is our opinion that this is the wrong approach, and that the ill results would be much worse than would be justified by the amount of revenue which might result from the amendment.

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

Mr. KEFAUVER. Let me speak for a few minutes, and then I shall be glad to yield.

The proposal to impose a tax on wagering is morally offensive. It cannot be enforced, and it will not raise a substantial amount of revenue. It will drive bookies underground, and will discourage local and State officials from enforcing their laws against gambling.

Let it be pointed out that this provision does not apply to the operators of casinos. It does not apply to roulette, organized club games, and other types of gambling. It applies only to the three specified types of gambling.

First. A Federal tax such as proposed in this measure would put the stamp of United States Government approval on gambling outlawed in 47 out of 48 States. It is true that the United States has never made a distinction between taxing sources of income—whether legal or illegal. But what we are asked to do here is to impose a special levy on gambling applicable to professional gamblers and paid by them. It is far different from merely saying to all taxpayers—whatever their incomes and whatever their occupations—that they must pay a tax on all their earnings equally—whether obtained from their labor, dividends, gifts, or their ill-gotten gains.

I say that this tax is not in keeping with the best instincts of our people. It purports to accept the existence of an evil, and accept it as a way of life. By authorizing the United States to take its cut out of the illegal gambling, in effect we make Uncle Sam a partner with "Greasy Thumb" Guzik, Jimmy Carroll, Tony Accardo, and the Capone mob. It would put the cloak of respectability on the activities of the bookies, the policy-number operators, and their accompanying criminal activities.

I ask, What is the purpose of this tax? If it is to raise revenue—and I will show later that the Federal Government would collect far less than estimated—why not tax the gambling casinos which still flourish in our great cities, the organized crap games, roulette, draw poker, blackjack, noncharity bingos, and other games that mulct our people of huge sums each year? And why stop at gambling? Why not tax the profits of other organized criminal activities such as prostitution, moonshining, narcotics trade, and extortion and shake-down rackets?

But if the purpose is to suppress gambling, root out the racketeers, curb crime, and expose corruption, let us attack the problem directly. The Crime Investigating Committee has made many legislative recommendations for dealing with organized gambling and other criminal activities. These proposals—which have been carefully drawn after many months of hearings—place upon the local communities the final responsibility for ridding themselves of gangster elements. Let us not attempt to use the Federal tax authority to do a job which it cannot do and is not designed to do. Let us not convert the Internal Revenue Bureau into a crime-control agency.

Let us consider for a moment what would have to be done in order to enforce this tax. In the city of Chicago it was found that there were 26 large policy wheels operating at one time. The net take was estimated to be $150,000,000 or more annually. The associate counsel of our committee estimated that 5,000 or 6,000 runners, or perhaps more, were operating the policy wheels. In the city of Philadelphia alone it was estimated that there were two or three thousand persons engaged in the numbers racket. How many revenue agents would it take to go out and find out who those persons are and make each of them pay a $50 tax in order to operate? The policy wheels operate first in one house and then in another.

We cannot have successful law enforcement unless the local people have

the responsibility. This provision would put a veritable army of tax men into the local law enforcement field, in everybody's back yard, and change our traditional method of law enforcement, which places the primary responsibility upon the local people.

Furthermore, if crime still continues in the lottery, bookmaking, and policy businesses, the local people are going to be writing to Members of Congress and asking us why we do not do something about it. The local people are going to be discouraged in their efforts, and made to feel that it is the Federal Government's responsibility. Or if the Federal Government cannot find anyone on whom to impose an occupational tax, the local people will naturally say, "There are no bookies or policy runners in this particular city, because the Federal Government cannot find them."

Second. The 10-percent gambling tax cannot be effectively enforced. Traditionally under our system, payment of taxes has been voluntary. The Bureau of Internal Revenue relies largely upon the cooperation of citizens for compliance with the tax regulations. The method of collecting the gambling tax would follow the same pattern if the plan proposed, requiring books to be kept, were followed. If forms are sent to the taxpayers and they do not put in the proper information, the forms can be sent back, or they can be required to furnish full statistics. But it is another thing to send a veritable army of internal revenue agents into every city in the country, when such agents are not available, and try to track down a particular bookie, who is operating on a transitory basis, in order to try to collect a tax from him.

Under this proposal, bookmakers and the numbers operators, their agents and runners would register with the Internal Revenue Bureau and pay an occupational tax of $50 a year. As part of his registration, a professional gambler would have to identify those persons receiving wagers on his behalf and in addition disclose the identity of those persons for whom he may be acting as agent.

The operators would be required to keep books, including a daily record of the amount of wagers received. The 10-percent tax on the wager proper would be paid by the horse-race bookie or the lottery operators, or by any other person conducting the pool as principal. Monthly returns of tax would be required.

Of course, what would happen would be that the bookie, if he paid a tax, would merely pass the tax on to the unfortunate customer. By this process the victim, who apparently would be encouraged to bet, would have to pay the tax.

Is there anyone naive enough to believe that the racketeers who control commercialized gambling in this country will admit that they are bookies and pay the tax?

Is it realistic to expect gamblers to sign their own death warrant by registration? Will Costello, Joe Adonis, Meyer Lansky, the Morettis, Guzik, Sam Beard or Nig Rosen oblige the Government and keep records of the amounts of wagers placed with them and voluntarily declare the amount of levies due the Treasury?

Will men who have flouted income-tax regulations for years, who fail to report their true earnings, who refuse to itemize their income or expenses now come clean because the United States Government needs new revenues?

Enforcement will be one of the most formidable tasks ever undertaken by Internal Revenue Bureau. It will require thousands of agents trained in criminal investigation to bring out compliance and collection of taxes.

Mr. Dunlap, the newly appointed Commissioner of Internal Revenue, appeared before the committee, and I made inquiry of some Treasury officials. They are not prepared to enforce this tax. If they are not able to enforce it, as will be the case, they will be held up to ridicule, and thus there will be a lessening of respect for this great department of our Government. Furthermore, they will be blamed for the continuation of this type of gambling.

Enforcement will be one of the most formidable tasks ever undertaken by the Internal Revenue Bureau. As I said, it will require thousands of agents trained in criminal investigation to bring about compliance and collection of taxes. It may involve tracing hundreds of transactions through dummy corporations, agents, subagents, and runners, and penetrating the hundreds of artful devices to conceal the identity of those liable for payment.

In brief, the registration requirements and the tax will drive the bookies underground.

Professional gamblers are crafty men. They will devise new methods of evading payment and new tricks of deception to thwart the Internal Revenue Bureau.

Investigation on the part of the Bureau aimed at determining whether the returns and supporting records of these individuals are false or fraudulent so as to sustain a charge of criminal tax evasion, is frequently a long, difficult and time-consuming process, Bureau officials report.

I think that the Treasury experience with the collection of income taxes from the gamblers and racketeers belies any hope that the Government will get considerable revenues from this source.

The Treasury each year is defrauded of huge sums of money in taxes by those engaged in organized gambling activities. Their returns, for the most part, are fraudulent; their incomes are grossly understated. The amount of tax they pay has no relation to their gross earnings or taxable income.

Mr. O'CONOR. Mr. President, will the Senator yield, or does he prefer to finish his statement?

Mr. KEFAUVER. I should like to finish my statement, if I may.

Lastly, Mr. President, a Federal gambling tax would hurt, not help, enforcement of antigambling laws at the local level.

Most States have outlawed offtrack betting, gambling casinos, number lotteries, and other commercial gambling activities.

Registration of their occupation by gamblers with a Federal agency, is an integral part of the gambling tax, and will be misunderstood by our citizens. They will look upon it as Government sanction of their activities. The underworld will be heartened. The consequences for local crime enforcement will be grave. Public apathy toward the existence of commercialized gambling and attendant gangster activities will increase. This will result in discouraging those local and State enforcement officials who have been earnestly and zealously trying to control crime. There will be a natural tendency to rely upon Treasury agents to rid local communities of crime. As Federal investigators project themselves directly into the domain of local police authorities, responsibility of State officials will be weakened. Internal Revenue agents may become crime busters instead of tax collectors.

As the Wall Street Journal said, if ever there was a plan to burn down city hall to get rid of rats, this is it.

Mr. President, it is not a question of revenue or no revenue. The substitute carries with it provisions which would keep the law as it is and encourage the local communities to go ahead with their efforts, in which they are making real headway, to drive out the racketeers and gamblers and to stop gambling, instead of discouraging them by giving gangsters quasi sanction through the imposition of a special kind of tax by the Federal Government. That is what the provision in the bill could be interpreted as doing.

In the case of slot machines many racketeers say that it is not too bad to have slot machines, because the Federal Government charges a tax on them. Many enforcement officers say, "Well, if it is all right for the Federal Government, it ought to be all right with us."

I do not approve particularly of a slot-machine tax, but there is quite a difference between a special tax on an instrument like a slot machine and a tax on a method of life or doing business. It would be interpreted as giving a sanction to the methods of gamblers, and it would discourage local law-enforcement officers. Furthermore, it would pass the responsibility for enforcement onto the Federal Government, and the Federal Government would not get any substantial amount of money, certainly not so much money as would be provided by the amendments which are offered in the nature of a substitute.

What are these amendments? First, we have found that many persons operating gambling casinos charge off good will. In Florida it is called ice. It is the payment which is made to enforcement officers. In California it is called juice. They charge it off as a part of operating expenses. They charge off a tremendous amount. Of course, they keep their books dishonestly, in the first place. So the first amendment would prevent the charging off of expenses paid or incurred as a result of illegal wagering.

Many States, including California, have passed laws of this kind. From such laws they have obtained a great deal of money. A great amount of reve-

nue money would be brought into the Federal Treasury by the adoption of the first part of the substitute. Much more money would be collected than by giving quasi sanction to the operations of these people.

The second part of the first amendment would require gambling houses to keep daily records.

By reason of the way in which gambling houses do business it is not possible to know how much money they actually make. In my opinion, they defraud the Government of millions of dollars a year. In other words, they have a bankroll, and at the end of the season, after keeping it in a pocket or a drawer, they merely state what they owe the United States Government. Frequently they keep the amount in their heads. We have heard witness after witness testify that he keeps the amount of the bankroll in his head. At the end of the season a gambler tells his auditor what the amount of the bankroll is. He may keep the amount on a piece of paper. After he tells the auditor what the amount is, and the tax is figured, the paper is torn up. There is no record left of the amount.

The second part of the substitute provides that persons who are engaged in illegal wagering must keep detailed records of each wagering transaction. The books must be kept open for inspection. A real penalty is provided in the bill for failure to keep records. A penalty is now provided, but it is not enforced by the Internal Revenue Bureau. The amendment provides a real penalty for failure to keep records.

The amendment requires the keeping of records for 7 years. Those who do not keep them for that period of time will be guilty of a felony. That provision is proposed because the statute of limitations in particular cases runs after the passage of 6 years.

The last part of the amendment provides that if during a given year anyone earns more than $10,000 on an illegal transaction or in an unlawful trade or business, he must file a statement of net worth with his income-tax return.

The field agents of the Bureau of Internal Revenue were unanimous in saying that the one thing which would help them in getting after the racketeers and gamblers would be to require them to file statements of net worth, so that it would be possible to have a beginning point to use in connection with trying to make out a case against them.

Practically all the cases which are made against racketeers—for instance, the cases which have been made against Mickey Cohen, Guzik, Sam Beard, or any of the others—can be made only after many, many years of building up what are called net-worth cases, in connection with which it is necessary to determine what funds or other assets such persons have at a given time; and perhaps in that connection it is necessary to go back to a time when that person was in bankruptcy, and then reconstitute his entire economic life from that point up to a certain more-recent time, in order to prove that he has made more money than he has reported in his income-tax returns. If it is possible to establish a beginning point in connection with the participation by any person in a big-time, unlawful activity, the making of a case against him is greatly facilitated.

I know that I was impressed by the testimony of some revenue agents in California who were working on the case of a big-time gambler who recently has been indicted, a man named "Bones" Remmer. Those agents said they had quite a large squad working over a period of 6 years in studying that man's activities for the past 20 years. They were trying to find out what he had received and what he had spent. They were endeavoring to make a case against him.

Mr. President, today the people are taking a real interest in the enforcement of the laws against gambling. This is no time to give the people a set-back, by creating the impression that in the eyes of the Federal Government it is all right for this sort of thing to go on. This is no time to give such activities a quasi sanction.

In many editorials in many of the outstanding newspapers, such as the Wall Street Journal and the Washington Star, and in many editorials in magazines the position is taken that a refusal by Congress to adopt the amendment we are proposing would constitute an invasion of the field of law enforcement and would be a discouragement to enforcement officers.

Furthermore, Mr. President, every one of the amendments contained in the substitute was considered by the American Bar Association's Commission on Organized Crime. That commission is headed by Judge Robert Patterson, an outstanding lawyer; and eight other distinguished members of the American Bar Association serve on the commission. They unanimously recommend every one of the amendments contained in the substitute. It was submitted to the house of delegates of the American Bar Association, at the meeting last week in New York; and each of the amendments was approved by the members of the house of delegates.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point the findings of the special committee of the American Bar Association which were approved by the house of delegates of that association, approving the four items which were submitted today as a substitute, and which will be offered again tomorrow.

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

The tax bills designed to assure collection of lawful taxes from gamblers and persons who operate illegitimate enterprises—S. 1529, S. 1531, S. 1532, S. 1660, Eighty-second Congress—approved.

In its second and third interim reports, the Senate Committee pointed out that the Federal Government was losing huge sums in tax revenue because of the failure of gamblers, gangsters, and underworld characters to make adequate tax returns on their incomes. Accordingly, the Senate Committee introduced four bills which are designed to make it possible for the Federal Government to compel such individuals to pay their lawful taxes. S. 1529 would add a new section to the Internal Revenue Code, requiring gambling houses to keep daily records of gains and losses resulting from wagering transactions, during the taxable year. In every State in which gambling houses are illegal, moreover, persons operating gambling houses must keep records of every wagering transaction, the amount wagered, the name and address of every person participating in the wagering transaction and the date of such transaction. These books and records must be open to inspection at all times by agents of Internal Revenue. Failure to keep the records required or to make proper returns is punishable by a 2-year imprisonment, a $10,000 fine, or both.

The cash "take" from gambling casinos is fantastic in amount. The present controls over the tax returns of such casinos are completely inadequate. They are inadequate in a State like Nevada where the gambling casino is legal and are practically nonexistent in States like Florida and Louisiana, where such casinos operate openly in violation of State law. This bill requires gambling casinos in places where they are legal to keep daily records of wagering transactions. In addition in States where gambling casinos are illegal the individual gambling transaction itself must be recorded. It is obvious that this proposed statute makes it possible to keep some check on the returns of the gambling casinos. In addition it gives the Federal Government some means of dealing with the owners of the casinos who cheat on their tax returns. Since the operation of gambling cosinos is largely in the hands of underworld characters and of crime syndicates, this bill is approved.

S. 1531 would add a new subsection to Section 54 of the Internal Revenue Code and require taxpayers to retain income-tax records for a period of 7 years after the time of the transactions to which they relate.

At the present time 54 (a) of the Internal Revenue Code requires taxpayers to keep such records as the Commissioner of Internal Revenue may from time to time prescribe. But this section does not state how long such records must be kept. Under present Treasury Department regulations, taxpayers may be required to keep income tax records for as long as 6 years.

In the investigations of alleged income tax frauds on the part of gangsters, gamblers, and racketeers, investigators have been confronted over and over again with the statement that the records on the basis of which the returns were made, were destroyed shortly after the returns were filed. This type of evasion becomes more difficult under the instant bill, since it requires records to be kept for a period of 7 years. If the taxpayer claims the records have been destroyed, he subjects himself to the penalties provided in the Internal Revenue Act.

The bill is approved.

S. 1532 would add a new section to section 23 of the Internal Revenue Code, which would make it clear that no deductions shall be allowable in computing net income for tax purposes "for any expense paid or incurred in or as a result of illegal wagering." At the present time, there is nothing to prevent the expenses paid or incurred in the conduct of illegal gambling enterprises from being deducted from gross income tax purposes.

Section 23 of the Internal Revenue Code contains a provision that losses from wagering transactions can be deducted annually "to the extent of the gains from such transactions," in computing income for the purposes of taxation. The bill strikes out this proviso. It provides that there shall be no allowance for losses from illegal wagering transactions.

The practice of permitting racketeers and criminals to deduct the operating expenses of illegitimate enterprises from their gross

incomes for the purpose of taxation is thoroughly undesirable. If a man makes money out of crime, he should pay income taxes like everyone else. However, the tax should be paid on the "gross take" and not on the "take" minus "expenses." Only too frequently these expenses include protection for law enforcement officials. Moreover, there is absolutely no way of checking the amount of such expenses. Only too frequently the returns of racketeers and criminals have listed an arbitrary figure for expenses of carrying on their enterprises, so that as little income tax as possible is paid. Gamblers are also inclined to state that their losses exceed their gains so that they do not have to pay any taxes at all. This bill forbids the deduction of such losses and requires gamblers to pay income taxes on their entire reported gains.

The bill is approved.

S. 1660 would add a new section to the Internal Revenue Code and require every individual who for any one of five preceding years received a gross income in excess of $2,500 from unlawful trades, businesses, or transactions, to file with his tax return a statement of net worth showing "each asset and liability of such individual." This statement must be verified "under the penalty of perjury."

Assistant Attorney General Caudle made a statement to the Senate committee in which he pointed out how necessary it was to have net-worth statements in connection with investigations of the income-tax returns of persons engaged in criminal activities. He stated that "Cases involving racketeers are difficult to prove. Gamblers and gangsters do not keep books to show their receipt of income. Therefore, it is usually necessary for the Government to rely on their year-by-year increases in net worth and their known expenditures. To make this type proof stick in court we must establish a beginning point from which to figure annual increases in wealth. And because these characters must hide their activities it is always difficult and sometimes impossible to establish a starting net worth which excludes the possibility of other hidden wealth."

Had the requirement of the proposed bid been written into the law some years ago, the investigations by the Senate committee into the activities of such characters as Frank Costello, Frank Erickson, Sheriff "King" Clancy in Louisiana, and Sheriff James Sullivan and Walter Clark in Florida, and Chief Investigator Gilbert, of Cook County, would have been considerably facilitated. The requirements of the proposed bill would give the Government an essential point of reference for the income-tax investigations of persons engaged in illegitimate enterprises or of faithless public officials who receive graft payments from criminals and gangsters.

Accordingly, Senate 1660 is approved.

The Treasury Department has in recent months taken steps to set up special squads and organize special procedures for checking upon the income-tax returns of known or suspected gamblers, gangsters, and racketeers. The four above-mentioned bills facilitate the task of checking upon the returns of such characters. They make it possible for the Government to obtain a larger share of the illicit returns of gamblers, racketeers, and criminals. All of the aforementioned bills should therefore be approved, since they assist Treasury agents to compel individuals to pay lawful taxes on illicit income.

One other method of taxing illegal enterprises should be called to the attention of the Senate Committee and of the Congress of the United States. We recommend that all persons, firms, or corporations which are in the business of taking bets or wagers, operating gambling pools, manufacturing or selling slot machines, punchboards, or other gambling devices or operating lotteries, policy games, or gambling rooms, should be required to register with the Treasury Department, and to disclose the names of all persons who have a beneficial interest in their operations. In addition, such persons, firms, or corporations should be required to pay a $500-a-year excise tax as part of the mandatory registration. All registration statements should be public records and thus available for inspection by law-enforcement agencies. Failure to register should be subject to penalty.

In addition we recommend that Congress pass the provisions contained in chapter 27A of revenue bill H. R. 4473. This chapter would make every person "who is engaged in the business of accepting wagers" liable for an excise tax of 10 percent on any wager with respect to a sports event, wagering pool, lottery, or "numbers" game.

The advantages of the aforementioned proposals are that they compel the operators of gambling enterprises to come out into the open and register, or face Federal prosecution for refusing to do so. In addition the Federal tax authorities may reach 10 percent of the gross amount which has been bet or wagered, and whether lost or won.

Mr. KEFAUVER. Mr. President, if the substitute is rejected, it will be our intention to offer, first, an amendment to strike out the wagering section of the bill; and then we shall offer, one by one, the amendments which we have prepared, which will require the keeping of books to prevent "charge offs." Such amendments will result in bringing into the Federal Treasury a tremendous amount of revenue—in fact, much more revenue than will be provided by the bill as it now stands.

Furthermore, Mr. President, the adoption of the amendments we propose will avoid a reversal of our traditional method of law enforcement, and will avoid the sanctioning of wagering and gambling activities.

Mr. O'CONOR. Mr. President, will the Senator from Tennessee yield?

The PRESIDING OFFICER (Mr. MOODY in the chair). Does the Senator from Tennessee yield to the Senator from Maryland?

Mr. KEFAUVER. Yes. In fact, I am ready to yield the floor.

Mr. O'CONOR. Mr. President, I should like very much to have the opinion of the able Senator from Tennessee, for the record.

In preface to the questions which I should like to ask him, I say that it is the considered opinion of those of us who served with him that he has done a remarkable work and has made a distinct contribution to the entire cause of law enforcement, in bringing to light conditions which heretofore have not been exposed.

Because of the experience the Senator from Tennessee has had, it occurs to us that he is in the best position to give advice in regard to conditions existing in the country today.

Particularly, Mr. President, I should like to ask the Senator from Tennessee regarding certain deductions of alleged expenses which are being allowed and which in the past have been allowed by the Bureau of Internal Revenue in the case of the tax returns of known gamblers and other persons who have been active in illegal wagering.

I should like to ask the Senator from Tennessee whether, in addition to the items to which he has referred, which I understand are known as "ice" and "juice"—in other words, protection money—other items have come to the attention of the committee in the course of the investigation. I refer to items which apparently have been allowed by the Bureau of Internal Revenue as deductions, items which are classified as "good will," but which really are of a highly questionable nature.

Does not the Senator from Tennessee feel that the deductions which have been allowed in connection with the tax returns of a number of persons engaged in gambling activities are improper deductions and would not be allowed if these amendments were adopted?

Mr. KEFAUVER. Mr. President, I appreciate the question the Senator from Maryland has asked. Undoubtedly it is true, as was brought out in the course of the hearings when the Senator from Maryland was chairman of the committee, that all kinds of deductions are taken by such persons in connection with their income-tax returns, although such deductions are not proper. Among them are so-called contributions and so-called good-will items, to which the Senator has referred, which we showed actually were paid as protection money. Among them was money paid in an effort to purchase the editorial page of a newspaper, for the purpose of publishing advertisements.

If the part of the substitute which relates to such items is adopted, in my opinion it would result in the collection of a great deal more than $100,000,000 in additional taxes. That would be the result if we would simply prevent the taking of such improper deductions.

Mr. O'CONOR. Mr. President, will the Senator from Tennessee yield for a further question?

Mr. KEFAUVER. I yield.

Mr. O'CONOR. From the report the Senator from Tennessee made to the Senator some time ago—I refer to the third interim report of the Special Committee To Investigate Organized Crime in Interstate Commerce—I now shall read, at page 83. I shall not mention the names of the persons there referred to; instead, I shall read this portion of the report in order to point out a typical case.

After describing the conditions which were found to exist, for example, in the State of Louisiana, it was reported that one of the men said that—

> On occasions when deputy sheriff—
>
> I omit the name—
>
> came into the club, one of the managers would instruct him to withdraw sums of over $1,000 for "ice" or protection.

Has the Senator from Tennessee found that on many occasions situations of that sort have existed, and that money for protection was not only asked for by certain law-enforcement officers, in connection with illegal wagering activities, but was allowed as a deductible expense in connection with the income-tax returns?

Mr. KEFAUVER. Yes, it is true that such testimony was given by certain witnesses in Louisiana; and similar testimony has been received from witnesses in practically every section of the country, namely, that 10 percent or even a larger amount of the funds received from such wagering activities would be paid for "protection," and then the amount remaining would be reported in the income-tax return.

Regardless of whether such persons had the effrontery to state in their income-tax returns that such amounts had been paid to law-enforcement officers for "protection," at least it is true that substantial deductions have been taken for such "protection."

Mr. O'CONOR. I recall a case in which the Senator from Tennessee exposed a situation in which a gambling house actually spent approximately $26,000 a month for the transmission of information, and I recall testimony that between 500 and 1,000 telegrams a day were sent.

Mr. KEFAUVER. That is correct.

Mr. O'CONOR. In regard to the proposed requirement—which would be in the law if the Senator's amendment were adopted—that a statement of net worth be filed, does the Senator from Tennessee recall the statement by the Assistant Attorney General, Mr. Caudle, which I have before me? I shall read from page 13 of the report the Senator from Tennessee made to the Senate a quotation from Mr. Caudle's statement, which I think may be of particular interest in emphasizing the need for a requirement similar to the one the Senator from Tennessee has proposed regarding the submission of a statement of net worth. I read now from Mr. Caudle's statement:

> Cases involving racketeers are difficult to prove. Gamblers and gangsters do not keep books to show their receipt of income. Therefore it is usually necessary for the Government to rely on their year-by-year increases in net worth and their known expenditures. To make this type of proof stick in court we must establish a beginning point from which to figure annual increases in wealth. And because these characters must hide their activities, it is always difficult and sometimes impossible to establish a starting net worth which excludes the possibility of other hidden wealth.

I should like to ask the Senator from Tennessee whether that does not, in his opinion, bear out the contention that some such requirement as is embodied in his proposed amendment is absolutely necessary.

Mr. KEFAUVER. That is undoubtedly true, and the Government has hundreds of agents who are tediously working, trying to turn time back to some point perhaps 20 or 30 years ago when the racketeer filed a statement, or when he tried to reconstruct his way of life to prove a net-worth case. In that connection let me say that practically every one of these racketeers testified in a way that is typical of all their evidence. I have here the record showing George Robinson questioning Ralph Capone, a brother of Al Capone, who is now a big racketeer in Chicago. Says Mr. Robinson:

> Mr. ROBINSON. Do you give him a record of your speculation?
>
> He is speaking about what Capone gives to his income-tax man.
>
> Mr. CAPONE. No, sir.
>
> Mr. ROBINSON. It is not broken down or itemized?
>
> Mr. CAPONE. No, sir.
>
> Mr. ROBINSON. You just give him one lump sum to insert in your return: Is that correct?
>
> Mr. CAPONE. That is right.
>
> Mr. ROBINSON. How do you arrive at that lump sum?
>
> Mr. CAPONE. Well, I just keep track of it.
>
> Mr. ROBINSON. How do you keep track of it?
>
> Mr. CAPONE. I keep track of it from day to day.
>
> Mr. ROBINSON. Do you put it down in a book?
>
> Mr. CAPONE. Well, if I win any money today, and I win the next day, I forget about the first day and just keep track of the total balance.
>
> Mr. ROBINSON. How do you keep track of the total balance?
>
> Mr. CAPONE. In my mind.

So he merely keeps it in his head, or on one little piece of paper. That is the way he keeps it.

Mr. O'CONOR. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield to the Senator from Maryland.

Mr. O'CONOR. The Senator from Tennessee has just made the statement that there has been intensified effort of late to circumvent the activities of criminals, and I should like to ask him with respect to the demonstrated need for some further tightening up of the Internal Revenue laws, as he has proposed. Is it not true that following the disclosures by the Senator from Tennessee, the racket squad at the Treasury Department was augmented.

Mr. KEFAUVER. It was following the disclosures of the committee of which the Senator acted as chairman, a great deal of the time.

Mr. O'CONOR. If I may follow it a step further, I have before me a press release from the United States Treasury Department dated September 11, this month, and it shows that as the result of the work of only 3 months, with, of course, the additional force which the Commissioner, John B. Dunlap, has so ably used, additional assessments have been made against racketeers and criminals against whom the authorities have been concentrating, which assessments aggregate a grand total of $5,627,345.34, according to the Treasury Department figures. He enumerates the number of cases, in this and other press releases, and indicates that 27,148 cases were remaining at the end of July, 19,740 having been assigned to racket squads, and of that number 6,175 are already under actual investigation. The question I should like to ask the Senator is whether he does not feel that that indicates there has been need for a tightening up, so that there would not have been necessary such intensified effort as was made at the last minute to thwart efforts to circumvent the law.

Mr. KEFAUVER. The Senator is exactly right. The Internal Revenue Department was not doing what it should to require the keeping of books or to collect taxes from the racketeers and gangsters, and in some cases, as the Senator from Maryland so well knows, some members of the Internal Revenue squad themselves were playing footsy with the racketeers. We particularly found that situation in California. I think it is very fine that the Treasury did follow the recommendation of our committee and set up a special racket squad, which is dealing with income-tax returns of big-time racketeers and gamblers. They have brought in many millions of dollars, and assessments of many millions of dollars more have been made. They are going after these people vigorously at the present time; and that is true all the way down the line. The local authorities are taking a great deal of interest and pride in true local law enforcement, and they resent, at a time when they need encouragement, the Federal Government's coming along and practically recognizing, or in the eyes of the world recognizing, the respectability, at least, of those who are carrying on the sort of thing they are trying to eliminate.

Mr. KERR. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I yield.

Mr. KERR. Does any part of the State of Tennessee have local option or prohibition under the local-option provision of the constitution of the State?

Mr. KEFAUVER. Yes.

Mr. KERR. What part of the State has prohibition under that local-option provision?

Mr. KEFAUVER. I think about two-thirds of the counties have prohibition, and the others are open.

Mr. KERR. Is the Senator aware of the fact that the Federal Government issues licenses for liquor dealers in those prohibition counties of his State which are operating under the local-option provision of the State constitution?

Mr. KEFAUVER. Yes; I am aware of that.

Mr. KERR. Is the result of it a feeling on the part of the officials, or on the part of the people, that the Federal Government is thereby either approving the sale of the liquor or disapproving the local action which has declared it to be prohibition territory?

Mr. KEFAUVER. There are some people, frankly, who feel that it has a bad influence on the enforcement of the prohibition laws for the Federal Government to charge for the stamp. But I dare say the Senator wanted to bring up also the slot-machine matter.

Mr. KERR. I was going to ask the Senator about that in a moment.

Mr. KEFAUVER. Yes, I think some of the local citizens do disapprove; but I believe the situation is different from what might be imagined, as I shall explain.

Mr. KERR. Does not the Federal Government charge a tax on slot machines in about 47 of the 48 States, although it is against the law for them to operate?

Mr. KEFAUVER. Yes, that is true.

Mr. KERR. Does the Senator think the Federal Government should cease to charge a license fee or impose a tax on

slot machines in such States, or tax a liquor dealer in dry territory?

Mr. KEFAUVER. Frankly, since the Senator asks me about it, I think it was a bad thing to start. I think it has been discouraging to local law enforcement officials, and many of the lawbreakers have been able to build up their business on the theory that they were partially sanctioned by the Federal Government. But there is still a difference between slot machines and the matter under discussion.

Mr. KERR. Does the Senator say, then, that the practice I have mentioned is a bad one?

Mr. KEFAUVER. If I had to vote on it again, I would not vote for it.

Mr. KERR. If the Senator had to vote on it now, would he change his vote?

Mr. KEFAUVER. Yes, I would.

Mr. KERR. The Senator says he thinks it makes things difficult for the local law enforcement authorities.

Mr. KEFAUVER. I think it discourages them, and gives the operators respectability.

Mr. KERR. Does the Senator think it discourages the local enforcement official to have the Federal Government identify the law violator and tell who he is, and where he is, where he is operating, and what he is doing? Is that what discourages the local official? Is it the fact that someone is making it public that the law violator is there?

Mr. KEFAUVER. No. Many officers have told us that they did not think much about slot machines, they did not think they were particularly iniquitous, because the Federal Government licensed them. Of course, it did not license them, but it recognized them for the purpose of collecting a special tax.

Mr. KERR. What does the Senator think about a local official who declines to enforce a local law because there is not also a Federal law applying and takes the position that maybe an operation is not so bad if the Federal Government charges a tax on it?

Mr. KEFAUVER. Of course, local officials are supposed to enforce local laws, but many of them have the feeling that if the Federal Government charges a special tax on certain transactions, the Federal Government must think they are not so bad. It causes discouragement to the local law enforcement officials.

Mr. KERR. The Senator has been a part of a crime investigating committee, has he not?

Mr. KEFAUVER. I have been a small part of one.

Mr. KERR. Does the Senator think he discouraged the local law enforcement officials by pointing out who the local violators were and how they were operating, where they operated, and why they were doing it?

Mr. KEFAUVER. No; I think they were encouraged by it.

Mr. KERR. Does the Senator think they would be discouraged by what the Treasury Department would do in a somewhat similar situation?

Mr. KEFAUVER. I do not think the situations are similar.

Mr. KERR. The Federal Government discloses their identity, their location, and what they are doing. That is at least similar to what the Senator and his committee were doing. Is there not that similarity?

Mr. KEFAUVER. It is an entirely different matter.

Mr. KERR. Is there that similarity in the situation? Will the Senator answer that question?

Mr. KEFAUVER. They are being asked to disclose their identity so that the Internal Revenue Department can collect the tax. Some persons think the Department wants to get as much revenue as possible, and, therefore, it wants to encourage——

Mr. KERR. Is there anything in this bill that says the Federal Government wants to encourage gambling?

Mr. KEFAUVER. When there is a tax on something, the natural assumption is it wants to encourage the operation.

Mr. KERR. Does the Senator put that in by his own thought processes or by some language in the bill?

Mr. KEFAUVER. It is by my own thought processes.

Mr. HUNT. Mr. President, will the Senator from Tennessee yield?

Mr. KEFAUVER. I shall be very happy to yield the floor.

Mr. HUNT. I do not especially care to have the floor; I should like to address a question to the Senator from Tennessee.

Mr. KEFAUVER. I yield.

Mr. HUNT. My question is along the line of that about which the Senator from Oklahoma was just speaking. I do not think there is an ex-Governor in the United States Senate but will say that when the Federal Government comes into a State and says to a slot machine operator, "Give me $100, and then go your way and operate as you please," it makes a law enforcement problem for the local officials. The representatives of the Federal Government do not identify the machines, for the reason that the local officials know where the machines are. They do not say to the local officials, "In such and such a place there is a slot machine." They already know that. But the Federal Government collects $100, so that many people think it is all right to operate a slot machine. There will be violations in the community and in the State simply because the Federal Government encourages them. That is just what this provision of the bill will do.

The Federal Government does exactly the same thing with reference to liquor. I think the Federal Government is responsible for a great deal of the illicit liquor traffic in the United States especially in connection with what we call the bootleggers. Officials of the Federal Government go into a community and say to a man, "Give us $25 and we will give you a permit to sell liquor. It makes no difference what the State or local law may be; just pay the Federal Government $25, and you can sell liquor." So the result is that the local law enforcement officials feel that if the Federal Government thinks it is all right, why should they bother themselves.

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

Mr. KEFAUVER. I yield.

Mr. JOHNSON of Colorado. In that kind of a case there is a list of the special taxpayers. The law provides that upon written request of any person a certified copy of the names of any or all persons will be furnished who may be listed in their respective collection districts as special taxpayers, under section 3230, upon payment of a fee of $1 for each 100 of such names or fractions thereof upon said copy as requested. That is a point which the Senator is completely overlooking. That is a very material and substantial aid to a local law enforcement officer if he wants to avail himself of it.

Mr. HUNT. I think the Senator is quite right, if the local law enforcement officer wants to avail himself of it. But after the Federal Government makes a $25 collection, the local officer feels that the activity has the blessing of the Government.

Mr. JOHNSON of Colorado. I should like to comment very briefly on that statement. If the local enforcement officer does not want to enforce the law, if he is looking for an alibi or an easy way out, what the Senator from Wyoming says is true. But that is no reason for condemning the Federal Government for the action which it has taken.

Mr. HUNT. In view of the small amount of money the Federal Government gets from its $25 liquor permits and its $150 slot-machine permits, I think the encouragement it gives a law violator is very detrimental.

Mr. KERR. As I understood the distinguished Senator from Wyoming, he stated that the Federal Government taxes the slot machine, locates it, and makes the information available to the local enforcement officers, but that does not help the local enforcement officers because they already know the machine is operating.

Mr. HUNT. That is correct.

Mr. KERR. If he already knew about it, why did not the local law enforcement officer stop it before the Federal Government identified the machine and told him it was there? The Senator says this bill would give an alibi to a local official who did not want to enforce the law, anyway. I do not see how we can compel a local official to enforce a law if he does not want to, but I do not see how by any interpretation we could say that the action of the Government discouraged local law enforcement.

Mr. HUNT. Does not the Senator agree with me that if the Federal Government collects $150 for a slot machine or $25 for a liquor permit, it is putting its blessing on the transaction?

Mr. KERR. Not at all; quite to the contrary. If the local official does not want to enforce the law and no one catches him winking at the law, he may keep on winking at it, but when the Federal Government identifies a law violator, and the local newspaper gets hold of it, and the local church organizations get hold of it, and the people who do want the law enforced get hold of it, they say, "Mr. Sheriff, what about it? We under-

stand that there is a place down here licensed to sell liquor." He says, "Is that so? I will put him out of business." The people say, "We understand there are slot machines operating, and there is a record of where they are." The people who want the law enforced can put pressure on the local officials.

But, if on the other hand, there is no such information available to the general public, if the local official wants to wink at the violation of the law, he does so, and it is not a situation about which the general public knows. The Senator is aware, as I am, that many a local official has been run out of office and defeated for reelection because the people themselves knew that the local law was being violated and that the official in office was winking at it. When that happens the good people will run that official out of office.

Mr. HUNT. Mr. President, I should like to ask the Senator from Tennessee a question, if I may. I note on page 251, paragraph (b) of section 3285 the following language:

For the purposes of this chapter—

(1) The term "wager" means (A) any wager with respect to a sports event or a contest placed with a person engaged in the business of accepting such wagers.

The question I wish to ask my distinguished colleague is this: Does he interpret that to mean that there is going to be a record made of every wager that ever takes place in the United States?

Mr. KEFAUVER. I must confess I do not know how anybody is ever going to enforce such a provision. I do not think the Internal Revenue officials know, either. Apparently that is what is contemplated, if a lottery is operated for profit. One very strange thing about this provision is that it does not apply to the ordinary horse room where the most vicious type of wagering is going on, because it is provided that if the bets are not paid off, the provision does not apply. It applies to policy running on the idea that it is conducted in some stabilized place. But that is a wrong assumption. The policy runners can pull their numbers anywhere they want to. They do not have any established place of business.

Mr. HUNT. Let me ask the Senator about subsection (c) on page 252:

(c) Amount of wager: In determining the amount of any wager for the purposes of this subchapter, all charges incident to the placing of such wager shall be included; except that if the taxpayer establishes, in accordance with regulations prescribed by the Secretary, that an amount equal to the tax imposed by this subchapter has been collected as a separate charge from the person placing such wager, the amount so collected shall be excluded.

I ask the distinguished Senator from Tennessee: Does that mean that on each wager there is going to be a sort of sales tax collected and remitted over and above the amount of wager placed? I can see no other way that it could be handled.

Mr. KEFAUVER. There is a provision somewhere in the bill that it does not apply in the case of parimutuels. I do not think this is a provision having to do with parimutuels. I assume that what the Senator has asked is what the provision means.

Mr. HUNT. One more question. I refer to paragraph (d), the next subsection:

(d) Persons liable for tax: Each person who is engaged in the business of accepting wagers shall be liable for and shall pay the tax under this subchapter on all wagers placed with him. Each person who conducts any wagering pool or lottery shall be liable for and shall pay the tax under this subchapter on all wagers placed in such pool or lottery.

What I want to know is how it will be possible to get all these gamblers registered in 47 of the 48 States where it is illegal for them to gamble.

Mr. KEFAUVER. Undoubtedly it will simply drive them underground. They are not going to sign a death warrant voluntarily. This would be the first time I know that the Federal tax-collecting system is taken off a voluntary basis and it becomes necessary for Treasury agents to find 3,000 policy runners in a particular city or 7,000 in another city, chase them down, get them to pay their $50 occupational tax, and then see that they pay 10 percent of the amount of money they take in. In my opinion, the provision is impossible of enforcement.

Mr. HUNT. One more question, if I may. I read from paragraph (b) on page 254, as follows:

(b) Where any taxpayer lays off part or all of a wager with another person who is liable for tax under this subchapter on the amount so laid off, a credit against the tax imposed by this subchapter shall be allowed, or a refund shall be made to, the taxpayer laying off such amount.

The Senator from Tennessee knows from his splendid work in the committee he so ably headed that every day thousands upon thousands of lay-off bets are made in the United States. I should like to know how a record is going to be kept of every lay-off bet.

Mr. KEFAUVER. I would say to the Senator it would be absolutely impossible to do it. We will say that a bet is placed with Carroll in St. Louis, where he is taking thousands of bets a day, and that he lays off 50 percent of that bet with Rosenbaum in Cincinnati, or across the river from Cincinnati, and Rosenbaum lays off a large part of it in New York. To trace transactions of that sort would be a hopeless task, and would require more revenue agents than ever could be found anywhere. I say to the Senator that it is a bad practice to put a law on the books that simply cannot be enforced. That causes, as we all know, disrespect for the Treasury Department, the Internal Revenue Bureau, and on the whole, the Federal Government. This law would simply not be enforceable.

Mr. HUNT. I should like to make a brief observation.

Mr. President, I sincerely believe that, first, this is an absolutely unenforceable title in this bill, and, secondly, I disagree with it strongly because I believe that it lends to the gambling element a respectability and license to do business, with the approval and O. K. of the Federal Government, which I do not think they should have.

Mr. KEFAUVER. Mr. President, I simply wish to say in conclusion that there is some difference between a tax imposed on an operation of a slot machine and the special tax that is imposed on doing a certain type of business. As to a slot machine, at least we have an instrument which is a physical thing, that is to be operated. But here we get away from a physical thing in being. Even a tax on liquor is a tax on something that is there, that is material. And the same thing is true of a slot machine.

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

Mr. KEFAUVER. In a moment; let me finish my thought. But when we get away from that, in this gambling tax we are taxing a thing that has no place of business and no instrument by which its operations are carried on. The tax is on an illegal way of life. To my mind, we should never have gotten into the slot machine phase by a special basis. How far are we going to go? Now we are going to tax and put, at least what is going to be considered in the eyes of the public, a blessing on the operation of a form of vice, the running of lotteries, bookmaking and policy making, the three kinds of gambling that are bleeding the people all over the country, taking money away from the housewives and factory workers. The amount that is taken away from the people in this manner is terrific. How far are we going to go? If we are going to do that, then are we going to start placing a special tax on burglary tools? Would we want to share the tax that would be collected from prostitutes in the operation of prostitution? Where is the stopping point going to be?

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

Mr. KEFAUVER. In a moment. I think we are going into the type of thing that is not proper for the Federal Government. In my opinion, we are discouraging local people at a time when they need encouragement, instead of discouragement.

Every editorial I have seen, from the great press of the Nation—and they know a great deal about this problem—takes the same position. I happen to have before me editorials from two of the leading Washington newspapers. This is what the Washington Post of the other day said about it:

An attempt to force gamblers to share their gains with the Government is not only morally indefensible, but the tax itself would probably not yield a great deal of revenue.

I read the last paragraph of the same editorial:

In short, a Federal tax on gambling imposed for the sake of revenue would be no deterrent to tax enforcement of antigambling laws at the local level. On the contrary, imposition of that tax would tend to discourage local enforcement efforts by creating the impression that the Federal Government was disposed to condone illegal gambling activities in its search for more revenue.

Let me read two of the last paragraphs of the editorial in the Washington Evening Star of September 10. I read in part from the editorial:

The Bureau is said to have estimated that at least 3,000 additional agents, trained in criminal-type investigation work, would be needed to enforce the excise and occupational taxes.

Let me say at that point that in my opinion 3,000 would not be one-tenth of the number required, if we were actually to enforce the law and ferret out the transitory bookmakers who are here today and gone tomorrow. They know that if they register they will be signing their death warrants. I think it would require an army of 30,000 to 40,000 special agents. Unless we are to enforce the law, there is no use in enacting it. It would only create disrespect for the Government.

Quoting further from the Star editorial:

Such a force would be encroaching on a field hitherto reserved for local law enforcement agencies. Its job would be, first, to determine whether a suspected evader of the gambling taxes actually was engaged in gambling and, second, what his income from that source amounted to. Local police undoubtedly would welcome the invasion of Federal agents into this field, for it would tend to relieve police of a responsibility rightfully theirs.

But the Internal Revenue Bureau never was intended to become a crime-suppression agency. Congress should give this plan more study than apparently has been given to it to date. In any event, the Bureau could not possibly take on this new burden without a substantial expansion of its present force. If Congress decides to take this drastic step, it should give the Bureau the extra money and staff needed to do the job effectively. Otherwise, the gamblers will benefit from lax enforcement of a Federal law that might encourage lax enforcement of gambling laws at the local level, too.

The imposition of the amendments contained in the substitute, which prevent the charging off of items of operation, would do a great deal toward really eliminating gambling. They would yield many times more than the amount of the proposed tax. The provision which requires the keeping of books would, in my opinion, bring in hundreds of millions of dollars heretofore escaping taxation.

If we can do anything to cut down the amount of racketeering and gambling, if we can continue to give encouragement to the local authorities in their efforts, what will be the result? The result will be to force money which would otherwise go to the professional gamblers into legitimate channels of commerce and trade. I think this point should be understood. Wherever an effort is made with any degree of success to cut down the amount of big-time gambling in any community, the sales of legitimate articles of food, clothing, and other things which the people need and which are worth while immediately go up. As the present occupant of the Chair [Mr. SMATHERS] knows, that is what happened at Miami and Miami Beach when big-time gambling was closed there.

Tests have been made in various counties in Illinois and other States. That has been the inevitable result. The Senator from Wyoming [Mr. HUNT] stated several times that when gambling was eliminated in a particular city in Wyoming—I believe it was Casper—immediately the sales-tax revenue to the State from that particular section increased. So if we can follow a sensible program instead of giving to gambling a quasi-legal status, we shall have a cleaner America. We can get more tax money for the Federal Government, and more for the State governments.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Tennessee [Mr. KEFAUVER].

Mr. JOHNSON of Colorado. Mr. President, the amendment proposed by the junior Senator from Tennessee [Mr. KEFAUVER] would eliminate entirely from the bill the 10-percent tax on gambling.

The Senator from Tennessee has himself estimated that the total annual gambling turn-over in the United States ranges from $17,000,000,000 to $30,000,000,000. Therefore, after making allowance for the exemption of pari-mutuel betting and the exemption for games such as cards and dice which are provided by the bill, the Senator's own testimony indicates that the base of the proposed gambling tax will range from about $12,000,000,000 to about $25,000,000,000 annually, representing a possible tax yield under the 10-percent gambling tax of from $1,200,000,000 to $2,500,000,000 a year. It is this very large potential source of new revenue which the Senator's amendment would strike out of the bill. The committee has estimated the yield of the proposed tax at $400,000,000 a year. As the above figures indicate, this estimate might well prove conservative.

The main concern which has apparently led the Senator to recommend the elimination of the gambling tax is the belief that it will, in effect, sanction the carrying on of gambling activities in violation of State and local laws. The committee did not share this view. Since its inception, the Federal income tax has been applied without distinction to income from illegal as well as legal sources, and it has never been seriously supposed that such application carried with it any implied authorization to carry on illegal activities. No exemption from the Federal liquor taxes is given to bootleg liquor sold in dry States. Moreover, the present tax on coin-operated gambling devices has been applied without regard to whether or not the operation of any particular machine is in violation of State or local law.

No evidence has been submitted which would indicate that such Federal taxation of illegal activities has in any way encouraged the violation of State or local law. The committee's bill conforms to the pattern of the taxes already referred to and imposes the wagering tax without regard to the legality or illegality of the particular transaction. I should like particularly to call to the Senator's attention that the bill specifically provides that payment of either the tax on wagering or the occupational tax on the receipt of wages shall not serve to exempt any person from any penalties provided under either State or Federal law with respect to engaging in the taxed activities.

Just as the proposed tax does not in any way give Federal authorization to illegal gambling, the bill likewise does not in any way contemplate that the Federal Government will take over the enforcement of State and local antigambling laws. The primary purpose of the committee's amendment is to raise revenue, not to encroach in a field which is fundamentally a local responsibility. We are dealing here with a tax bill, not with the criminal code.

Of course, the full, long-range effects of a new tax of this type cannot be predicted with complete accuracy at this time. Substantial compliance with the tax will bring in vast, new amounts of revenue so badly needed at this time. In this regard, it is confidently believed that there will be substantial areas of voluntary compliance with this new tax. On the other hand, where there is willful failure to comply, the Bureau of Internal Revenue will have a powerful new weapon to employ in its enforcement of the tax laws, particularly the income tax, against this racketeering fringe of our population who are thus seeking to evade their full share of the Nation's tax burden. Again, of course, substantial compliance with the tax will result in a further increase in the betting odds which are already stacked against the individual bettor. Indeed, it may be that the proposed 10 percent Federal bite out of every bet will in the long run convince many bettors that they are playing a losing game. For those who are not so convinced—and there will always be a substantial majority who will not be—the committee's bill will exact a Federal tax for their folly. Thus, it is believed that the proposed tax may represent a far more realistic approach to the gambling problem than would the proposals which would, in effect, attempt to legislate gambling out of existence.

In conclusion, it should be pointed out that commercialized gambling is in the unique position of being a multi-billion-dollar Nation-wide business which has remained comparatively free from taxation by either the State or Federal Governments. This relative immunity from taxation has persisted in spite of the fact that gambling has many characteristics which make it particularly suitable as a subject for taxation. The committee was convinced that the continuance of this immunity is inconsistent with the present need for increased revenue, especially at a time when many consumer items of a seminecessity nature are being called upon to bear new or additional tax burdens.

The distinguished junior Senator from Tennessee has read from editorials published in various newspapers, and I understood him to say that the newspapers were uniformly in favor of his position. I wish to read an article from the Washington Post of June 27, 1951, written by

Shirley Povich. It is one of the best analyses of the whole question which has ever been published. The article reads:

The House Ways and Means Committee, from which all Federal tax legislation stems, has now come up with the bright idea of slapping a 10-percent bite on the gross volume of business of the professional gamblers.

But Senator KEFAUVER, of Crime Committee fame, views it as an idea that is not quite bright despite the very practical House motive of tapping the underworld bankroll for an estimated $400,000,000 a year.

Senator KEFAUVER'S committee, dedicated to driving the professional gambler out of business and thus striking, too, at corruption of civic officials, shrinks at the House's kind of side-swipe at the gambling business. He protests that any such "occupational tax" would be endowing gambling operations with a sort of Federal license and what he calls quasi legislation.

The Ways and Means Committee's approach to the problem, however, is more direct than Mr. KEFAUVER'S, if not quite as noble. Whereas the Senate Crime Committee calls for law enforcement to kill off the pro gamblers, the House's tax attack is more workable and more certain to accomplish the same end.

The Kefauver group exposed police graft in virtually every city it investigated. But the national crime picture was darker and more sinister at the end of the first phase of the committee's work, which laid bare a whole new mess of problems in connection with gambling operations.

His kind of frontal attack on the gamblers has been attempted before, if not with quite the same intensity. But the Kefauver hearings did prove an effective device in many instances when it got perjury convictions of some gamblers and some city officials. But the difficulty of convicting big shots of being mobsters by trade apparently has not eased since the Department of Justice had to settle for an income charge against the late Al Capone 20 years ago.

To the credit of the Kefauver group, its investigations served to awaken the public conscience to the vastness and realities of mobster rule and their shocking alliance with public officials. But its interim report, aside from developing names and places of crime and corruption, and calling for more honest law enforcement, outlined no effective and at the same time practical program of getting at the gamblers. The Utopia of rigid law enforcement is still somewhere in the distance.

But the House of Representatives' tax committee, concerned primarily with developing new Federal revenue in these times of dire need for same, may have unwittingly stumbled onto a better weapon than ever occurred to the Kefauver committee. Gambling may never be law-enforced to death, but there is some basis for belief it could be taxed to death.

Gamblers and mobsters have always had great respect for the Internal Revenue sleuths. They have long been alerted to the fact that income-tax fraud conviction can hit them with the book and are easier to get than gambling or racketeering convictions, most of which are handled on a city, county, or State level anyway.

Since the Capone case, the big gamblers have been careful to be honest with the Internal Revenue Department. If they have not paid willingly out of their big profits, they have at least paid as a precaution. But to this date they have never had to contend with anything like a 10-percent tax on their volume of business.

It is the sort of a tax that, if it doesn't threaten to drive them out of business, offers the kind of temptation that could drive them into the arms of the unrelenting Internal Revenue. The chances are that only the small-fry punks would try to beat the gross-business tax, anyway. The big shots know that big-shot gamblers are easily identified, even if gambling convictions are hard to obtain. But the 10-percent volume-of-business tax would strike at the very source of their revenue, perhaps kill it off.

The bookies, unused to taking any the worst of it, would be certain to pass the tax on to the betting public, which would soon tap out under that additional burden. Right now, in baseball, football, and fight betting, the betting public is taking a beating to start with. There are no more even-money shots. The bettor must lay the bookie 6 to 5 for the privilege of taking his choice on what ordinarily would be an even-money bet.

In these days of no Federal tax on the bookie's volume, the bettor on team A must put up $120 to win $100 on an even-money shot. If the commissioner's book is balanced, another bettor is wagering the same sum on team B. That's $240 in bets the bookie is handling. The 10-percent tax would come to $24. That's deductible from the winner's return. For his $120, he nets a profit of $76 on an even-money shot. That figures out to 3 to 2 that he's laying. That's too much.

The bettor wouldn't be able to stand the gaff. And if it is a horse race he's betting instead of a ball game, the State and track are already taking a 16-percent cut out of his mutuel price. The Federal Government's 10 percent is an additional bite. The bookies would have trouble finding clients willing to take that much the worst of it, even in a sucker community. For the gambling business death and taxes could have a new and literal meaning.

Mr. President, with respect to the approach to the problem by the House Ways and Means Committee, I may say that the Senate Finance Committee, after struggling with this matter for several days, finally decided to take the House bill and the House proposal word for word and line for line.

Mr. McCARRAN. Mr. President, will the Senator from Colorado yield?

Mr. JOHNSON of Colorado. The majority leader is pushing me to get through, and I want to get through, if the Senator will permit me.

Mr. McCARRAN. I merely desired to ask the Senator from Colorado whether in his judgment the House language deals with illegal gambling, and does not affect licensed gambling when a sovereign State has licensed it.

Mr. JOHNSON of Colorado. Of course, the Supreme Court decisions require that in the collection of taxes no distinction be made between legal and illegal gambling.

Mr. McCARRAN. If the Senator takes that position, I assume he is taking the position that we are going to legalize gambling out of business.

Mr. JOHNSON of Colorado. No; that is not the position of the Senator from Colorado at all. I want to make a statement in reply to the Senator from Nevada on that point.

Mr. McCARRAN. If that be the position—which I never understood it to be—certainly I must do everything in my power to defeat that part of the bill.

Mr. JOHNSON of Colorado. That is not the position. I shall read a statement which sets forth the effect of the proposed wagering tax on legalized gambling:

EFFECT OF PROPOSED WAGERING TAX ON LEGALIZED GAMBLING

The wagering taxes provided by the bill are imposed without regard to the legality or illegality of gambling under the laws of any particular State. For this reason the proposed taxes have been criticized as being destructive of the revenue now being derived by the State of Nevada from legalized gambling. In this connection it should be emphasized that the gambling taxes provided by the bill are imposed principally upon wagering with bookmakers and the so-called numbers operators. It is believed that these latter forms of gambling furnish only an extremely small part of the revenue which the State of Nevada derives from gambling generally. The bulk of the legalized gambling in that State involves the operation of slot machines, which are specifically exempt from the wagering tax imposed by the bill, and from casino-type games, such as cards and dice, which are likewise not within the scope of the proposed tax. This is because the bill, in effect, exempts in general games involving player participation. In order to make this completely clear, the committee report specifies that within the scope of this exclusion are card games such as draw poker, stud poker, and blackjack, roulette games, dice games such as craps, bingo, and keno games, and the gambling wheels frequently encountered at country fairs and charity bazaars. It is likewise made clear that this listing is not intended to be exclusive, and that any other games of similar types would also be excluded. Because it is believed that the State of Nevada derives its principal gambling revenues from the operation of these excluded games, the proposed wagering tax should have only minor, if any, effects on the overall revenue of that State. Furthermore, since bookmakers and numbers operators should in most cases be able to pass the new tax on to the bettors, it seems likely that any revenues which the State of Nevada may derive from these two sources will not in any way be affected.

Mr. President, I ask unanimous consent to insert in the RECORD as a part of my remarks a statement entitled "Comments Relating to Tax Proposals of the Crime Committee." I do not want to take the time of the Senate to go into it now. The junior Senator from Tennessee has introduced five amendments, and the statement deals with them one by one. I ask unanimous consent to have the statement inserted in the RECORD as a part of my remarks.

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

COMMENTS RELATING TO TAX PROPOSALS OF THE CRIME COMMITTEE

1. AMENDMENT TO DISALLOW THE DEDUCTION OF LOSSES AND EXPENSES INCURRED IN ILLEGAL WAGERING

Under present law, wagering losses are deductible to the extent of wagering gains. Thus, such losses cannot be used to offset income from nongambling sources. Wagering expenses are deductible if they are business expenses.

The proposed amendment would change this present treatment only with respect to losses and expenses incurred in illegal wagering. Thus, the amendment establishes a distinction for tax purposes between income from legal and illegal sources. It is believed that such a distinction may raise a serious

constitutional question. The practical effect of the proposed distinction would be to tax illegal income at a rate completely disproportionate to the rate on legitimate income. For example, an individual with $500,000 in gains from legal gambling and $500,000 in losses from legal gambling would have no net income subject to tax. Another individual with the same amount of gains and losses but arising from illegal gambling would be taxable on the full $500,000 gain without any deduction for his $500,000 loss, and would owe, under present law, as a single taxpayer, $429,274. He would owe this amount even though in fact he had no income out of which to satisfy his tax liability.

The decision in *United States* v. *Constantine* (296 U. S. 287), considered the validity of the imposition of a $1,000 license tax upon illegal dealers in liquor, legal dealers being liable only for a $25 tax. In holding the tax invalid, the Court stated (296 U. S. 287, 294, 295):

"If in reality a penalty it cannot be converted into a tax by so naming it, and we must ascribe to it the character disclosed by its purpose and operation, regardless of name. Disregarding the designation of the exaction, and viewing its substance and application, we hold that it is a penalty for the violation of State law, and as such beyond the limits of Federal powers.

* * * * *

"The condition of the imposition is the commission of a crime. This, together with the amount of the tax, is again significant of penal and prohibitory intent rather than the gathering of revenue. Where, in addition to the normal and ordinary tax fixed by law, an additional sum is to be collected by reason of conduct of the taxpayer violative of the law, and this additional sum is grossly disproportionate to the amount of the normal tax, the conclusion must be that the purpose is to impose a penalty, as a deterrent and punishment of unlawful conduct."

Based on that decision of the Supreme Court and other similar decisions, it appears that the proposed amendment might well be subject to successful attack in the courts on constitutional grounds.

Because the amendment makes tax treatment depend on the illegality of the particular transaction, the question arises as to what law is to be looked at in determining such illegality. There is, of course, no Federal law which prohibits gambling. Therefore, it can only be inferred that it is the laws of other jurisdictions which are to govern. Presumably, it is the law of a particular State which is to be looked at. In those States where a local option governs the legality of gambling, county and municipal ordinances will determine the tax treatment of gambling income. Furthermore, where the particular transaction occurs outside of the United States, under this proposed amendment the law of the foreign country in which the transaction occurred would determine the status of the transaction for United States tax purposes. It is suggested that the Federal tax laws should not be made dependent upon the laws of such varied, non-Federal jurisdictions. In this same connection, it should be pointed out that the proposed treatment will extend not only to the bookmaker or other gambler who is in the business of receiving bets, but also to the incidental gambling transactions of individual bettors. In several areas, it is not illegal to place a bet although it is illegal to accept one. Thus, difficult administrative problems would arise as to the tax treatment of the same transaction between different taxpayers.

Assuming, however, that the laws of other jurisdictions can be made the basis of the application of the Federal tax laws, the question then arises as to whether a conviction for a violation of some antigambling statute will be a prerequisite to the disallowance of gambling losses and expenses, or is it intended that the Federal tax authorities are to have the power to make a conclusive and presumptive determination of the legality or illegality of any particular transaction without regard to any judicial determination? If the latter is intended to be the case, it is suggested that this is a wider and more arbitrary authority than has ever been granted in the field of tax collection. On the other hand, if a conviction of a violation of State or local law is intended to be required, then it is suggested either that the proposed amendment will be administratively impractical, or that the Bureau of Internal Revenue will have to associate itself in the enforcement of State and local laws. Furthermore, it should be pointed out that the status of illegality will frequently not be easy to determine even in one particular locality. For example, it is understood that social card games involving gambling are illegal in one jurisdiction if played after midnight. Such distinctions would obviously create many anomalies in the administration of the proposed amendment.

Finally it should be pointed out that the proposed amendment will apply not only to commercialized gambling, but also to the so-called social or friendly types of gambling which are countenanced in a great many areas.

2. AMENDMENT TO REQUIRE THE KEEPING OF SPECIAL RECORDS BY WAGERING HOUSES

Here again a distinction is made between legal and illegal wagering houses. Both types would be required to keep a daily record of gains and losses. In addition to this requirement, illegal wagering houses would be required to keep a record of each wagering transaction, including the amount of the wager, the name and address of the person making the wager, and the date of the transaction. The preparation of such records would, of course, be a practical impossibility with respect to card, dice, roulette, and similar games. The amendment provides that a willful failure to maintain such records by wagering houses (both legal and illegal) would be a felony punishable by 2 years' imprisonment and a $10,000 fine.

It is believed that all of the purposes of this amendment can be achieved within the existing power of the Secretary of the Treasury to require the maintenance of adequate records by any taxpayer. Thus, the proposed amendment adds nothing to the Secretary's existing authority, although it does increase the existing penalties for violation of record-keeping requirements. The present law makes a willful failure to maintain records a misdemeanor punishable by 1 year's imprisonment and a $10,000 fine.

3. AMENDMENT TO REQUIRE NET WORTH STATEMENTS BY CERTAIN INDIVIDUALS

This amendment would require an annual net worth statement from any individual who receives gross income in excess of $2,500 from "one or more unlawful trades, businesses, or transactions." It may be that this provision aimed at the recipients of income from illegal sources will not raise any serious constitutional question of unreasonable classification. It might be assumed that income from illegal sources is apt not to be reported accurately and is more difficult to audit than income from conventional sources. Thus a requirement of a net worth statement might be considered a reasonable means of safeguarding the revenue.

However, the reference to "unlawful trades, businesses, or transactions" appears vague and uncertain, and again raises the question, Unlawful under what law? What jurisdiction is to be looked at? Is a conviction of a violation of law to be required? It should be pointed out that this provision can lead to the harassment of many honest and conscientious taxpayers. For example, an individual who once makes a fair-sized gambling gain in a jurisdiction where gambling is illegal, would be required to file a net-worth statement of all of his assets, even though he may never have indulged in gambling before and may never do so again.

It appears that the Secretary of the Treasury already has substantially equivalent powers, although questions can arise as to his power to force the divulgence of information which a taxpayer believes would be incriminating. Similar questions could well arise under the proposed amendment.

4. AMENDMENT TO REQUIRE THE PRESERVATION OF RECORDS FOR 7 YEARS

Another proposed amendment would require the keeping of records of taxable transactions for a period of 7 years. This amendment is not directed at taxpayers in illegal businesses, but is so phrased as to apply to all taxpayers generally. It is suggested that here again is a proposal which, while well motivated, could easily lead to the harassment of the great bulk of the taxpaying public. The keeping of records for such a long period of time under penalty of law for failure to do so would seem unreasonable in the great majority of cases. Under present law, the taxpayer is expected to keep records at least for the period of the statute of limitations. Under the present law the Secretary of the Treasury has the discretionary right to require the maintenance of particular records by specific taxpayers as he deems desirable. Therefore, it would seem that the Secretary has all the authority that he needs in this area, without the adoption of this provision.

5. CONCLUSION

Undoubtedly the tax proposals discussed above have been prepared with the very desirable objective of improving compliance by taxpayers who are engaging in various illegal activities, especially gambling. Your committee studied all of them carefully. However, as has been indicated, a number of these proposals require very careful examination and revision. In the case of at least one of the amendments, there is a serious constitutional question and serious questions of administrative practicality. With respect to others of the amendments, it seems that their objectives can be substantially achieved within the framework of existing administrative authority. The Senate is aware that the entire question of the enforcement of the tax laws with respect to taxpayers in unlawful businesses is now under study. Your committee was of the opinion that any proposals for the tightening up of the tax laws in this area should be deferred until the full facts have been placed before it. It is believed that the best results can be achieved by postponing action until that time.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the junior Senator from Tennessee [Mr. KEFAUVER].

Mr. KEFAUVER. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. The yeas and nays have been requested. Is the request sufficiently seconded?

Mr. GEORGE. Mr. President, do I understand correctly that the vote will be on all the amendments which the junior Senator from Tennessee has submitted, or only on the motion to strike out?

Mr. KEFAUVER. No, Mr. President; I say to the Senator that the motion is to strike out this portion of the bill and to insert as a substitute the four amendments I propose.

Mr. GEORGE. I understand that the vote will be taken on all of that, together.

Mr. KEFAUVER. Yes.

The PRESIDING OFFICER. Is the demand for the yeas and nays sufficiently seconded?

The yeas and nays were ordered.

Mr. KERR. Mr. President, I am very much surprised to discover the opposition to this proposed tax by the junior Senator from Tennessee and his associates on the Special Committee to Investigate Organized Crime in Interstate Commerce.

As I understand, the purport of the amendments submitted by the junior Senator from Tennessee is that, first, he would strike from the bill the provision which places an excise tax on gambling carried on through bookmakers, numbers racketeers, or whatever designation one may wish to give to them, and so forth; and, second, he would provide certain restrictions upon gambling.

With reference to restrictions, Mr. President, I believe the Secretary of the Treasury has complete authority to impose any or all of the restrictions which are covered by the amendments of the Senator from Tennessee. Certainly in the main the Secretary of the Treasury now has that authority.

Next, I should like to have the junior Senator from Tennessee explain what there is to the process of gambling which would make it immune to the taxation prerogatives of the Government. Gambling is the biggest business in the United States. There is no business that I know of that equals, in terms of dollars, or extent, that which the Senator's committee itself has portrayed as the gambling operations which are being carried on in the United States, and which at this time are free from taxation by the Federal Government.

As I understand, the Senator's estimate—and if I am in error about it, I want him to correct me—is that those activities amount to between $17,000,000,000 and $30,000,000,000 annually. Mr. President, a 10-percent tax on those activities would amount, not merely to $400,000,000, but to anywhere from $1,500,000,000 to $3,000,000,000. That is what such a tax would yield. That estimate is based upon the statement the Senator from Tennessee himself made in reference to the extent of those operations.

Mr. KEFAUVER. Mr. President, will the Senator from Oklahoma yield?

The PRESIDING OFFICER (Mr. SMITH of North Carolina in the chair). Does the Senator from Oklahoma yield to the Senator from Tennessee?

Mr. KERR. I yield for a question.

Mr. KEFAUVER. I wish to point out to the Senator from Oklahoma, in the first place, that that estimate was an estimate of the over-all amount of gambling. Of course this bill does not relate to the second most lucrative kind of gambling, namely, that at casinos, including crap games and roulette.

Mr. KERR. Mr. President, the junior Senator from Tennessee is correct in his statement of what is included. But when he appeared before the Finance Committee, I, myself, asked him how much gambling would be affected by this bill; and he said that his estimate was between $17,000,000,000 and $30,000,000,000.

Mr. KEFAUVER. I understood that the Senator from Oklahoma was asking what was the over-all amount of illegal gambling. However, that is aside from the point.

What I have been trying to make clear to the Senator is that such a provision would not produce anything, and therefore we wish to have it eliminated, so that the money will be used for other purposes, in legitimate channels of commerce.

Mr. President, I think the Federal Government is getting in rather bad shape if it has to rely——

Mr. KERR. Mr. President, the junior Senator from Tennessee has made his speech. I now have the floor, and I yielded to him only for a question.

Mr. KEFAUVER. Very well. I conclude by saying that I think the Federal Government is getting in rather bad shape if it has to rely for its revenue on taxes upon vice.

Mr. KERR. Mr. President, I say to the Senator from Tennessee that the tax proposed in this bill on vice will not cause the vice to grow. If the Senator from Tennessee wishes to get rid of vice—and I take it that he is sincere in the statement he has made—I remind him that this provision of the bill, placing a tax on vice, will not cause it to increase.

The Senator from Tennessee has said that the placing by the Federal Government of a tax on such activities will automatically be an approval of those activities. That is an astounding statement, Mr. President, to come from one with the wide knowledge and the great wisdom the Senator from Tennessee possesses. The Federal Government imposes a tax on liquor, but that does not constitute an endorsement of liquor. The Federal Government places a tax on tobacco, but that does not constitute an endorsement of tobacco.

The Federal Government places an excise tax on sawed-off shotguns, machine guns, opium, and marijuana, and requires the identification of the sales of those things in every place in the United States that is licensed to sell them and is authorized to sell them; but that does not constitute approval of those things by the Federal Government.

The Government places an excise tax on pastel mink coats, but that does not constitute an approval of them by the Federal Government. The Government places a tax on the railroad ticket the murderer buys when he goes to commit his crime, and the Government places a tax on the gasoline the racketeer uses in his car, and the Government places an excise tax on the tools the burglar uses in his trade; but those taxes do not constitute approval by the Federal Government of those activities. Certainly the distinguished Senator from Tennessee knows that to be so.

The Senator from Tennessee said that the tax proposed by this portion of the bill would encourage winking by local officials at local violations. Mr. President, among all Members of the United States Senate, certainly the distinguished junior Senator from Tennessee should know whether or not there are in the United States local officials who need encouragement in order to be persuaded to wink at local violation of laws. The junior Senator from Tennessee has been engaged in a very distinguished and very successful effort, one of the purposes of which was to expose crime at the local level. The junior Senator from Tennessee was not commissioned as a sheriff to go to various places in the United States and arrest violators of local laws. He was not commissioned as a deputy collector of internal revenue to collect the income taxes owed by the violators of local laws. The junior Senator from Tennessee was commissioned, on his own motion, by the Senate to carry the power of the Senate across the length and breadth of the land, to expose violation of law at the local level, upon the understanding and the basis that to do so would encourage the enforcement of those laws at the local level.

Yet now the junior Senator from Tennessee takes the amazing and the astounding position, as he comes before the Senate, that for the Federal Government to do something which would expose and identify and locate and advertise and publicize the local operation of gambling, whether legal or illegal, would discourage any local enforcement of any local law against such an operation. I do not believe that the junior Senator from Tennessee is sincerely persuaded that such could be the case.

The junior Senator from Tennessee said there are three kinds of these operations that are bleeding the people all over this country. He has said that the take is terrific. I accept his word for it, Mr. President. However, the more such activities are bleeding the people and the greater the take, the more terrific the take, the less justification there is for taking the position that such activities should be sacred in the eyes of the tax collectors or the tax laws of the land.

Mr. President, I, for one, was not persuaded by what the Senator from Tennessee said about editorial writings. I wish to say to the Senator from Tennessee that he can get distinguished editorial writings on every side of every subject that has ever been before the Senate since I have been a member of it. If the Senator from Tennessee begins to conform to the recommendations of all the editorial writers on all the editorial pages in the United States, he will be in worse shape than a whole flock of fleas that could not find a dog. [Laughter].

Mr. President, the question is whether we wish to have more taxes paid. We fought here for weeks to get a tax on oleomargarine. I wish to ask what there is which would justify our placing a tax on oleomargarine, and also would justify our saying that we are too nice and too virtuous to recognize the fact that there is gambling in this country, and therefore we do not want to recognize that fact.

I wish to say to the Senator from Tennessee that I am as much against gambling as he or any other living person is; but I am not in favor of exempting gambling from taxation just because I am opposed to gambling.

Mr. SALTONSTALL. Mr. President, will the Senator from Oklahoma yield for a question?

Mr. KERR. I yield.

Mr. SALTONSTALL. I want to try to understand the difference between the amendment of the Senator from Tennessee and the provision of the committee bill. Do I correctly understand that the difference in substance is that the committee amendment recognizes the fact that there is gambling going on in this country, legal or illegal?

Mr. KERR. It does not say that there is or is not. It says that if there is, it is going to be taxed. The Senator from Tennessee says it is going on.

Mr. SALTONSTALL. It is going on; but the Senator from Tennessee would not levy a tax on it?

Mr. KERR. The Senator from Tennessee would strike from this bill all provisions which tax gambling through bookies and through numbers rackets.

Mr. KEFAUVER. Mr. President, will the Senator from Oklahoma yield for a question?

Mr. KERR. I yield.

Mr. KEFAUVER. The Senator does not quite state the position of the junior Senator from Tennessee correctly, and I know he wants to state it correctly.

Mr. KERR. I certainly do. If I have not stated it correctly, then neither he nor I know what it is, because I stated it just as he stated it.

Mr. KEFAUVER. I do not think the Senator stated it as I stated it. Our position is that if gamblers are prevented from taking certain tax exemptions, which they have been getting by with, that would bring in a tremendous amount of revenue. Eliminating rents, salaries paid, protection money, and all of those things they have been charging off in their income-tax returns, and specifically saying that what they spend in the furtherance of their illegal transactions cannot be deducted, would result in the Federal Government collecting a large amount of money it does not now receive. If they were required to give the daily accounts and records, so that——

Mr. KERR. Mr. President, a point of order.

Mr. KEFAUVER. The Senator asked me to state my position, and I think I should have the right to do so.

Mr. KERR. I will ask the Senator a question, if I may have unanimous consent to do so. Does the Senator's amendment propose to strike the taxing provisions from this bill, or not?

Mr. KEFAUVER. I will answer in my own way.

Mr. KERR. Mr. President, if the Senator does not went to answer the question "yes" or "no," then I do not yield.

Mr. KEFAUVER. The amendment would strike the taxing provision, but there are four substitutes which would bring in many times more money than the committee's quasi-legalization proposal.

Mr. KERR. Do any of the four substitutes tax the operation of gambling and the amount of money that is gambled?

Mr. KEFAUVER. They are already taxed.

Mr. KERR. Does any one of the Senator's substitutes tax the money that is gambled through bookies and through the numbers racket?

Mr. KEFAUVER. It does not recognize them as a special class.

Mr. KERR. Does it tax all of them? Can the Senator answer the question? If the Senator does not care to, then I shall continue.

Mr. KEFAUVER. It is impossible to answer any question when the Senator continues to talk and does not give one an opportunity. There is already a proposition to enforce the general tax against them as it is enforced against anyone else, making them keep books, which in our opinion will yield much more money than the provision now in question.

Mr. KERR. Mr. President, I submit that the Senator did not even try to answer the question. Certainly there is a tax on the profit which the bookmakers make, but the Senator knows there is no tax on the amount of money that is bet, and no provision to tax it. He knows that his amendment would strike from the bill the present provision for taxing the profits of gamblers and it would substitute certain provisions which he says would cause the collector of internal revenue to get more of the money which the gamblers themselves make out of their operations. The Senator said it would be an easy matter to compel the bookmakers to produce their books and show how much their expenses were, and justify their deductions with reference to what it costs them to operate their business. He says that would be an easy matter, but that it would be an impossibility to levy a tax on the amount of money which goes through their hands.

Mr. President, the Senator makes a molehill out of a mountain, and at the same time attempts to make a mountain out of a molehill.

Then he says that the provision in the bill would cause the bookies to go underground. Now, would not that be something? I submit, Mr. President, that the Kefauver committee has stripped the cover off the bookmakers. They have been pretty well advertised. They have been pretty well identified. They have been pretty well publicized. They have even been publicized in a book written by the distinguished Senator himself.

If a senatorial committee with even doubtful authority to subpena or to prosecute for contempt can get as much information about the gambling business in this country as the distinguished Senator and his distinguished colleagues did, he underestimates what the Bureau of Internal Revenue can do if armed with a law by the Congress which provides that the gambling operations shall be taxed, and that the failure to pay the tax will be punished by certain penalties.

I assert, Mr. President, that the bookmakers are allergic to the Bureau of Internal Revenue. If the Senator thinks that the opportunity to go to the Federal penitentiary for failure to disclose the extent of their operations under the provisions of the law will cause the bookmakers to become anonymous, he underestimates the impression that the Bureau of Internal Revenue has made upon that profession.

Mr. SMATHERS. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield for a question.

Mr. SMATHERS. In order to get the point cleared up in my mind, I should like to ask two questions: Is it not true that today the gamblers pay tax money to the Federal Government through the Internal Revenue Bureau?

Mr. KERR. There is a law which says that they should pay an income tax on their profits, and once in a while one of them does.

Mr. SMATHERS. Is it not also true that in estimating their profits they are permitted to deduct payments for rent and for the croupiers, as business expenses, and that they show less profit by reason of those deductions?

Mr. KERR. I believe that is true, but the Bureau of Internal Revenue can now promulgate regulations which will limit the extent of what they can deduct, or compel them to charge off only that which represents actual expenses; and if there is any Senator who thinks that that should not be permitted, and would want such a prohibition included as an amendment to the bill, to the extent that the Bureau of Internal Revenue does not already have the authority, I certainly would not be one to object to it.

Mr. SMATHERS. Is it not true that one of the amendments which have been offered by the Senator from Tennessee is designed to disallow those expenses?

Mr. KERR. It is, but he does not propose that as an amendment to implement the tax provided in the bill. He offers it as an amendment, in lieu of the provisions of the bill, to tax the operations.

Mr. SMATHERS. Would the Senator from Oklahoma not agree that if there were a law which would disallow the charging off of such expenses, thereby the Federal Government could claim that there was much more profit, and therefore could take a bigger tax from the gambler?

Mr. KERR. Yes. But that tax would be limited to only what the gambler himself made out of the operation; and I say to my good friend from Florida that would be peanuts compared to what there is to be had under the provisions of the bill. I say to him further that enforcement of the tax provided by the bill would be easy compared to the operation which the Senator has described.

Mr. SMATHERS. I should like to ask but one more question, for information. I do not know exactly what provisions should be adopted, but I am trying to find out. How does the Senator from Oklahoma propose to see that the tax which the committee has recommended is enforced? How is it to be enforced when it is contended there should be a tax on each wager, as I understand?

Mr. KERR. The bill requires a bookmaker to keep books exactly as it requires a manufacturer to keep books on the automobiles he sells.

Mr. SMATHERS. Yes, but the automobile manufacturer is dealing with, say, a $1,700 item. Usually bookmakers are dealing with much larger items.

Mr. KERR. It is like a tax on a mechanical pencil that sells for $1. There is a tax in the bill on that item.

Mr. SMATHERS. If the Senator believes he is going to be able to keep track of the bookmakers, and if we are not going to have a full and free disclosure of expenses, I do not quite follow the argument of the Senator.

Mr. KERR. The Senator from Oklahoma does not take that position. He says one would not preclude the other; one would augment the other. Under the bill which the committee has reported to the Senate, the man who takes a wager has to be licensed; he has to pay an occupation tax; he has to be identified, and he is known. Then the Internal Revenue Bureau can find out how much business he is transacting.

Mr. PASTORE. Mr. President, will the Senator from Oklahoma yield?

Mr. KERR. I yield.

Mr. PASTORE. Is it not a fact that a man engaged in bookmaking does not have to identify himself as such, but under the committee amendment he must identify himself as being in this illegal business?

Mr. KERR. It is legal business in some places. The law does not apply merely to illegal gambling, because that would be unconstitutional. It applies to gambling whether legal or illegal, just as the tax on liquor applies to liquor whether it be sold legally or by a bootlegger.

Mr. PASTORE. But the fact of the matter is that in those States where it is illegal, he would have to say that he is in that kind of business.

Mr. KERR. Certainly, as in the case of a local seller of liquor in a local option area in the State of Tennessee where it is against the law to sell whisky.

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

Mr. KERR. I yield.

Mr. SMATHERS. Is it not true, however, that while he may not have to reveal himself, as the Senator has stated, he is required to file an income-tax return and show on that return where his money comes from?

Mr. KERR. Yes; but he does not have to show how much betting was done in order for him to make that money.

Mr. SMATHERS. The Internal Revenue Department has a right to ask him those questions; has it not?

Mr. KERR. Not at all. It has a right to say, "How much money did you make?" Not "How much business did you do?"

Mr. President, I submit that the committee, after long deliberation in this matter, approved the action of the House and retained this provision in the bill.

I now ask unanimous consent to have printed at this point in the RECORD a statement headed "Enforcement of the wagering tax."

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

ENFORCEMENT OF THE WAGERING TAX

The principal objections to the proposed taxes on gambling have been in terms of difficulty of enforcement.

It should be pointed out, in this connection, that the Bureau of Internal Revenue, as a part of its racket investigations, has already been compiling lists of bookmakers and other gamblers throughout the country. These lists are being built up and constantly revised in cooperation with local law-enforcement agencies. Thus, the Bureau now has on hand a constantly growing mass of information which will be of great assistance in identifying the most important of the individuals who will be liable to the wagering tax. Therefore, the first big step in the enforcement of this new tax—the identification of the big taxpayers—can be substantially accomplished without any undue strain upon the existing administrative organization. Identification of the small fry will, of course, take longer, but many of them can be expected to fall into line once the big gamblers are forced to comply.

The registration requirements of this tax should prove of material assistance to the racket squad investigations which are an outgrowth of the recommendations of the Senate Crime Committee. Furthermore, the new tax on wagers should make possible a more accurate audit of gamblers' income-tax returns. By knowing the gross amount of wagers placed with a bookmaker, a rough, but fairly accurate, estimate can be made of his gross income. Likewise, present income-tax information will make possible a fairly close estimate of the amount of wagers which the bookmaker has received and which are subject to the wagering tax. Therefore, the present income tax and the new wagering tax will complement each other and the existence of these two taxes side by side should improve taxpayer compliance throughout this area.

In areas where gambling is a monopoly in the hands of one group, enforcement should prove relatively easy because of the small number of taxpayers it will be necessary to deal with. In other areas, bookmaking and lottery operation is a highly competitive business, and once the wagering tax is successfully applied to a few of the larger operators in these areas these individuals can be expected to seek similar compliance from their competitors. Thus, conditions within the gambling business itself may bring about a measure of self-enforcement.

Finally, while most bookmakers and lottery operators are engaged in violating State and local laws, very many of them undoubtedly comply substantially with the Federal tax laws. It would seem reasonable to suppose that under the new tax there will be similar areas of voluntary compliance. In other cases, a few examples of successful prosecution should go far to encourage compliance. In this connection it should be noted that the bill provides criminal penalties for noncompliance ranging up to 5 years' imprisonment.

In conclusion, it appears probable that substantial compliance with the new wagering tax can be achieved within the existing framework of the Bureau's organizational and procedural machinery.

Mr. KERR. I yield the floor.

Mr. HUNT. Mr. President, I should like to make just one observation.

We are putting the Federal Government in the business of encouraging illegal gambling by saying, "Go ahead and gamble so we can collect money." I say that it is deceitful on the part of the United States to encourage gambling which we have been trying to stamp out for the past 6 months. That provision of the bill can be effective only in one State in the Union, and that is Nevada.

Mr. FERGUSON. Mr. President, will the Senator from Wyoming yield?

Mr. HUNT. I yield.

Mr. FERGUSON. The question is whether or not the expenses paid or incurred as the result of an illegal wager include losses on some of the bets. Suppose the operators have a loss.

Mr. HUNT. Will the Senator repeat his question, please?

Mr. FERGUSON. The question is whether or not the expenses paid or incurred as the result of an illegal wager include losses which may have occurred on some of the bets.

Mr. HUNT. I assume they would certainly have to include the losses, because we cannot tax a gambler on everything he handles. Surely it is not intended to tax all the transactions that go across his board, because they run into billions of dollars. The take is estimated to be $17,000,000,000 a year.

Mr. KEFAUVER. Mr. President, will the Senator from Wyoming yield?

Mr. HUNT. I yield for a question.

Mr. KEFAUVER. It is not intended to apply the tax to losses. It applies to rent, salaries, good will, and other things of that kind.

Mr. FERGUSON. Mr. President, the Senator from Michigan has had some experience and personal knowledge of illegal gambling as a judge on the circuit bench of Michigan where he conducted investigations which went into the field of illegal gambling, and he knows from that experience that there is a large profit in the business. He knows from his grand jury work in Detroit that the Federal Government was able to collect a large amount of money in taxes on the basis of the grand jury's revelations of illegal gambling. But he has never been of the opinion that we should do anything to foster illegal gambling. He feels that the provision now in the bill would be a tax on the business, and it would be well not to allow the deductions contained in the provision. Therefore, he feels he should vote for the amendment rather than for the provision as it appears in the bill.

MESSAGE FROM THE HOUSE—ENROLLED JOINT RESOLUTION SIGNED

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the Speaker had affixed his signature to the enrolled joint resolution (H. J. Res. 335), amending an act making temporary appropriations for the fiscal year 1952, and for other purposes, and it was signed by the President pro tempore.

SECRECY ORDER BY OFFICE OF PRICE STABILIZATION

Mr. FERGUSON obtained the floor.

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

Mr. FERGUSON. I shall be glad to yield for a question.

Mr. AIKEN. Mr. President, I am reading from a United Press dispatch the statement that "the OPS followed up President Truman's new security edict

with an order forbidding disclosure by its employees of any information that 'might cause embarrassment' to OPS."

Mr. President, I am not able to find words to describe my feelings at reading this announcement. It simply means, to me, that we have arrived at a point where other nations with whom we have recently been at war arrived some years ago. It means that our own Government can no longer point the finger of scorn at Czechoslovakia or Argentina, because this order indicates that our own Government is now adopting a policy of suppressing freedom of information itself. It indicates that the present administration will stop at nothing to keep itself in power. It is simply a question of whether a new administration can be brought into power in time to save the Government of the United States.

REVENUE ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 4473) to provide revenue, and for other purposes.

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

Mr. FERGUSON. I yield.

Mr. McFARLAND. I wonder if we can get a vote on the amendment. I do not know whether Senators on the Republican side are interested in the dinner this evening, but I promised that we would recess around 6 o'clock. If we could get a vote on the amendment——

Mr. FERGUSON. The Senator from Michigan is interested in food, but he is more interested in the question which he desires to discuss. I will yield on condition that after we vote I may have the floor.

Mr. KEFAUVER. Referring to the colloquy of a few moments ago, does the Senator from Michigan know that the house of delegates of the American Bar Association takes the same position about the bill and the substitute the Senator from Michigan takes, and that a resolution to that effect was adopted at its meeting last week?

Mr. FERGUSON. I appreciate that. The Senator from Michigan did not labor that question.

Mr. GEORGE. Mr. President, I merely want to make one brief statement. Whatever may be said about the tax levied by the House, as to the wisdom of it, or whether the provision will be fully enforced, it certainly will be partially enforced. It may be more widely enforced than some people think; and that may be the trouble. But whatever may be said about it, this tax is a levy upon betting. It is an excise tax upon the bet or wager actually made.

The amendment of the Senator from Tennessee to deny the wagering taxpayer any deduction for his business loss would be clearly unconstitutional. He wants to go back to nothing but the old income tax. But when we go back to the income tax, that is a tax on the net. If losses exceed gains, the taxpayer has not made anything, and there is nothing to tax. So what the Senator from Tennessee is proposing by way of substitute is clearly an illegal, unconstitutional proposal to deny deductions against the income of someone who has been engaged in a wagering enterprise.

The tax bill does not operate on that theory. The House tax proposal—and the Senate committee has accepted it—is based clearly upon the theory of an excise tax, and it is on the gross income.

Mr. FERGUSON. In reply to that statement, the Senator from Michigan will say he understands that the Congress has the right to determine what is deductible as an expense, and all that is proposed by the amendment is to say that certain items such as pay-offs and so forth shall not be considered deductible.

Mr. GEORGE. That is exactly correct. But then the tax would be only on the income, and if there was no income, there would be no tax.

Mr. FERGUSON. That is correct. The Senator from Michigan feels that that is a better way to do than in effect for the Federal Government to legalize illegal gambling.

Mr. GEORGE. I did not mean to interrupt the proceedings, except to make that short statement. I hope we can get a vote on the amendment.

Mr. FERGUSON. Mr. President, the Senator from Michigan will yield so that a vote may be taken on the amendment, with the understanding that he shall have the floor when the vote is completed.

SEVERAL SENATORS. Vote! Vote!

Mr. McCARRAN. Is the Senator from Tennessee offering all his amendments en bloc?

Mr. KEFAUVER. That is correct; to strike out the wagering part in the bill before us, and to offer en bloc these four amendments which have been discussed.

Mr. McCARRAN. There were five amendments offered, and there was one amendment which the Senator from Nevada made quite a study of, and with respect to which he suggested certain changes.

Mr. KEFAUVER. They have been made.

Mr. McCARRAN. Is that the amendment the Senator is now offering?

Mr. KEFAUVER. Yes.

Mr. McCARRAN. I wish to say that I shall vote for the amendment because I think it clarifies the situation and makes the provision enforceable. It sustains the position the Senator from Nevada has been compelled to take, and does take, with reference to licensed and legalized gambling in my own State.

Mr. FERGUSON. The Senator from Michigan simply wanted to yield the floor on the condition that he would receive unanimous consent to have the floor after the vote. I make that request.

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

The yeas and nays have been ordered on the amendment numbered 24 offered by the Senator from Tennessee [Mr. KEFAUVER] on behalf of himself and other Senators. The clerk will call the roll.

The Chief Clerk called the roll.

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family, and, if present, would vote "nay."

The Senator from New Mexico [Mr. CHAVEZ], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Delaware [Mr. FREAR], the Senator from Iowa [Mr. GILLETTE], the Senator from New York [Mr. LEHMAN], and the Senator from Wyoming [Mr. O'MAHONEY] are absent on official business.

I announce further that if present and voting, the Senator from New Mexico [Mr. CHAVEZ], the Senator from Louisiana [Mr. ELLENDER], and the Senator from Delaware [Mr. FREAR] would vote "nay."

Mr. SALTONSTALL. I announce that the Senator from Nevada [Mr. MALONE] is absent on official business.

The Senator from New Hampshire [Mr. TOBEY] and the Senator from Nebraska [Mr. WHERRY] are necessarily absent.

The Senator from Wisconsin [Mr. McCARTHY] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from Missouri [Mr. KEM], the Senator from Indiana [Mr. CAPEHART], and the Senator from North Dakota [Mr. YOUNG] are detained on official business. If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

The result was announced—yeas 29, nays 49, as follows:

YEAS—29

Cain	Kilgore	Robertson
Duff	Knowland	Smathers
Ecton	Langer	Smith, N. J.
Ferguson	Lodge	Sparkman
Hendrickson	Long	Stennis
Holland	McCarran	Thye
Hunt	McClellan	Underwood
Ives	Morse	Wiley
Jenner	Nixon	Williams
Kefauver	O'Conor	

NAYS—49

Aiken	Green	Millikin
Bennett	Hayden	Monroney
Benton	Hennings	Moody
Brewster	Hickenlooper	Mundt
Bricker	Hill	Murray
Butler, Md.	Hoey	Neely
Butler, Nebr.	Humphrey	Pastore
Carlson	Johnson, Colo.	Russell
Case	Johnson, Tex.	Saltonstall
Connally	Johnston, S. C.	Schoeppel
Cordon	Kerr	Smith, Maine
Dirksen	Magnuson	Smith, N. C.
Douglas	Martin	Taft
Dworshak	Maybank	Watkins
Eastland	McFarland	Welker
Fulbright	McKellar	
George	McMahon	

NOT VOTING—18

Anderson	Ellender	Malone
Bridges	Flanders	McCarthy
Byrd	Frear	O'Mahoney
Capehart	Gillette	Tobey
Chavez	Kem	Wherry
Clements	Lehman	Young

So the amendment offered by Mr. KEFAUVER for himself and other Senators was rejected.

The PRESIDING OFFICER. The Senator from Michigan [Mr. FERGUSON] has the floor.

Mr. FERGUSON. I yield to the Senator from Arizona.

Mr. GEORGE. Mr. President, may we agree to the section?

Mr. McFARLAND. I am willing to vote on the section.

Mr. FERGUSON. I yield to the Senator from Georgia.

Mr. GEORGE. Let us have a formal vote.

The PRESIDING OFFICER. Are there any further amendments?

Mr. KEFAUVER. Mr. President, I wish to offer some individual amendments, if we are to continue in session this evening.

Mr. GEORGE. Mr. President, I understood that the junior Senator from Tennessee had offered his series of amendments by way of a substitute for the bill. I asked him that specific question, and it was so understood.

Mr. McFARLAND. Mr. President, a point of order.

Mr. GEORGE. May I first clear up this matter?

Mr. McFARLAND. The Senator from Tennessee is out of order.

Mr. GEORGE. I thought so.

Mr. KEFAUVER. I stated during the course of the argument that I was offering an amendment to strike out the section in the bill, and these four amendments as substitutes.

Mr. GEORGE. That was my understanding. I asked the Senator if they should be voted on en bloc.

Mr. KEFAUVER. However, I stated that if the request were not agreed to I expected to offer the amendments singly.

Mr. GEORGE. Very well, If that is the Senator's idea of how to get along, after saying that we were voting en bloc on his substitute amendments, I hardly know how to carry on, Mr. President.

Mr. McFARLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. McFARLAND. Is it in order to offer one of these amendments that has been voted down?

The PRESIDING OFFICER. The Chair understands it is.

Mr. McFARLAND. Before they are offered——

The PRESIDING OFFICER. The Senator from Michigan [Mr. FERGUSON] has the floor.

Mr. McFARLAND. The Senator from Michigan has yielded to me, I believe.

Mr. FERGUSON. Yes. I yield to the Senator from Arizona, provided I do not lose the floor.

Mr. McFARLAND. Mr. President, I ask unanimous consent that beginning in the morning tomorrow there be a limitation of debate on all amendments of 30 minutes, 15 minutes to a side, to be controlled by the proponent of the amendment and by the Senator from Georgia [Mr. GEORGE]; that all amendments and amendments to amendments must be germane; and that amendments to amendments be subject to the same limitation on debate; provided, that on the depletion amendment the debate is to be limited to 1½ hours to each side, to be controlled by the proponent of the amendment and the Senator from Georgia [Mr. GEORGE]; that debate on the capital-gains amendment be limited to 30 minutes to each side, to be controlled by the proponent of the amendment and the Senator from Georgia [Mr. GEORGE]; that debate on what is known as the split-income-tax amendment be limited to 30 minutes to each side, to be controlled by the proponent of the amendment and the Senator from Georgia [Mr. GEORGE]; provided further, that all amendments must be germane; provided further, that there be a limitation of debate on the bill of not more than 2 hours, to be divided equally and controlled, respectively, by the Senator from Georgia and the acting minority leader or any Senator whom he may designate; provided further, that debate on all appeals and motions be limited to 30 minutes, 15 minutes to a side, the time to be controlled in the same manner.

The PRESIDING OFFICER. Is there objection?

Mr. HUMPHREY. Mr. President, I believe the distinguished Senator from Arizona has omitted the 12½-percent income-tax amendment.

Mr. McFARLAND. Provided further, that debate on the 12½-percent income-tax amendment be limited to 30 minutes to a side, to be controlled in the same manner.

Mr. HUMPHREY. That is correct.

Mr. GEORGE. Mr. President, I wish to ask the distinguished Senator from Minnesota if he intends to increase the tax on the little individuals in this country?

Mr. HUMPHREY. I should like to say that if we increase it only by $28,000,000 on those who earn less than $5,000, and by $372,000,000 on those who earn more than $5,000, in order to get approximately $500,000,000 of additional revenue, it might be a fair proposal.

Mr. GEORGE. I asked the Senator whether he wished to increase it again on those who earn less than $5,000.

Mr. HUMPHREY. The Senator from Minnesota is talking about the proposal in the House bill.

Mr. GEORGE. I know, but I am asking the Senator from Minnesota if he wants to increase the tax on the little fellows who earn less than $5,000?

Mr. HUMPHREY. No; the Senator from Minnesota solicits the kind attention of the Chairman of the Committee on Finance to his amendment, which would eliminate benefits of income splitting——

Mr. GEORGE. I am not talking about income splitting.

Mr. McFARLAND. Mr. President——

Mr. GEORGE. I do not blame the Senator from Minnesota for not answering the question. It is not a question that can be answered categorically.

Mr. McFARLAND. Do all Senators understand the terms of the unanimous-consent agreement?

The PRESIDING OFFICER. Is there objection?

Mr. MILLIKIN. Reserving the right to object——

Mr. McFARLAND. Mr. President, I have been requested to repeat the unanimous-consent agreement. I ask unanimous consent that debate on all amendments be limited to 30 minutes, 15 minutes to a side, with the exception of the amendments I shall enumerate, the time to be controlled by the proponents of the amendments and the Senator from Georgia [Mr. GEORGE], in the event that he opposes such amendments, and if he is not opposed to the amendments, the time in opposition to be controlled by the acting minority leader, or any Senator whom he may designate; provided, that the same limitation on debate be placed on all amendments to amendments, and on all motions and appeals; provided further, that all amendments must be germane; provided further, that there be a limitation of debate upon what is known as the development and exploitation amendment of 30 minutes to each side, to be controlled in the same manner; that debate on what is known as the depletion amendment be limited to an hour and a half to each side, to be controlled in the same manner; that debate on what is known as the capital-gains amendment be limited to 30 minutes to each side, to be controlled in the same manner; that debate on what is known as the split income-tax amendment be limited to 30 minutes to each side, to be controlled in the same manner.

The PRESIDING OFFICER (Mr. PASTORE in the chair).

Has the Senator from Arizona mentioned the 12½ percent income tax amendment?

Mr. McFARLAND. That is the split income-tax amendment.

Mr. GEORGE. No. I should like to have 30 minutes of debate to a side on the amendment raising the tax on the little fellow.

Mr. McFARLAND. Very well; the 12½-percent income-tax amendment——

Mr. GEORGE. I am referring to the amendment raising the tax on the small taxpayer.

Mr. DOUGLAS. Mr. President, I protest the statement of the Senator from Georgia labeling the amendment in that fashion. The RECORD should show that the Senator from Minnesota and those of us who are supporting him are endeavoring to balance the budget, so that we will not have inflation; and secondly, at least according to our light, it is our purpose to see to it that the tax burden is distributed according to ability to pay.

Mr. McFARLAND. Mr. President, may I have the request for the unanimous-consent agreement acted on before debate ensues? I would appreciate it if the Senator from Illinois would wait until I have finished.

Mr. FERGUSON. Mr. President, does this discussion take me from the floor?

Mr. McFARLAND. No, it does not.

Mr. MORSE. Mr. President——

Mr. McFARLAND. I have one more request, and I hope no Senator will object to it. It is that tomorrow morning the pending question be the amendment of the Senator from North Dakota [Mr. LANGER]. He may have to leave the city tomorrow. I ask unanimous consent that his amendment, known as the parimutuel amendment, be the pending

question at 10 o'clock tomorrow morning when the Senate convenes.

Mr. MORSE. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arizona yield to the Senator from Oregon?

Mr. McFARLAND. Yes.

Mr. MORSE. Reserving the right to object, I should like to ask the very able leader, who represents those of us who believe that the American people generally should pay higher taxes at the present time, in order to better preserve their security, whether he believes that the proposed unanimous-consent agreement reserves to us adequate time for a full discussion of those instances in which the people best able to pay are getting a tax reduction under this bill?

Mr. GEORGE. I think so, Mr. President.

Mr. MORSE. I am glad to have the view of the Senator from Georgia, but I addressed my inquiry to the Senator from Minnesota [Mr. HUMPHREY]. [Laughter.]

Mr. GEORGE. I am sorry.

Mr. MORSE. I was speaking about the leader of the group of us who believes that the tax should be increased in order better to help preserve the security of the country.

Mr. HUMPHREY. I reply to my good friend from Oregon by saying that I agree with the general content of the unanimous-consent agreement, and I hope we can consummate it and get going.

Mr. MORSE. Mr. President, with that assurance from my leader on this issue, I shall not object.

The PRESIDING OFFICER. Is there objection to the unanimous-consent agreement which has been proposed? The Chair hears none, and it is so ordered.

The unanimous-consent agreement, as reduced to writing, is as follows:

Ordered, That during the further consideration of the bill (H. R. 4473) to provide revenue, and for other purposes, debate upon any amendment or motion (including appeals) shall be limited as follows: Upon the amendment relating to depletion, not to exceed 3 hours; upon the amendments relating, respectfully, to exploration and development, capital gains and losses, split income taxes, and individual income taxes, not to exceed 1 hour each; that upon any amendment or motion to the above-named amendments, and upon any other amendment or motion proposed to the bill, not to exceed 30 minutes each, the time in each case to be equally divided and controlled by the mover of any such amendment and Mr. GEORGE: *Provided*, That in the event Mr. GEORGE is in favor of any such amendment or motion, the time in opposition thereto shall be controlled by the acting minority leader or someone designated by him: *Provided further*, That no amendment or motion that is not germane to the subject matter of the said bill shall be received: *Provided further*, That debate upon the final passage of the bill shall be limited to not exceeding 2 hours, to be equally divided and controlled by Mr. GEORGE and the acting minority leader or someone designated by him.

Mr. McFARLAND. Mr. President, will the Senator from Michigan yield further to me?

Mr. FERGUSON. I yield.

Mr. McFARLAND. Mr. President, if I may have the attention of the Senate, I wish to make another announcement: I hope we can complete action on this bill tomorrow evening or tomorrow night. If Senators work hard on the bill, I think we can do that; but it will require the attendance of all Senators on the floor of the Senate. I hope the committees which have planned to hold meetings tomorrow will adjourn their meetings immediately after they convene them, and thus will make it possible for us to have one day during which all Senators will be present on the floor of the Senate and will be available for work on this bill, so that we may complete our action on it. Thereafter the committees can meet as much as they wish to.

Mr. SALTONSTALL. Mr. President, will the Senator from Michigan yield to me for a moment?

Mr. FERGUSON. I yield.

Mr. SALTONSTALL. I understand that the plan is to have the Senate convene at 10 o'clock tomorrow morning. Is that correct?

Mr. McFARLAND. Yes; at 10 o'clock tomorrow morning.

I plead with all Senators to be here at 10 o'clock tomorrow morning and help us complete our action on this bill tomorrow. If Senators are present promptly at 10 o'clock, it will not be necessary to take time for quorum calls. If all Senators will cooperate in that way, I think we shall be able to complete our action on the bill tomorrow, and then we shall not have to have a session on Saturday.

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield.

Mr. HUMPHREY. As the Senator from Arizona recalls, a statement was made of a desire to bring up early in the session tomorrow the depletion-allowance amendment. Is it the intention that that shall be done?

Mr. McFARLAND. Mr. President, I should like to have the Senator from Minnesota state his intention in that connection.

Mr. HUMPHREY. I should like to have that done, Mr. President.

Mr. McFARLAND. Very well.

Mr. SALTONSTALL. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Massachusetts will state it.

Mr. SALTONSTALL. It is my understanding that part of the unanimous-consent agreement which has been entered into provides that the question before the Senate tomorrow morning shall be the amendment of the Senator from North Dakota. Is that correct?

The PRESIDING OFFICER. That is correct.

Mr. LANGER. Mr. President, I send the amendment to the desk and ask that it lie on the table.

The PRESIDING OFFICER. The amendment will be received and will lie on the table.

Mr. McFARLAND. Mr. President, I wish to express my appreciation to all the Members of the Senate for their kindness in helping us obtain the agreement which has now been reached.

Before my distinguished friend, the Senator from Michigan [Mr. FERGUSON], addresses the Senate, I also wish to express my appreciation to Senators on his side of the aisle for remaining in the Chamber this long, before going to their dinner. I hope they have a delightful dinner, and that tomorrow morning when they come to the Senate Chamber they will feel fine.

Mr. WATKINS. Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD a statement I have prepared in regard to one of the amendments which were considered today.

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

STATEMENT BY SENATOR WATKINS

Several hours ago I voted to tax the tax-free expense allowances of the President and Vice President of the United States and Members of Congress, including myself. I felt that it was not right that officials of the Government of the United States, be they the holders of high or low offices, should enjoy tax exemptions not enjoyed by all of our people.

I was not a Member of the Senate of the United States when the Legislative Reorganization Act of 1946 was passed, and therefore I had no hand in voting a $2,500 tax-free expense allowance to Members of Congress. I was a member of this body on January 13, 1949, when a bill to grant the President a $50,000 tax-free expense account was voted upon by this body. On that occasion I expressed myself as follows, and I am quoting from the CONGRESSIONAL RECORD, volume 95, part 1, page 215:

"I should like to make an observation with reference to what the Senator from Illinois said concerning Congress voting itself expense money for which it does not need to account. I was not here at the time action was taken on that measure, and I did not vote for it. If the question were up for action today, I would not vote for such a mesaure. I think it is wrong in principle."

That statement was made by me in an exchange with Senator Donnell of Missouri who was urging the adoption of an amendment that the President be required to make an accounting for the $50,000 annual expense allowance which the Senate was then preparing to authorize. I was one of 22 Senators who voted "aye" on that proposal; 61 Senators voted "nay." As a consequence the President has not been required to account for his $50,000 annual expense allowance.

The bill which actually authorized the appropriation of $50,000 each year to the President as a tax-free expense allowance in addition to his salary and other allowances was passed by the Senate on January 13, 1949. I was one of nine Senators who voted against that bill.

Today, more than 2½ years later, the Senate has reversed the action of 2½ years ago by adopting the so-called Williams amendment to the general tax-increase bill which is now the pending business of the Senate. I am proud to say that I was one of the cosponsors of the Williams amendment. I am equally proud to say that I was 1 of the 77 Senators who voted for the amendment. That means that I have voted not only to tax the President's annual tax-free allowance, but also to tax the allowance of Members of Congress, including my own.

On January 18, 1949, 2 days after I had voted in favor of a proposal to require the President to account for his $50,000 annual expense allowance, I inserted an article in the CONGRESSIONAL RECORD which is even more in

point today than it was in 1949. That article was as follows:

[From the Washington (D. C.) Evening Star of January 17, 1949]

TAX-FREE ALLOWANCE VOTED BY SENATE SEEN PROBLEM FOR TRUMAN—PRESIDENT CANNOT KNOW WHETHER HE'S ENTITLED TO MONEY AS PAY UNDER BILL

(By David Lawrence)

President Truman can save future Presidents much embarrassment and set an example of forbearance and dignity by requesting the House of Representatives to amend the bill just passed by the Senate that gives him a $50,000 tax-free expense allowance. No President hereafter will ever be sure whether he can pocket that sum as a part of his income or whether he is under moral obligation to spend it only for a public purpose.

It isn't as if a President doesn't have his expenses paid by the Government. For out of the so-called budget for the White House of more than $1,000,000 a year, he gets the following things:

1. A house with plenty of bedrooms and baths, rent free, plus servants—not a dime of which expense he has to pay. All upkeep and repair expenses are paid by Uncle Sam. The maintenance amounts to about $260,000 a year.

2. All expenses for official entertainment.

3. A fleet of automobiles and chauffeurs for the personal use of himself and family. The Government pays for the upkeep and gasoline used.

GETS PRIVATE YACHT

4. A private yacht and crew that cost the Government a large sum annually to maintain.

5. A private airplane with luxury accommodations and maintenance crew that costs the Government quite a sum annually to maintain.

6. A $40,000 allowance for travel which can be used for political campaigning by the simple trick of calling the trips nonpolitical.

Now it is proposed to increase the President's salary from $75,000 to $100,000. This item would be taxable and thus the President would be just like anybody else insofar as that sum is concerned. Last year he netted approximately $48,000 after taxes because of the split-income rates of husband and wife and under the proposed salary he would net $60,000 after taxes.

But when it comes to the $50,000 expense allowance, tax free, which the Senate has just voted to the President, no businessman has any such privilege. The Government scrutinizes closely expense accounts in business and disallows them if not spent for business purposes. Even so, when the item is ruled to be deductible, the Government bears only 38 percent, while the employer bears 62 percent of the cost of the expense item. There are no tax-free expense allowances in private business.

NO ACCOUNTING NECESSARY

The precedent in this case is also bad because the Senate voted that a President didn't have to make an accounting if he didn't want to do so. Does this mean he can add the $50,000 to personal income? Why put a President of the United States in the embarrassing position of having to decide whether a given expenditure is one that he would or would not have made if he had not been the Chief Executive?

If the House of Representatives wishes to put the matter of a President's salary on a realistic basis, it can increase the present amount to a total of $240,000 a year and make all of this taxable just as is any executive's salary, subject to the usual deductions. This means that at present rates his net sum after taxes would be about $110,000, or the equivalent of a $100,000 taxable salary and $50,000 tax-free allowance as the Senate has proposed.

No element of tax avoidance would then be involved and the precedent would be an honorable one, though to be sure many of the so-called "little people" who are supposed to have won the election for Mr. Truman will wonder since when does "a man of the people" need so much money for personal use the moment he wins an election?

A President who cannot save money on a $75,000 taxable salary when all his rent and servants and transportation are paid for by the Government is not setting a good example of economy or thrift. Likewise a President who accepts a tax-free allowance of any kind and asks the other citizens to pay taxes is not interpreting correctly the basic principles of Thomas Jefferson on which the Democratic Party was founded. Only kings and princes are treated on any other basis. It's a bad way to start off the Fair Deal.

MUTUAL ASSISTANCE ACT OF 1951—CONFERENCE REPORT (S. DOC. NO. 73)

Mr. CONNALLY. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5113) to maintain the security and promote the foreign policy and provide for the general welfare of the United States by furnishing assistance to friendly nations in the interest of international peace and security. I do not wish to have it considered at this time, but merely to submit the report.

The PRESIDING OFFICER. The report will be received, and printed, and will lie on the table, and will be printed in the RECORD.

The report submitted by Mr. CONNALLY is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5113) to maintain the security and promote the foreign policy and provide for the general welfare of the United States by furnishing assistance to friendly nations in the interest of international peace and security, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'Mutual Security Act of 1951'.

"SEC. 2. The Congress declares it to be the purpose of this Act to maintain the security and to promote the foreign policy of the United States by authorizing military, economic, and technical assistance to friendly countries to strengthen the mutual security and individual and collective defenses of the free world, to develop their resources in the interest of their security and independence and the national interest of the United States and to facilitate the effective participation of those countries in the United Nations system for collective security. The purposes of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1571–1604), the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1501–1522), and the Act for International Development (22 U. S. C. 1557) shall hereafter be deemed to include this purpose.

"TITLE I—EUROPE

"SEC. 101. (a) In order to support the freedom of Europe through assistance which will further the carrying out of the plans for defense of the North Atlantic area, while at the same time maintaining the economic stability of the countries of the area so that they may meet their responsibilities for defense, and to further encourage the economic unification and the political federation of Europe, there are hereby authorized to be appropriated to the President for the fiscal year 1952 for carrying out the provisions and accomplishing the policies and purpose of this Act—

"(1) not to exceed $5,028,000,000 for assistance pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1571–1604), for countries which are parties to the North Atlantic Treaty and for any country of Europe (other than a country covered by another title of this Act), which the President determines to be of direct importance to the defense of the North Atlantic area and whose increased ability to defend itself the President determines is important to the preservation of the peace and security of the North Atlantic area and to the security of the United States (any such determination to be reported forthwith to the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Armed Services of the Senate and of the House of Representatives), and not to exceed $100,000,000 of such appropriation for any selected persons who are residing in or escapees from the Soviet Union, Poland, Czechoslovakia, Hungary, Rumania, Bulgaria, Albania, Lithuania, Latvia, and Estonia, or the Communist dominated or Communist occupied areas of Germany and Austria, and any other countries absorbed by the Soviet Union either to form such persons into elements of the military forces supporting the North Atlantic Treaty Organization or for other purposes, when it is similarly determined by the President that such assistance will contribute to the defense of the North Atlantic area and to the security of the United States. In addition, unexpended balances of appropriations heretofore made for carrying out the purposes of the Mutual Defense Assistance Act of 1949, as amended, through assistance to any of the countries covered by this paragraph are hereby authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this paragraph. Section 408 (c) of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1579), is hereby repealed.

"(2) not to exceed $1,022,000,000 for assistance pursuant to the provisions of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1501–1522) (including assistance to further European military production), for any country of Europe covered by paragraph (1) of this subsection and for any other country covered by section 103 (a) of the said Economic Cooperation Act of 1948, as amended. In addition, unexpended balances of appropriations heretofore made for carrying out the purposes of the Economic Cooperation Act of 1948, as amended, are hereby authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this paragraph: *Provided*, That not to exceed $10,000,000 of the funds made available pursuant to this paragraph may be utilized to effectuate the principles set forth in section 115 (e) of the Economic Cooperation Act of 1948, as amended.

"(b) Not to exceed 10 per centum of the total of the appropriations granted pursuant to this section may be transferred, when determined by the President to be necessary for the purpose of this Act, between appropriations granted pursuant to either paragraph of subsection (a): *Provided*, That the amount herein authorized to be transferred shall be determined without reference to any balances of prior appropriations continued available pursuant to this section: *Provided*

further, That, whenever the President makes any such determination, he shall forthwith notify the Committee on Foreign Relations of the Senate, the Committee on Foreign Affairs of the House of Representatives, and the Committees on Armed Services of the Senate and of the House of Representatives.

"TITLE II—NEAR EAST AND AFRICA

"SEC. 201. In order to further the purpose of this Act by continuing to provide military assistance to Greece, Turkey, and Iran, there are hereby authorized to be appropriated to the President for the fiscal year 1952, not to exceed $396,250,000 for furnishing assistance to Greece and Turkey pursuant to the provisions of the Act of May 22, 1947, as amended (22 U. S. C. 1401-1410), and for furnishing assistance to Iran pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1571-1604). In addition, unexpended balances of appropriations heretofore made for assistance to Greece and Turkey, available for the fiscal year 1951, pursuant to the Act of May 22, 1947, as amended, and for assistance to Iran pursuant to the Mutual Defense Assistance Act of 1949, as amended, are hereby authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this section.

"SEC. 202. Whenever the President determines that such action is essential for the purpose of this Act, he may provide assistance, pursuant to the provisions of the Mutual Defense Assistance Act of 1949, as amended, to any country of the Near East area (other than those covered by section 201) and may utilize not to exceed 10 per centum of the amount made available (excluding balances of prior appropriations continued available) pursuant to section 201 of this Act: *Provided*, That any such assistance may be furnished only upon determination by the President that (1) the strategic location of the recipient country makes it of direct importance to the defense of the Near East area, (2) such assistance is of critical importance to the defense of the free nations, and (3) the immediately increased ability of the recipient country to defend itself is important to the preservation of the peace and security of the area and to the security of the United States.

"SEC. 203. In order to further the purpose of this Act in Africa and the Near East, there are hereby authorized to be appropriated to the President, for the fiscal year 1952, not to exceed $160,000,000 for economic and technical assistance in Africa and the Near East in areas other than those covered by section 103 (a) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1502). Funds appropriated pursuant to this section shall be available under the applicable provisions of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1501-1522), and of the Act for International Development (22 U. S. C. 1557).

"SEC. 204. Not to exceed $50,000,000 of the funds authorized under section 203 hereof may be contributed to the United Nations during the fiscal year 1952, for the purposes, and under the provisions, of the United Nations Palestine Refugee Aid Act of 1950 (22 U. S. C. 1556): *Provided*, That, whenever the President shall determine that it would more effectively contribute to the purposes of the said United Nations Palestine Refugee Aid Act of 1950, he may allocate any part of such funds to any agency of the United States Government to be utilized in furtherance of the purposes of said Act and any amount so allocated shall be a part of the United States contribution to the United Nations Relief and Works Agency for Palestine Refugees in the Near East and shall be so credited by said Agency.

"SEC. 205. In order to assist in the relief of refugees coming into Israel, not to exceed $50,000,000 of the funds authorized under section 203 hereof may be utilized during the fiscal year 1952, under such terms and conditions as the President may prescribe, for specific refugee relief and resettlement projects in Israel.

"TITLE III—ASIA AND PACIFIC

"SEC. 301. In order to carry out in the general area of China (including the Republic of the Philippines and the Republic of Korea) the provisions of subsection (a) of section 303 of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1604 (a)), there are hereby authorized to be appropriated to the President for the fiscal year 1952, not to exceed $535,250,000. In addition, unexpended balances of appropriations heretofore made for carrying out the provisions of title III of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1602-1604), are hereby authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this section. Not to exceed $50,000,000 of funds appropriated pursuant to this section (excluding balances of appropriations continued available) may be accounted for as provided in subsection (a) of said section 303.

"SEC. 302. (a) In order to further the purpose of this Act through the strengthening of the area covered in section 301 of this Act (but not including the Republic of Korea), there are hereby authorized to be appropriated to the President, for the fiscal year 1952, not to exceed $237,500,000 for economic and technical assistance in those portions of such area which the President deems to be not under Communist control. Funds appropriated pursuant to authority of this section shall be available under the applicable provisions of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1501-1522), and of the Act for International Development (22 U. S. C. 1557). In addition, unexpended balances of funds heretofore made available for carrying out the purposes of the China Area Aid Act of 1950 (22 U. S. C. 1547), are hereby authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this section.

"(b) The third proviso of section 202 of the China Area Aid Act of 1950 is amended by inserting "and of Korea" after "selected citizens of China" the first time it appears therein.

"SEC. 303. (a) In order to provide for a United States contribution to the United Nations Korean Reconstruction Agency, established by the resolution of the General Assembly of the United Nations of December 1, 1950, there are hereby authorized to be appropriated to the President not to exceed $45,000,000. In addition, unobligated balances of the appropriations heretofore made, and available during the fiscal year 1951, for assistance to Korea under authority of the Far Eastern Economic Assistance Act of 1950, as amended (22 U. S. C. 1543, 1551, 1552), are hereby authorized to be continued available through June 30, 1952, and to be consolidated with the appropriation authorized by this section. Not to exceed 50 per centum of the total of the appropriations authorized by this section may, when determined by the President to be necessary for the purpose of this Act, be transferred to and consolidated with the appropriation authorized by paragraph 302 (a).

"(b) The sums made available pursuant to subsection (a) may be contributed from time to time on behalf of the United States in such amounts as the President determines to be appropriate to support those functions of the United Nations Korean Reconstruction Agency which the military situation in Korea permits the Agency to undertake pursuant to arrangements between the Agency and the United Nations Unified Command. The aggregate amount which may be contributed on behalf of the United States pursuant to the preceding sentence shall be reduced by the value of goods and services made available to Korea by any department or agency of the United States for relief and economic assistance after the assumption of responsibility for relief and rehabilitation operations in Korea by the United Nations Korean Reconstruction Agency.

"(c) The provisions of subsections 304 (a) and (b) of the United Nations Palestine Refugee Aid Act of 1950 (22 U. S. C. 1556 (b)) are hereby made applicable with respect to Korean assistance furnished under this section.

"(d) Unencumbered balances of sums heretofore or hereafter deposited in the special account established pursuant to paragraph (2) of article V of the agreement of December 10, 1948, between the United States of America and the Republic of Korea (62 Stat., part 3, 3788) shall be used in Korea for such purposes as the President determines to be consistent with United Nations programs for assistance to Korea and as may be agreed to between the Government of the United States and the Republic of Korea.

"(e) The functions of the Administrator for Economic Cooperation under the provisions of section 3 of the Far Eastern Economic Assistance Act of 1950, as amended (22 U. S. C. 1551), shall hereafter be performed by such departments or agencies of the Government as the President shall direct.

"TITLE IV—AMERICAN REPUBLICS

"SEC. 401. In order to further the purpose of this Act through the furnishing of military assistance to the other American Republics, there are hereby authorized to be appropriated to the President, for the fiscal year 1952, not to exceed $38,150,000 for carrying out the purposes of this section under the provisions of the Mutual Defense Assistance Act of 1949, as amended: *Provided*, That such assistance may be furnished only in accordance with defense plans which are found by the President to require the recipient country to participate in missions important to the defense of the Western Hemisphere. Any such assistance shall be subject to agreements, as provided herein and as required by section 402 of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1573), designed to assure that the assistance will be used to promote the defense of the Western Hemisphere; and after agreement by the Government of the United States and the country concerned with respect to such missions, military assistance hereunder shall be furnished only in accordance with such agreement.

"SEC. 402. In order to further the purpose of this Act among the peoples of the American Republics through the furnishing of technical assistance, there are hereby authorized to be appropriated to the President, for the fiscal year 1952, not to exceed $21,250,000 for assistance under the provisions of the Act for International Development (22 U. S. C. 1557) and of the Institute of Inter-American Affairs Act, as amended (22 U. S. C. 281).

"TITLE V—ORGANIZATION AND GENERAL PROVISIONS

"UNIFIED DIRECTION OF PROGRAM

"SEC. 501. (a) In order that the programs of military, economic, and technical assistance authorized by this Act may be administered as parts of a unified program in accordance with the intent of Congress and to fix responsibility for the coordination and supervision of these programs in a single person, the President is authorized to appoint in the Executive Office of the President a Director for Mutual Security. The Director, on behalf of the President and subject to his direction, shall have primary responsibility for—

"(1) continuous supervision and general direction of the assistance programs under this Act to the end that such programs shall

be (A) effectively integrated both at home and abroad, and (B) administered so as to assure that the defensive strength of the free nations of the world shall be built as quickly as possible on the basis of continuous and effective self-help and mutual aid;

"(2) preparation and presentation to the Congress of such programs of foreign military, economic, and technical assistance as may be required in the interest of the security of the United States;

"(3) preparation for the President of the report to the Congress required by section 518 of this Act.

"(b) Except as otherwise provided by this Act, the Director shall not hold any other office or employment under the United States and shall not have any other responsibilities except those directly related to the coordination, supervision, and direction, of the programs covered by this Act or otherwise conferred upon him by law.

"(c) The Director shall be appointed by the President, by and with the advice and consent of the Senate, and shall receive compensation at the rate of $22,500 per annum.

"(d) For the purpose of carrying out the provisions of this section, the President is authorized to utilize the positions created in subsection 406 (e) of the Mutual Defense Assistance Act of 1949, as amended. No person may serve in any such position under this subsection while at the same time he is an officer or employee of any other department or agency of the Government.

"(e) (1) The fourth paragraph of section 101 (a) of the National Security Act of 1947, as amended (50 U. S. C. 402 (a)), is amended by inserting after clause (4) the following:

"'(5) the Director for Mutual Security;'

and by renumbering clauses (5) and (6) thereof as clauses (6) and (7), respectively.

"(2) Section 4 (a) of Public Law 171, Seventy-ninth Congress, as amended (59 Stat. 512), is amended by striking out 'Economic Cooperation Administration' and inserting in lieu thereof 'Mutual Security Agency' and by striking out 'Administrator for Economic Cooperation' and inserting in lieu thereof 'Director for Mutual Security'.

"(3) Paragraph (1) of section 3 (a) of the Export-Import Bank Act of 1945, as amended (12 U. S. C. 635a (a) (1)), is amended by inserting after the words 'Secretary of State,' where they appear in the first sentence thereof the words 'the Director for Mutual Security,' and by striking out the last sentence of such paragraph and inserting in lieu thereof the following: 'To the extent he deems it advisable the Secretary of State or the Director for Mutual Security, as the case may be, may designate to act for him in the discharge of his duties as a member of the Board of Directors any officer of his Department or Agency who shall have been appointed by the President by and with the advice and consent of the Senate. The Director for Mutual Security shall not be considered to be a member of the Board of Directors for the purposes of the first sentence of paragraph (3) of this subsection or for the purposes of subsection (b).'

"MUTUAL SECURITY AGENCY

"SEC. 502. (a) The Economic Cooperation Administration and the offices of Administrator for Economic Cooperation, Deputy Adminstrator, United States Special Representative in Europe, and Deputy Special Representative are hereby abolished.

"(b) To assist in carrying out the purpose of this Act—

"(1) there is hereby established, with its principal office at the seat of the government, a Mutual Security Agency, hereinafter referred to as the Agency, which shall be headed by the Director for Mutual Security; and

"(2) there shall be transferred to the Director the powers, functions, and responsibilities conferred upon the Administrator for Economic Cooperation by the Economic Cooperation Act of 1948, as amended, and by any other law, but no such powers, functions, and responsibilities shall be exercised after June 30, 1952, except as provided in subsection (c) of this section.

"(c) Not later than April 1, 1952, the President shall inform the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives which of the powers, functions, and responsibilities transferred to the Director by subsection (b) (2) are found by the President to be necessary to enable the Director after June 30, 1952, to carry out the duties conferred upon him by section 503. The termination provisions of section 122 of the Economic Cooperation Act of 1948, as amended, shall come into effect on June 30, 1952, and none of the powers, functions, and responsibilities conferred by that Act shall be exercised after that date, except those powers, functions, and responsibilities found necessary to enable the Director to carry out the duties conferred on him by section 503 of this Act, which powers, functions, and responsibilities unless otherwise provided by law shall continue in effect until June 30, 1954.

"ADDITIONAL DUTIES OF DIRECTOR FOR MUTUAL SECURITY

"SEC. 503. After June 30, 1952, the Director, on behalf of the President and subject to his direction, shall, in consultation with the Secretaries of State and Defense, continue to have primary responsibility for—

"(a) the development and administration of programs of assistance designed to sustain and increase military effort, including production, construction, equipment and matériel in each country or in groups of countries which receive United States military assistance;

"(b) the provision of such equipment, materials, commodities, services, financial, or other assistance as he finds to be necessary for carrying out mutual defense programs; and

"(c) the provision of limited economic assistance to foreign nations for which the United States has responsibility as a result of participation in joint control arrangements when the President finds that the provision of such economic assistance is in the interest of the security of the United States.

"APPOINTMENT AND TRANSFER OF PERSONNEL

"SEC. 504. (a) To carry out the functions conferred by sections 502 and 503 of this Act, there shall be in the Agency a Deputy Director, a Special Representative in Europe, and a Deputy Special Representative in Europe, who shall be appointed by the President by and with the advice and consent of the Senate, and shall have status and receive compensation comparable to the equivalent positions under the Economic Cooperation Act of 1948, as amended.

"(b) Any personnel of the Economic Cooperation Administration, upon the certification of the Director for Mutual Security and with the approval of the Director of the Bureau of the Budget that such personnel are necessary to carry out the functions of the Director for Mutual Security, and all records and property of such Administration which the Director of the Bureau of the Budget determines are used primarily in the administration of the powers and functions transferred to the Director for Mutual Security by this Act, shall be transferred to the Mutual Security Agency.

"(c) Of the personnel transferred to or employed by the Mutual Security Agency, not to exceed fifty may be compensated at rates higher than those provided for grade 15 of the general schedule established by the Classification Act of 1949, as amended, and of these, not to exceed fifteen may be compensated at a rate in excess of the highest rate provided for grades of such general schedule but not in excess of $15,000 per annum. Such positions shall be in addition to the number authorized by section 505 of the Classification Act of 1949, as amended.

"(d) On and after January 1, 1952, the number of United States citizens employed by the Mutual Security Agency shall be at least 10 per centum less than the number employed by the Economic Cooperation Administration on August 31, 1951: *Provided*, That the Director for Mutual Security shall cause studies to be made from time to time for the purpose of determining whether further reductions in personnel are feasible and consistent with the accomplishment of the purposes of this Act.

"THE SECRETARY OF STATE

"SEC. 505. Nothing contained in this Act shall be construed to infringe upon the powers or functions of the Secretary of State.

"THE SECRETARY OF DEFENSE

"SEC. 506. (a) In the case of aid under this Act for military end items and related technical assistance and advice, the Secretary of Defense shall have primary responsibility and authority for—

"(1) the determination of military end-item requirements;

"(2) the procurement of military equipment in a manner which permits its integration with service programs;

"(3) the supervision of end-item use by the recipient countries;

"(4) the supervision of the training of foreign military personnel; and

"(5) the movement and delivery of military end items.

"(b) The establishment of priorities in the procurement, delivery, and allocation of military equipment shall be determined by the Secretary of Defense. The apportionment of funds between countries shall be determined by the President.

"(c) Notwithstanding any other provision of law, during the fiscal year 1952 the Secretary of Defense may furnish (subject to reimbursement from funds appropriated pursuant to this Act) military assistance out of the materials of war whose production in the United States shall have been authorized for, and appropriated to, the Department of Defense: *Provided, however*, That nothing in this Act shall authorize the furnishing of military items under this subsection in excess of $1,000,000,000 in value. For the purposes of this subsection (1) 'value' shall be determined in accordance with section 402 (c) of the Mutual Defense Assistance Act of 1949, as amended, and (2) the term 'materials of war' means those goods, commonly known as military items, which are required for the performance of their missions by armed forces of a nation, including weapons, military vehicles, ships of war under fifteen hundred tons, aircraft, military communications equipment, ammunition, maintenance parts and spares and military hardware.

"OVERSEAS COORDINATION

"SEC. 507. The President shall prescribe appropriate procedures to assure coordination among representatives of the United States Government in each country, under the leadership of the Chief of the United States Diplomatic Mission.

"RELATIONSHIP TO TECHNICAL COOPERATION ADMINISTRATION AND INSTITUTE OF INTER-AMERICAN AFFAIRS

"SEC. 508. Nothing in this Act shall be construed to modify the provisions of section 412 of the Act for International Development or the provisions of the Institute of Inter-American Affairs Act.

"DETAIL OF PERSONNEL TO FOREIGN GOVERNMENTS AND INTERNATIONAL ORGANIZATIONS

"SEC. 509. Whenever the President determines it to be consistent with and in furtherance of the purpose of this Act, the head of any Government agency is authorized to—

"(a) detail or assign any officer or employee of his agency to any office or position to which no compensation is attached with any foreign government or foreign government agency: *Provided,* That such acceptance of office shall in no case involve the taking of an oath of allegiance to another government; and

"(b) detail, assign, or otherwise make available to any international organization in which the United States participates, any officer or employee of his agency to serve with or as a member of the international staff of such organizations.

Any such officer or employee, while so assigned or detailed, shall be considered, for the purpose of preserving his privileges, rights, seniority, or other benefits as such, an officer or employee of the Government of the United States and of the Government agency from which assigned or detailed, and he shall continue to receive compensation, allowances, and benefits from funds made available to that agency out of funds authorized under this Act.

"SECURITY CLEARANCE

"SEC. 510. No citizen or resident of the United States may be employed, or if already employed, may be assigned to duties by the Director or the Secretary of State under this Act or the Act for International Development for a period to exceed three months unless (a) such individual has been investigated as to loyalty and security by the Federal Bureau of Investigation and a report thereon has been made to the Director or the Secretary of State, as the case may be, and until the Director or the Secretary of State has certified in writing (and filed copies thereof with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs) that, after full consideration of such report, he believes such individual is loyal to the United States, its Constitution, and form of government, and is not now and has never been a member of any organization advocating contrary views; or (b) such individual has been investigated by a military intelligence agency and the Secretary of Defense has certified in writing that he believes such individual is loyal to the United States and filed copies thereof with the Senate Committee on Foreign Relations and the House Committee on Foreign Affairs. This section shall not apply in the case of any officer appointed by the President by and with the advice and consent of the Senate, nor shall it apply in the case of any person already employed under programs covered by this Act who has been previously investigated in connection with such employment.

"Eligibility for assistance

"SEC. 511. (a) No military, economic, or technical assistance authorized pursuant to this Act (other than assistance provided under section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended) shall be supplied to any nation in order to further military effort unless the President finds that the supplying of such assistance will strengthen the security of the United States and unless the recipient country has agreed to—

"(1) join in promoting international understanding and good will, and maintaining world peace;

"(2) take such action as may be mutually agreed upon to eliminate causes of international tension;

"(3) fulfill the military obligations which it has assumed under multilateral or bilateral agreements or treaties to which the United States is a party;

"(4) make, consistent with its political and economic stability, the full contribution permitted by its manpower, resources, facilities, and general economic condition to the development and maintenance of its own defensive strength and the defensive strength of the free world;

"(5) take all reasonable measures which may be needed to develop its defense capacities; and

"(6) take appropriate steps to insure the effective utilization of the economic and military assistance provided by the United States.

"(b) No economic or technical assistance shall be supplied to any other nation unless the President finds that the supplying of such assistance will strengthen the security of the United States and promote world peace, and unless the recipient country has agreed to join in promoting international understanding and good will, and in maintaining world peace, and to take such action as may be mutually agreed upon to eliminate causes of international tension.

"FUTURE AUTHORIZATIONS

"SEC. 512. In order to carry out the purpose of this Act, with respect to those countries eligible to receive assistance as provided herein, funds shall be available as authorized and appropriated to the President each fiscal year.

"TRANSFERABILITY BETWEEN TITLES

"SEC. 513. Whenever the President determines it to be necessary for the purpose of this Act, not to exceed 10 per centum of the funds made available under any title of this Act may be transferred to and consolidated with funds made available under any other title of this Act in order to furnish, to a different area, assistance of the kind for which such funds were available before transfer. Whenever the President makes any such determination, he shall forthwith notify the Committee on Foreign Relations of the Senate and the Committee on Foreign Affairs of the House of Representatives. In the case of the transfer of funds available for military purposes, he shall also forthwith notify the Committees on Armed Services of the Senate and House of Representatives.

"STRATEGIC MATERIALS

"SEC. 514. In order to promote the increased production, in areas covered by this Act, of materials in which the United States is deficient, not to exceed $55,000,000 of the funds authorized to be appropriated pursuant to section 101 (a) (2) of this Act may be used pursuant to the authority contained in the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1501–1522).

"PROTECTION AGAINST ATTACHMENT

"SEC. 515. All countries participating in any United States aid program or in any international organization receiving United States aid shall be required to so deposit, segregate, or assure title to all funds allocated to or derived from any program so that the same shall not be subject to garnishment, attachment, seizure, or other legal process by any person, firm, agency, corporation, organization, or government when in the opinion of the Director any such action would interfere with the attainment of the objectives of this Act.

"ENCOURAGEMENT OF FREE ENTERPRISE

"SEC. 516. It is hereby declared to be the policy of the Congress that this Act shall be administered in such a way as (1) to eliminate the barriers to, and provide the incentives for, a steadily increased participation of free private enterprise in developing the resources of foreign countries consistent with the policies of this Act, (2) to the extent that it is feasible and does not interfere with the achievement of the purposes set forth in this Act, to discourage the cartel and monopolistic business practices prevailing in certain countries receiving aid under this Act which result in restricting production and increasing prices, and to encourage where suitable competition and productivity, and (3) to encourage where suitable the development and strengthening of the free labor union movements as the collective bargaining agencies of labor within such countries.

"PATENTS AND TECHNICAL INFORMATION

"SEC. 517. (a) As used in this section—

"(1) the term 'invention' means an invention or discovery covered by a patent issued by the United States, and

"(2) the term 'information' means information originated by or peculiarly within the knowledge of the owner thereof and those in privity with him, which is not available to the public and is subject to protection as property under recognized legal principles.

"(b) Whenever, in connection with the furnishing of any assistance in furtherance of the purpose of this Act—

"(1) use within the United States, without authorization by the owner, shall be made of an invention, or

"(2) damage to the owner shall result from the disclosure of information by reason of acts of the United States or its officers or employees,

the exclusive remedy of the owner of such invention or information shall be by suit against the United States in the Court of Claims or in the District Court of the United States for the district in which such owner is a resident for reasonable and entire compensation for unauthorized use or disclosure. In any such suit the United States may avail itself of any and all defenses, general or special, that might be pleaded by any defendant in a like action.

"(c) Before such suit against the United States has been instituted, the head of the appropriate department or agency of the Government, which has furnished any assistance in furtherance of the purpose of this Act, is authorized and empowered to enter into an agreement with the claimant, in full settlement and compromise of any claim against the United States hereunder.

"(d) The provisions of the last sentence of section 1498 of Title 28 of the United States Code shall apply to inventions and information covered by this section.

"(e) Except as otherwise provided by law, no recovery shall be had for any infringement of a patent committed more than six years prior to the filing of the complaint or counterclaim for infringement in the action, except that the period between the date of receipt by the Government of a written claim under subsection (c) above for compensation for infringement of a patent and the date of mailing by the Government of a notice to the claimant that his claim has been denied shall not be counted as part of the six years, unless suit is brought before the last-mentioned date.

"REPORTS

"SEC. 518. The President, from time to time while funds appropriated for the purpose of this Act continue to be available for obligation, shall transmit to the Congress, in lieu of any reports otherwise required by laws continued in effect by this Act, reports covering each six months of operations in furtherance of the purpose of this Act, except information the disclosure of which he deems incompatible with the security of the United States. The first such report shall cover the six-month period commencing on the date this Act becomes effective. Reports provided for under this section shall be transmitted to the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, if the Senate or the House of Representatives, as the case may be, is not in session.

"LOCAL CURRENCY

"SEC. 519. (a) Upon a determination by the Director that it will further the purpose of this Act, not to exceed $10,000,000 of the funds made available pursuant to section 203 of this Act and not to exceed $25,000,000 of funds made available pursuant to section 302 of this Act may be advanced to countries covered by said sections in return for equivalent amounts of the currency of such countries being made available to meet local currency needs of the aid programs in such countries pursuant to agreements made in advance with the United States: *Provided,* That except when otherwise prescribed by the Director as necessary to the effective accomplishment of the aid programs in such countries, all funds so advanced shall be held under procedures set out in such agreements until used to pay for goods and services approved by the United States or until repaid to the United States for reimbursement to the appropriation from which drawn.

"(b) In order to assist in carrying out the provisions of the Economic Cooperation Act of 1948, as amended, not to exceed $50,000,000 of funds made available under the authority of this Act for assistance pursuant to the provisions of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1501–1522), may be used to acquire local currency for the purpose of increasing the production of materials in which the United States is deficient.

"GUARANTIES

"SEC. 520. Funds realized from the sales of notes pursuant to section 111 (c) (2) of the Economic Cooperation Act of 1948, as amended, shall be available for making guaranties of investments in accordance with the applicable provisions of sections 111 (b) (3) and 111 (c) (2) of the Economic Cooperation Act, as amended, in any area in which assistance is authorized by this Act.

"ADMINISTRATIVE EXPENSES

"SEC. 521. Funds made available for carrying out the provisions of title I of this Act shall be available for United States participation in the acquisition or construction of facilities in foreign countries for collective defense: *Provided,* That no part of such funds shall be expended for rental or purchase of land or for payment of taxes. Such funds shall also be available for the administrative expenses of carrying out the purposes of all of the titles of this Act, including expenses incident to United States participation in international security organizations and expenses in the United States in connection with programs authorized under the Act for International Development. Any currency of any nation received by the United States for its own use in connection with assistance furnished by the United States may be used by any agency of the Government without reimbursement from any appropriation for the administrative and operating expenses of carrying out the purpose of this Act. Funds made available for carrying out the purpose of this Act in the Federal Republic of Germany may, as authorized in subsection 114 (h) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1512 (h)), be transferred by the President to any department or agency for the expenses necessary to meet the responsibilities and obligations of the United States in the Federal Republic of Germany.

"LOANS

"SEC. 522. Section 111 (c) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1501–1522), is hereby amended by adding a new paragraph as follows:

"'(3) Of the assistance provided under the applicable provisions of this Act with funds made available under the authority of the Mutual Security Act of 1951, as great an amount (in no event less than 10 per centum) as possible shall be provided on credit terms.'

"USE OF COUNTERPART

"SEC. 523. Section 115 (b) (6) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1513 (b) (6)), is hereby amended by—

"(a) inserting in the second proviso thereof after 'wealth' the following: 'for the encouragement of emigration pursuant to subsection (e) of this section';

"(b) adding in the last clause of the second proviso 'and operating' after 'administrative';

"(c) striking from the last clause of the second proviso 'within such country';

"(d) substituting in the fourth proviso the words 'upon termination of assistance to such country under this Act' in place of the words 'on June 30, 1952'; and

"(e) adding at the end thereof the following new sentences: 'The Administrator shall exercise the power granted to him by this paragraph to make agreements with respect to the use of the funds deposited in the special accounts of "participating countries" (as defined in section 103 (a) hereof) and any other countries receiving assistance under the Mutual Defense Assistance Act of 1949, as amended, in such a manner that the equivalent of not less than $500,000,000 of such funds shall be used exclusively for military production, construction, equipment, and matériel in such countries. The amount to be devoted from each such special account for such use shall be agreed upon by the Administrator and the country or countries concerned.'.

"RETURN OF EQUIPMENT

"SEC. 524. The President shall make appropriate arrangements with each nation receiving equipment or material under the Mutual Defense Assistance Act of 1949, as amended (other than equipment or material furnished under terms requiring the nation to reimburse the United States in full therefor), for the return to the United States (1) for salvage or scrap, or (2) for such other disposition as the President shall deem to be in the interest of mutual security, of any of such equipment or material as is no longer required for the purposes for which originally made available.

"REIMBURSABLE AID

"SEC. 525. Section 408 (e) of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1580), is hereby amended by adding in the first proviso thereof, after the words 'of which it is a part', the words 'or in United Nations collective security arrangements and measures', and by changing the figure at the end of such section 408 (e) to '$500,000,000'.

"EXCESS EQUIPMENT

"SEC. 526. The proviso in the first sentence of section 403 (d) of the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1574 (d)), is hereby amended to read as follows: '*Provided,* That after June 30, 1950, such limitation shall be increased by $250,000,000 and after June 30, 1951, by an additional $300,000,000'.

"CONGRESSIONAL COMMITTEE EXPENSES

"SEC. 527. Section 115 (h) of the Economic Cooperation Act of 1948, as amended (22 U. S. C. 1513 (h)) is amended by inserting before the period at the end thereof a comma and the following: 'including local currency requirements of appropriate committees of the Congress engaged in carrying out their duties under section 136 of the Legislative Reorganization Act of 1946'.

"UNITED NATIONS TECHNICAL ASSISTANCE

"SEC. 528. The Act for International Development is amended—

"(a) By adding before the period at the end of section 404 (b) the following: ': *Provided,* That for the fiscal year ending June 30, 1952, such contributions from funds made available under authority of sections 101 (a) (2), 203, 302, and 402 of the Mutual Security Act of 1951 shall not exceed in the aggregate $13,000,000, and the use of such contributions shall not be limited to the area covered by the section of the Act from which the funds are drawn'.

"(b) By adding at the end of section 407 a new paragraph:

"'(d) Participating countries shall be encouraged to establish fair labor standards of wages and working conditions and management-labor relations.'

"(c) By repealing section 414.

"TERMINATION OF ASSISTANCE BY PRESIDENT

"SEC. 529. If the President determines that the furnishing of assistance to any nation—

"(a) is no longer consistent with the national interest or security of the United States or the policies and purpose of this Act; or

"(b) would contravene a decision of the Security Council of the United Nations; or

"(c) would be inconsistent with the principle that members of the United Nations should refrain from giving assistance to any nation against which the Security Council or the General Assembly has recommended measures in case of a threat to, or breach of, the peace, or act of aggression, he shall terminate all or part of any assistance furnished pursuant to this Act. The function conferred herein shall be in addition to all other functions heretofore conferred with respect to the termination of military, economic, or technical assistance.

"EXPIRATION OF PROGRAM

"SEC. 530. (a) After June 30, 1954, or after the date of the passage of a concurrent resolution by the two Houses of Congress before such date, none of the authority conferred by this Act or by the Mutual Defense Assistance Act of 1949, as amended (22 U. S. C. 1571–1604) may be exercised; except that during the twelve months following such date equipment, materials, commodities, and services with respect to which procurement for, shipment to, or delivery in a recipient country had been authorized prior to such date, may be transferred to such country, and funds appropriated under authority of this Act may be obligated during such twelve-month period for the necessary expenses of procurement, shipment, delivery, and other activities essential to such transfer and shall remain available during such period for the necessary expenses of liquidating operations under this Act.

"(b) At such time as the President shall find appropriate after such date, and prior to the expiration of the twelve months following such date, the powers, duties, and authority conferred by this Act and by the Mutual Defense Assistance Act of 1949, as amended, may be transferred for the purpose of liquidation to such other departments, agencies, or establishments of the Government as the President shall specify, and the relevant funds, records, property and personnel may be transferred to the departments, agencies, or establishments to which the related functions are transferred.

"EFFECTIVE DATE

"SEC. 531. Sections 502 (a), (b) (2), and section 504 (b) of this Act shall take effect on such date or dates as the President shall specify, but in no event later than sixty days after the date the Director first appointed takes office. Section 511 shall take effect

ninety days after enactment of this Act. All other provisions of this Act shall take effect upon the date of its enactment."

And the Senate agree to the same.

TOM CONNALLY,
THEODORE FRANCIS GREEN,
BRIEN MCMAHON,
RICHARD B. RUSSELL,
ALEXANDER WILEY,
H. ALEXANDER SMITH,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

J. P. RICHARDS,
MIKE MANSFIELD,
THOMAS E. MORGAN,
JOHN M. VORYS,
FRANCES P. BOLTON,
Managers on the Part of the House.

SECRECY ORDER BY OFFICE OF PRICE STABILIZATION

Mr. FERGUSON. Mr. President, I am glad the Senator from Vermont [Mr. AIKEN] has read to the Senate the announcement of the secrecy order by the Office of Price Stabilization, because I think that the newspaper, radio, Members of the Senate and of the House, and public officials generally felt that that was the way the President's order on the classification of official information was going to be used.

It may be said that this practice of suppressing information in the Executive department got its big start back in March of 1948. The Senator from Michigan was then chairman of the Senate Investigations Subcommittee, and was investigating things that could be embarrassing to the administration. The subject of the investigation was the operation of the Government's loyalty program, revolving around the case of William Remington. As a footnote to the inquiry it may be recalled that its revelations prompted the first of the President's famous "red herring" statements. At about that time an Executive order was issued, placing certain files under the direct and exclusive jurisdiction of the President. On occasion the files were taken to the White House in order that they could not be supenaed. Witnesses were told they were not allowed to testify upon matters before the committee. In the course of our hearings, an admiral was able to tell the Senator from Michigan, off the record, the fact that because of an order by the President of the United States he was not permitted to testify.

Only yesterday in the Internal Security Subcommittee the record showed the number of times the Senate of the United States has asked the President to aid the committee in bringing in certain evidence——

Mr. BRICKER. Mr. President, will the Senator from Michigan yield to me?

Mr. FERGUSON. I yield for a question.

Mr. BRICKER. Mr. President, does the Senator from Michigan intend to discuss further the order issued by Mr. DiSalle?

Mr. FERGUSON. Let me say——

Mr. MAYBANK. Mr. President, may we have order? I cannot hear the Senator from Michigan.

Mr. FERGUSON. Mr. President, I have yielded to the Senator from Ohio for a question.

Mr. MAYBANK. I wish to hear.

Mr. BRICKER. Mr. President, I should like to ask the Senator from Michigan whether the order issued by the Administrator of the OPS is, in the judgment of the Senator from Michigan, entirely unconstitutional, if it has any force or effect at all.

Mr. FERGUSON. It would be unconstitutional. However, that is not the whole of the trouble. The trouble is also that as long as that order is in effect, the President, through his prerogative as Chief Executive officer of the United States, will forbid his subordinates to speak publicly. When they appear before a congressional committee, insofar as the press is concerned, those persons will keep the knowledge within their own hands, and therefore we shall be helpless in seeking to obtain from them information which is necessary for good legislation as well as the public's guidance.

Mr. BRICKER. Mr. President, will the Senator from Michigan yield further?

Mr. FERGUSON. I yield.

Mr. BRICKER. In line with the question I have asked and the answer the Senator from Michigan has given, let me ask whether the Senator from Michigan agrees with me that even though the order might be unconstitutional in all its aspects, there is no way to raise that issue.

Mr. FERGUSON. That is correct. The order is a decree. It follows the pattern of dictatorship. So long as the President has power as President, there is no way for one to go into court and actually obtain relief from an unconstitutional decree.

Mr. BRICKER. Is not that typical of the actions which have been carried on through the State Department and by Philip Jessup and by Zechariah Chafee and Mrs. Roosevelt in an attempt to get international agreements which would interfere with the freedom of the press and freedom of speech in our country?

Mr. FERGUSON. I would agree. As the Senator from Ohio has said, the difficulty is that if that declaration or compact went into effect, it would allow the various governments to determine for themselves what is sacred; and once you place in the hands of government itself the right to determine what is sacred, they will do as Mr. DiSalle has done, namely, they will say that anything which might cause embarrassment is sacred.

Mr. BRICKER. That very word is used, is it not, time and time again in the covenant we discussed here a few weeks ago, is it not?

Mr. FERGUSON. That is correct.

Mr. BRICKER. Does the Senator from Michigan agree with me that there are too many tin-horn dictators around Washington with dictatorship complexes?

Mr. FERGUSON. Certainly that is a true statement, Mr. President.

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

Mr. FERGUSON. I yield.

Mr. MAYBANK. I wish to ask the Senator from Michigan whether there is anything in the National Production Act, on which the Banking and Currency Committee passed, and I believe the Senator from Michigan voted for the final passage of that measure, which would give to those who administer that act any authority such as that now referred to.

Mr. FERGUSON. There certainly is not. I know there is nothing in that act which would allow the Administrator of the Office of Price Stabilization or anyone else in the executive branch of the Government or in any branch of the Government to keep secret any matters which might cause it embarrassment, or, in fact, which would permit anyone in the Office of Price Stabilization to keep anything secret.

Mr. MAYBANK. Mr. President, with the permission of the Senator from Michigan, if he will grant permission, let me say that as a Member, together with the Senator from Michigan, of the Appropriations Subcommittee on Deficiency Appropriations, I wish to join him in making certain in the Appropriations Committee that any money which may be appropriated for the Office of Price Stabilization or for the National Production Authority is made subject to a limitation that nothing can be kept secret by those organizations. After all, they are not manufacturing any secret weapons.

Mr. FERGUSON. That is correct.

Mr. MAYBANK. Everything they do should be known to the public.

Mr. FERGUSON. I appreciate the Senator's remarks, Mr. President.

Mr. MAYBANK. Some of the members of the committee have differed on some points. However, when it comes to the question of whether anything in connection with the National Production Authority or the Office of Price Stabilization shall be kept secret, I believe we are agreed that that would be the worst thing which possibly could happen.

I hope the distinguished Senator from Michigan will join me in the Appropriations Committee in making provision forbidding the occurrence of such a thing.

Mr. FERGUSON. Certainly, and I thank the Senator.

Mr. BRICKER. Mr. President, will the Senator from Michigan yield to me again?

Mr. FERGUSON. I yield.

Mr. BRICKER. Will the Senator from Michigan agree with me that if any orders of the Office of Price Stabilization are going to be kept secret, that organization might just as well discharge its publicity staff?

Mr. FERGUSON. Yes. There is one nub of the situation. The publicity staff of that organization will get from the President authority to give out only the things it wishes to "puff" about and to use in boasting about its own agency.

Mr. BRICKER. Yes, that is what they want.

Mr. FERGUSON. As a result, we shall be told that it is necessary to increase the size of that publicity staff, because in that case the same staff will be used both to "puff" about the organization and also to keep secret anything which might embarrass the organization. The result will not be to reduce by one man the

size or to reduce by 1 cent the cost of that publicity staff.

Mr. BRICKER. Mr. President, will the Senator from Michigan yield further to me?

Mr. FERGUSON. I yield.

Mr. BRICKER. I am interested to see that the Chairman of the Banking and Currency Committee is now in the Chamber. I would like to ask the Senator——

Mr. MAYBANK. Mr. President, the Senator from Ohio knows that I would never believe in any secrecy on the part of the Office of Price Stabilization.

Mr. BRICKER. I should like to ask whether the Senator from Michigan agrees with me and, I think, with the Senator from South Carolina that the order which has been issued is one in regard to which the joint committee which studies the operations under the National Production Authority Act should immediately hold a hearing, and should call to that hearing Mr. DiSalle and the many who signed the order, and should see what it is all about.

Mr. FERGUSON. I agree that the committee should act immediately. The Appropriations Committee should act to see that not one dollar is used by any agency which prohibits freedom of information, other than security information, or which acts to suppress information on grounds that it is of such nature that it might embarrass them—that they should not have one dollar of the taxpayers' money with which to operate.

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

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

Mr. MAYBANK. I desire to assure the Senator from Michigan and the Senator from Ohio, who are on the joint committee—and I think the Senator from Ohio knows me from a long time ago, when we were Governors together, in 1938 and 1939—that I would be the last one to become a party to such a thing, and I would be the first one to call a meeting. That is one good thing we have done with respect to the RFC, under the present Administrator. Whether we like it or not, there is no more secrecy in the RFC.

Mr. BRICKER. That is correct.

Mr. MAYBANK. And there is not going to be any secrecy in the OPS. The only secret information they gave out in my opinion was information about the cost of living, and even the Washington Post in its leading editorial on Sunday morning—I presume the Senator has read it; I did not put it in the RECORD—showed that the cost of living had continued to go down.

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

Mr. FERGUSON. I yield to the Senator from Vermont.

Mr. AIKEN. I desire to point out that I think the committee and the Congress are wasting their time in calling Mr. DiSalle on the carpet, or in attempting to control this situation by changing the Defense Production Act. Mr. DiSalle is acting in accordance with a policy announced by the White House yesterday, a decree which is unquestionably going to be followed by all other agencies of the executive branch of the Government. It is a waste of time and a diversion to attack Mr. DiSalle.

Mr. MAYBANK. Oh, no.

Mr. AIKEN. It is a waste of time to attack Mr. DiSalle, much as he ought to be attacked for it. Yes; there is a policy he is following. It was enunciated yesterday directly from the White House.

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

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

Mr. MAYBANK. I made no attack on Mr. DiSalle.

Mr. AIKEN. No.

Mr. MAYBANK. I made the attack against anyone who would deny any information which was not top secret military information to the newspapers or to the public of America.

Mr. AIKEN. That is correct. All the criticism I have of Mr. DiSalle is that he should resign his position rather than follow such a policy, which is as un-American as any we have seen since the passage of the Sedition Act of 1797.

Mr. MAYBANK. I am not in favor of any such procedure as has been mentioned, and I want to say to the Senator from Michigan, who is on the subcommittee with me, that with the aid of the distinguished chairman, who is not present at this time, we shall do everything we can, and if necessary we will have a meeting. I may say to the Senator from Ohio, who is on the joint committee with me, we will have a meeting of the committee at the earliest possible moment.

Mr. BRICKER. I want to express my thanks to the chairman. It is exactly what I would expect him to say, from his past fidelity to duty.

The suggestion has been made by the Senator from Vermont that what has been done by OPS is only carrying out the policy enunciated yesterday by the President. Let me say I deplore the action of the President as much as anyone. I think it was only an effort on the part of the President of the United States to cover up the crookedness and the skulduggery that is going on in his administration, and to let the departments of the Federal Government know that they must comply. But the order of the President did not go so far as the order of OPS has gone. He did try to limit it to those things which might affect national security, of course. He will determine what affects national security, but the President of the United States never went so far as to say that there should be kept secret anything which might embarrass a department of the Federal Government.

Mr. FERGUSON. Mr. President, I began my remarks on the subject prior to the last voting and at the point where the Senator from Vermont [Mr. AIKEN] read from a news account of the Office of Price Stabilization secrecy order. I ask unanimous consent that my brief remarks on the subject at that time may appear in the RECORD at the point where I began to speak after the voting, so that there will be continuity in the RECORD.

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

Mr. FERGUSON. Mr. President, on no occasion since the Senator from Michigan became a Member of this body has he felt the impact of any order or decree or law as he has felt this blow at liberty today. It is just that. It is a blow by an agency—yes, by the President of the United States, by the President of a Republic which has stood as a symbol of liberty and justice, whose Constitution says that we shall respect freedom of speech and freedom of thought against the very essence of our liberties.

Mr. President, this Republic of ours cannot function, it cannot survive if we are to have dictatorial decrees such as the Presidential order which was announced yesterday and this agency order which pursues it. I must hold responsible the top man, the man who issues the master order, for the acts of any man who invokes that order in an illegal or in a wrongful way.

The impact of this Executive order has been foreseen clearly by those who know something about the press. The distinguished journalist, Mr. David Lawrence, last evening wrote:

> "Iron curtain" descends on press; new set of regulations issued in decree with phraseology as sweeping as any ever used in a dictatorship.

Those are the headlines. The article follows:

> The iron curtain seems to have descended on the relations between the executive branch of Government of the United States Government and the outside world.
>
> A new set of regulations, in the form of an official decree, has just been issued with phraseology as sweeping as any ever used in a dictatorship. It constitutes, as the President admits, "for the first time, uniform standards for classifying and protecting security information throughout the executive branch of the Government."

And here, Mr. President, is the nub of the situation:

> But who is to say what is or is not "security information"? Why, the officials themselves, of course—the political appointees of a political administration. There is no penalty against the official or the agency of Government who, under the guise of "security," may be guilty of suppressing news to which the American people are entitled.

That brings it down to a question of what we can do now, when a man who shows by the very order he has issued that he is unfit to hold public office, who will suppress fundamental freedom of information under the guise of security but merely to keep from the American Congress and from the American people that which might cause embarrassment to the administration of a public agency. I say now, on the floor of the United States Senate, that any man who will issue, even under the security order of the President, an order to his appointees to conceal everything that might cause embarrassment, is not fit for public office. He does not know the fundamentals of the Constitution or the fundamental liberties of the people of America.

It has been suggested that if I spoke out now on this subject I might not get to the dinner which is taking place. Mr. President, there is no dinner, there is

nothing in America, which is more important than the implications of this secrecy order which has been issued by the OPS.

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

Mr. FERGUSON. I yield to the Senator from Kansas.

Mr. SCHOEPPEL. I should like to ask the distinguished Senator from Michigan, who is speaking on a most important and vital subject, whether it would not be highly proper for the Senate of the United States, before a single nomination is confirmed by this body, to have very definitely understood what the nominee's conception is of the very important point the Senator from Michigan is now making.

Mr. FERGUSON. The Senator from Kansas touches upon a very important fundamental. We are altogether too lenient in the Senate of the United States in the confirmation of appointees. We proceed on the philosophy that the President of the United States—the Senator from Michigan does not follow it, but there are too many Senators on this floor who are willing to adopt the philosophy—that notwithstanding the meaning of the constitutional provision for Senate confirmations the President has an absolute right to name those who are to carry out and execute the laws of the United States which he is constitutionally bound to execute.

We should go more thoroughly into the philosophies of the men and the women who are to execute vital and important orders as officers of public trust. We should be forewarned of the philosophy of any man who believes that he should issue an order such as the one the OPS has just issued, forbidding disclosure by its employees of any information that might cause embarrassment to OPS.

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

Mr. FERGUSON. I yield to the Senator from Ohio.

Mr. BRICKER. Is it not true that the one man responsible for this debacle, the one man responsible for the infringement of the rights of the American people, the one man responsible for the refusal and complete failure to cut the costs of Government, the one man responsible for the inflationary prices we are paying at the present time, the one man responsible for the propaganda that is being spread all over the country, the one man responsible for the attitude of complete dictatorship over the executive departments, the one man responsible for withholding from the Congress of the United States, and thereby from the American people, information in regard to the loyalty of Federal employees, the one man responsible for refusing to let the Congress know the facts in regard to international trade agreements so that we might protect American industry, the one man responsible for preventing the Congress of the United States, and thereby the courts of the land, from finding out the truth about subversive influences in the Government—that one man is the President of the United States?

Mr. FERGUSON. There is no doubt about that. We must hold him responsible for the executive branch.

Mr. President, when I became a Member of the Senate of the United States I felt that I was a citizen of the State of Michigan and that the voters there were permitting me to come here in order that I might represent that great State. I had as my senior colleague the distinguished Arthur Vandenberg, and no man was more complete or unyielding in his devotion to the principles of the Constitution of the United States. It was our purpose to try to see that we had a Government which operated under the Constitution. We wanted to see a Government that was good for all the people, that recognized the inalienable rights of the people. If wrongs were being committed in the Government, it was our solemn duty and obligation as members of the minority party to see that they were called to the attention of the public, in order that public opinion might operate as it should operate upon all branches of the Government, to see that only those things that were good and honest and constitutional were carried on by the various public officials.

Now I find that the order of March 1948, then used for the purpose of keeping the Senator from Michigan from getting facts in loyalty cases involving Communists who were at the very roots of the institutions of America, has now been extended to anything that "might be embarrassing."

Mr. President, no one can deny that during the past few months and years conditions which ought to be embarrassing to any people, and especially American citizens, have been disclosed. The surprising thing is that the people have not revolted, that they have not risen in righteous wrath against the corruption that has been disclosed to them. What we now find is that not only can evidence of corruption be concealed, not only can unlawful acts be hidden, but Mr. President, anything that might even be embarrassing to the administration or any of its agencies may be concealed.

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

Mr. FERGUSON. I yield to the Senator from Washington.

Mr. CAIN. From what the distinguished Senator from Michigan has just been saying, I should think that the OPS might construe to be embarrassing any reasonable request for information received from any Member of Congress or from any American citizen which the OPS itself did not wish, for reasons of its own, to satisfy. To what extent is my conclusion a valid one, in the opinion of the Senator from Michigan?

Mr. FERGUSON. The Senator from Michigan can see in this order an indication that anything that the Director of the Agency, or even his minor clerks, might feel would be in any way embarrassing to the OPS, would not be furnished to a Senator of the United States, nor could the officials even come before any committee of Congress and testify to the facts. They could not appear before the Appropriations Committee and give facts to that committee, if, in their opinion—and they are supreme in their opinion—it would be a violation of the order.

We have confronted this situation in the Internal Security Subcommittee. We tried to get information on a roundtable discussion held in the State Department on the foreign policy of the United States. The President notified the Secretary of State, who notified the committee, that the information could not be given to the committee. Therefore, we were foreclosed from obtaining information on that conference, which was a matter of public business, so long as any witness from whom we sought information on the meeting was an employee of the United States.

Yesterday a distinguished professor of political science from Northwestern University appeared before the committee. He had attended the meeting in question. After he was sworn he was asked a question, and as a loyal American citizen he told what happened at the meeting. But he had to use his own memory, and he was testifying about what happened in 1949. Just think of it. In 1949 there were people sitting around a table in the State Department of the United States advising Mr. Jessup, as a representative of the State Department. Some of these people were following the Communist line. The testimony before us showed that some of the men who sat around that table advising the State Department on far-eastern policy were—I will not say Communists, but I will say they were giving aid and comfort to the Communists and following the line, as the witness expressed it, that leads direct to Moscow.

Mr. BRICKER. Mr. President, will the Senator from Michigan yield further?

Mr. FERGUSON. I yield.

Mr. BRICKER. Is that the same Mr. Philip Jessup who at the present time is a roving Ambassador of the United States, and whose nomination will soon be before the Senate, if reported favorably by the Committee on Foreign Relations, as a delegate to the United Nations Assembly?

Mr. FERGUSON. That is the same gentleman.

Mr. BRICKER. Does the Senator remember the time when he and I were together on a committee trying to find the truth in regard to one Remington?

Mr. FERGUSON. I remember it well. That is when the order was issued providing that we could not see the executive files.

Mr. BRICKER. Does the Senator remember that the President of the United States took the files and put them in his own desk?

Mr. FERGUSON. That is correct; because he felt that a subpena from the Senate would not reach down into the White House and bring the President of the United States to the bar of the Senate. There is nothing in the law and there is nothing in the Constitution to that effect. All the fundamentals of American policy would say that the President of the United States can be subpenaed, and on a subpena duces tecum be directed to bring records and files

before the bar of the Senate of the United States. There is no doubt about it.

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

Mr. FERGUSON. I yield.

Mr. BRICKER. The President of the United States ought not to resist, but should be the first one to bring those records or to send them so that the Congress might have the truth and so that the American people might know whether he fails to obey the Constitution and carry out the laws passed by the Congress.

Mr. FERGUSON. I agree with the Senator from Ohio that the President should be the first to respond to such a call. All public officials should be eager to do so. I have no doubt any conscientious public servant would want to. But what did we find in the Dollar Steamship Line case? It is well known that the Secretary of Commerce, who is himself an able lawyer from the State of Ohio, was instructed by letter to disregard and to violate an order of an appellate court of the United States. No such thing has ever before happened in the history of the United States.

Oh, Mr. President, I see now the paralysis creeping over the rights and liberties of the American people.

It is creeping slowly but surely. That is why I have taken the floor of the Senate tonight in order that I may at least raise my voice, which I shall do as long as I am a Senator of the United States and as long as I shall have breath, violently to oppose dictatorship in any form in the United States. I oppose the President or anyone who would keep from the American people the liberties which their forefathers fought for, and which we, as representatives of the people, are here duty-bound to defend upon the floor of the Senate of the United States.

It was suggested by one Senator that we may not be able to make any change in the situation. Perhaps not. But the people back home, if they can hear our voice, which some may think to be a voice in the wilderness, a feeble voice—and the press probably will not carry what we say—the people back home will react to it. Let me say this, too, if the press wants to keep its liberties, if those connected with it, reporters and editors, want to be free to express themselves freely, they will seriously consider what is being done to the American people when they are not going to get any information out of the files that may embarrass the administration. I have come to the conclusion that we will have a blackout of news from the administration entirely if it is proposed to conceal anything that might be embarrassing to it.

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

Mr. FERGUSON. I yield.

Mr. BRICKER. Does the Senator remember the time also in the same committee on which the Senator and I served, when we were prevented from getting the truth in connection with the most sordid election scandal and vote steal possibly in the history of the country, in the notorious Kansas City vote fraud case?

Mr. FERGUSON. Yes, I do.

Mr. BRICKER. We were absolutely prevented from getting the truth by every devious means possible at the hands of the administration, through the Department of Justice.

Mr. FERGUSON. That is correct.

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

Mr. FERGUSON. In a moment.

The Senator from Michigan knows, from painful personal experience, what went on here, when he was one of the members of the joint committee investigating Pearl Harbor. Mr. President, do we know or will we ever know what was concealed from the people at that time?

I shall never forget an experience I had on the eighth anniversary of the Pearl Harbor tragedy. The Senator from Michigan was in Hawaii at the time. It was the night before the anniversary, the night of the 6th of December. A young man in civilian clothes approached me and said, "You do not remember me, Senator, but I want to introduce my wife to you," and he did. That young man then said, "I have had something upon my conscience that I just must tell you because I know that tomorrow morning you are going down on the ship that was sunk in the harbor. Something has been bothering me and I must tell you about it. I hope that you will not relate my name, because I am a young fellow, now in civilian clothes, but with the services." He said, "I do not want to lose my job. I do not want to be demoted. But my conscience says that I must tell you something."

Mr. President, I shall not name the department he was in. But he told me about preparing a memorandum under an admiral, and of the memorandum being sent upstairs. The memorandum contained a notice of warning of an approach of trouble in Hawaii prior to the Pearl Harbor attack. The question was whether or not that message should be brought before the joint committee. The admiral said to him, "Well, you know the trouble we are having up there now with the investigating committee about the east wind west wind code message; whether it is lost or not. Before we say anything or do anything about this, have we got the message copy?" The young officer said, "Yes, I personally put the copy in the file." The admiral said, "Well, you go and get the copy and then see me." The young officer went, examined the file in the Navy Department and came back to the admiral and said, "It is no longer there. It is no longer there."

So history will never show that message. But, Mr. President, the boys who are down in the water under that sunken ship know, and the God above knows, that that message was sent up, and they know that it was later taken from the files of the Navy Department of the United States of America so that the public would never know of its existence.

So, Mr. President, I rise in my place tonight in the hope I may help bring this serious matter we have been discussing to the attention of the people of the United States and the further attention of the Senate. I do so in the knowledge that nothing can be done except through the Congress, because the President, as Mr. David Lawrence said, is going to determine, and his political hacks are going to determine, what is security material and what is not security material. He and his hacks are going to determine whether the people shall ever discover those who are following the Communist line, who are advising the President on the foreign policy of America. He alone is going to determine, if he can otherwise suppress a basis for public judgment, whether or not there is corruption or violation of the law in the various departments.

Mr. President, we cannot get one of the witnesses now before the Hoey committee investigating the RFC, who is an employee of the Government, to say one word if their chief tells them that it would be embarrassing or that security might be affected.

Just think of it, Mr. President, we cannot get any evidence. Therefore I say if we allow this matter to go unchallenged, if the President does not lift this iron curtain, we are at the absolute mercy of the thousands of bureaucrats, so they can conceal from the American public not only what has happened in the past but what will happen in the future.

Mr. President, I know that distinguished Senators on the other side of the aisle who are trained in the law, as well as those who are not trained in the law, will, as did the Senator from South Carolina [Mr. MAYBANK], rise up in their righteous wrath to object to and violently oppose and use every constitutional means there is to get set aside and to tear to shreds this iron curtain that has now been pulled down over their Government, and which will, if allowed to remain, result in destroying the America we love.

Mr. President, at this point I ask unanimous consent to have printed in the RECORD the article by David Lawrence from which I have quoted.

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

IRON CURTAIN DESCENDS ON PRESS—NEW SET OF REGULATIONS ISSUED IN DECREE WITH PHRASEOLOGY AS SWEEPING AS ANY EVER USED IN A DICTATORSHIP

(By David Lawrence)

The iron curtain seems to have descended on the relations between the executive branch of the United States Government and the outside world.

A new set of regulations, in the form of an official decree, has just been issued with phraseology as sweeping as any ever used in a dictatorship. It constitutes, as the President admits, "for the first time, uniform standards for classifying and protecting security information throughout the executive branch of the Government."

But who is to say what is or is not security information? Why, the officials themselves, of course—the political appointees of a political administration. There is no penalty against the official or the agency of Government who, under the guise of security, may be guilty of suppressing news to which the American people are entitled.

The new decree completely cuts off the Congress of the United States as well as the

entire press—except as the Chief Executive may permit.

It cuts off security information, arbitrarily classified, from every means of communication, written or oral, between persons in the employ of the Federal Government and the public, unless Government officials happen to know offhand what is or is not classified. Those officials will have to develop fantastic memory powers to obey the new rules. After one month of classifying hundreds of thousands of words, it will be impossible in such a maze of red tape for officials to be sure that they are not violating the President's official decree. Hence, the easiest course will be to say nothing to anybody—not even to a Senator or Representative—lest the ax fall on that employee for violating an Executive order.

In cynical disregard of the true effect of the new regulations, the President says:

"The order applies only to officials and employees of the executive branch of the Government. The public is requested to cooperate, but is under no compulsion or threat or penalty to do so as a result of this order * * * there is no element of censorship, either direct or implied, in this order."

Certainly there is no censorship imposed in the form of a penalty on publication itself, but there is a penalty—and a severe one—in the censoring of the news at the source.

The American people have boasted to other nations that there is a "free flow of information" in the United States and that the Constitution declares Congress shall make no law "abridging the freedom of the press."

But the President apparently can make such a law by means of an Executive order bottling up at the source whatever news he wishes.

Everybody is anxious that really secret information of a military nature be suppressed. The American press through two World Wars cooperated by voluntarily withholding from print all such information, whenever requested. But the new iron-curtain order applies to every department or agency of the entire executive branch of the Government, and to every single person among the more than 2,500,000 employees, no matter in what bureau or city he or she is stationed.

Granting that certain regulations are necessary to protect really secret information of a military nature, there is no reason why the Post Office Department or the Agriculture Department or the employees of the Fish and Wildlife Service or the clerks in any other department should be restricted in their telephone conversations, their letters or their communications with persons outside the Government.

What is conspicuously lacking in the new regulations is a system of checking against abuse. Each department head and the subordinate he delegates to perform the task of classifying information is a law unto himself. An interdepartmental committee on internal security is provided, but it has no real power of its own and it cannot exercise any effective check against abuse.

The "potential enemies" which the President fears might get information are not named, but it is suspected that perhaps the Republicans in Congress and the opposition press generally are now in that category, too.

For some strange reason instructions are included in the iron-curtain order specifying how classified documents shall be destroyed. It must be by burning and not necessarily in the presence of more than one official. Just why it is necessary to give orders at this time in the new regulations as to how to destroy secret public documents is hard to explain. Since there has been no uniform system of classification in effect anyhow, the problem of destruction of documents ought to be academic, at least for some years to come. It may be that the Truman administration is getting ready to purge the records of anything that an incoming administration in 1953 may find politically damaging if there is a change to a Republican President.

The iron-curtain regulations deserve a thorough investigation by a joint committee of Congress composed of the Committees on Executive Expenditures. For Congress still controls the purse strings. This means control over the use of Government money and over the conduct of officials who in the name of security would institute a complete censorship of Government information at the source. This new Executive order is unprecedented in American history.

TELEPHONE CALLS ON PUBLIC BUSINESS—PERSONAL STATEMENT

Mr. MORSE. Mr. President, before I address myself to the main subject which I rise to discuss, I wish to make an observation about a remark which I made on the floor of the Senate yesterday, September 26, which appears at page 12155, a remark which has apparently been misinterpreted by some wishful thinkers.

In order to put their thoughts at rest, I wish to make a fuller statement about the remark. I refer to the language in which I said:

> A few days ago I was greatly embarrassed when, in telephoning to the editor of a newspaper in my home State, I had to make the telephone call collect because I no longer had available funds with which to make that call on my own budget.

Meaning, of course, my office budget. Apparently that remark has caused some to announce the inference—although I seriously doubt if they really reached the inference with any sincerity of purpose—that that telephone call was placed to the editor for the purpose of a discussion of unofficial business, that is, business not directly connected with my senatorial duties. That has caused the rumor, shall I say, or argument, to be spread among some that what I thereby meant was that my office budget should be enlarged so that I could make political calls to my State.

The facts are that my ethics are such that it is difficult for me to understand minds which could make such an inference. It happens that the call was made in connection with a matter which I have been handling before NPA for Mr. William Tugman, the editor, and Mr. Alton Baker, the publisher of the Eugene Register-Guard, in my home town, a newspaper which is in process of constructing a new building in which to house a new press which it has purchased. Unless it can get a roof over it, it will be compelled to pay very heavy rental costs to store the press, and then will not be able to use it.

Those two gentlemen had called me to see what, if anything, I could do by way of finding out from a very able official by the name of Newman in NPA what chances they had, if any, of getting a so-called allocation permit which would allow them some steel for the construction of their building.

I mention Mr. Newman's name because I am always willing to place my record on top of the table. I had a conference with Mr. Newman. He explained to me that they had absolutely no chance of getting any steel in this quarter, and he was not very encouraging about any steel in the next quarter. I listened to his reasons. I do not see how any reasonable person could deny the fact that we simply do not have enough steel to go around. The officials in NPA—in this instance Mr. Newman—must exercise their wise discretion and best judgment in such matters. When Mr. Newman told me that recently they had been able to grant permits to only 270 out of 3,700 applicants, of which this newpaper was one—but not one of the 270—I felt that there was no basis at all for any criticism of his decision.

I called Mr. Tugman and explained to him what Mr. Newman had told me. I thought that was a statement of the facts, and I made certain suggestions to Mr. Tugman which Mr. Newman had given to me, as to the preparation of a revised application, to be resubmitted for consideration for the first quarter of the next year, 1952.

Mr. President, I rather resent feeling the necessity of making this statement, in view of my record in the Senate, which is an open book, holding fast to principle and opposing at all times any proposal for the misuse of my office. But with that statement I hope that the wishful thinkers will now have in the RECORD a complete answer to rumors to the effect that the junior Senator from Oregon admitted in his speech yesterday that he wanted his office budget increased so that he could make telephone calls at the expense of the Government to newspaper editors in his State. I have a keen sense of humor about it, in spite of a little feeling of resentment. They must be looking for something when they have to crawl around in the jungle of fabrications, which I think their interpretation of my remarks amounts to.

Mr. President, I desire now to refer to another subject.

The PRESIDING OFFICER. The Senator may proceed.

THE PRESIDENT'S MESSAGE OF TODAY—A RETURN TO CONSTITUTIONAL LIBERALISM

Mr. MORSE. Mr. President, I rise to praise the President of the United States, because I think he is deserving of great praise for the message which he sent to the United States Senate today.

The President and I disagree on a great many issues. We belong to two different political parties. I have no desire to join his, although I suspect there are some in mine who wish I would. I have no desire to join his party because I prefer to hold fast to the constitutional liberalism of the great Lincoln, who founded my party. I shall continue to do the best I can to convert back into the fold of Republicanism some of my wayward brethren who, like the prodigal son, have gone the sinful way politically. I believe that they can be politically redeemed. So I intend to continue my struggle within the Republican Party, discouraging as it is at times for a return of my party to the philosophy of Lincoln, a philosophy which places the fundamental value of the individual, the rights of the individual, and the liberties

of the individual, above all other values in a democratic society.

It is somewhat discouraging these days in the Senate to make the stand I am making on the tax bill, for example, in support of the principles of Lincoln, but I am very much pleased to find so many of my liberal friends on the Democratic side of the Senate who share my view that we ought to apply to a tax bill the principles of constitutional liberalism which place the value of the individual above all else in this country. If we are going to do it, Mr. President, I would say to my Republican brethren that they should not be voting for provisions in the bill which permit a taxpayer to bring into partnership with him an infant child only months old, and use that child as a motivation for tax evasion on the part of the parent. It is just one of the great mistakes, in my judgment, which the majority of my Republican colleagues have made in their votes on the tax bill, which cannot be reconciled with the fundamental principles of Lincoln, to which I have referred.

Thus I could go down the list of the votes on the amendments to the tax bill which some of us have joined in offering, and which seek to apply the principle of equality of sacrifice to the payment of taxes in this hour of great crisis, and point out that many of my Republican brethren have strayed away from what I consider to be the fundamental political philosophy of the founder of my party.

I make mention of this matter in passing tonight because in a few weeks hence there will be another statistical table published, which will show that since the last one was published the junior Senator from Oregon probably voted even a smaller percentage of the time with the majority of his Republican colleagues in the Senate than during the prior period. It will prove that fact. But it will not prove any justification for the fallacious inference which some will try to give to that table. It will not prove that therefore the junior Senator from Oregon is not a good Republican, or, as the reactionary wing of my party, which opposed me so vigorously in the last campaign, tried to imply, that he is not a real Republican.

To the contrary, Mr. President, I shall be very happy, yes, proud, to let future events pass judgment upon the record of the junior Senator from Oregon with regard to his votes on the tax bill. He intends to vote against the tax bill in its final form, if the Senate continues to defeat by vote after vote proposals which seek to plug the loopholes in the tax bill; proposals which seek to apply the principle of equality of sacrifice to the obligation to pay taxes; proposals which seek to face realistically the ugly fact that the crisis which confronts the security of America is so great that the American people ought to be willing, and I think they would be willing if they had the facts, to pay much higher taxes than the pending bill provides; proposals, Mr. President, which seek to place a check upon the unconscionable and unpatriotic and powerful economic groups which are making greedy profits out of the Korean war in percentages much higher than they made at any time during World War II.

I cannot vote for a tax bill which fails to correct those inequities and those injustices. I cannot vote and will not vote for a tax bill which seeks to place upon the shoulders of future generations of Americans the tax obligations which my generation should assume and pay.

To me it is a sad thing that there are so few of us on the Republican side who are not making a fight to strengthen the tax bill by eliminating the inequities and the injustices to which I have alluded, as proposed by a series of amendments, on which I am proud to have my name as one of the cosponsors, some of which have been voted down to date, and the others of which undoubtedly will be voted down tomorrow.

At the present time in America reactionary, selfish, and greedy forces are on the march, and the people are being taken for a "ride." By that I mean that the economic interests of the people as a whole are being sacrificed in favor of the greedy and profiteering interests of the groups that have not recognized their patriotic duty to assume the tax burdens which our generation should be proud to assume, in order to preserve for future generations of Americans the political and economic freedom which is ours, and the values and principles for which Lincoln stood so clearly and so often in his great tenets of political philosophy which brought forth the Republican Party.

Mr. President, as a constitutional liberal in the Republican Party I refuse to be a partisan. By that I mean I refuse to subordinate what I think is a sound political principle to political expediency and partisanship. I made that statement to my constituents on innumerable occasions in 1944, when I ran for office, and also from 1944 to 1950, before I ran for office the second time; and in the campaign of 1950, when the reactionary Republican forces not only of my State but of the Nation did everything they could to retire me from the Senate, I took this issue to the voters of my State, and in every major speech I made I told them not to vote for me unless they wanted to send me to the Senate an absolutely free man; and by that I made clear that I meant free to exercise an absolutely honest independence of judgment on the issues as I found them or as I honestly believed them to be. I said that by that I meant that neither the Republican Party nor any of its committees or caucuses would ever cast my vote for me; but I will vote with the Republicans on the floor of the Senate when I think they are right, and I will vote against them when I think they are wrong.

I am willing to let my record speak for itself as to whether I have kept that pledge.

The reactionary forces of my party, who fought me in the primary, and many of whom supported my Democratic opponent in the general election, got their answer from the people of my State, when in the general election, after the Republican voters in the primary had given me a majority of about 2 to 1, the voters of the State as a whole gave me 76 percent of the vote cast. Yes, I say that with some pride, Mr. President, because I am satisfied that the voters of my State answered the reactionary forces of both parties in my State in that general election.

So, in a spirit of nonpartisanship, I praise the President of the United States for the message he sent to the Senate today, in which he proposed that legislation be enacted to provide that once a year all Government officials receiving a salary of $10,000 or more be required to file a statement of the sources and the amounts of their income, for public perusal.

For some years past I have shared the views expressed by the President in his message which reached the Senate today. I am pleased that the President has come to agree with me, and has asked for the same kind of legislation, in principle, which I first asked for on July 23, 1946, because on that date I submitted in the Senate, Senate Resolution 306, in which I set forth a proposal based upon the same principle, insofar as objective is concerned, as that set forth in the President's message of today.

Mr. President, I ask unanimous consent that my resolution submitted on that date, namely, Senate Resolution 306, be printed at this point in the RECORD, as a part of my remarks.

There being no objection, the resolution (S. Res. 306, 79th Cong., 2d sess.), was ordered to be printed in the RECORD, as follows:

Resolved, That every Member of the United States Senate shall, not later than 30 days following the date of agreement to this resolution, and on the 2d day of January of each year thereafter, file with the Secretary of the Senate a report containing a full and complete statement of—

(1) the amount and sources of all income received by such Member during the preceding year, including all fees, salaries, income from trusts or estates and dividends received or credited to his account, and, if such income is derived from a law firm or partnership, the names of the clients of such firm or partnership from whom fees were received; and

(2) all dealings in securities or commodities by such Member, or by any person acting on behalf of, or pursuant to the direction of, such Member during the preceding year.

SEC. 2. As used in this resolution—

(1) The term "person" includes an individual, partnership, trust, estate, association, corporation, or society.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (U. S. C., title 15, sec. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U. S. C., title 7, sec. 2).

(4) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

Mr. MORSE. Mr. President, I did not get very far in 1946 with my resolution, but I got it referred to committee, as a matter of right. However, no hearings were held on the resolution.

Mr. President, political education takes a long time. When the issue involved is one which can be characterized as sound liberalism, my experience since I have been in the Senate, in regard to securing action on sound liberal legislation, is no different from that of liberals who have preceded me over the decades in service in the Senate. Liberal causes that seek to protect the public's interest and to carry out the human-values philosophy of Abraham Lincoln are not won overnight. In fact, they are seldom, if ever, won until the great body of the American people come to understand them thoroughly and not only place their stamp of approval upon them, but make clear to their elected representatives in Congress that they had better stop blocking such sound liberal legislation.

Mr. President, we will win on this one in time; but I would say to my liberal friends who agree with me on this issue that we will not win until we get the American people to understand to what extent their rights are involved in it and to what extent this proposal, approved today by the President, at long last, will better protect the political interests of the average American citizen.

Although I did not get anywhere with my resolution in 1946, on January 6, 1947, I submitted another resolution, identical in objective with the 1946 resolution, and similar to it, except for some minor changes in detail. The 1947 resolution became known as Senate Resolution 31.

Whereas the 1946 resolution, Senate Resolution 306, was referred to the Committee on Banking and Currency, the changes which I made in the resolution in 1947 resulted in having it referred at that time to the Committee on Rules and Administration.

Of course, Mr. President, when we go before a new jurisdiction we always take hope that perhaps we shall have better fortune before the second jurisdiction than we had before the first. So I must confess that I grew hopeful that my 1947 resolution might receive more action, at least to the extent of the calling of a hearing, from the Committee on Rules and Administration in 1947, than my prior resolution had received from the Banking and Currency Committee in 1946. Of course, I was not hopeful for very long; I soon recognized that the old pigeonhole treatment was going to be administered to the resolution—and it was.

However, I thought I would try a double-barreled shotgun technique in 1947; so I submitted another resolution, namely, Senate Resolution 57. That resolution was similar in motivation, and the purpose was to obtain some publication of the sources and amounts of the incomes of Senators. That resolution also was referred to the Committee on Rules and Administration.

Then in 1949, on January 5 of that year, in a bill, this time known as Senate bill 109, I again proposed the same principle, for a disclosure of the sources and amounts of the income of Members of Congress and other Government officials. It received the same pigeon-hole treatment. There were no hearings.

Then this year, Mr. President, on January 18, 1951, I introduced Senate bill 561, which was referred to the Committee on Rules and Administration. To date, Mr. President, there has been no hearing on the bill. Even at the tail end of this season I would welcome one, because we could at least make a record for reference when Congress reconvenes in January.

I wish to say, though, that this year the distinguished Senator from Arkansas [Mr. McCLELLAN], chairman of the Committee on Expenditures in the Executive Departments, gave me an opportunity to testify before his committee on Senate bill 561, although legislatively that committee did not have direct jurisdiction over the matter, since my bill was referred to the Committee on Rules and Administration. Nevertheless I welcomed the opportunity to give my testimony on the bill, and did.

I was afforded another opportunity to discuss the bill by the Senator from Illinois [Mr. DOUGLAS], chairman of the Subcommittee on Ethics in Government, and I am sure that he will not object to my saying on the floor of the Senate tonight, in view of the fact that it is exceptionally germane to the subject under discussion, that that subcommittee was so favorably impressed with the intrinsic merits of my bill that it will submit to the Senate a favorable report on my proposal. So we are making some progress in the field of political education on this subject, although I am realistic enough to know that we are not moving very fast in the direction of the passage of actual legislation.

Mr. President, I ask unanimous consent that the two resolutions and two bills last referred to by me be printed in the RECORD at this point.

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

[S. Res. 31, 80th Cong., 1st sess.]

Resolved, That the standing rules of the Senate are hereby amended by adding the following new rule:

"RULE NO. XLI

"Every Member of the United States Senate shall, not later than 30 days following the date of agreement to this resolution, and on the 2d day of January of each year thereafter, file with the Secretary of the Senate a report containing a full and complete statement of—

"(1) the amount and sources of all income received by such Member during the preceding year, including all fees, salaries, income from trusts or estates and dividends received or credited to his account, and, if such income is derived from a law firm or partnership, the names of the clients of such firm or partnership from whom fees were received; and

"(2) all dealings in securities or commodities by such Member, or by any person acting on behalf of, or pursuant to the direction of, such Member during the preceding year.

"SEC. 2. As used in this resolution—

"(1) the term 'person' includes an individual, partnership, trust, estate, association, corporation, or society;

"(2) the term 'security' means security as defined in section 2 of the Securities Act of 1933, as amended (U. S. C., title 15, sec. 77b);

"(3) the term 'commodity' means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U. S. C., title 7, sec. 2); and

"(4) the term 'dealings in securities or commodities' means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity."

[S. Res. 57, 80th Cong., 1st sess.]

Resolved, In order to provide more democracy in the operations of the United States Senate and to enable the United States Senate more effectively to discharge its responsibilities under the Constitution—

REGISTRATION OF AMOUNTS AND SOURCES OF SENATORS INCOMES

(a) That every Member of the United States Senate shall, not later than 30 days following the date of agreement to this resolution, and on the 2d day of January of each year thereafter, file with the Secretary of the Senate a report containing a full and complete statement of—

(1) the amount and sources of all income received by such Member during the preceding year, including all fees, salaries, income from trusts or estates and dividends received or credited to his account, and, if such income is derived from a law firm or partnership the names of the clients of such firm or partnership from whom fees were received; and

(2) all dealings in securities or commodities by such Member, or by any person acting on behalf of, or pursuant to the direction of, such Member during the preceding year.

(b) As used in this resolution—

(1) The term "person" includes an individual, partnership, trust, estate, association, corporation, or society.

(2) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (U. S. C., title 15, sec. 77b).

(3) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U. S. C., title 7, sec. 2).

(4) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

PUBLICATION OF SENATORS' VOTING RECORD

SEC. 2. That the Secretary of the Senate be directed to compile and to publish within 3 weeks after the close of the present session of Congress a tabulation of the voting record of its Members on all roll call votes together with brief descriptions of the issues voted upon. For the purpose of easy readability and quick reference, each Member's votes shall be gathered in one place. The Superintendent of Documents shall sell copies at cost, and shall print sufficient copies so that a supply is on hand at all times.

CONTROL OF SENATE FILIBUSTER

SEC. 3. (a) That rule III of the Standing Rules of the Senate is amended to read as follows:

"RULE III

"COMMENCEMENT OF DAILY SESSIONS

"1. The Presiding Officer having taken the chair, and a quorum being present, the Journal of the preceding day shall be read, and any mistake made in the entries corrected. The reading of the Journal shall not be suspended unless by unanimous consent; and when any motion shall be made to amend or correct the same, it shall be deemed a privileged question, and proceeded with until disposed of, except that it shall be displaced by the action of the Presiding Officer in submitting to the Senate for an aye-and-nay vote any question under rule XXII. If the question submitted under rule XXII is decided in the affirmative by a majority vote of those voting, the motion to amend or

correct the Journal shall remain displaced until the measure which becomes the unfinished business under rule XXII is disposed of.

"2. A quorum shall consist of a majority of the Senators duly chosen and sworn."

(b) That part of rule XXII of the Standing Rules of the Senate relating to cloture (as shown on page 28 of the Senate Manual, 1945) is amended to read as follows:

"If at any time a motion to bring to a close the debate upon any pending measure is signed by 16 Senators, any Senator signing such motion shall upon a request for recognition be recognized by the Chair for the purpose of presenting such motion to the Senate, and when such motion is so presented to the Senate, the Presiding Officer shall at once state the motion to the Senate, and 1 hour after the Senate meets on the following calendar day but one, he shall lay the motion before the Senate and direct that the Secretary call the roll, and, upon the ascertainment that a quorum is present, the Presiding Officer shall, without debate, submit to the Senate by an aye-and-nay vote the question:

" 'Is it the sense of the Senate that the debate shall be brought to a close?"

"And if that question shall be decided in the affirmative by a majority vote of those voting, then said measure shall be the unfinished business to the exclusion of all other business until disposed of.

"Thereafter each Senator shall be entitled to speak in his own right on the pending measure, the amendments thereto, and motions affecting the same for an aggregate period of not more than 3 hours. Any Senator may yield to any other Senator the unexpired portion, or any part thereof, of the aggregate period of time which he is entitled to speak; and the Senator to whom he so yields may speak for the time so yielded in addition to any period of time which he is entitled to speak in his own right. It shall be the duty of the Presiding Officer to keep the time of each Senator who speaks. Except by unanimous consent, no amendment shall be in order after the vote to bring the debate to a close, unless the same has been presented and read prior to that time. No dilatory motion, or dilatory amendment, or amendment not germane shall be in order. Points of order, including questions of relevancy, and appeals from the decision of the Presiding Officer, shall be decided without debate. Notwithstanding the provisions of rule III, the reading of the Journal of the preceding day shall be dispensed with on days when the Senate is proceeding under the provisions of this paragraph.

"In any case in which a motion is filed under the provisions of this paragraph while a motion is pending under rule III to amend or correct the Journal of a preceding day, the term 'pending measure,' as used in the foregoing provisions of this paragraph, shall mean the measure which would be the pending measure if the Journal of all preceding days were approved."

OPEN PUBLICATION OF SENATE PRECEDENTS

SEC. 4. That the Parliamentarian of the Senate be authorized and directed to prepare a complete and annotated digest, with a full index, of the precedents and the decisions on points of order in the Senate down to the close of the Seventy-ninth Congress, and that 1,000 copies be printed and bound for the use of the Senate.

[S. 109, 81st Cong., 1st sess.]

A bill to require certain members of the legislative, judicial, and executive branches of the Government to file statements relating to amount and sources of income, and dealings in securities and commodities

Be it enacted, etc., That every Member of the Senate and House of Representatives of the United States, including the Delegates from Alaska and Hawaii and the Resident Commissioner from Puerto Rico, and every judge of a court of the United States, and every officer or employee of the Government, who receives a salary at the rate of $9,000 per annum or more shall, not later than 30 days following the date of enactment of this act, and on the 2d day of January of each year thereafter, file with the official or officials specified in section 2 a report containing a full and complete statement of—

(1) the amount and sources of all income received by him during the preceding year, including all fees, salaries, royalties, income from trusts or estates, and dividends received or credited to his account, and, if such income is derived from a law firm or partnership, the names of the clients of such firm or partnership from whom fees were received; and

(2) all dealings in securities or commodities by him, or by any person acting on his behalf or pursuant to his direction, during the preceding year.

SEC. 2. The reports required to be filed by the first section of this act shall be filed (1) by Members and employees of the Senate with the Secretary of the Senate; (2) by Members and employees of the House of Representatives with the Clerk of the House of Representatives; (3) by judges of courts of the United States and officers and employees in the executive branch of the Government with the Secretary of the Senate and the Clerk of the House of Representatives.

SEC. 3. As used in this act—

(a) The term "person" includes an individual, partnership, trust, estate, association, corporation, or society.

(b) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (U. S. C., title 15, sec. 77b).

(c) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U. S. C., title 7, sec. 2).

(d) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security of commodity.

(e) The term "court of the United States" shall include both legislative and constitutional courts.

[S. 561, 82d Cong., 1st Sess.]

A bill to require certain members of the legislative, judicial, and executive branches of the Government to file statements relating to amount and sources of income, and dealings in securities and commodities

Be it enacted, etc., That every Member of the Senate and House of Representatives of the United States, including the Delegates from Alaska and Hawaii and the Resident Commissioner from Puerto Rico, and every judge of a court of the United States, and every officer or employee of the Government, who receives a salary at the rate of $9,000 per annum or more shall, not later than 30 days following the date of enactment of this act, and on the 2d day of January of each year thereafter, file with the official or officials specified in section 2 a report containing a full and complete statement of—

(1) the amount and sources of all income received by him during the preceding year, including all fees, salaries, royalties, income from trusts or estates and dividends received or credited to his account, and, if such income is derived from a law firm or partnership, the names of the clients of such firm or partnership from whom fees were received; and

(2) all dealings in securities or commodities by him, or by any person acting on his behalf or pursuant to his direction, during the preceding year.

SEC. 2. The reports required to be filed by the first section of this act shall be filed (1) by Members and employees of the Senate with the Secretary of the Senate; (2) by Members and employees of the House of Representatives with the Clerk of the House of Representatives; (3) by judges of courts of the United States and officers and employees in the executive branch of the Government with the Secretary of the Senate and the Clerk of the House of Representatives.

SEC. 3. As used in this act—

(a) The term "person" includes an individual, partnership, trust, estate, association, corporation, or society.

(b) The term "security" means security as defined in section 2 of the Securities Act of 1933, as amended (U. S. C., title 15, sec. 77b).

(c) The term "commodity" means commodity as defined in section 2 of the Commodity Exchange Act, as amended (U. S. C., title 7, sec. 2).

(d) The term "dealings in securities or commodities" means any acquisition, holding, withholding, use, transfer, disposition, or other transaction involving any security or commodity.

(e) The term "court of the United States" shall include both legislative and constitutional courts.

Mr. MORSE. Mr. President, the bills and resolutions to which I have alluded present chronologically the record I have made here within the past few years in an attempt to get some Senate action on this matter. I certainly welcome the assistance which I feel I received from the President of the United States today in the form of his message and his proposal for similar legislation.

In fact, I think his proposal has certain features which are better than some of the provisions of my bill, and therefore, within the next day or two, I intend to revise my bill and reintroduce it, setting forth provisions identical with those which the President recommends today in his message to the Congress.

In my bill, although I covered Members of Congress and the judiciary and employees in the other departments of government having salaries of more than $9,000, I did not provide coverage for the heads of the two political parties, the so-called national chairman of each of the parties. I shall so provide in my revised bill, in which I shall also include the heads of all parties that may be formed or that may exist in the country.

None of my bills or resolutions provided for a penalty, it being taken for granted, of course, that failure to comply with the provisions of my resolutions or bills would result in action being taken by the bodies concerned against members thereof who deliberately flouted such legislation. However, I think the President's provision for penalties is sound, and in my revised bill I shall provide for the language as set forth on page 2 of the President's message:

> Penalties for willful violation of this statute should be equivalent to those for violation of the laws relating to the filing of income-tax returns.

Mr. President, a word now about the inherent merits of this proposal, for which I have fought in the Senate for several years, and which the President supported today in what I consider to be an exceedingly sound and statesmanlike message. That message cannot be laughed off the floor of the Senate. It

cannot be ridiculed off the floor of the Senate. It is impossible to becloud the basic problems which the President raises by talking about privacy. Every Member of the Senate, Mr. President, knows that the legal doctrines of privacy are subject to many qualifications and restrictions in respect to public officials. Every man who is elected to the Congress of the United States knows that when he enters the field of public service he puts himself into a glass bowl. He does not have and he should not have the same privileges of privacy that accrue to the nonpublic official. Why? Because every voter, every citizen, is entitled to be provided with the information about men in office necessary to enable the voter to pass judgment upon the motivation of their official acts, to pass judgment upon the cause-to-effect relationship to be found within the pattern of conduct of the official. My judgment is that the objection made to the President's proposal is an argument by way of rationalization, emotional in nature, in an attempt to justify failing to disclose to the voters financial facts about Members of Congress, for example, which the voters are entitled to know in order to determine to what extent the sources and amounts of their income influence votes on the floor of the Senate and the House of Representatives.

Mr. President, I am satisfied there are times when votes are influenced by the fact that Members of Congress are the recipients of income from certain sources. I think the voters have a right to be the judges of that, and if a man does not want to disclose the sources of his income, he does not have to run for the Senate of the United States.

There have been instances of Members of Congress having been active in security speculation and in trading in both securities and commodities. Such matters should be taken out of the realm of newspaper rumors and charges and brought into the light of disclosure of the facts, so that the people may judge. That is what I have been seeking to do over the years in connection with my proposals; and that is what the President of the United States, in his message today, seeks to do.

No, Mr. President; the doctrine of privacy has no relevancy to the abuses we seek to check by this proposal. To apply the doctrine of privacy is to close the door to giving the voters the facts they are entitled to know about the sources and the amounts of the income of their elected representatives.

It is no answer to the President of the United States or to the junior Senator from Oregon to say that this proposal is "hogwash." It makes good newspaper copy. The first emotional reaction of many persons is to chuckle over such a phrase and to say, "Well, the user of such a phrase told them off." But the average person usually comes to reflect upon the merits of a proposal after a first-impression reaction.

We can take any group of average American citizens and present the merits of this proposal to them, and we shall not get the response from them that it is a "hogwash" proposal. The American people, with their great sense of fair play and right, I am confident, would, by an overwhelming vote upon any referendum to which we put this proposal, say it is only a fair and right thing to do. If a man does not want to run for public office and disclose the sources and the amounts of his income once a year, he should remain in private life and enjoy the economic advantages of that income without anyone knowing from what tainted sources some of it may come.

No, Mr. President, the members of my party are not going to get very far, in my opinion, by adopting the attitude that such proposals as the one presented by the President, which seeks to clean up Government, are "hogwash" proposals or that they violate privacy or constitute an attempt to smear someone.

Mr. President, I do not see how anyone can read this message of the President of the United States and possibly read into the language any motivation on the part of the President to smear anyone. If I ever saw a nonpartisan proposal, this is one, equally applicable to Democrats as well as to Republicans. Incidentally, on the basis of the present census of Government service, it is more applicable to Democrats than to Republicans because our political census of officeholders shows more Democrats than Republicans in office today.

Whom is it supposed to smear? I am at a loss to understand the logic behind the argument that the President sent us a document today in the nature of a political smear. To the contrary, in my view the President courageously sent to the Senate today a proposal which, if carried out, would be a very effective check on any abuses that may exist in respect to men and women in public service receiving income from sources and in amounts that cannot bear the light of public view. I commend him for it, and I recommend the message to my party as another opportunity to make clear to the people of the country that we not only preach clean government, but that we stand for its practice, too.

Oh, I can anticipate the nature of the political propaganda which is already being prepared for the political grist mill in preparation for the 1952 campaign. When the American people ought to be presented issues, great military, international, economic, and social issues on their merits, there is much evidence that we are about to go into the worst mud-slinging, emotional, partisan political campaign since 1876. But some of the problems of the present day, Mr. President, have much in common with the problems of 1876, because in that period a combination and coalition of reactionary forces in the field of politics, in league with the selfish lobbies that wanted to profiteer at the expense of the common people, joined together in what now is recognized by American historians as one of the most corrupt eras in American political history.

As I wrote in an article recently, that same play has been staged periodically on the American political scene, with different actors, but with the same political reactionary and economic forces behind the play. Thus from the Grant administration, ending in 1876, and the Hayes administration starting in 1877, an administration that was the recipient of a stolen election by corrupt combinations of reactionaries in both major parties, we passed into other periods of corruption, in both Republican and Democratic administrations.

None, however, was worse than the Harding administration, when, if we had had such legislation on the books as the President recommends today, and for which the junior Senator from Oregon has fought in the Senate since 1946, we would have had a legislative device for checking corrupt action of high Government officials, corrupt action that made itself apparent in the President's Cabinet itself. Some of the recent historical disclosures indicate that even the President of the United States was aware of it at the time, but maintained a regrettable silence.

Mr. President, I am proud that the present President of the United States, as manifested in his message of today, is not maintaining silence about the conditions which now exist. I imagine that he is an exceedingly sad man at heart as he becomes more and more aware, with the continuing disclosures of corruption in the administration, that there are those in Government service who are not keeping faith with the high standard of ethics that ought to be adhered to by anyone who takes a public position in the service of the American people.

I shall continue, Mr. President, to disagree with the President of the United States on many issues, I am sure, but when I agree with him on an issue, I shall always try to be fair enough, nonpartisan enough, and big enough, to rise on the floor of the Senate and commend him, and do what I can to help put into legislative practice what I think is so sorely needed if we are to provide the American people with the checks they need in order to stamp out what appears to be a rising tide of malfeasance in public office by public servants. We ought to provide and apply the checks uniformly, and Members of Congress should be brought under the same scrutiny to which members of the executive branch of Government are subjected.

Therefore, Mr. President, as a constitutional liberal, I recommend again the proposal that those in Government service, including Members of the Congress, whose salaries from the Government are $10,000 or above, shall be required by law to make a full public disclosure once a year of the sources and the amounts of their income. It is not the complete answer to the checking of corruption in Government, but it is a part of the answer, and I think we are going to move forward step by step, and we ought to start now with this one.

On a later day I shall speak also, Mr. President, on what I think is a companion bill which ought to go along with this proposal, a bill for drastic revision of the Corrupt Practices Act which will guarantee to the American people that elections can be more honest, and will be more honest, than many of them in the recent past have been.

I submit, Mr. President, as I testified before the McClellan committee some weeks ago, that the present Corrupt Practices Act is a fraud. It is a well of deception. It is poisoning the stream of political life, because its very terms encourage falsification, deceit, and evasion. I think it must be amended so that the American people will know of every cent that goes into the campaign expenses of any candidate for Congress or for the Presidency of the United States, instead of permitting what all of us in the Senate know is a policy of campaign expenditure reporting that carries out the big lie technique, which I am afraid has come to rear its head in American political life. If we are going to decapitate it, Mr. President, as we must, before it does further damage to our body politic, we need drastically to revise the Corrupt Practices Act. But I shall delay until another date a discussion of the provisions of a bill which I shall introduce, for a revision of the Corrupt Practices Act.

I close for tonight by saying that I sincerely hope that the committee concerned and the majority leader will act with expedition before the end of this session of Congress so that there may be enacted into law the recommendations submitted to the Senate today by the President of the United States.

RECESS

Mr. JOHNSON of Texas. I move that the Senate stand in recess until 10:00 o'clock a. m. tomorrow.

The motion was agreed to; and (at 8 o'clock and 10 minutes p. m.) the Senate took a recess until tomorrow, Friday, September 28, 1951, at 10 o'clock a. m.

NOMINATION

Executive nomination received by the Senate September 27 (legislative day of September 19), 1951:

UNITED STATES MARSHAL

John A. Roseen, of California, to be United States marshal for the northern district of California, vice Edward J. Carrigan.

HOUSE OF REPRESENTATIVES

THURSDAY, SEPTEMBER 27, 1951

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou God of all grace, may our thoughts now go out toward Thee in adoration and in aspiration for Thou art always seeking to make our minds and hearts the sanctuaries of Thy presence, Thy peace, and Thy power.

We pray that Thou wilt take complete possession of our lives, transfiguring them into the glorious likeness of Thy divine spirit and transforming them from what they are to what they were meant to be and can be.

Inspire us with a faith that will enable us to conquer those dark moods of cynicism and defeatism which so frequently haunt and overshadow us.

When we encounter problems and situations which seem to grow more difficult the longer we ponder them, grant that they may not cause us to doubt but may we bring them unto thee for Thou alone canst solve them.

Bless all who are giving themselves to the high endeavor for the freedom and peace of humanity and may there be more of the spirit of brotherhood among the nations instead of each seeking its own ends.

Hear us in the name of the Prince of Peace. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Hawks, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills of the House of the following titles:

On September 25, 1951:

H. R. 608. An act for the relief of Kiyoko Matsuo; and

H. R. 2276. An act for the relief of Mary Jane Sherman.

On September 26, 1951:

H. R. 725. An act to confer jurisdiction on the Court of Claims of the United States to hear, determine, and render judgment upon the claim of the Hawaiian Airlines, Ltd.; and

H. R. 1971. An act for the relief of Kirocor Haladjian, Tacouhi Haladjian, Gulunia Haladjian, and Virginie Haladjian.

On September 27, 1951:

H. R. 3731. An act for the relief of Megumi Takagi.

LEGISLATIVE PROGRAM

Mr. McCORMACK. Mr. Speaker, yesterday I asked unanimous consent that it be in order on Wednesday next to call the Consent Calendar and the Private Calendar. I overlooked including in my request that it might also be in order on Wednesday next that the Speaker be authorized to recognize Members for the consideration of bills under suspension of the rules. I now make that request.

Mr. HALLECK. Mr. Speaker, reserving the right to object, and I am not going to object because I hope the request is granted, might it not be well, may I suggest to the distinguished majority leader, to tell us about the program for next week or would he prefer to do that later.

Mr. McCORMACK. I will be glad to do that now.

On Monday and Tuesday, there will be no legislative business. For the remainder of the week, Wednesday, Thursday, Friday, and I will include Saturday, too, the program will be as follows: On Wednesday, the Consent and Private Calendars will be called. There will be one bill taken up under the suspension of rules, and that is the bill, H. R. 5118, having to do with certain amendments to the Social Security and Unemployment Insurance Act.

Then there is a bill amending the Railroad Retirement Act.

Then there is House Resolution 426, for further study and investigation by the Interstate and Foreign Commerce Committee with relation to railroad retirement.

Then there is Senate bill 1335, to adjust the weight and size of fourth-class postal service.

Then there is a bill relating to schools under impact of the emergency in critical defense housing areas, which will follow Senate bill 1335.

Mr. SCRIVNER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. Yes, I yield to the gentleman from Kansas.

Mr. SCRIVNER. In reading the list of bills to be taken up, I did not hear the gentleman mention the flood relief bill that is supposed to come up shortly.

Mr. McCORMACK. Will the gentleman advise me what particular bill he has in mind?

Mr. SCRIVNER. It is a bill that has been referred to the Appropriations Committee.

Mr. McCORMACK. I yield to the gentleman from Missouri.

Mr. CANNON. Hearings have been concluded on the bill and it is being marked up and will be reported to the whole committee and it will be ready to be taken up on the floor next week. It is a matter of exceptional emergency and we have expedited consideration of the measure and will have it ready Monday, or whenever the House is ready for its consideration.

Mr. McCORMACK. As the Members know, I am sure, my program is based upon rules that are at present outstanding. The bill to which the gentleman from Kansas referred, of course, is still in committee. If any vital, important legislation or an appropriation bill is reported out—I know of no appropriation bill for next week—is that correct?

Mr. CANNON. The bill for rehabilitation of flood-stricken areas is in response to the President's request for $400,000,000 for flood relief.

Mr. McCORMACK. But that is not the military public-works appropriation bill or the ECA?

Mr. CANNON. ECA is being considered with foreign aid and is waiting the outcome of Chairman RICHARDS' conference with the Senate. All other appropriation bills are in conference.

Mr. McCORMACK. But there are two bills in subcommittee, the ECA appropriation bill and the military public-works bill.

Mr. CANNON. Of course, we cannot do anything on the ECA-foreign-aid bill, until the authorization bill is passed by the legislative committee. It is my understanding that the Committee on Foreign Affairs expects to reach an agreement with the Senate on the legislative bill next week.

Mr. McCORMACK. But neither of them will be ready for next week?

Mr. CANNON. Neither of them will be ready for next week, but the rehabilitation bill will be ready any time after Monday.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Indiana.

Mr. HALLECK. If I understand the program for today, if it is completed we will adjourn over until Monday?

Mr. McCORMACK. Exactly.

Of course, in view of the importance of the bill, when I announced the program, if any very important bill is reached, it is understood that subject to conferences and an understanding between the leadership, it would be put on the program, and if the bill is reported out, to which the gentleman referred, and about which the gentleman from Missouri has given information, naturally I will do everything I can to get it on next week.

Mr. SCRIVNER. I thank the gentleman.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from Iowa.

Mr. GROSS. Why is there no legislative business scheduled for Monday and Tuesday? Why pile it up from Wednesday on until the end of the week?

Mr. McCORMACK. That is a proper inquiry. Monday and Tuesday are holidays of the Jewish faith. Does that answer the gentleman's question? We recognize holy days of the Christian faith, and that is the reason.

Mr. TABER. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman from New York.

Mr. TABER. Would the leadership take up on Monday or Tuesday conference reports where there is no controversy?

Mr. McCORMACK. I prefer not to. I prefer to let them wait until Wednesday.

The SPEAKER. The Chair will state that any time the conferees on any appropriation bill are ready to report, he will be very glad to recognize them to adopt the report.

Mr. McCORMACK. Will that be on Monday and Tuesday, Mr. Speaker?

The SPEAKER. No.

Mr. McCORMACK. I did not want the Speaker and myself to be in disagreement.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield for a question?

Mr. McCORMACK. I shall be glad to.

Mr. HOEVEN. Can the distinguished majority leader tell the House what progress is being made on conference reports?

Mr. McCORMACK. I am unable to advise the gentleman. I understand the ECA conference committee has pretty nearly reached an agreement, but in relation to the others I am unable to give the gentleman any information.

Mr. HOEVEN. It is my understanding that the conferees on the civil functions bill have not yet met. That bill was passed on September 13. I see the distinguished chairman of the Committee on Appropriations present. I should like to ask him why that bill has not gone to conference.

Mr. CANNON. If the gentleman from Massachusetts will yield——

Mr. McCORMACK. I yield.

Mr. CANNON. The conferees on the civil functions bill have not yet convened because the Senators are not yet ready. On this side a Member serves on one subcommittee only; on the other side many of the Senators are on half a dozen subcommittees. Some of the Senators are on conflicting conferences and as soon as they are ready to meet on the civil functions bill we shall be glad to meet with them.

Mr. HOEVEN. Does the gentleman anticipate that that may happen next week?

Mr. CANNON. I hope so. We are urging every conference committee to conclude its work as rapidly as possible.

Mr. HOEVEN. Will the gentleman state why the Senate is not ready?

Mr. CANNON. They have other conferences. As soon as they conclude their work on the other conferences they will then be ready to proceed with the civil functions bill.

Mr. HOEVEN. I am glad to have that information because it was my understanding that the matter was held up on this side of the Capitol.

Mr. CANNON. This side has been ready for some time.

Mr. JENSEN. Mr. Speaker, will the gentleman from Massachusetts yield that I may ask a question of the gentleman from Missouri [Mr. CANNON]?

Mr. McCORMACK. I yield.

Mr. JENSEN. I think it would be well for Members of this House to inform the Members of the other House that there are thousands and hundreds of thousands of acres of land lying along the Missouri River from Sioux City to Kansas City that are today under water or have been under water, and out of production, and will be out of production not only this year but, unless something is done to give the Army engineers the 1952 fiscal year funds to use this fall and soon, thousands upon thousands of acres of that land will also be out of production next year.

The Army engineers are stymied because of the fact that they have no funds with which to do the necessary work on channel maintenance, bank erosion, and flood control and to take the water off these flooded areas.

The floodwaters of the Missouri River from Sioux City to Kansas City is eating away at the banks of that river and destroying thousands of acres of the best land in America. In my district alone there are at least 20 bends in the river where good farm land is constantly being eaten away now at a terriffic rate. It is criminal to let this go on while the funds, for no good reason, for the Army engineers is held up by the other body. Those funds are needed not only for the Missouri River but for a lot of other rivers in America today.

I think we should inform the other body that there is criminal waste going on because of the delay in passing the civil functions appropriation bill out of conference.

Mr. CANNON. Mr. Speaker, I am entirely in sympathy with the position which the gentleman takes, and I may say that we take for granted that the Senate conferees are fully aware of the situation to which the gentleman refers; also when we had a request from the President for $400,000,000 for rehabilitation of flood-devastated areas, we expedited that bill more rapidly than any bill of its character recently considered in the committee.

The bill is delayed by reason of the fact that those in charge of the preparation of the estimates did not supply the data. It was impossible for us to take up the bill until the department supplied the data required by the statute. As soon as that was available we opened hearings. We have heard everyone who desired to be heard. Hearings were concluded yesterday; we will be ready to bring the bill up in the House at any time.

Mr. JENSEN. Mr. Speaker, will the gentleman from Massachusetts yield further?

Mr. McCORMACK. I yield.

Mr. JENSEN. Is there money in this supplemental disaster bill for Kansas and Missouri for the Army engineers to expend on such things as I have just explained along the Missouri River from Sioux City to Kansas City.

Mr. CANNON. I take for granted the gentleman is familiar with the bill under consideration.

Mr. JENSEN. I certainly am not, because I have not seen it.

Mr. CANNON. It has been available to the gentleman. I am sorry he has not taken advantage of the opportunity to read it.

Mr. JENSEN. Now, wait a minute; the gentleman knows that is not a fact.

Mr. CANNON. On the contrary, it is a fact. The gentleman from Missouri [Mr. BOLLING] introduced the bill more than a month ago, and it has been available in the document room ever since. House Document No. 228, which may also be secured in the document room, will supply any further information the gentleman may require on the subject.

The gentleman should also be familiar with the civil functions bill. It is explained in detail in the House and Senate reports which may be obtained in the document room any time the gentleman wishes to consult them.

Mr. JENSEN. Now the gentleman is getting entirely away from the point I am making. I have not seen the bill which the committee has reported out for Missouri and Kansas flood-disaster relief. The gentleman knows that. So I am asking him if there is any money in the bill for the things I have just talked about, on the Missouri River from Sioux City to Kansas City.

Mr. CANNON. The committee has not reported out the bill. I have just explained that the subcommittee concluded hearings on the Bolling bill yesterday and will mark it up and have it ready for the whole committee the first of the week. In the meantime I shall be glad to supply him with a copy of the bill or with copies of the civil functions bill, or with a copy of House Document No. 228. Or he may secure them from the House document room where they have been available for some time.

The regular order was demanded.

The SPEAKER. The regular order is, Is there objection to the request of the gentleman from Massachusetts that the Speaker be granted the privilege of recognizing to suspend the rules on Wednesday next? That is the matter before the House at the present time. Is there objection?

There was no objection.

AMENDMENT TO ACT MAKING TEMPORARY APPROPRIATIONS FOR THE FISCAL YEAR 1952

Mr. CANNON, from the Committee on Appropriations, reported House Joint Resolution 335, which was read a first and second time, and, with accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. CANNON. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Joint Resolution 335.

The Clerk read the House joint resolution, as follows:

Resolved, etc., That clause (c) of section 4 of the joint resolution of July 1, 1951 (Public Law 70), as amended, is hereby amended by striking out "September 30, 1951" and inserting in lieu thereof "October 31, 1951."

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

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.

COMMITTEE TO INVESTIGATE AND STUDY DUPLICATION AND OVERLAPPING OF TAXES

Mr. SABATH. Mr. Speaker, I call up House Resolution 414 and ask for its immediate consideration.

The Clerk read the House resolution, as follows:

Resolved, That there is hereby created a select committee to be composed of five Members of the House of Representatives to be designated by the Speaker, one of whom he shall designate as chairman. Any vacancy occurring in the membership of the committee shall be filled in the manner in which the original appointment was made.

The committee is authorized and directed to investigate and study duplication and overlapping of Federal, State, and local government taxes, and the means and method of accomplishing the elimination of such overlapping and duplication.

The committee, or any duly authorized subcommittee thereof is authorized to hold such hearings, to subpena witnesses, to sit and act at such times and places during the life of the committee as it shall designate; to employ an executive secretary; and to employ such experts and clerical, stenographic, and other assistants as it may deem necessary (without regard to the civil-service laws, but subject to the Classification Act of 1923, as amended). The committee may utilize the services, information, facilities, and personnel of the various departments and agencies of the Federal Government.

The committee may from time to time submit to the House such preliminary reports as it deems advisable; and prior to the close of the present Congress shall submit to the House its final report on the results of it study and investigation, together with such recommendations as it deems advisable. Any report submitted when the House is not in session may be filed with the Clerk of the House.

There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such sums as may be necessary to carry out the provisions of this resolution.

With the following committee amendment:

Strike out all after the resolving clause and insert the following: "That the Committee on Ways and Means is authorized and directed to further investigate and study the means and method of accomplishing the elimination of competition, overlapping and duplication of sources of Federal, State, and local government taxes, and to report back to the House its recommendations with respect thereto before the close of the present Congress."

The committee amendment was agreed to.

Mr. SABATH. Mr. Speaker, I yield myself such time as I may desire.

Mr. Speaker, in reference to the very intelligent presentation on the part of the gentleman from New York [Mr. LATHAM] who introduced the original resolution authorizing a special committee to make this investigation, the Rules Committee came to the conclusion that to create another special committee would be unnecessary although it agreed with him that an investigation should be made.

At the hearing before the Rules Committee the Ways and Means Committee was represented by two or three of its outstanding members, who assured the Rules Committee that this matter has been receiving consideration and the members also testified the committee had been in constant touch with the Conference of Governors of the States from year to year and with the mayors and other officials and groups on the local level with a view to bringing about unification of thought and elimination of waste and duplication which generally accompanies all revenue or tax legislation.

As I said to the committee at that time, it might be very pleasant to the American people if we could eliminate all taxation. I do not think any objection would be raised. However, the Government must have revenue, consequently taxation is necessary. I hope that from now on we will be able to bring about the economy that the administration is trying to accomplish. Were it not for the fact that a great deal of money is needed for the defense program, for preserving our democratic institutions, and bringing about the elimination of the activities on the part of the Communist countries against those democratic institutions, I feel that taxes could be materially reduced and the burdens on the people lightened.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from New York.

Mr. JAVITS. I understand the Committee on Rules has agreed also to report out a resolution to create a special committee to investigate whether foundations for evading taxation are being organized. Does not the gentleman feel that the Committee on Ways and Means might handle that matter, and it might easily be included under this resolution for the purpose of inquiry, if it was found desirable? I think the resolution relates to investigating whether foundations such as charitable foundations have been organized to evade taxes. It is the resolution sponsored, I think, by the gentleman from Georgia [Mr. Cox]. Does not the gentleman feel that the Committee on Ways and Means can do that as well, and that it ought to be in this resolution?

Mr. SABATH. The gentleman from New York has a misconception of the real purport of the resolution introduced by the gentleman from Georgia [Mr. Cox]. His resolution deals, in main, with another phase of the activities of these foundations. However, I do agree with the gentleman from New York that the Ways and Means Committee might well give further and more comprehensive study to the tax evasion practices of these private and charitable trusts and foundations as the gentleman suggests. I called the attention of the Committee on Ways and Means to the possibilities for greatly increased revenues through the closing of these loopholes in the tax structure so that the burdens of taxation upon the smaller taxpayers could be reduced, and in the lower brackets completely eliminated, but so far that great committee has been unable to come to a conclusion on this troublesome question.

I hope the Committee on Ways and Means will continue its effort to bring about the elimination of the many loopholes taken advantage of by these private trusts and foundations and also act on the matter to which the gentleman has called attention.

Mr. COMBS. Mr. Speaker, will the gentleman yield?

Mr. SABATH. I yield to the gentleman from Texas.

Mr. COMBS. May I say to the distinguished chairman of the Committee on Rules that in the tax bill of 1950 we did include tax provisions for certain types of charitable trusts. Our committee went pretty thoroughly into the question, as much so as we could in connection with that bill. But when you get into the area of possible taxation of religious institutions and matters of that nature, it requires a great deal of study. Our committee has been studying that subject. However, I did want the gentleman to know that we have already taken steps to tax certain incomes of charitable trusts.

Mr. SABATH. I am glad the Committee on Way and Means has made this effort, and that they will continue their thorough investigation and bring about legislation that will eliminate all the matters to which the gentleman from New York has called attention.

Mr. JAVITS. There is no question about the fact that the Committee on Ways and Means has the power to investigate the subject to which I just referred, about charitable foundations.

Mr. SABATH. That is true. I thank the gentleman.

Mr. Speaker, in view of the fact that there cannot possibly be any objection to this resolution I shall conclude my remarks. I now yield 30 minutes to the gentleman from New York [Mr. LATHAM], the author of this resolution and who, I understand, has agreed that it should be considered as amended by the Committee on Ways and Means.

Mr. LATHAM. Mr. Speaker, I would like to add a very brief statement to the remarks of the distinguished chairman

of the Committee on Rules, who has been so kind in his discussion of this resolution of mine.

I want to point out that the problem which this resolution focuses attention upon is becoming more important and more difficult with each passing day and each passing month.

The Federal Government must of necessity raise huge tax sums to carry on the Government. The States on the other hand need money for their operating expenses. The municipalities are getting into fiscal trouble—more of them each day, as time passes. Most of the big cities in this country today are approaching fiscal crises. And the little taxpayer, who is being hunted and hounded from all three sides, is most confused. He does not know where his tax dollars are going, and he does not and cannot keep track of how they are spent.

One or two simple little illustrations, I am sure, will illustrate the problem.

Let us take the case of the gasoline tax. A man walks into a gas station and buys a single gallon of gasoline for his car. That sale is taxed by the Federal Government. It is taxed by the State government, and then it is hit by the local government—the cities, which in some cases impose a levy by way of the sales tax.

While the man is in the gas station, he buys a pack of cigarettes. We know that the Federal Government has an 8-cent Federal tax on a pack of cigarettes, and many of the States tax another 8 cents for that pack of cigarettes. In some cities, there is a 3-cent tax on the cigarettes.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield.

Mr. McDONOUGH. I appreciate the remarks of the gentleman, and realize perhaps the urgent need for a committee of this sort, but will not the gentleman agree that the reason these taxes have mounted to such a large volume in the States, cities, municipalities, and the Federal Government, is the fundamental monetary policy of the Government with our huge debt and extravagant spending of the Federal Government with the consequent reduction in the value of the dollar?

Mr. LATHAM. I do not think there is much question of that.

Mr. McDONOUGH. In other words, this committee then will be attempting to investigate something that has been brought about by a situation which the committee will not investigate at all? In other words, it is not investigating the value of the dollar or the reduction in the value of the dollar, and the reduction in its purchasing power, but they will investigate the consequent results of the reduction of the value of the dollar as a result of Government policy.

Mr. LATHAM. The investigation will be carried on by the Committee on Ways and Means of the House. The thought behind this resolution is not to try to tell anybody which particular tax should be put on, and which should be taken off.

This was recommended by the Hoover Commission, a nonpartisan, nonpolitical expert group, and it was also recommended by the Conference of Governors, as well as the Council of Mayors—as I was saying, the thought is that by agreement, if possible, the Federal, State, and local governments should get together and separate the areas of taxation for each level of government.

It should be done and it must be done. You have duplication, and you have waste. The Federal Government hires tax clerks and stenographers, and uses paper and makes records, and goes through all the red tape, and spends a lot of money to collect a given tax.

The State government duplicates all this in many cases. The cities, the local governments, then further duplicate it. There is all that waste.

If a tax can be imposed and efficiently collected, let us say by the Federal Government, then why not by agreement let the Federal Government collect that tax.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield.

Mr. GROSS. The thing I am unable to understand is the necessity for this legislation. Does not the Committee on Ways and Means already have the power to investigate overlapping and duplication of taxes?

Mr. LATHAM. It has.

Mr. GROSS. I wish the gentleman would explain the necessity for this legislation.

Mr. LATHAM. The Committee on Ways and Means has the power, and it has been giving much attention to this. But, the fact is, it is becoming more critical all the time and nothing has been done. The main function of this will be to focus attention on this increasingly difficult and dangerous situation and obtain a definite recommendation by the end of this Congress.

Mr. KEATING. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield.

Mr. KEATING. It seems to me that it might also be said to the gentleman from Iowa that the passage of this resolution will be in the nature of a mandate or at least an expression of congressional desire that they do go into this very important question. It seems to me that the gentleman from New York has approached this in an extremely constructive manner, and in a way which shows his own broad-minded approach to all these problems. I hope the gentleman will be with us for many years despite his present political activities. I should hate to see the value of the gentleman to this body lost to us. However, I do wish the gentleman in his present political activity all the best from this side of the aisle.

Mr. LATHAM. I wish to thank the gentleman.

Mr. OSTERTAG. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from New York.

Mr. OSTERTAG. First I want to commend the gentleman from New York [Mr. LATHAM] for conceiving this step, which is most desirable. I should like to say at this point, however, that this resolution which you have sponsored is certainly a step in the right direction. But in my judgment, it does not go half far enough. It seems to me that the time has arrived when the Congress should recognize the need for the proper determination of responsibilities and services, as well as tax revenues as between Federal, State, and local governments. There is a bill pending before one of the committees which would create such a commission of intergovernmental relations. That commission is recommended by the Hoover Commission, and while this first step you have proposed is very desirable, I hope it will be only the forerunner of a proper study by a commission of relations between the Federal, State, and local taxing authorities.

Mr. LATHAM. I thank the gentleman, and I would like to say, unless this is done by agreement, before very long the taxpayers of this country are going to rise up and demand a constitutional amendment to take away the Federal taxing powers in certain areas.

Mr. COX. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from Georgia.

Mr. COX. I asked the gentleman to yield in order to call attention to the fact that the gentleman from New York [Mr. LATHAM] had before his committee, the Rules Committee of the House, a resolution to set up a special committee to conduct this investigation. When it was called to his attention that the Ways and Means Committee had given a great deal of time to the examination of this question, that the committee was staffed with some of the best experts of the country, he very readily yielded to the suggestion that this work be put into the hands of the Ways and Means Committee. In other words, the gentleman from New York passed up his resolution to set up a special committee, accepting the suggestion that the Ways and Means Committee continue its study of this very important question. His fine attitude is the thing that I want to call to the attention of the House. I can see no possible objection to this resolution, and I hope there will not be a vote cast against it.

Mr. LATHAM. I thank the gentleman.

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. LATHAM. I yield to the gentleman from California.

Mr. McDONOUGH. I heard the gentleman address the public on the radio the other night, explaining this resolution. In his explanation he stated that the gasoline tax, as an example, in his opinion should be collected by the Federal Government. Now, if you believe that, do you think that if the Federal Government should collect all gasoline taxes across the country, would they then in turn be obligated to return to the States their proportionate share that would otherwise be collected by the States individually?

Mr. LATHAM. It is quite possible that after separating the areas of taxa-

tion and assigning them to one level of government, in all equity and fairness there should be some rebate. That might well be worked out, as a possible solution.

Mr. McDONOUGH. Of course, if in California the Federal Government collected all of the gasoline tax, then we would not be able to maintain our highway system unless we had a rebate of our share of the amount of taxes collected by the Federal Government back to the State of California. Do you mean to say that this method of collection should repeal the obligation of the States to collect their individual taxes?

Mr. LATHAM. I do not say that any one tax should go to any one level of government. I just present the problem and say that somebody should do something to eliminate the waste and inefficiency that we have at the present time. It is not for me to go into detail and try to work out the problem at all. It is possible there should be some rebate. It might be it will have to be worked out that way. But at least we should try to eliminate all duplication of collection by three separate agencies.

Mr. McDONOUGH. The gasoline tax is one tax that is very easily collected. Is there any other commodity that you know of that is now taxed that would come under that same category if this resolution were adopted and the investigation made?

Mr. LATHAM. In fact, the United States Treasury report of 1946 said that 90 percent of all Government taxes overlapped. The cigarette tax, the income tax, the gasoline tax all overlap.

You have income taxes sometimes on three levels of government at the present time. The Federal Government, the State, and city governments are operating in the income-tax field. There is duplication of inheritance taxes; there is duplication of liquor taxes; there is duplication of amusement taxes.

This has been studied a great deal by the Conference of Governors, the Council of Mayors, and the Hoover Commission, and they all urge that something should be done.

This resolution I have introduced authorizes the Committee on Ways and Means to report back to the House its findings by the end of the present Congress. At that time this situation will be even more critical than it is today, because every large city in the United States is approaching a fiscal crisis.

I hope the resolution will be adopted.

Mr. SABATH. In view of the intelligent and careful explanation of the resolution given us by the gentleman from New York, I cannot understand how there could be any possible objection to the resolution. I, therefore, move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

The title was amended so as to read: "Resolution to authorize the Committee on Ways and Means of the House to investigate and study duplication and overlapping of taxes."

A motion to reconsider was laid on the table.

CONSERVATORS FOR THE ESTATES OF CERTAIN PERSONS IN THE DISTRICT OF COLUMBIA

Mr. HARRIS. Mr. Speaker, I call up the conference report on the bill (S. 11) to provide for the appointment of conservators to conserve the assets of persons of advanced age, mental weakness, not amounting to unsoundness of mind, or physical incapacity, 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 Arkansas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 1026)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 11) to provide for the appointment of conservators to conserve the assets of persons of advanced age, mental weakness, not amounting to unsoundness of mind, or physical incapacity, 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 disagreement to the amendment of the House to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following: "That if an adult person residing in or having property in the District of Columbia is unable, by reason of advanced age, mental weakness (not amounting to unsoundness of mind), or physical incapacity properly to care for his property, the United States District Court for the District of Columbia may, upon his petition or the sworn petition of one or more of his relatives or any other person or persons, appoint some fit person to be conservator of his property.

"SEC. 2. Upon the filing of such petition, the court shall fix a time and place for a hearing thereon; and shall cause at least fourteen days' notice thereof to be given to the person for whom a conservator is sought to be appointed, if he is not the petitioner, and to such other persons as the court shall direct. The petition shall include, among other things—

"(1) the reasons for the appointment of a conservator;

"(2) the name and address of the person for whom the conservator is sought;

"(3) the date and place of his birth, if known; and

"(4) the names and addresses of the nearest known heirs at law, or the next of kin, if any.

The court in its discretion may appoint some disinterested person to act as guardian ad litem in any proceeding hereunder. Upon a finding that the person for whom the conservator is sought is incapable of caring for his property, the court shall appoint a conservator who shall have the charge and management of the property of such person subject to the direction of the court.

"SEC. 3. Such conservator before entering upon the discharge of his duties shall execute an undertaking with surety to be approved by the court in such maximum amount as the court may order, conditioned on the faithful performance of his duties as such conservator; and he shall have control of the estate, real and personal, of the person for whom he has been appointed conservator, with power to collect all debts due such person, and upon authority of the court to adjust and settle all accounts owing by him, and to sue and be sued in his representative capacity. He shall apply such part of the annual income and such part of the principal of the estate of such person as the court may authorize to the support of such person and the maintenance and education of his family and children; and shall in all other respects perform the same duties and have the same rights and powers with respect to the property of such person as have guardians of the estates of infants.

"SEC. 4. When any person for whom a conservator has been appointed under the provisions of this act shall become competent to manage his property, he may apply to such court to have such conservator discharged and to be restored to the care and control of his property. If the court finds him to be competent, an order shall be entered restoring the care and control of his property to such person. The court shall have the same powers with respect to the property of any person for whom a conservator has been appointed as it has with respect to the property of infants under guardianships.

"SEC. 5. Upon filing of a petition as provided by this Act the court may, with or without notice or hearing, appoint a temporary conservator of the estate of any person hereunder, if it deems such action necessary for the protection of such estate, subject to the provisions for an undertaking contained in section 3 hereof. Such temporary conservator shall serve only until such time as a permanent conservator can be appointed or until sooner discharged.

"SEC. 6. The court, in its discretion, may at any time order that the conservator or some other person shall be responsible for the personal welfare of the person whose property is under conservatorship. In such event the conservator or such other person, subject to the direction and control of the Civil Division of the court, shall have the same powers and duties with respect to the personal welfare of the said person as have the guardians of the persons of infants under guardianships.

"SEC. 7. Lis pendens: Upon the filing of a petition hereunder, a certified copy of such petition may be filed for record in the office of the Recorder of Deeds of the District of Columbia. If a conservator be appointed on such petition, all contracts, except for necessaries, and all transfers of real and personal property made by the ward after such filing and before the termination of the conservatorship shall be void."

And the House agree to the same.

That the title of the bill be amended to read as follows: "An Act to provide for the appointment of conservators to conserve the assets and provide for the personal welfare of persons of advanced age, mental weakness, not amounting to unsoundness of mind, or physical incapacity."

OREN HARRIS,
T. G. ABERNETHY,
JOSEPH P. O'HARA.
Managers on the Part of the House.

JOHN O. PASTORE,
WILLIS SMITH,
JOHN M. BUTLER,
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 House to the bill (S. 11) to provide for the appointment of conservators to conserve the assets of persons of advanced age, mental weakness, not amounting to unsoundness of mind, or physical incapacity, submit the following statement in explanation of the effect of the action agreed upon by the conferees

and recommended in the accompanying conference report:

The House amendment was passed in lieu of all of the Senate bill after the enacting clause. The accompanying conference report recommends the adoption of a substitute for both the Senate bill and the House amendment.

The differences between the House amendment and the conference substitute, except for merely formal differences and minor clerical and conforming changes, are explained below.

The first section of the Senate bill provided for the appointment of conservators to conserve the property of individuals residing or having property in the District of Columbia who, by reason of advanced age, mental weakness (not amounting to unsoundness of mind), or physical incapacity are incapable of caring for such property. The House amendment included a clause providing for such appointments in certain additional cases where such individuals, because of gambling, idleness, or debauchery, so spend or waste their estates or injure their persons as to be likely to expose themselves or their families to want or suffering. The first section of the conference substitute omits the clause which was added by the House amendment and adopts substantially the language of the Senate bill, except that the application of the section is limited in terms to adults, as it was in the House amendment, in order to show clearly that it is not intended to supplant existing laws relating to the property of minors.

Section 2 of the conference substitute, following the House amendment, lists some of the information which is to be included in the petition for a conservator, but omits the House language specifically requiring that the petition designate the proposed conservator and describe the property and debts of the person for whom the conservator is sought.

The House amendment provided for the appointment of guardians of the persons, as well as of the property, of the individuals referred to in the first section, while the Senate bill provided only for conservators of the property of such individuals. The conference substitute generally follows the Senate bill and strikes out all references to personal guardians, but adds a new section 6 which provides that the court may at any time order that the conservator or some other person shall be responsible for the personal welfare of the individual whose property is under conservatorship.

Since responsibility for the personal welfare of individuals under conservatorship is exclusively provided for under the new section 6, the conference substitute omits the authority (which was contained in sec. 4 of the House amendment) for appointment of more than one guardian for any one individual, and uses the Senate term "conservator" throughout in lieu of the House term "guardian".

The conference substitute embodies section 8 of the House amendment, which provided that all contracts (except for necessaries) and property transfers made by an individual under conservatorship shall be void. The corresponding section of the Senate bill provided only that contracts and business transactions of any such individual shall be presumed to be a fraud upon the conservator.

The title of the conference substitute is the same as the title of the Senate bill, except that additional language has been inserted to indicate that (in sec. 6 of the conference substitute) the personal welfare of individuals whose property is under conservatorship has been adequately provided for.

OREN HARRIS,
T. G. ABERNETHY,
JOSEPH P. O'HARA,
Managers on the Part of the House.

Mr. HARRIS. Mr. Speaker, this conference report agreed to by the House and Senate conferees on Senate bill 11, a bill which would provide for the appointment of conservators in the District of Columbia to protect the interests of persons incapable of managing their own property. There was one point of difference on this legislation as passed by the House and the Senate. The term "guardian" was provided in the House bill by an amendment offered by the gentleman from Minnesota [Mr. O'HARA] and the term "conservator" as passed in the Senate bill.

The conferees have agreed on a new section, section 6, which clarifies the issue with reference to responsibility for the personal welfare of an individual under conservatorship appointment. This is a very good conference report. It is legislation I think needed in the District of Columbia.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

THE PRESIDENT'S CENSORSHIP ORDER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. If there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HALLECK. Mr. Speaker, like most Americans, I am appalled by the censorship order handed down Wednesday by President Truman. In the guise of protecting the Nation from its enemies, Mr. Truman has issued a directive whose real purpose can only be to protect his administration from the American people.

A free press is the first guardian of democracy. In the past few years we have witnessed countless examples of how diligent, truth-seeking newspapermen have served the cause of democracy in our own land by unearthing and exposing incredible rascality and skulduggery in the top circles of the Truman administration. The 5-percent scandals involving the White House were first disclosed by a courageous newspaper. The American Lithofold scandal was first broken by another enterprising newspaper. There are innumerable other cases where betrayals of democracy would never have come to the attention of the people except for a press that was determined to get the truth.

Now President Truman is seeking to change all that. His censorship order gives every agency and department of the Government the absolute power to decide what information shall be given out to the people and what shall be kept from them. These agency heads are absolute czars unto themselves. When they order the iron curtain down it stays down—a gag on the press and radio of the Nation. Even Members of Congress may be denied the information they need to conduct the affairs of Congress.

Mr. Truman's censorship is completely alien to the spirit of America and our Republic. What have we in the White House, a Pennsylvania Avenue Peron?

CANADA TURNS DOWN PRICE CONTROL

Mr. McDONOUGH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. McDONOUGH. Mr. Speaker, this is for the interest of those who are confused with the orders out of the OPS office and those who voted against the price-control bill, a small item from the Associated Press Service of yesterday, reading as follows:

FINANCE MINISTER REJECTS PRICE CONTROL FOR CANADA

OTTAWA, September 26.—No price ceilings for Canada, her Finance Minister says.

The Minister, Douglas Abbott, said in a broadcast last night that a temporary reduction in living standards is the price Canadians must pay for freedom and security.

M. J. Coldwell, Socialist Party leader, had called on Mr. Abbott to institute price ceilings.

Mr. Abbott said that in World War II, price control played only a small part in the attack on inflation. A tough taxation policy and an intense saving program were the government's chief weapons then.

He declared that prices in the last 6 months have been rising faster in Britain, which has a complete control system, than in either Canada or the United States.

We should learn a sound economic lesson from the Finance Minister of Canada on price control.

The price-control policy of the Truman administration will never cure inflation as long as they continue their policy of extravagant deficit spending.

We need a pay-as-you-go tax policy which must be accompanied with a caution as you spend, not a spend as you please all over the world policy. There is a bottom to our money barrel. There is a limit to the people's patience. And it is my opinion that the Truman administration has hit both.

COMMITTEE ON ARMED SERVICES

Mr. BROOKS. Mr. Speaker, I ask unanimous consent that the Committee on Armed Services may have until midnight tomorrow to file a report on the bill H. R. 5426, which is a Reserve matter.

The SPEAKER. Is there objection to the request of the gentleman from Louisana?

There was no objection.

GOV. WILLIAM S. BEARDSLEY, OF THE STATE OF IOWA

Mr. HAYS of Ohio. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. If there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I was greatly interested and very much disturbed by recent press reports which stated that Gov. William S. Beardsley, of the great midwestern State of Iowa, had sent a check of $13,000 to the Bu-

reau of Internal Revenue to pay back income taxes, fines, and assessments.

The people of our country deserve the best in their elected officials no matter what party they belong to. Anyone who is paying $13,000 in back taxes is either a poor keeper of his own accounts or someone who has violated the laws of his country. No matter what the reason, he hardly deserves to be responsible for the destiny of one of our most important States.

I understand that Governor Beardsley's tax case is a rather fantastic story. Perhaps the most fantastic thing of all is the Governor's statement, as quoted in the Des Moines Register for Thursday, September 13, in which he admits that he has offered to settle his income-tax case for $13,000, and says that it is purely a personal matter. Since when, Mr. Speaker, is the integrity of the Governor of a great State purely a personal matter? This is certainly a matter which we should watch closely and even consider for possible criminal investigation.

Mr. Speaker, I have noticed accounts in Iowa newspapers that the Attorney General of the United States is being quoted as saying that this case will be handled objectively and that no attempt will be made to prosecute the Governor. This is certainly in contrast, Mr. Speaker, with the smear campaigns waged by certain irresponsible elements in the Republican Party.

WASTE

Mr. JONES of Missouri. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. If there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, I hold in my hand a large heavy kraft envelope measuring about 12 by 16 inches. To me this is symbolic of a lot of the flagrant waste in our Government which not only should be but could be corrected, I think, by a little admonition from the Committee on Appropriations.

As to the cost of this envelope, it might not be great, but I believe in that old saying that if we watch our pennies the dollars will take care of themselves.

Enclosed within this envelope were two sheets of mimeographed paper, a very important publication from the Board of United States Civil Service Examiners, notifying me of an examination which was being held down at Fort Leonard Wood, Mo. There is a waste of paper here. All of this could have been put on one sheet and enclosed in a cheap manila envelope and it would have accomplished all of the purposes desired.

ANNOUNCEMENT

Mr. DOYLE. Mr. Speaker, may I ask that the RECORD show I am back on the floor after having been excused officially on Un-American Activities Committee work in California?

The SPEAKER. The gentleman's statement undoubtedly will be proof that he is here.

REDUCTION OF VETERANS' FACILITIES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and include an article from the Boston Globe.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have a letter from the Veterans' Administration office at Boston protesting the removal of the VA district office from Massachusetts. There is also included an article from the Boston Sunday Globe in which it is stated that the manager of the regional office at Boston has said that the men who should receive training and subsistence checks month by month will not get them until January due to curtailment of personnel from 173 to 49. If the cut in personnel act that went through the Congress cripples the service to the veterans and they are not going to get the money they are justly entitled to I think this personnel should be restored.

The letter and article referred to follows:

WIDOWS WORLD WAR I,
CHAPTER NO. 6,
Framingham, Mass., September 24, 1951.

The Honorable EDITH NOURSE ROGERS,
Congressional Building,
Washington, D.C.

DEAR MRS. ROGERS: As president of Framingham Chapter No. 6, also junior vice of Massachusetts State chapter, I am appealing to you in regard to the return of the VA office to Boston.

Enclosed is a clipping from the Boston Globe; reading it you will understand why we do need this office returned. It is causing many hardships already. Not only for all those widows who have been thrown out of their positions but the veterans as well.

Our Mrs. Reynolds told us at our meeting last week how very nice you were to her while in Washington. May I take this opportunity to thank you for your graciousness to her. You have been a very great help to our organization and all the widows of World War I appreciate all you have done for them.

Thanking you again, I am
Respectfully yours,
HELEN E. GIMSKIE.

[From the Boston (Mass.) Sunday Globe of September 23, 1951]

GI BILL STUDENTS WARNED OF DELAY IN SUBSISTENCE CHECKS

Massachusetts GI-bill students will be hit in the pocketbooks as a result of a major cut in personnel handling Veterans' Administration subsistence checks, it was announced yesterday.

Manager William J. Blake, of the VA's Boston regional office, warned GI students they had better plan to support themselves until January—at which time it is expected the checks will be in the mails.

More than 24,000 students in Massachusetts colleges, universities, and other schools are expected to be affected.

Blame for the delay was laid to the reduction of employees handling the processing of the checks from 173 to 49.

Blake said the employees had been lopped from the processing section due to "budgetary limitations."

Checks—when finally mailed—will be retroactive to the date the student started classes.

FLOOD CONTROL DISASTER APPROPRIATIONS

Mr. SCRIVNER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and include a portion of a letter.

The SPEAKER. Is there objection to the request of the gentleman from Kansas?

There was no objection.

Mr. SCRIVNER. Mr. Speaker, I was glad to have the assurance of the gentleman from Missouri [Mr. CANNON] that the flood relief bill will be reported the first of next week and also the assurance of the gentleman from Massachusetts [Mr. MCCORMACK], the majority leader, that when it is reported it will be taken up, perhaps next week.

Mr. Speaker, in connection with flood relief I have received a letter from a constituent this morning. This is not unusual, but this letter happens to be my No. 1 constituent, Mrs. Scrivner, who is home at this time. Here is what she wrote me after she had made a visit to the flood-devastated area in Kansas City, Kans.:

> If they could just see that desolate, gray, mud-covered stinking mass of rubble, block after block, with signs "condemned" on it, Congress would understand the need for help immediately. Seeing Armourdale with water over it was nothing to what it looks like now. It is a ghost town, no lights, no sewers, no people. It is nothing but a stinking mass of mud-covered ruins that were once homes.

Mr. Speaker, I hope that next week we will be able to remedy some of these conditions and bring relief to these people. The need is great. The need is now.

Mr. Speaker, Congress must not adjourn without passing a law which will help these flood refugees.

Surely if the United States can ladle out billions for war refugees all over the world we can send a few millions to our own hard-hit citizens, refugees from the havoc of the Nation's most disastrous flood.

CONTROLS

Mr. WOOD of Idaho. 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 Idaho?

There was no objection.

Mr. WOOD of Idaho. Mr. Speaker, life, faculties, production—in other words, individuality, liberty, property—this is man. Life, liberty, and property do not exist because men have made laws. On the contrary, it was the fact that life, liberty, and property existed beforehand that caused men to make laws in the first place.

What then is law? It is the collective organization of the individual right to lawful defense of his person, his liberty, and his property. And the common force that protects the collective right cannot logically have any other purpose, or any other mission than that for which it acts as a substitute. Thus, since an individual cannot lawfully use force against the person, liberty, or property of

another individual, then the common force—for the same reason—cannot lawfully be used to destroy the person, liberty, or property of individuals or groups.

If this is true, then nothing can be more evident than this: The law is the organization of the natural right of lawful defense. Collective law is the organization of the extension of the natural right of lawful defense. And if a nation were to be thus founded on this basis, and if such law can be incorporated into a written constitution—as was ours—then such a nation would have the most simple, easy to accept, economical, limited, nonoppressive, just, and enduring government imaginable. So our founding fathers thought, planned, and wrote such law into our own Constitution. They publicly stated that government was best which governed least.

And hence very few powers were granted to the Federal Government by the sovereign people. Among them were such functions as these: to provide for the common defense, to provide for the common happiness, to conduct foreign affairs, to supervise dealings between the individual States, to coin money and regulate the value thereof, to establish and maintain a just system of weights and measures, to establish post offices and post roads, and, through the appended Bill of Rights, to maintain and support the enormous system of individual rights possessed by each citizen. They were not to create these latter rights—their delegated function was merely to defend them against lawless and predatory groups, and most of all against government itself.

So long, and to the extent that our Government adhered to the very spirit and letter of the Constitution, we were a happy and prosperous people, the Mecca of the hopes of the world, and a light set upon a hill. All of our troubles—and they are many—have sprung from our departure into unjust, unlawful, ill-advised, and ruinous experiments, which may have seemed attractive and expedient, but which ran contrary to the defense of life, liberty, and individual property guaranteed to each American citizen in the Constitution.

Such an invasion of life, liberty, and property is now forced upon us in the matter of controls. Inasmuch as they violate the individual rights to unlimited production of consumer goods, subject only to the natural law of supply and demand, substituting totalitarian and unconstitutional flats for the regulation, and sometimes destruction of private property, or the right of the individual to choose the time and place of his market, they are always unsound laws, contrary both to the Constitution and to the natural law of supply and demand.

Bizarre and fantastic reasons are urged for their use; all of them unsound and untrue if measured by the principles of law set forth above. The right to produce and market your product as you will is just as basic as that of begetting children, and preserving the family line, or the right to worship God as you please. To the law and the Constitution; if they agree not with these, it is because there is no truth in them.

Time and again history has proven there are five milestones upon the highway toward a totalitarian state:

First. Emergency powers granted to the Executive.

Second. Money and exchange control usurped by the Executive, or granted to him.

Third. Conscription, or universal military training in peacetime.

Fourth. Controls of production, marketing, and sometimes destruction of consumer goods.

Fifth. Control of the press, and other media of the exchange of ideas.

Even a cursory examination of our present condition as a suffering state will point to the fact that we have traveled a long way down the broad highway toward a totalitarian state.

There is a tendency in a controlled society to bring into existence a great army of officials feeding and breeding upon paper. It becomes the age-old process of reducing a free nation, nay the palladium of freedom, to serfdom. Under emergency controls—not to mention a system of permanent controls, presently demanded by the Chief Executive—power becomes irresponsible, like a high tension wire cut loose. When individuals in charge of controls may do this or that, merely by signing a paper, the doctrine of collective governmental responsibility collapses, and the limits of departmental authority become blurred, so that no cohesive government or collective authority remains.

An English writer, speaking of the men carrying out controls after the last war said:

> The people of Britain accepted controls as uncomplainingly as they had accepted the war. They did not see the enemy who crept upon them behind their backs. Froglike, these little men, charged with the execution of controls, clambered upon their backs and, barnacle-like, they clung when the emergency was over.

Another British writer, speaking of controls, said:

> Controls are a knife held at the country's throat, and none may know who shall seize it next. Controls make a vast prison house for free peoples. The peoples in a controlled state are digging their own graves.

And Mr. Churchill said, speaking of controls in England:

> They are wholly wrong and evil measures; we need wholly different measures to restore our liberty to live, work, build, and trade.

History and the march of time have shown how prophetic these words were for Britain. But let us not forget that totalitarianism can thrive in any clime, amongst any people, no matter how complete their former freedoms—and it can happen here. Let us see to it that we do not forge our own chains through temporary or permanent controls to carry us the rest of the way toward a militaristic, fascistic power state.

SPECIAL ORDER GRANTED

Mr. BENNETT of Florida asked and was given permission to address the House, following the legislative program and any special orders heretofore entered, for 10 minutes on Monday next, October 1, the one hundredth anniversary of the writing of Swanee River, by Stephen Collins Foster.

COMMITTEE ON PUBLIC WORKS

Mr. LARCADE. Mr. Speaker, at the request of the chairman of the Committee on Public Works, I ask unanimous consent that that committee be permitted to sit during the session of the House this afternoon during general debate.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

PLACING ON PUBLIC RECORD INFORMATION CONCERNING INCOMES OF GOVERNMENT OFFICIALS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 244)

The SPEAKER laid before the House the following message from the President of the United States, which was read and referred to the Committee on the Judiciary and ordered to be printed:

To the Congress of the United States:

I recommend that the Congress enact legislation requiring officials in all branches of the Government to place on the public record each year full information concerning their incomes from all sources, public and private. I believe this will be an important step in assuring the integrity of the public service and in protecting Government officials against false and unfounded charges of improper conduct.

The overwhelming majority of the people who are working for the Federal Government in the legislative, judicial, and executive branches are decent, honest, and upright citizens who are doing their very best in the public interest. I believe that the standards of conduct now prevailing in the Government service compare favorably with those of the past and with the standards now prevailing in business and the professions. Nevertheless, it should be our constant aim to improve these standards. As the burdens of the Government increase during this defense period, and more and more citizens enter into business or financial dealing with the Government, it is particularly necessary to tighten up on our regulatory procedures, and to be sure that uniformly high legal and moral standards apply to all phases of the relationship between the citizen and his Government.

In operations as large as those of our Government today, with so much depending on official action in the Congress and in the executive agencies, there are bound to be attempts by private citizens or special interest groups to gain their ends by illegal or improper means. Unfortunately, there are sometimes cases where members of the executive and legislative branches yield to the temptation to let their public acts be swayed by private interest. We must therefore be constantly on the alert to prevent illegal or improper conduct, and to discover and punish any instances of it that may occur.

We must also guard against the danger that the misconduct of a few will result in unwarranted suspicion and distrust of the honesty of all Government officials.

In recent months, there has been something amounting to a deliberate effort to discredit the Government service. Attempts have been made through implication and innuendo, and by exaggeration and distortion of the facts in a few cases, to create the impression that graft and corruption are running rampant through the whole Government.

To my mind the most disturbing feature of the charges and rumors stirred up by these attempts is their effect on the confidence of the American people in their Government and in all the individuals who make up the Government. I am told that people all around the country are getting a mistaken and a distorted impression that the Government is full of evildoers, full of men and women with low standards of morality, full of people who are lining their own pockets and disregarding the public interest.

This is a terrible distortion of the true facts about our Government. It would be tragic if our citizens came to believe it. It would be tragic for the American people themselves to have such an idea about their Government, and it would be a terrible tragedy for all those who serve within the Government. None of us can afford to let the whole body of public officials be given a bad name by accusations, rumors, and sensational publicity tending to smear everybody.

I believe the best thing we can do to spike this effort to discredit Government officials is to place all the facts right on the record. The facts themselves are the best cure for public doubts and uncertainty.

I recommend, therefore, that the Congress promptly enact a statute which will require all full-time civilian presidential appointees, including members of the Federal bench; all elected officers of the Federal Government, including Members of the Congress; and all other top officials and employees of the three branches of the Government—say those receiving salaries of $10,000 or more, plus flag and general officers of the armed services—to file annually a statement of their total incomes, including amounts over and above their Government salaries, and the sources of this outside income. Consideration should also be given to requiring other Government employees to file such statements if their outside income exceeds a specified amount—perhaps $1,000 a year. Some items which are not ordinarily counted as income, such as gifts and loans, should be included in the statements filed under this statute. Penalties for willful violation of this statute should be equivalent to those for violation of the laws relating to the filing of income tax returns.

These statements when filed should be made accessible to the public.

Such public disclosure will, in my opinion, help to prevent illegal or improper conduct and at the same time protect Government officers from unfounded suspicions.

The majority of Federal employees have no income of consequence other than their official salaries. Some of our best public servants, on the other hand, do have sizable amounts of outside income. The great public service that is being rendered today by many men who have been successful in business or other forms of endeavor demonstrates that no distinction can be drawn between these two groups in terms of the public good. The disclosure of current outside income, however, will strike at the danger of gifts or other inducements made for the purpose of influencing official action, and at the danger of outside interests affecting public decisions.

A disclosure of all sources of outside income will be of obvious help in tracking down any case of wrongdoing. Furthermore, the mere existence of a requirement that such disclosure be made will act as a deterrent to improper conduct.

If an official of an executive agency knew that he would have to disclose the fact that he accepted a gift or loan from a private company with which he has public business, or if a Member of Congress who is on a committee concerned with a certain industry knew that he would have to disclose the fact that he accepted a fee from a company in that industry, I believe the chances are that such gifts or fees would not be accepted.

Such a disclosure procedure will also serve to protect officials and legislators from widespread misunderstanding on the part of the public. Our citizens will be able to see for themselves that the talk about corruption and enrichment in public office is grossly exaggerated.

As a general rule, I do not like to see public officials, or any other particular group, subjected to rules and requirements which do not apply to the rest of the population. But at the same time, public office is a privilege, not a right. And people who accept the privilege of holding office in the Government, must of necessity expect that their entire conduct should be open to inspection by the people they are serving. With all the questions that are being raised today about the probity and honesty of public officials, I think all of us should be prepared to place the facts about our income on the public record. We should be willing to do this in the public interest, if the requirement is applied equally and fairly to the officials of all three branches of our Government. This is the best protection we can give ourselves and all of our coworkers against the charge of widespread graft and favoritism in the public service.

I know of no other single step that will do so much good so quickly in protecting the reputations of our public servants and at the same time in producing concrete indications of any really questionable practices.

Much the same considerations apply also, I believe, to those people who hold the principal positions of responsibility in our great political parties. Of course, these offices are not Government positions. But those who hold them are necessarily brought into very close contact with the Government. And our major political parties have traditionally been so much a part of our whole system of government, that those responsible for the conduct of party business are in fact, if not in law, charged with a real public responsibility. For that reason, I would favor including the principal national party officials and employees among those persons required to file annual income statements along the lines I have described.

The legislation I have here recommended should be passed as soon as possible. If action cannot be completed before adjournment of the present session, then I earnestly hope that the Congress will finish the task as soon as it reconvenes. We should lose no time in placing all the facts before the country, and in clearing up those false impressions that are injurious to the proper functioning of our Government.

I believe also that both the Congress and the Executive should continue to search for other means, legislative and administrative alike, to reassure the American people about the high standards of their Government and to make sure that those high standards continue to be maintained by every individual who holds public office.

HARRY S. TRUMAN.

THE WHITE HOUSE, *September 27, 1951.*

PRIVILEGES OF THE HOUSE

Mr. HOFFMAN of Michigan. Mr. Speaker, I rise to a question of the privilege of the House.

The SPEAKER. The gentleman will state it. The Chair does wish that when Members are going to rise to a question of personal privilege they would give the Chair an opportunity to look over the material they have.

Mr. HOFFMAN of Michigan. I will be very glad to do that when time permits. However, I am certain the Chair is familiar with the precedents in all matters of this nature.

The SPEAKER. The Chair is, but he is not familiar with what the gentleman has in his hand.

Mr. HOFFMAN of Michigan. That is true. Under the usual procedure it is my intention to read the statement, which in my opinion justifies the privilege.

The SPEAKER. The gentleman is recognized to state the question of privilege.

Mr. RANKIN. Mr. Speaker, a point of order. To rise to a question of the privilege of the House, the gentleman must offer a resolution.

Mr. HOFFMAN of Michigan. I thank the gentleman from Mississippi. I am aware of the rule and the practice. I have the resolution in my hand.

Mr. RANKIN. If you are going to offer a resolution, that is all right, but if you are not going to offer a resolution you cannot rise to a question of the privilege of the House.

Mr. HOFFMAN of Michigan. Of that, as I intimated a moment ago, I am well aware. But again, I thank the gentleman for his consideration. Permit a repetition I have what I consider a proper resolution in my hand.

The SPEAKER. It is a question of whether the resolution is in order. That has not been determined.

Mr. HOFFMAN of Michigan. Mr. Speaker; I rise to a question of a privilege of the House. I have a resolution which I desire to offer but wish, first, to state the facts which justify the privilege.

It appears from page 12098 of the CONGRESSIONAL RECORD of yesterday, September 26, 195', that in the other body, a Member of that body from Michigan, among other things, from the floor of that body made the following statement:

Now, Mr. President, I should like to address myself briefly to the allegations and insinuations of the Representative from the Second District of Michigan, Mr. MEADER.

According to the newspaper clippings reaching me from the Republican National Committee, Mr. MEADER and others have charged that the Democratic Party in Michigan is selling jobs in the Post Office Department. That, Mr. President, is what I meant by a political smear. Mr. MEADER is a lawyer. I am surprised that he is reaching conclusions before the evidence is in. He has reached his conclusion on the basis of the fund-solicitation letter plus one letter from a constituent who complains that, as a veteran, he was passed over unlawfully for a postmaster's appointment. I immediately asked Mr. MEADER for the identity of this man.

Mr. MEADER refused to let me know the identity of the man.

Mr. MEADER must be acquainted with the civil-service and post-office laws and regulations governing these matters. He must know that without cause a veteran cannot possibly be passed over by a nonveteran. The rest of his anonymous correspondent's complaint deals with hearsay.

The foregoing language which assails a Member of the House constitutes a breach of privilege. Inasmuch as the House is without authority to itself act to correct the foregoing, I send to the Clerk's desk the following resolution:

House Resolution 441

Resolved, That the language published in the daily CONGRESSIONAL RECORD on Wednesday, September 26, 1951, on page 12377, in the report of an address to the Senate by the Senator from Michigan, Mr. MOODY, is improper, unparliamentary, and a reflection on the character of a Member of the House, the gentleman from Michigan, Mr. MEADER, and constitutes a breach of privilege and is calculated to create unfriendly relations and conditions between the House of Representatives and the Senate: Therefore be it

Resolved, That a copy of this resolution be transmitted to the Senate and that the Senate be requested to take appropriate action concerning the subject.

Mr. Speaker, the precedent for this action is found in Eighth Cannon's Precedents, page 231, section 2516. From that precedent it appears that on August 18, 1921, a Member of the other body made certain remarks referring, though not by name, to a Member of the House, which reflected upon the House Member's integrity in his representative capacity.

On August 22, following, a question of privilege was raised and a resolution, similar to the one which has been sent to the Clerk's desk, was adopted by the House and a copy was sent to the other body. Subsequently, on a unanimous-consent request in the other body, the matter referred to in the resolution was expunged from the RECORD. The purpose of this resolution, if that be the sense of the Senate, is to call for similar action with reference to the language used yesterday and which, by name, challenged the integrity of the Member of the House from Michigan, Mr. MEADER, in his representative capacity.

Mr. Speaker, it will be noted that I have referred to a Member of the other body by name, but I followed word for word, except as to identity, a previous resolution and ruling by a former Speaker of the House to which reference has been made. I sent a resolution to the Clerk's desk.

The SPEAKER. The gentleman from Michigan offers a resolution which the Clerk will report.

The Clerk read as follows:

House Resolution 441

Resolved, That the language published in the daily CONGRESSIONAL RECORD on Wednesday, September 26, 1951, on page 12377, in the report of an address to the Senate by the Senator from Michigan, Mr. MOODY, is improper, unparliamentary, and a reflection on the character of a Member of the House, the gentleman from Michigan, Mr. MEADER, and constitutes a breach of privilege and is calculated to create unfriendly relations and conditions between the House of Representatives and the Senate: Therefore be it

Resolved, That a copy of this resolution be transmitted to the Senate and that the Senate be requested to take appropriate action concerning the subject.

Mr. HOFFMAN of Michigan. Mr. Speaker, may I be heard for 1 minute on the resolution?

The SPEAKER. The gentleman may proceed for a minute.

Mr. HOFFMAN of Michigan. Mr. Speaker, it is not my desire to argue this matter. The issue is clear. Argument would only tend to aggravate the situation. My desire is to promote comity between the Senate and the House. My request is that the resolution be adopted.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

UNITY OF IRELAND

Mr. DELANEY. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 430 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 resolution (H. Res. 82) to provide for the unity of Ireland. That after general debate, which shall be confined to the resolution and continue not to exceed 1 hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the resolution for amendment, the Committee shall rise and report the resolution to the House with such amendments as may have been adopted and the previous question shall be considered as ordered on the resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

CALL OF THE HOUSE

Mr. SMITH of Virginia. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCORMACK. 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. 185]

Allen, La.	Elston	Murphy
Anfuso	Fisher	Murray, Wis.
Bailey	Hébert	Patterson
Baker	Heller	Philbin
Bender	Hess	Potter
Bentsen	Hinshaw	Powell
Boggs, Del.	Holifield	Rabaut
Boggs, La.	Howell	Redden
Breen	Irving	Regan
Brown, Ohio	Jackson, Calif.	Rivers
Busbey	James	Sadlak
Carnahan	Kelley, Pa.	St. George
Case	Kennedy	Scott, Hardie
Chatham	Keogh	Simpson, Pa.
Cole, N. Y.	Kersten, Wis.	Steed
Cooley	King	Stigler
Corbett	Lucas	Taylor
Coudert	McCulloch	Thomas
Crosser	McMillan	Thornberry
Davis, Tenn.	Martin, Mass.	Tollefson
Dawson	Miller, Calif.	Vinson
Deane	Morrison	Wigglesworth
Dorn	Morton	Willis
Doughton	Moulder	Wood, Ga.
Eberharter	Mumma	

The SPEAKER. On this roll call 356 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

UNITY OF IRELAND

The SPEAKER. The gentleman from New York [Mr. DELANEY].

Mr. DELANEY. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN]. Pending that I yield myself 5 minutes, and I ask unanimous consent to revise and extend my remarks.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. DELANEY. Mr. Speaker, this resolution makes in order House Resolution 82, the Fogarty resolution. It was reported favorably by the Committee on Foreign Affairs.

The purpose of this resolution may be stated simply: It expresses the sense of this House that the Republic of Ireland should embrace the entire territory of Ireland unless the clear majority of all the people of Ireland, in a free plebiscite, determine and declare to the contrary.

House Resolution 82 is in line with the language and spirit of a resolution adopted by the Sixty-fifth Congress, in 1919, declaring that the people of Ireland should have the right to determine the form of government under which they desire to live.

The action by the Congress in 1919 recalls the history of the partition of Ireland. That history may be traced to December 14, 1918, when a general election was held in Ireland, under British law, and while a British Army occupied Ireland. In that election the chief issue was whether the Irish, exercising their

right to self-determination proclaimed by the victorious allies in World War I, would declare their Nation independent. The result was an overwhelming majority in favor of independence.

In pursuance of this expression of the national will the elected representatives of the Irish people assembled in Dublin on January 21, 1919, declared Ireland an independent Nation and established a government and legislature.

The British Parliament refused to recognize the right of the Irish people to make laws for their own country. In 1920, the Parliament passed a statute by which the Irish nation was partitioned. No Irishman from any part of Ireland, north or south, voted for that statute. It was enacted by the votes of representatives of English, Scottish, and Welsh constituencies.

To force this unwanted partition on Ireland, the British Government sent the Black and Tans into Ireland. Martial law was declared, and a reign of terrorism launched. The partition was carried out, with the devising of an artificial entity called Northern Ireland—a grouping of six counties with no natural or other logical boundary. Indeed, the choice of the areas for separation from Ireland was dictated by a clear intention to gerrymander election districts.

In considering the resolution before this House, let it be noted that partition was imposed on Ireland by a government outside of, and unrepresentative of the Irish people; that the law of partition was put into effect and enforced by armed troops; that partition has been maintained by British troops of occupation in the separated six counties; that at no time has there been a free and secret plebiscite in the occupied area; that political groups in the separated area which favor partition hold their power only by virtue of gerrymandering of election districts, and finally, that there have been numerous, repeated, and firm expressions in favor of unity by persons living in the separated area.

A united, integrated Ireland would strengthen the free nations of Europe. In the name of the freedoms which we cherish so dearly in our country, this resolution ought to be adopted.

Mr. Speaker, I now yield to the gentleman from New York [Mr. ROONEY] such time as he may require.

Mr. ROONEY. Mr. Speaker, I rise to commend the distinguished gentleman from New York [Mr. DELANEY] and the chairman and members of the Committee on Rules who have reported the pending resolution which would make in order the immediate consideration by the House of the so-called Fogarty resolution.

I thoroughly agree with the gentleman's splendid statement. The people of Ireland should have the right to determine the form of government under which they desire to live. We should adopt the pending rule so that the Fogarty resolution may be fairly debated and voted upon here today. It expresses the sense of the House of Representatives that the Republic of Ireland should embrace the entire territory of Ireland unless the clear majority of all of the people of Ireland, in a free plebiscite, determine and declare to the contrary. There is ample precedent for this. About 30 years ago this House adopted a resolution declaring that the people of Ireland should have the right to determine the form of government under which they desired to live. This House over the years has expressed itself with regard to the formation of the Government of Israel as well as of Poland, merely to take two other incidents of precedent for the Fogarty resolution.

Simple justice requires that the 6 northeast counties of the Province of Ulster be joined with the 26 counties which make up the present Irish Government. Ireland was an entire independent nation for centuries and her territorial integrity should be restored. I trust that the House will adopt the pending rule so that we may debate and consider the Fogarty resolution. I shall certainly vote in the affirmative.

Mr. DELANEY. Mr. Speaker, I yield 1 minute to the gentleman from Michigan [Mr. O'BRIEN].

Mr. O'BRIEN of Michigan. Mr. Speaker, I urge the unanimous adoption of House Resolution 82. It is an extremely moderate resolution expressing the sense of this House that all of Ireland should vote in any plebiscite on that country's unification. Up till now there has been no such opportunity. It is obvious that the decision respecting a nation's sovereignty should be left to the whole nation and not solely with the part that is sought to be dismembered.

Ireland is a friendly nation to the United States and is one of our oldest friends. Her struggle for complete freedom is, too, one of the oldest in recorded history. No threat, even that of annihilation, could ever deter the people of that island in their centuries old allegiance to democracy and liberty. The name of Ireland and the cause of freedom from oppression are forever entwined in history's annals. No nation can genuinely fight for the freedom of others unless they have proved willing to fight firmly for their own. And Ireland has demonstrated that.

Here today in the House of Representatives we have the opportunity of demonstrating the sincerity of our purposes. We are for freedom all over the world. We are against imperial despotism and against Communist regimentation and aggression. Ireland wants its freedom recognized. She is not threatening to go Communist. She wants to be free of imperial exploitation. In the eyes of the world we would be sullying the purity of our motives if we should fail in this measure of palpable justice in the cause of freedom.

Mr. ALLEN of Illinois. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I am of the opinion that House Resolution 82 should not be before us for consideration, and I have a firm conviction that the great majority of the membership of the House of Representatives feel the same way.

I make this statement with the realization that the Committee on Foreign Affairs reported it favorably, as well as the Committee on Rules, of which I am a member. I am frank to confess that I was not present when this matter was before the Rules Committee. Had I been present, I would have voted against reporting it. It is now my understanding that a considerable number of the members of the Foreign Affairs Committee, as well as several members of the Rules Committee, have changed their views and are now opposed to passage.

Undoubtedly those of us who are opposing this resolution will be charged with being unfriendly to the people of Ireland. We will be charged with being enemies of a freedom-loving people. We will be classified as being on the side of tyrants and oppressors. We unquestionably will hear many times about our fight for independence.

From a strictly political standpoint, most likely those of us who are in opposition are on the wrong side. But this transcends political expediency.

What is the question before us? It is strictly this: Should one friendly nation become involved in the internal and political affairs of another friendly nation? I believe not.

It is not often that I am in agreement with the foreign policy of the President of the United States and the Secretary of State. Unless someone states with authority to the contrary, we must believe that President Truman and Mr. Acheson are opposed to this resolution. In a previous Congress, the House of Representatives passed a similar resolution. The other body did nothing about it. Is there any reason to believe that should we pass this resolution, the other body would act favorably? Admitting that our actions should not be determined according to what the other body might or might not do, what the President of the United States might or might not do—is it not logical to hold that there should be a mutual understanding before this delicate and dynamic problem should be considered in this body?

I have thoroughly studied the history of the people of Ireland. Few people of European countries have fared so poorly. No wonder so many of them came to America to become outstanding citizens. They have contributed so much to the advancement of their adopted country. If there is any question in the mind of anyone as to the hardships they have endured for centuries under British rule, I call your attention to the testimony of our distinguished majority leader; of our colleagues JOHN FOGARTY, author of this resolution; of DONALD O'TOOLE; of JAMES DELANEY; of KEN KEATING; and others before the Foreign Affairs Committee.

Still I hold that we must remain aloof from the internal and political problems of our friendly nations. Both the people of Ireland and England are our friends. I feel—especially at this momentous time—that we should not enter into their disputes nor the disputes of any of our other mutual friends.

I propound these questions to those favoring this resolution: Do you believe we would be justified in passing a similar resolution regarding France and French Morocco, Great Britain and South Africa, Belgium and the East Indies? Do you believe that any friendly nations should take a similar action affecting the United States and Hawaii, the United States and Puerto Rico?

I sincerely believe, regardless of the admiration that any of us have for the people of Ireland, that this resolution should be defeated. Meddling in the affairs of our mutual friends can bring us nothing but disaster. We must let them settle their own difficulties. We lost the friendship of India, as evidenced by their many votes in the United Nations, because the people of that large country believed we took sides in favor of England in their fight for independence. There is friction in Iran because that country believes we are on the side of England. There is friction in Egypt over our attitude in blockading the Suez Canal. There is friction in Arab countries, in Israel, in Pakistan, in Indochina, in Malaya.

United States influence in Asia is on the wane. Why? Because we, to a greater or lesser degree, interfered with their internal and political problems.

We cannot justify our position in meddling with their affairs while at the same time insisting on the principles of the Monroe Doctrine.

This rule should be defeated.

Mr. O'TOOLE. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. O'TOOLE. The gentleman in his remarks expressed concern as to what the thought of the President and Secretary of State might be on this matter. This is the first time I ever recall the gentleman ever being concerned about that.

Mr. ALLEN of Illinois. Mr. Speaker, it is not often that I am in agreement with the President of the United States or with the Secretary of State in regard to foreign problems, but I wonder whether there is anyone here with any authority whatsoever who can rise and tell us just how the President of the United States and how the Secretary of State feel in regard to this resolution?

Mr. McDONOUGH. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield.

Mr. McDONOUGH. In reference to the question just posed by the gentleman, as I read the resolution I do not see that the President is going to have very much to do with it. The resolution states that it is the sense of the House of Representatives that Ireland be given an opportunity for a complete plebiscite of the whole nation to determine by a majority whether the six northern counties shall be part of the Republic of Ireland. I fail to see where the President would have anything to say about this resolution.

Mr. ALLEN of Illinois. I can say that it is only natural that the President should be interested in anything that affects the country's foreign policy.

Mr. COLMER. Mr. Speaker, will the gentleman yield?

Mr. ALLEN of Illinois. I yield to the gentleman from Mississippi.

Mr. COLMER. If I understand the gentleman correctly, this is a rather delicate matter and the least discussion we have on it the better it will be for the best interests of all concerned. I quite agree with the gentleman, it is meddling in something that we have nothing to do with. The gentleman thinks that the best thing to do is to have as little discussion as possible and vote down the rule.

Mr. ALLEN of Illinois. The gentleman is correct.

Mr. DELANEY. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. DINGELL].

Mr. DINGELL. Mr. Speaker, the substance of House Resolution 82 involves but a simple expression of sentiment among the Members of this House. It does not even bind the Senate to act or in anyway obligate the Secretary of State or the Chief Executive to affirmative action of any kind. I repeat it is only an expression of our sentiment as Members of the House of Representatives of the United States. That is the least we can do for Ireland.

We have every right and reason, moral and legal, to speak out, to make known these sentiments. There is no need or obligation to consult the President or anyone else as to their views, whatever they may be, whenever we desire to give vent to our feelings. The right of self-determination of peoples by way of a plebiscite is a fundamental and traditional matter. It sustains that traditional and moral concept of our faith in and fairness toward the smaller and oppressed nations. It should serve other nations as a guide.

Mr. Speaker, I favor unreservedly the immediate passage of the rule and of the bill.

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the gentleman from South Carolina [Mr. RICHARDS].

Mr. RICHARDS. Mr. Speaker, as chairman of the Committee on Foreign Affairs I naturally feel some delicacy in appearing before this House in opposition to a rule that comes here in connection with a bill from the Foreign Affairs Committee. However, I think I am duty bound to tell the House my position in the matter.

Upon petition of more than a majority of the committee, a hearing was granted on this House resolution. There is some background that I will not go into. By a majority vote of those present, and there was a quorum present, the resolution was reported favorably after I had voted against it myself. In my opinion, reporting the resolution was a thoughtless and possibly a dangerous thing to do.

After that I did not hear any more about the resolution until someone told me it was coming up before the Rules Committee for consideration. I said that that was the first time, at least since I had been chairman of the committee, that I had known a bill to come before the Rules Committee when neither the chairman nor clerk were informed that the bill was going to be considered there. Now, had I known that this resolution was coming before the Rules Committee I would have been duty bound to express my opinion. I would have preferred not to do that because the author of this resolution, the gentleman from Rhode Island [Mr. FOGARTY], and the gentleman who will be in charge of the time on the part of the committee if the rule is adopted, the gentleman from Montana [Mr. MANSFIELD], are my very dear friends and two of the most able and honorable men in this body. But I could not in conscience appear before the Rules Committee to urge this measure, when all over this world, not only in the Western Hemisphere but everywhere else, we are trying to get the democratic nations together under a banner of strength and harmony to fight the common enemy.

Mr. Speaker, I have never been able to understand why any group, people who come from Ireland, people who come from England, people who come from France or people who come from somewhere else—and all of our forefathers came from all of these countries—or any minority in this country having roots deep in the old world would not submerge the interests of the old country to the interests of the United States.

This rule, if adopted, will do damage to the United States of America, the country we all love. I am not talking about religious differences between North Ireland and South Ireland. There is not a Member of this House who can attribute to me any intolerance or religious bigotry. But, Mr. Speaker, when people who are sponsoring this rule talk to me about how this resolution will "maintain international peace and security," I say it will do just the opposite. If the people of the six counties of North Ireland are told they must come in whether they want to or not, they will not like it.

Unification of Ireland will disturb peace and security, not maintain it. Northern Ireland will resist by force if necessary, as it has done before. Let us not forget the words of Lord Carson, the Ulster leader, in 1913:

> There are not in His Majesty's dominions a more loyal set of men than those who constitute the great community for which we are fighting * * * we may be coerced into submission, but if we are we will be governed as a conquered community and nothing else.

This means simply one thing—strife and unrest if there is a forced unification, which this resolution favors.

Mr. Speaker, much is made here of the principle of self-determination. I approve that principle; and the United States has endorsed it as a policy on many occasions. Those who sponsor this resolution say that is all they are asking for. That may be, but they are asking for "determination, by themselves," not "self-determination." Self-determination means determination by those whose fate is to be settled, not by those who want to recover territory.

What about the days of the past in the Speaker's great State of Texas, during the administration of Andrew Jackson, when Sam Houston was leading the Texans and the question came up whether or not Texas should be included in the Federal Union? Who decided that question? The people of Texas. In this case the people of North Ireland

should decide whether or not they want to be in there.

Let there be self-determination by Southern Ireland that it wants Northern Ireland, and by Northern Ireland that it wants to become a part of a unified Ireland. Any other basis is undemocratic; it is not self determination but dictation by a numerically more powerful group.

Let us not forget that this question has a history. Just before World War I, Britain tried to give Ireland—all of Ireland—home rule. Gladstone split, and ultimately killed, the once great Liberal Party over this issue. And when the home rule question was being decided, Northern Ireland let it be known that she would resist by force an Irish rule from Dublin by Irishmen for all Ireland. Does anyone doubt what the result of the so-called plebiscite included in this resolution would be?

This resolution is an interference in the internal affairs of Great Britain, and none can deny it. Should we adopt such a resolution in violation of the principle of noninterference for which the United States stands? I say we should not. This resolution would compromise that principle in a situation where the United States has nothing whatever to gain. What have we to gain if we do not endorse this unwarranted interference in British affairs? We are now engaged in a common defense effort where we need common effort and mutual confidence. These are essential to the North Atlantic Treaty operations in which we are placing a great deal of our treasure. Ireland has not seen fit to join this effort; Britian is exerting her utmost.

If we want to be fair, if we want self-determination of peoples, if we do not want to throw a monkey wrench into the machinery of the NATO powers or put a roadblock between us and Great Britain in our activities in a common cause, then let us vote down this rule. If we vote this rule, if we do this unreasonable thing, the next thing that the British Parliament should do is tell the Congress of the United States, "Tend to your own business."

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. VORYS].

Mr. VORYS. Mr. Speaker, some of my best friends at home are the Sons of St. Patrick and the Shamrock Club. My youngest brother's nickname is Pat. I have Irish blood in me. I would like to see Ireland united someday. But I am opposed to this resolution. This is a sense resolution, saying "it is the sense of this House" and so forth, but it does not make sense.

The resolution states that "international peace and security require" minority rule in North Ireland. In the name of unity we are going against democracy and against self-determination. Under this resolution, if a majority of the Ulster men in the six northern counties did not want to go into the Irish Republic they would be yanked in because obviously, an overwhelming majority in the Irish Republic would vote them in. So this provides for minority rule, that we oppose at home and abroad. That does not make sense.

This resolution states that "international peace and security require" a united Ireland. There is no assurance that Ireland, united or not, would add to international security or to our own security. Even though Ireland sat out World War II as a neutral, we took them into the Marshall plan for recovery from World War II and up to June they got $146,200,000. However, when they were invited into the North Atlantic arrangement they did not come in.

We have no assurance that Ireland will help us and the free countries in this deadly struggle that may lie ahead. I asked Hon. John Costello, the head of the Committee for a United Ireland, about this and he said he had no such assurance from the Government of Ireland or any official of the government. So to attempt to tie this up with international security does not make sense.

Thirdly, who is this aimed at besides our beloved Irish-American friends in this country? Not to the Republic of Ireland. It is aimed at the government of North Ireland, which happens to be the United Kingdom, a friendly ally. Addressing such gratuitous, meddlesome advice to the British Parliament—now, let us be frank—will that help or harm the cause of Irish union? Unless the British nature has changed in recent weeks, such a gratuitous piece of advice will ultimately hurt the cause of Irish unity, because the British Parliament will resent it. If they have any spunk, they will say, "You tend to your own business," just as we would say to them, "You tend to your own business," if they attempted to tell us what we should do with Puerto Rico, Alaska, Hawaii, or other parts of the United States. So that part of it does not make sense.

Since this sense resolution does not make sense, and does not help the cause of Irish unity, I oppose the resolution and because this is a case where least said soonest mended, I hope the rule is voted down.

Mr. DELANEY. Mr. Speaker, I ask unanimous consent that all Members may insert their remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. LANE. Mr. Speaker, Ireland was a nation, complete and undivided, more than 1,500 years ago.

It is a nation today by reason of its geographic unity, its national language, its special culture, its own code of laws. In fact, its identity is more definite than many other nations because it is completely surrounded by water.

As long as Britain maintains its occupation of the six northern counties in violation of its own pledge, Ireland suffers; Britain is mistrusted and despised; and our leadership of the free world is compromised.

The United States must take the lead in bringing about the unification of Ireland by our unanimous support of House Resolution 82, which calls for a vote on this issue by all of the people of Ireland.

There is no doubt whatsoever as to the result.

That mandate, carried out, will right a great wrong and will strengthen the community of interest which must bring the free peoples of Ireland, Britain, the United States, and other nations closer together and help us to overcome the danger that threatens us from another direction.

The British made several efforts during World War I to secure Irish acceptance for some plan of dismemberment or partition. These failed. On the 14th of December, 1918, a general election was held in which the whole of Ireland took part. The issue was whether Ireland, exercising the right to self-determination proclaimed by the victors in World War I would declare her independence and set up a national legislature. The result was overwhelmingly in favor of national independence. Seventy-eight of the electoral divisions declared for independence and only 23 against, a more decisive verdict than we obtain in national elections held in the United States.

It was then that Britain resorted to force in order to cancel the freely expressed will of the people. But the alien army of occupation was driven out of the 26 southern counties. Only in the remaining one-sixth of Ireland were the British able to maintain the fiction of partition and even in that corner they have had to employ every devious device to hold their position.

No matter how British diplomacy twists and turns, it cannot explain away the revealing truth that the British statute which partitioned Ireland and set up a separate government in the northeast had no mandate and no approval from any party in Ireland.

The present Labor Government of Britain, whose members at the time of partition pledged themselves to recognize Ireland's right to decide her own destiny, have betrayed their solemn promise.

I am confident that the rank and file of the British people favor complete independence for their neighbor, just as they themselves wanted and won freedom from their former masters.

One of the purposes of this resolution is to convey our sentiments to the British people so that they will demand that their government make good on its pledge to emancipate Ireland from the last vestige of imperialism.

Partition poses a grave threat to the unity of the free world. It warns subject people everywhere that they cannot place their full faith and confidence in our cause until we make democracy work better.

What do you say, Mr. Attlee?

How about it, Mr. Churchill?

Delay in settling this problem is preventing Ireland from adhering to the Atlantic Pact, and in the United States is throwing 20,000,000 citizens of Gaelic origin into isolationism.

The British pulled out of India where the stakes were much greater. They lost monopoly, but gained good will.

Why, then, do they cling to their indefensible position in Northern Ireland, thereby jeopardizing the unity of the

Western World and weakening the friendship of the United States and Britain?

Time is running out on stubbornness, deception, and delay.

The federation of world democracy needs the faith and courage of the Irish people.

We in the United States recognize this fact.

Through the medium of House Resolution 82 we ask the Government of Great Britain to withdraw from Ireland as soon as possible and acknowledge the complete sovereignty of the Irish people.

This is the British Government's opportunity, before it is too late, to take the right and honorable action that will prove that she is a sincere and worthy ally in the defense of those basic liberties which unite our peoples.

Mr. HOFFMAN of Illinois. Mr. Speaker, it is singularly appropriate for the Congress of the United States to take action on behalf of the Republic of Ireland, since throughout the entire history of our own country we have had strong ties with the Irish people and have constantly demonstrated our support for their legitimate desire for free, democratic and independent self-government.

The brave struggle of the Irish people, which has been climaxed after 700 years by full recognition of their sovereignty in the Republic of Eire, still continues, however, so long as the Emerald Isle is divided and a portion of the Irish Nation is bound against the wishes of the majority to an alien power. Simple justice demands that all Ireland be one. There can be no question but that some day Ulster will be united with the rest of the Republic. It is the fervent hope of the gentleman from Rhode Island, Congressman FOGARTY, and of those of us who support his resolution that we can speed up the arrival of that day.

Ireland's sons and daughters have for generations contributed to the main stream of American life. Many of our Presidents and leaders in all walks of life trace their ancestry to the Irish homeland. This country has always aided the causes of Irish freedom and played a substantial part in the events since World War I which have resulted in today's Irish Republic. We have thus attempted to repay our debt to the Irish people. We cannot, however, consider that debt fully repaid unless we do everything within our power to bring all 32 counties under the banner of the republic so that all Ireland can be united and free of any foreign yoke for all time to come.

Mr. DELANEY. Mr. Speaker, I yield to the gentleman from Massachusetts [Mr. DONOHUE].

Mr. DONOHUE. Mr. Speaker, I am privileged and honored to speak in support and urge the adoption of this resolution calling upon the British authorities to extend simple justice to Ireland and the Irish people, by permitting them to have a unified nation.

To begin with, I should like to remind you, my colleagues, that 6 of Ireland's 32 counties were partitioned off by the British in 1920 and given a separate government. Shortly after coming into existence in 1921, the Northern Government declared a state of emergency and suspended all civil liberties; this emergency has now lasted over 29 years. Even in this modern jumbled world such prolongation of an emergency, I think you will agree, seems over-extended and requires explanation.

Authoritative and unbiased historians testify this territory of Northern Ireland was carefully chosen so as to be large enough to make it possible to exist under a separate government but not wide enough to enable the most vigorous minority ever to obtain a majority. The absurdity of this geographical division is clear when we realize the fact that Malin Head, in Donegal, the most northerly point in Ireland, was included in Southern Ireland. If that is not an example of gerrymandering on a large scale, I would like to know what is.

At this point, I feel it in order to place in the RECORD, for your attention, an evaluation of Northern Ireland which was made, not by Irishmen but, by Englishmen. In 1935, an observer was sent from London to Belfast by the British National Council for Civil Liberties, to report on conditions there. The following is taken from his text on the manner in which the northern government operates under the Special Powers Act, and I quote:

> Through the use of the special powers, individual liberty is no longer protected by law, but is at the arbitrary disposition of the executive. The abrogation of the rule of law has been so practiced as to bring the freedom of the subject into contempt.
>
> The Northern Irish Government has used special powers toward securing the domination of one particular political faction and, at the same time, toward curtailing the lawful activities of its opponents. The driving of legitimate movements underground into illegality, the intimidating or branding as lawbreakers of their adherents, however innocent of crime, has tended to encourage violence and bigotry on the part of the Government's supporters.
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> The Northern Irish Government, despite its assurances that special powers are intended for use only against lawbreakers, has frequently employed them against innocent and law-abiding people, often in humble circumstances, whose injuries, inflicted without cause or justification, have gone unrecompensed and disregarded.

This same state of affairs appears to be still going on and Britain has not once taken action to stop it. Is it then not fair for us to ask, by way of adoption of this resolution, the British Government to do something to remove this continuing injustice which, for all these years, British-supported partition has inflicted upon Ireland. No one who examines the map of the Atlantic can fail to see the commanding position that Ireland holds in any scheme of Atlantic defense. If we request Ireland to take her place with us, and other liberty-loving nations, in defending the freedom of the world, is Ireland then not entitled to demand some proof of good faith from her associates. What proof can the British Empire give so long as it continues to maintain in power a government that suppresses a minority. Can any one say that Ireland's reluctance to join a common defense system is unreasonable if one of the partners in such an association is engaged in active injustice against Ireland itself. Any thought of the Irish Government lacking in international understanding must be rejected in the light of her honorable and vigorous record in that regard.

Standing firm on its spiritual heritage, the Irish nation has in our times achieved a new birth of freedom. There are those of us who can very well remember when such a birth of freedom for Ireland seemed a most remote and hopeless dream; yet it has happened. The assistance of Ireland's sons to every other nation in carving a destiny of freedom spotlights the pages of world history. Today we are engaged in a terrible struggle against tyranny for the preservation of human dignity and Christian ideals. I know that the sons of Ireland and the Irish nation will stand side by side with America in trying to bring peace to a troubled universe.

I earnestly hope Ireland, whose brave sons gave their lives to fulfill our American dream of independence, may be accorded our support in achieving her ambition of the ages, to be like America, one nation, indivisible, with liberty and justice for all. I heartfully urge you, my colleagues, to join with me in voting in favor of this just resolution.

Mr. PHILBIN. Mr. Speaker, the Fogarty resolution deserves the support of every believer in the principles of free government. There is no logical reason why one rule of freedom should be applied to other countries and another applied to Ireland. The historic basis for complete Irish autonomy and for the establishment of a totally free Irish Government embracing sovereignty over the whole of Ireland is unquestionable.

I will not recite the centuries of misrule and oppression which the people of Ireland have suffered as a result of tyrannical foreign domination. This pathetic story is so well known by every schoolboy and so well remembered by every Irishman that it needs no repetition.

I desire, however, to present a few incontrovertible facts concerning the pending question of partition. The present territorial arrangement which was effected in 1920 separated the six northern counties of Ireland from the rest of the nation and set up this new northern government as a puppet state for England. That is not all. The ancient and historic province of Ulster was ruthlessly partitioned against the almost unanimously expressed wishes of the peoples residing therein. Even the prominent Ulster leader, Sir Edward Carson, opposed this indiscriminate carving up of the northern counties.

Testimony is abundant from the utterances of Ulster leaders that the people of Ulster never wanted partition but that it was forced upon them against their will in 1920. This fact is more forcefully borne out by the fact that not a single Irish vote was cast for the Parti-

tion Act of 1920 in the British Parliament. The members of the Ulster Tory Party and the Nationalists in Ulster and other parts of the island were vigorously opposed to this measure. Thus the dismemberment of Ireland was forced through the British Parliament over the opposition of all the Irish leaders and against the express will of the Irish people, and a system of shameless gerrymander was written into the act which, in effect, provided for minority control of Northern Ireland.

Fair-minded persons will agree that this was a ruthless and cruel way indeed to try to make up for the centuries of enslavement, oppression, and persecution visited upon the Irish by arbitrary laws and dictatorial edicts which had deprived an overwhelming majority of the Irish people of their God-given political, economic, and religious freedom. Irish history is replete with diabolical plots and merciless persecution designed to suppress a great and historic people whose unprecedented struggle for freedom is such an inspiring story. Every type of deceit, fraud, bribery, and coercion was practiced by English overlords to break the spirit of the Irish, all to no avail. They denied them basic human rights, they tumbled down their miserable shacks over their heads, they deprived them of education and the right to practice their religion, they visited them with cold-blooded and callous mass starvation just as inhuman as the Hitler gas chambers, they ousted them and their children from their homes, they denied them the right to till their land and fish their streams, they violated their women, they wrongfully jailed, shot, and hung them but they were never able to quench the fierce passion for liberty and freedom which burned in the Irish heart. Few students of history can fail to be stirred by the patriotism and courage of Robert Emmett, the young islanders, the Feinans, by the skill, ability, and determination of the the great Daniel O'Connell, by the sterling leadership of Michael Davitt, Charles Stewart Parnell, and many other great Irish leaders who worked and fought for their country.

The struggle for a home-rule bill recognizing elementary free rights was long and bitter and characterized by bigotry, hatred, and inhumane treatment that the world has seldom experienced.

The partition of Ireland was conceived in fraud and carried out in deceit. Premier Asquith stated at the time that only four counties would be subject to partition and that their exclusion would be limited to a period of 5 years at the end of which they would be united with the Irish National Parliament.

The Sinn Fein movement led by some of the ablest and wisest statesmen of the time united Ireland and Irishmen as never before behind the doctrine of a completely free and undivided Irish Republic. This group was not satisfied with broken promises and pledges that were never kept. Arrayed against the might and power of the great British Empire then at its peak of pomp, majesty, and strength, these men and women fearlessly proclaimed the Irish Republic and as one prominent writer has said "baptized it in their young heroic blood." This movement found and developed leaders from every class and creed who were willing to die for a free Ireland and who were more powerful in promoting their dream of freedom in death than in life, for from their selfless sacrifices the present Irish Government arose. We all remember the story of the Black and Tans and the unspeakable outrages which they committed against a small people whose only offense was that they sought to breathe the air of freedom. We can hardly bring ourselves to believe that in a modern age any responsible government, small or large, would launch virtually a pogrom against a people but that is just what happened. The Irish people during the Black and Tan period were visited with the kind of devilish mass destruction that later was to decimate so many of our beloved Jewish brethren under the Hitler regime. It is a curious but undeniable fact that throughout a large part of human history the persecution of the Irishmen and the Jew has gone hand in hand and it is not hard to find the answer because both of these great peoples are lovers of freedom, creators, workers, and builders. You will find their sons blazing the trail of leadership in every field of human endeavor and naturally throughout the ages this fact has kindled the sparks of envy and hatred, of mediocrity and bigotry, of people who seek to secure leadership, whether political or economic, through favoritism, nepotism, and the invalid claims of a ruling caste rather than through merit and ability.

Though it promised to do so under article 12 of the Anglo-Irish Treaty, the British Government never conducted a fair and just plebiscite on the partition question. Instead, that Government repudiated its agreement and moved to set up a separate minority parliament in Ulster.

Ireland and the free world are much indebted to the great Irish statesman and leader, the brilliant and indomitable Eamon DeValera who declared concerning the Anglo-Irish Treaty with clarity and unimpeachable logic that—

> We deny that any section of our people can give away the sovereignty or alienate any part of this nation's territory. If this generation should be base enough to give them away, the right to win them back remains unimpaired for those to whom the future will bring the opportunity.

This language sounds like Abraham Lincoln in his effort to prevent the dissolution of our great and beloved American Republic and to preserve a united and undivided America.

The British Government has repeatedly resorted to fraud, to stirring the fires of bigotry between creeds and to direct political chicanery such as gerrymandering and undemocratic arrangements respecting elections in the six northern counties. The county of Tyrone is a good example of this chicanery where a Nationalist majority of about 70,000 votes can under the arrangement elect only 12 representatives while the Tory minority of about 57,000 can elect 23. The city of Derry is probably the most pronounced and outrageous example of fraud, dishonesty, and political skullduggery. In that city in order to prevent the Nationalists from electing a national representative the city itself was redistricted. Part of the city was actually left out of the city, believe it or not. To the remaining part 8 miles of countryside were added in order to include enough Tory votes to overcome the Nationalist majority still left in the divided city. As a result, notwithstanding the overwhelming majority of the Nationalists within its confines Derry City was able to elect a Tory representative.

More than that with the approval of the British Government the franchise laws were arbitrarily altered in 1946. Individual property owners were given more than one vote while citizens in low-income brackets were deprived of their vote. At the same time Tory leaders cynically boasted that the law was being passed for the purpose of preventing the Nationalists from ever securing political control of that territory including the counties of Fermanagh and Tyrone. This act was a brazen willful denial of democratic rights to the inhabitants of the six counties.

Nor has the experience of the Irish been any better under the present Labor government with its pious professions of concern for the underdog, the underprivileged and oppressed. In the Ireland Act of 1949 that British Labor Government inserted an arbitrary provision declaring that "in no event will Northern Ireland or any part thereof cease to be part of His Majesty's dominion and of the United Kingdom without the consent of the Parliament of Northern Ireland."

Even more amazing is the abatement of civil liberty which has occurred in the northern counties during recent years. Under the Special Powers Act of the Northern Parliament, individual liberty is no longer protected by law. Elementary personal rights are flouted. Citizens may be arrested without the preferment of any charges against them. Citizens may be imprisoned without trial, households may be searched without warrant, property may be seized without due process of law. The British National Council for Civil Liberties and a British Commission have repudiated and denounced these violations of the fundamental right of supposedly free citizens.

In 1949 causal gestures were made to withdraw some of the tyrannical regulations but others still remain in effect. The acts themselves have not been repealed. General power still resides in the Minister of Home Affairs to revive and apply of his own will the pernicious regulations which were revoked and, in this way the minority Ulster Tory Party is able to keep itself in power and to prevent the formation of an opposition party by Protestant citizens who disagree with them. The present Labor Party in England is solidly sustaining this tyrannical government.

At the same time Nationalists and Irish Catholics in the six counties have been visited with a brazen and persistent campaign of religious bigotry. They have been excluded from civil-service positions. They have been rendered subject to the penal laws; they have been ruthlessly boycotted socially, commercially, and from employment. Heroic war veterans have been denied positions in the civil service.

A fair study of what has been happening in Ulster in the past 20 or 30 years shows without a doubt that such tyranny does not and could not exist in any other place in the civilized world outside of Soviet Russia and its dominions.

By way of contrast, the management of the Irish Republic has been characterized by full recognition of civil and religious rights, privileges, and liberties. Freedom and equality are watchwords of the National Irish Government.

I think there is no parallel anywhere of such tyranny, and of such repression of the basic rights of free men. The British Government has allowed and is allowing a small minority of Ulster Tories to block the national will of the Irish people. At least 80 percent of Ireland is opposed to partition. Thirty and one-half of Ireland's 32 counties are opposed to it. Forty Ulster Tories, many of whom were elected under the shameful gerrymander system, are allowed to block a completely undivided Irish Republic and the will of 159 other representatives who speak for the overwhelming majority of the Irish people is overridden.

This is not democracy but rather the negation of it. It is a sham and a mockery, cruel jest upon the hopes and aspirations of a noble people and a flagrant repudiation of the principles of freedom and representative government. There is not one solid strong argument for the continuance of partition. The Irish Nation has always been one entity, one whole and undivided nation up to the time of the nefarious arbitrary partition. Irishmen of every section, of every blood strain, of every creed and religion have stood together for centuries in defense of their homeland and in developing its resources and in enriching its culture, tradition, and institutions. The province of Ulster itself has prominently shared in the glorious accomplishments of the Irish people. It is in that section where the immortal St. Patrick established his first See, where Wolfe Tone, John Mitchell, Thomas Clark, and other heroes of Ireland forwarded the cause of freedom.

I can see no valid reason why our Government which has shown so much tender solicitude for other nations seeking to unite and liberate their people should not promptly and vigorously move in behalf of the Irish Nation. In fact, there are most abundant and most eloquent reasons why it should. Our own great country is much indebted to Ireland and the Irish people. Men of Irish blood have been in the vanguard of every American war. History is replete with their deeds of valor, their sacrifices for America. Our civil and religious life, our educational and political systems, our marts of trade and commerce, our sanctuaries of art, literature and law, all our great cultural institutions have drawn liberally upon the blood and upon the brains of our Irish citizens whose loyalty to God, to America and to the cause of freedom has been and will be an ever shining light and an invincible shield of inspiration for those who would know the ways of good citizenship and how best to preserve the blessed heritage of America. Our Government should have no hesitancy, in my opinion, in calling upon the British Government at an early date to take action long overdue in behalf of and for the relief of the oppressed Irish Nation, to take immediate steps to repeal the Ireland Act of 1949 and the infamous Partition Act of 1920.

Such a move by the British Government at this time would do more to bring unity, enthusiasm, and the spirit of militancy into the defense of the free world and democratic institutions than all the Marshall plans that could be devised. I hope and urge with every ounce of my being that our own great Government will be prompted to move to these ends in the very near future.

Mr. KIRWAN. Mr. Speaker, the Fogarty resolution in its relationship to Ireland sets forth the position and the policy of our country that has been adhered to wherever the question has raised itself in relation to other peoples and countries since the establishment of constitutional government in the United States. It expresses the sense of the House of Representatives in relation to the right of the people of Ireland as a whole to pass upon the question of the unification of Ireland. Our country, even in its infancy, recognized this right in other people of self-determination. It has been a fundamental policy of our Government and one that we have never departed from and have consistently adhered to in relation to other nations and the right of the people of other nations to freely determine their right of determination. There is no question but what Ireland is one geographical unit. There is no question but what the Republic of Ireland is, and of right, one that should be an integrated and solidified nation. Its natural limits are the ocean and seas that surround it. Any division within it based upon an arbitrary demarcation of contiguous units as small as the Irish counties is unnatural, unhistoric, and particularly when imposed from without, completely unjustified. It seems to me that the pending resolution is a proper one for the House of Representatives to pass; that the facts relating to Ireland justify it and, above all, it is consistent with the time-honored policy of our own Government.

Partition is the sole remaining issue which is a source of contention within the natural boundaries of Ireland.

Disregarding all other factors that cry out against this unjustified and unnatural partition, from the defense angle alone, not only from the immediate but from the long-range angle of a united Ireland with the resultant friendly and cordial relations that are bound to exist between the two countries, would be a strengthening influence to England's defense and to the defense of Ireland, would fit definitely into the national interest of our own country and make a marked contribution to the defense of the free nations of the world and toward the ultimate peace we seek.

The pending resolution, in substance, if adopted, which I strongly urge, expresses the opinion of the House of Representatives that a plebiscite among the people of all of Ireland should be held on this vital question—the unification of Ireland.

The people of all of Ireland should have the right and the opportunity through a referendum or a plebiscite to pass upon the unification of all of Ireland, thereby enabling them to determine whether or not the homogeneity of the Republic of Ireland should become a political and a territorial fact.

The principle of self-determination for the people of all of Ireland is involved in this resolution. It is our sense that it should apply to the people of Ireland in this important and vital question. We are justified in expressing our opinion with the same vigor as we have advocated self-determination for other nations before and following World War I and before and following World War II.

The principle of self-determination is one of the basic policies of our country for other nations, particularly small nations, and it has been one of our basic policies during our entire constitutional history.

If a resolution was pending in this body under similar conditions relating to some other country, I would support it. I support this resolution. I urge my colleagues to vote for its passage.

Mr. KENNEDY. Mr. Speaker, I rise in support of this resolution which, if it passes, would be an important step forward toward the unification of Ireland. It would initiate action that would do much to end an ancient injustice and is in accordance with the traditional American support of self-determination.

Ireland's fight for national unity and independence is over 700 years old. It is a fight that cannot be considered won until the 6 counties of the north are reunited with the 26 counties that now comprise Eire.

A free, united, integrated Ireland would provide an important bastion for the defense of the west, and would contribute to the strategic security of the United States.

Mr. BARRETT. Mr. Speaker, in these anxious days when the Western World is struggling for political independence I believe it is fitting that we should unanimously approve the Fogarty resolution, House Resolution 82, pertaining to the unification of Ireland.

Recent world events have given evidence of the importance of permitting peoples of a common descent to establish their unity and to determine their choice of government. The United States of America has shone as a beacon of light on the path of democratic progress in various countries throughout the world. By endorsing the Fogarty resolution the Congress will demonstrate the interest of all Americans in eliminating

the suppression of the six northern counties of Ireland.

The maintenance of an army of occupation by England in northern Ireland has been against the express interests of the Irish people as oppressive, wasteful, and tyrannical. The people of Ireland believe in the principles of democracy and have shown that they have not been afraid to give their lives for the unity and independence of their land. It is unfair to expect the Republic of Ireland to send her sons to defend Europe against aggression, time and again, while British troops and special police are crushing liberty and democracy in the northeast corner of Ireland. There is no logical explanation for the classification of Ireland to the north and the south when the desires of the inhabitants of both of these areas could express their opinion of this separation in a free plebiscite. A united Ireland would be a great bulwark of the west in its worldwide struggle with Soviet imperialism. The Government of Ireland has already announced that it would gladly join the Atlantic Pact if partition were removed. Instead of a small, sullen ally, we would have a large and enthusiastic free nation cooperating fully with the west in the defense of our way of life. Everything we know about this nation and the way free men behave should convince us that we would have a most dependable ally in a strategic part of the world if the sore of partition were removed and if the Irish people has representation as an equal in the pact of western nations.

Passage of the Fogarty resolution would be a challenge to Great Britain to show her good faith in democracy and freedom by submitting this issue to a plebiscite of all the people of Ireland.

Mr. MULTER. Mr. Speaker, it will, indeed, be a privilege to cast a vote in support of this rule. While I have not canvassed any of my colleagues, I am certain that all of the sons of Aaron will be happy to join with the sons of Erin in supporting this resolution. In fact, I am sure that all of us will be happy to have an opportunity to cast a vote in support of the principles enunciated in this resolution.

We are spending millions of dollars telling the world about our democratic way of life and how they can follow it. The adoption of this resolution is but one more step in this same direction, except that it will cost us nothing to do it.

Mr. SHELLEY. Mr. Speaker, this tenderness for the feelings of England which I have observed during the debate today arouses no sympathy from me. Neither does the argument that the United States should not inject itself into a controversy over partition of Ireland at a critical time in world affairs. If at the time that England began her exploitation of colonial possessions, and if at the time that England wrung one-sided trade and development concessions from poverty-stricken and backward nations such as Iran, there had been some power in this world to stop England and turn her from her greedy course we would not now be confronted with a great many of the situations which make these times so critical throughout the political world. England's sins have found her out. For us to sit back and refuse to take a stand in opposition to one of her gravest sins, the enforced partition of a sovereign nation will only prostitute us in the eyes of those peoples who are teetering on the brink between democracy and communism.

If the United States, the greatest of the democratic nations, now emphatically and vigorously condemns the still imperialistic policies of Britain in the case of Ireland, it may well serve as a shot in the arm to the cause of worldwide democracy. If, instead, we refuse to take action leading to the unification of Ireland, we will be in the position of talking out of both sides of our mouths at once, and those nations who look to us for leadership cannot be blamed for taking a cynical attitude toward the United States claim that she supports the principle of self-determination in the government of nations. A people enslaved care little whether their masters carry the hammer and sickle or the British lion as their standard.

We did not hesitate to commit our resources and the lives of our young men where the partition and possible destruction of an independent Korea was concerned. Why should we hesitate at a far less drastic measure to end the trespass of the invader in Ireland? More than once we have intervened to guarantee the establishment and continued existence of an independent Poland. Are we content to see a part of Ireland kept in exactly the same position as Poland now finds herself—a subject nation? The United States bent every effort to support and encourage the setting up of a homeland for the newest and the oldest of nations—Israel. In the process we had to overcome the opposition of the British Empire, afraid that her domination of the Near East would be endangered. The imperialism of Britain in the Arab world has now exploded into an upheaval threatening the peace of the whole world. Will we be pouring oil on those troubled waters if we tacitly support the same sort of policy applied to the Irish?

Mr. Speaker, I submit that favorable action on this resolution today will strengthen rather than weaken our hand. Aside from the impact on the rest of the world we must consider that in any future war Ireland, by virtue of its geographic situation, will occupy a most strategic spot. Ireland has thus far refused to cooperate in the North Atlantic alliance while Britain occupies a part of her soil. Unification of Ireland would remove that obstacle and bring her wholeheartedly into the community of democratic nations under the North Atlantic Pact. That step alone would add immeasurably to the democratic defense organization. These are all arguments of expediency. On moral grounds there can be no question that Ireland has a right to dictate her own destiny, with not so much as one grain of her soil under British rule. The right to self determination, upon which the whole principle of democratic rule rests, should be granted to Ireland at once. She has clearly defined boundaries, a clearly defined history, a homogeneous population, the same language, and a burning determination to be completely free.

Let me sum up the reasons upon which the desire for unification of Ireland is based: First, ending the partition would remove the only remaining point of friction between Ireland and Great Britain and would contribute to the unification of the democratic cause; second, unification would be an aid to the defense of the Western World by bringing Ireland into full cooperation with the North Atlantic Treaty nations; third, the two parts of Ireland, by mutually aiding each other's economy, would, if unified, add a strong new nation to the anti-Communist bloc; and, fourth, but not least, Ireland has the clearest of moral rights to be one nation, entirely free.

In the face of these facts there should be no question about the vote on this resolution. I ask for overwhelming support for the rule which will bring the question of unification of Ireland to the floor of the House for full debate.

Mr. CLEMENTE. Mr. Speaker, it is my intention to support House Resolution 82 which will give the people of Ireland the right to determine the form of government under which they desire to live.

The partition of Ireland was brought about by action of a government that was not representative of the Irish people and has been enforced by armed troops. It is hoped that this partition will be ended with the establishment of a united, integrated Ireland.

Mr. FINE. Mr. Speaker, I wish to join with those Members of the House who support the rule granted to bring before us for consideration the Fogarty resolution—House Resolution 82. Eventual passage of the resolution will be in confirmation of the high principle on which American foreign policy has been based down through the years.

The Fogarty resolution declares that the Republic of Ireland should embrace the entire territory of Ireland, "unless the clear majority of all the people of Ireland, in a free plebiscite, determine and declare to the contrary." In a word, this resolution declares once more the right of small nations to determine for themselves the form of government which they desire. Once that declaration has been made by the majority of all the people of that nation, then it should be binding upon all the people resident within its territorial limits.

Often the exact boundaries of any given nation may be subject to some dispute, although the general area in which a separate national group reside may be rather well defined. In the case of Ireland, however, the exact boundaries of the national territory are clear since the country occupies an island cut off from all other peoples by the waters of the sea. When the demand for self-government by the Irish people became so insistent that it could not much longer be refused, Great Britain conceived the idea of partitioning Ireland into two separate areas for the sole purpose of maintaining at least a part of their imperial control in Ireland, with the hope that someday they might regain full control of all Ireland.

If one believes in the democratic concept of government and believes in the right of small nations to govern themselves, then one cannot but support this resolution today. The Irish people in the 1918 elections expressed their democratic choice of an independent government, when they elected 73 Republican candidates as against 26 Unionists and but 6 Parliamentarians. The Parliamentary Party had declared for a home rule form of government under British dominion, while the Unionists favored complete British control. The Parliamentarians were reduced from 80 seats to 6 while the Unionists polled only about 20 percent of the vote. Never in the history of parliamentary governments had so overwhelming a majority declared itself in favor of a single party despite the fact that this election was held under British control, with 47 of the successful Republican candidates in jail, and the campaign activities of all of the Republican candidates hindered and opposed. Nevertheless, this small minority made up of the Unionists and Parliamentarians thwarted the wishes of the majority by the establishment of a separate government in Northern Ireland with the sanction of the British Parliament.

To acknowledge the right of a minority to secede from the rest of a nation, or to permit a small percentage of a people to dominate the course of a whole nation is contrary to all democratic concepts of government. We denounce the right of the Communists to impose their form of government on the peoples of Poland or Rumania. Why then should we condone the same offense when perpetrated by Great Britain? It is easy for us to condemn what our enemies do, but it may require some statesmanship to call the attention of our friends and allies to the fact that they have failed to take any corrective measures with regard to the Irish problem. I am sure that no Member of this body is so lacking in courage as to hesitate to vote in favor of this resolution merely because it questions the continuance of British misrule in Ireland and urges a national referendum to determine specifically the wishes of the entire Irish nation regarding the government of their country. No more democratic method could be employed than to have the voters in a free election individually express their preference in regard to the jurisdiction of the Irish Republic in governing the full territory of Ireland.

American foreign policy, as clearly defined by President Truman in a recent message to Congress, supports and favors "the creation of conditions in which we and other nations will be able to work out a way of life free from coercion. * * * It must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." This policy must be given universal application and applied specifically and directly to the situation in Ireland with the same degree of forcefulness and effectiveness we utilized in giving aid and comfort to Great Britain in her struggle to keep Greece independent and free from Communist control.

The long-standing Irish problem should once and for all be settled—a settlement which would bring an end to the unnatural division between two parts of Ireland. The door would then be open for Ireland to become an active and helpful participant in the North Atlantic Pact and one of the bulwarks of democracy in the world.

I urge adoption of the rule.

Mrs. KELLY of New York. Mr. Speaker, in the short time given to me, I hope to explain my support of this rule.

In speaking of Ireland, I would like to dwell on the path of Irish history and call to mind the Kings of Tara's Hall, or Brian Boru and the Battle of Clontarf, or pay tribute to the scholars of Ireland, but time will not permit.

The treasury of Ireland has been indeed heavily drawn upon for the endowment of western civilization. It will never be forgotten that when darkness engulfed the minds and hearts of men, and the lamps of learning were blown out by the fierce winds of barbarian invasion and shattered by ignorance, the only light, except for the beacon of the Holy Faith, that the eyes of man could see and finally take bearings by was the single, strong flame which was nourished and kept alive on that little green isle set in the vastness of the ocean waters. So powerful was this flame, and zealous its monastic guardians, that no assault could cause it to flicker or to sink, and it burns today in every achievement of the Western World that is good and true and beautiful, and it casts its challenging brilliance even upon the far-flung steppes and tundras of Russia.

I could dwell upon the priceless substantial contributions that the Irish have brought to these shores of our beloved America, and the part they have played in every field of endeavor which has been for the development and permanence of this great Nation. Irish names come to mind from every decade of our history and from every quarter of the land and from every bit of hallowed ground, far-flung throughout the world, wherein rest the bodies of our heroic American dead.

However, I must speak on the resolution before us today. I believe that the passage of this resolution will express a positive hope to the peoples of the world. Members of this Congress know with what eagerness the underprivileged nations of the world are watching us. We of the free world are fighting to uphold our ideal for a just and peace-loving world. We, as leaders of the free world have the right to express our beliefs and our hopes to any nation, or to come to the defense of the rights of any people who look to us for help. We have the right to expect our allies to live up to the principles upon which rest the common goal and welfare of the free world. Our lack of expression of our ideals may mean that other races of people who need our help are hindered from turning to us until it is too late for us to render the assistance they need. Examples of this may be found in the situations existing in India, Indochina, and Iran.

The people of the world are confused. They do not understand how a Nation who severed its connections with a mother country can now assist, help, and support that imperial power. In their eyes, we are alined to imperialism. We are alined to imperial powers who have refused over the years to grant the rights and the dignity to their colonial possessions. It is expedient to help free nations, particularly when the world is engaged in a struggle which is a testing ground to prove whether or not man's very soul can become enslaved.

If, in another dark page of history, Ireland held aloft the torch to guide men out of the darkness of ignorance and barbarianism, should we not welcome her into our circle of freedom and light? We owe much to Ireland. Ireland stands ready to support the ideals we are upholding. The world today needs a nation who keeps faith with God and fellowmen. Ireland is that nation and I want her to be given the opportunity to take her place in the community of nations of the world, as one united people. I hope this rule will prevail.

Mr. DELANEY. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. CELLER].

UNIFICATION OF IRELAND

Mr. CELLER. Mr. Speaker, speaking of self-determination, that is exactly what this resolution calls for. It calls for a plebiscite so that the people of Ireland as a whole can determine what their destiny shall be. As it is now you have the tail wagging the dog. Six Ulster counties are the so-called determinative factor as to Ireland's political future. All Ireland has a population of 4,248,000; 80 percent of that population want Ireland to be one national unity. All Ireland has 32 counties. In this one block of 30 counties, covering an area of over 80 percent of Ireland, they want Ireland to be one national unity. All Ireland elects 199 parliamentary representatives for the two areas in which the country has been divided. Of those, 159, or just under 80 percent, want Ireland to be one national unity. Let all the Irish people determine the question, and not the conservative, hard-boiled, hard-shelled conservatives of this House of Representatives. I want Ireland—Eire and Ulster—to determine what its future shall be.

What actually divides 26 counties of Ireland from the 6 northern counties? There is no natural dividing line; no rivers, mountains, plateaus. It is an arbitrary line—as arbitrary as the line of the thirty-eighth parallel in Korea. It is an unnatural and an unhealthy division, breeding mischief internally and striking a discordant note internationally.

This resolution, House Resolution 82, is not by any means a resolution of interference. It declares that it is the sense of this House of Representatives that the Republic of Ireland should embrace the entire territory of Ireland unless the clear majority of all of the people of Ireland, in a free plebiscite, determine and declare to the contrary.

I stress particularly the words, "unless the clear majority of all of the people of Ireland, in a free plebiscite, determine and declare to the contrary." This is the language which spells out the essence of self-determination, leaving to the people themselves the right to choose for themselves how they shall be governed.

This resolution is the evidence of the interest the people of the United States have always felt for the people of Ireland. The contributions of the Irish to the growth of the United States are a matter of record. The richness, the vitality, the sensitivity, the wit, the poetry of the Irish are fully mixed into our blood stream. Without the Irish, the complexion of our people and our culture would have been a little paler, a little less full-blooded, a little less sensitive. Our interest in the fate of Ireland is a natural one.

The western world has a community of interest—an interest of which Ireland is most inescapably a part. There is little doubt that Ireland would be one of the Atlantic Pact nations were it not for the internal dissension which exists as a result of a divided Ireland. This internal dissension, which played so vital a part in keeping Ireland neutral during the last war, will disappear with unification. When we deplore the division of the world, of country set against country, how much more so must we deplore a country set against itself. Ireland unified would be a further step toward harmony and strength in western civilization.

De Valera and Costello have indicated strongly that Ireland could and would be a most valuable member of the Atlantic Pact nations were it not for the unrest created by partition.

It is little wonder that such unrest lies heavy over the green land of Ireland when we consider how the dominant interests concentrated the industry of Ireland in the six Ulster counties, sacrificing the welfare of the rest of Ireland at the altar of the principle, "Divide and conquer." It is time that these inequalities be dissipated. It is time for Ireland to be one, time for the "house divided" to become whole and indivisible in the interest of Ireland itself and in the interest of the family of nations.

Ireland, with its gift for laughter, buried under the burden of its struggles, must be freed from the heavy hand of brother against brother. The creative spirit of the Irish people cannot find its fullest expression in this climate of division. The Irish fought to free themselves from the yoke of foreign dominance, and, while they succeeded to the admiration of the whole world, it was only a partial victory. Unified Ireland would complete the long, long struggle for independence.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. DELANEY. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. ALLEN of Illinois. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. SMITH].

Mr. SMITH of Virginia. Mr. Speaker, I am opposed to the resolution, and I am opposed to the rule which seeks to make it in order. I am opposed to it for a number of reasons. The primary reason is that it is strictly none of our business. I expect in these few minutes to talk more, however, about the rule than about the resolution because as a member of the Committee on Rules, I was present when this silly document was voted out of the Committee on Rules. I might say I was shocked when I saw that the great Committee on Foreign Affairs had reported such a resolution. When it was reported out by the Committee on Rules I was deeply distressed. When that hearing was held before the Rules Committee, and I saw what it was, I looked around to see the chairman of that great committee in whom we all have great confidence. He was not there. I looked around to see the ranking minority member of that committee, in whom we all have great confidence. He was not there. I looked around to see the distinguished gentleman from Ohio [Mr. VORYS] who devotes much time and energy to foreign affairs. He was not there. I inquired about that, and then I looked for the hearings on the bill. I found by looking at the hearings that there had been 15 minutes of hearings, which time was consumed altogether by the author of the bill. No one else had testified. Then, I naturally wondered, as this is a matter of foreign affairs, what was the attitude of the administration. I found there had been no report from the Department of State; there had been no request from the President of the United States. I wondered then, and I wonder now, where this all came from—why did it arise? I found a committee amendment here—a committee amendment which gives this a very serious aspect. The amendment to this resolution says:

> Whereas the maintenance of international peace and security requires the settlement of the unification of Ireland.

Here is a matter which the author says involves the peace and security of the world, and yet the chairman of the committee is not consulted—the ranking minority member of the committee is not consulted; the State Department is not consulted; and the President of the United States is not consulted—what are we thinking about? It says "the peace of the world." Well, what are we going to do if we pass this resolution? Whom are we going to fight? Personally, I do not want to fight anybody. I want to love everybody. I want to get along peacefully with the Northern Irishmen, the Southern Irishmen, and particularly the American Irishmen, and those Irishmen who live and vote in my district. I do not want to fight any of them. It is said the peace and security of the Nation depends on this resolution that comes here without the consent or knowledge of the chairman of the committee and your administration. Now, some of you may want to fight. I do not want to fight, but let me say to those boys who do want to fight, if you want to fight go on out to Korea. There is plenty of fighting going on out there. A great many of the boys we have sent out there would be very glad to have some volunteers from the House of Representatives to relieve them and let them have a chance to come back home. Those boys of you who want to fight, go on out to Korea and fight, but let us not fight with the Irish.

Of course, there have been a great many injustices in this world. I was thinking about this thing this morning. I said to myself, "I wonder if it would not be a good idea to settle some of these domestic questions." I looked back over the history of my country and I remember a great wrong that was done to my great Commonwealth of Virginia nearly a hundred years ago. This Congress, without asking us anything about it, cut Virginia in two. They took half of it and said, "That is going to be West Virginia and the rest of it is going to be Virginia." They did not ask us anything about it. We did not have any plebiscite to determine that question. We have not had it yet. So I prepared a little amendment which I hope my good friends will support if and when this bill comes up—and I hope it will not come up—because while West Virginians are pretty good folks, I do not want to start any more wars, but if we have to start a war with Ireland, let us start it with West Virginia first. What my amendment provides is that before this shall become effective, in view of the fact that Virginia by this Congress, unlawfully and in violation of the Constitution, was bisected and cut in half, and that has never been corrected in the last hundred years, before you go to fooling with Ireland, give us a plebiscite in Virginia; not West Virginia. They did not have anything to do with it.

Mr. BAILEY. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I do not yield. I want to get my good friend from West Virginia back where he belongs in Virginia. I want you to give us a plebiscite in Virginia. I think it is a perfectly good request, if you are going to fool with Ireland. Give us a plebiscite and see if we want to take West Virginia back where it rightfully belongs. If we have that plebiscite there would be a vote to take West Virginia back, with all of its coal mines and riches which we need so badly in Virginia. Now, I think that is just as reasonable, as trying to pass this resolution telling Ireland what to do about her domestic problems.

Mr. FEIGHAN. Mr. Speaker, will the gentleman yield?

Mr. SMITH of Virginia. I decline to yield.

Mr. COX. Mr. Speaker, will the gentleman yield to me?

Mr. SMITH of Virginia. I am sorry. I would have to yield to the other gentlemen if I did. I just want to say my little say. I want to urge you all if you are going to do this thing—of course, there might be some other very valid amendments to correct many of the hardships that have taken place over the history of civilization, but let us not just confine it to Ireland. Let us correct all the evils of the world. Somebody has

said that the only reason we were doing this thing—and I do not subscribe to this theory—but some Members have said to me, "Well, we have got our fingers in everybody else's business in the world except Ireland, and therefore we must pass this resolution so as to get into that mess. We are in all of the other messes in the world."

Now that may not be the reason for it, but it looks to me like we have done just that very thing.

Now, getting back to the serious side of this proposition, this resolution ought not to be adopted. We all know that. It has no place on the floor of this House. It should never have come out of the Foreign Affairs Committee or the Rules Committee. It was all right to introduce the resolution, and after the resolution was introduced and the committee did the author of it the courtesy to hear him, then I think the joke had gone far enough.

Let us vote this resolution down.

The SPEAKER pro tempore (Mr. LYLE). The time of the gentleman from Virginia has expired.

Mr. HOFFMAN of Michigan. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. HOFFMAN of Michigan. In view of the gentleman's statement, will the Chair advise how this rule got here? How did it get before the House?

The SPEAKER pro tempore. The Rules Committee sent it here. The gentleman from Virginia [Mr. SMITH] said he did not vote for it.

Mr. ALLEN of Illinois. Mr. Speaker, may I inquire how much time remains on this side?

The SPEAKER pro tempore. The gentleman from Illinois has 12 minutes remaining.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 1 minute to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, the rule should be granted and an opportunity should be given to debate the merits of this issue.

We have traditionally and on other occasions tried to help people who were seeking unification or were seeking self-government or were seeking a democratic expression of their desire for self-determination as they saw it. That is in the tradition of our country. Why deny this expression of help to the Irish people?

Americans have expressed their sympathy individually and the Government has expressed its sympathy with just such efforts by other peoples. We ourselves in the trying days of the American Revolution were the recipients of the benefit of such help and sympathy. By this resolution all the House is asked to do is to express this sympathy with the aspirations of the Irish people for so elementary an objective as unification.

By turning down this resolution and not granting the opportunity of debating the merits of this proposal which is entirely consonant with our traditions and the way we have acted on other occasions of this nature, we would be rebuffing a most friendly people who believe very deeply in the justice of Irish unification and that it ought to be achieved.

Certainly the opportunity for consideration should not be terminated in such cursory way as those who oppose the rule have advocated. I trust that the House will, in all justice, vote this rule.

Mr. DELANEY. Mr. Chairman, I yield 4 minutes to the gentleman from New York [Mr. O'TOOLE].

Mr. O'TOOLE. Mr. Speaker, the remarks of the gentleman from Virginia, while lacking in reason, were strong in ridicule. Ridicule is frequently used to bolster a weak intellectual position. The gentleman further ridiculed the idea of a plebiscite saying that a plebiscite should be held in Virginia and maybe that State could then recover the territory that is now West Virginia. Let us follow his idea to its ultimate and have a plebiscite in the entire United States and then we might be able to get rid of Virginia.

There have been many statements made today that were historically inaccurate. I do not mean that those who made them did so deliberately, but I do know they could not have known anything of the history of Ireland. For 700 years Ireland had its own parliament. Its representatives did not come from the south. They came from the north, south, east, and west. During that period there was no division of the country. During that period they were a homogeneous people. This partition of Ireland and its separation of the 6 northern counties from the 32 southern counties was brought about less than 25 years ago and came into existence not by virtue of any desire of the Irish people but through the machinations of the foreign hostile English Parliament despite the fact that 80 percent of the Irish people had expressed themselves in favor of separation from England. The English Parliament overruled their will and divided the country hoping to create unrest and discord that some day would cause Ireland to ask England to take over their Government again. This has not happened. Yet, the artificial barrier exists.

The gentleman from Illinois [Mr. ALLEN] asks whether the President of the United States and the Secretary of State would favor ending this partition. I could not answer for these gentlemen, but the gentleman from Illinois knows and I know that the President and the Secretary of State both oppose the partition of Korea.

Much has been said in this House today about sticking our nose in other nations' business. We passed a resolution calling for the establishment and maintenance of a free republic in Palestine. We were parties to the partition of the Austro-Hungarian empire. We were a party to the taking of Albania from Italy. The great Republican President, Abraham Lincoln, realized that a natural country could not be divided and felt so strongly about it that he brought about the Civil War in our own country.

The Irish people are great lovers of liberty. For 700 years they felt the tyrant's heel. They were a small nation, and they were opposed by a country more than 10 times larger than their own. But the lamp of liberty was never allowed to go out. In the hills and in the valleys, in the cottages and in the mansions, in the Catholic home, in the Protestant home for centuries these people talked and thought of nothing but the day when Ireland would regain her freedom. They fought unrelenting until the greatly hoped for day become an established fact. But they have never been selfish about this love for liberty. They have extended the hand of help all over the world to any people who felt the despot's heel. They carried the torch of freedom in France, Belgium, Holland, and Spain. They led the revolutions of Central America, South America, and Cuba. Thirty-five percent of Washington's Army were men of Irish blood. They were almost 50 percent of the Army of the North. They furnished Father Ryan, the poet of the Confederates. They gave the South the Irish Brigade that fought so valiantly at Shiloh. They now appeal to this House for moral assistance. They ask that you recognize their love of freedom and their ambition to have a united nation. They appeal to you to wipe out the artificial barrier created by a foreign parliament.

I sincerely hope that this House will realize its obligation and will not turn its back on those who helped this country not only in its infancy, but all through the years.

Mr. Speaker, I ask unanimous consent that I may extend at this point in the RECORD the remarks of the gentleman from New York [Mr. HELLER].

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HELLER. Mr. Speaker, Americans of Irish descent have played an important part in our Nation's history. They have helped shape our civilization and our way of life. An Irishman, Maj. Gen. John Sullivan, fired the first shot in the American Revolution, and we recall with great pride that an Irishman, Colin Kelly, was the first American bombardier to sink a Japanese ship during World War II. Irish-Americans have been at the forefront of those who have risked their lives for this country. Is it not proper, then, that this Nation should concern itself with the injustices which have so long been perpetrated upon the indomitable Irish who seek to end the long domination of their Emerald Isle?

Quite apart from our gratitude to the Irish people, who have so greatly contributed to our position of leadership in the civilized world, we must also be concerned with principles. We must support those who seek justice and equality, those who seek independence within their ancestral domain, and the dignity of self-determination.

Fortunately, the people of the United States are aware of certain injustices in the world. On occasions where our State Department was reluctant to act in a given situation, the people spoke up and through our democratic processes our Government was persuaded to take the necessary action. This is precisely what happened in the historic and suc-

cessful struggle of the Jewish people regarding Palestine. The valiant efforts of the Jewish people to attain sovereignty for Israel won the support of the American people, and this country was the first to recognize the Jewish state.

The struggle of the Irish people to determine their own destiny has been going on for over 700 years. The Irish have never willingly submitted to foreign domination, but after the turn of the present century these courageous defenders of liberty were able to overwhelm the vast superiority of the British in their monopoly of power. Following World War I, the Irish were able to secure their independence within the British Commonwealth, which has since matured into complete independence for part of the island. Now they are determined that their long and difficult efforts to achieve unity shall no longer be frustrated. With the aid which we Americans can give them, there are strong hopes that the Irish dream will, indeed, soon come true.

The fallacious argument offered by the adherents of partition is that Northern Ireland has the right of self-determination. This right is important, but it should be applied to the whole of Ireland, which is geographically, economically, and culturally a single unit. There is no doubt that the majority of the Irish people desire the end of partition and their will should not be blocked by the recalcitrance of the British in the northern section.

Surely no better reason for the end of partition could be put forth than the wishes of the people themselves. The Irish economy is lopsided and impaired as long as the industrial north is divorced from the predominantly agricultural south. Surely both areas would profit by the integration of their complementary economies. While the six counties of Ulster are richer and more prosperous than other portions of Ireland, it is plain that they cannot exist alone. They need the south perhaps more than the south needs them.

Then, too, it is not irrelevant to call attention to the very strategic position which Ireland holds in this day of distraught international politics. The Irish are certainly disposed to being anti-Communist. They are tied by a traditional link of friendship to the United States, but they feel that they cannot cooperate with Great Britain in any strategical or political move in time of emergency until the six counties of Ulster are rid of British domination. When this logical and realistic aim is achieved Ireland, which is predisposed to Western union and membership in the Atlantic Pact, will certainly be a most vital factor in our Western defense system. Thus it is to our own advantage to help Ireland in her struggle for unification.

We, in America, can best contribute to this effort by intensifying the very course which we have long followed. We should make it perfectly clear to the British, with whom we are allied in the common struggle against Communist world domination, that we are determined that the small nations of the world shall have their share of freedom. We should encourage the Department of State to warn Great Britain not to thwart the historical ambition of the Irish people, otherwise we cannot really expect the ideological battle against communism to gain ground in the several oppressed areas of the world. Britain must keep faith with the principles dear to the ideology of the west and relinquish her hold upon a people and land where she has long been unwelcome.

The democratic nations of the west cannot tolerate the existence of any nation, however small, in their midst, which is subject to outside control and domination. The Irish people have the right to sovereignty over all their national territory. The right of the British to carve up the Irish Nation should be repudiated.

In conclusion, I wish to commend our colleague, the gentleman from Rhode Island, Representative FOGARTY, for introducing this deserving resolution, House Resolution 82, which I support wholeheartedly and unqualifiedly. I also take this opportunity to commend my colleagues, Representatives HEFFERNAN, KELLY, KEOGH, O'TOOLE, and ROONEY, for their valiant struggle in support of the Irish people and their splendid work in behalf of this resolution, which I hope will be passed overwhelmingly.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. SHEEHAN].

Mr. SHEEHAN. Mr. Speaker, with the name TIMOTHY PATRICK SHEEHAN, I have a right to speak on this proposition before the House.

First of all, with but 2 minutes I cannot make many observations. I should like to say that the comparison made by a previous Member when he compared Texas to Ireland is like comparing limburger cheese with stale beer and deciding they are comparable because both limburger cheese and stale beer smell.

Texas, as you know, was an independent state and was never a part of the United States until it decided to come in of its own accord, if my knowledge of history is right. Ireland was a contiguous proposition and its area was not broken up until arbitrarily broken up by England. So his comparison does not hold water.

I will agree with anyone that we have no right to interfere in the internal affairs of particular nations. I agree with that wholeheartedly. However, we do have the right to state principles, and as this right should be preserved, we in Congress or any other place should stand up and state principles. The principle here is the matter of uniting a separated country, not keeping it divided.

May I quote from Abraham Lincoln, who, on February 18, 1861, at Indianapolis, had this to say, then compare it directly with the Irish situation today:

> On what rightful principle may a State, being not more than one-fiftieth part of the Nation in soil and population, break up the Nation and then coerce a proportionally larger subdivision of itself in the most arbitrary way.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from California [Mr. MCDONOUGH].

Mr. MCDONOUGH. Mr. Speaker, I favor the rule and I agree with my colleague from Illinois that there is a principle involved in this question, contrary to and notwithstanding the arguments of those who say we are interfering in the internal affairs of another nation.

Did not England interfere with the internal affairs of the United States during the Civil War when she tried to maintain the partition of the North and South with a blockade off the Atlantic coast? Did she not at that time use every means possible to bring about enmity between the North and South and to prevent the North from uniting the United States? Are we not at this moment engaged in a bloody struggle in Korea at the expense of some 85,000 casualties and billions of dollars to settle the question of the partition of North and South Korea? Are we not using our force to demand that North Korea be a part of the whole of Korea, if we can possibly succeed in accomplishing that? Are we not at the present time engaged in a revision of the Italian Treaty that has to do with a question between Yugoslavia and Italy involving the harbor of Trieste? Did not the President of United States this morning send a message to the British Government asking it to do something other than it has done in settling the Iranian oil dispute? He did not ask Congress. We do not have a resolution here to debate on that question. The President took it on his own initiative to do that. And why? Is it because we love England more or fear England more, or that we love Italy and Yugoslavia and Korea more than we do Ireland?

Compare what those countries have done for the United States with what Ireland has done and your score will be very much in favor of Ireland.

Ireland has always been willing to cooperate with the other nations of the world to bring about economic stability, security, and peace. Her willingness to become a member of the United Nations was stopped by a veto of Soviet Russia which is evidence that Russia dislikes Ireland because of its consistent anti-Communist policy.

Ireland's desire to become part of the North Atlantic Treaty Organization is thwarted on the principle that should she become a member of NATO, she would thereby obligate herself to defend a part of her own country, the six northern counties, which is now occupied by force by Great Britain. Ireland's position with regard to these matters was contained in a statement by Sean McBride, the Irish Minister of External Affairs, in Washington on March 14, 1951, when he said and I quote:

> What part is Ireland playing in international affairs? I think that question is best answered by reference to the four international organizations with which we might be directly concerned: the United Nations, the Council of Europe, the OEEC, and the North Atlantic Treaty Organization.
>
> As regards the United Nations the position is that we applied for membership several years ago, being willing to undertake the full responsibilities of such membership. We were, however, kept out by the veto of the Union of Soviet Socialist Republics—Russia. Ironical as it may sound, Russia says that she cannot regard us as a democratic or peace-loving country.

As regards the Council of Europe and the OEEC, we are members of both these organizations. In both of them our representatives have consistently adopted the progressive policy of favoring developments which tended toward a united Europe. In the OEEC we have favored greater liberalization of trade, and we are in a position to do so since our own trade policies are among the most liberal in Europe. In the Council of Europe we have supported every measure which tended to strengthen the Assembly as against the Committee of Ministers, that is to say, every measure which represented a step on the road to a Parliament of Europe. In fact no nation has been so prompt as we have been to support the uniting of Europe and the free and voluntary merging of individual sovereignties. We are, however, quite as stubbornly nationalistic as the United States would be when it is suggested that we should surrender our rights or a portion of our sovereignty to another nation.

As regards the last organization, that of the Atlantic Pact Powers, our position is this: we were asked to join and we refused. You will want to know why.

I think on this vitally important question I cannot do better than take as my point of departure the cardinal principles of your own foreign policy, as set out in an admirable document, Our Foreign Policy, issued by your State Department.

These are the three points:

We are an independent nation and we want to keep our independence:

We attach the highest importance to individual freedom and we mean to keep our freedom:

We are a peaceful people and we want to get rid of wars and the threat of wars.

We, in Ireland, would subscribe wholeheartedly to every one of these principles but, being historically less fortunate than you, we are forced to state them for ourselves in a somewhat different manner. This is how we have to state them:

We are not an independent nation because a portion of it is still unfree but we want to achieve our independence:

We attach the highest importance to individual freedom but many of our people have not got that freedom:

We are a peaceful people but part of our territory has been taken from us by war and the threat of war.

These points which, as you will surmise, refer to the fact that part of our country, the six northeastern counties, is held under British rule, may seem exaggerated to you. Discrimination, gerrymandering and political police by which the entity known as "Northern Ireland" is set up and maintained, is the cause of such feeling in Ireland that no Irish Government could attempt, without immediately being driven from office, to enter into a military alliance with the power which is responsible for it. It would be as impossible for an Irish Government to accept the article of the Atlantic Pact which binds each participant to respect the territorial integrity of the others as it would have been for Abraham Lincoln to accept Mason and Dixon's line as an international frontier. You do not accept the territorial integrity of a neighbor who is encamped in your garden. We are fully conscious of the gravity of our decision. Indeed in our reply to the invitation to join the Pact we suggested that, in the interests of the greater safety and strength of the chain of Atlantic Defense, the members might discuss ways and means of solving the problem which precluded us from membership. Ireland is willing and anxious to play her full part in international affairs, she is already making a certain contribution, but is prevented from doing her full share by two outside powers: Russia and Britain. I do not say that the policies or actions of these two powers are the same, or even comparable. All I do say is that they are inclined to look rather alike. Both are powers with imperial traditions and to imperial powers the partitioning of small nations has always seemed expedient and, therefore, just. This was, and is, the policy of Russia in Poland. It has been the policy of Russia in Korea. In both cases the Russians found some Poles and some Koreans to support them, but in both cases the partition of a nation, a disaster in itself, leads to other disasters.

The Fogarty resolution states in part that "the maintenance of international peace and security requires settlement of the question of the unification of Ireland," which in effect means that if the partition of Ireland is settled and Ireland is united as one nation, it can then lend its full support to the North Atlantic Treaty Organization thus adding needed strength which does not now exist.

I believe it is to the interest of the United States that this resolution should be adopted, and I therefore favor the adoption of the rule making the Fogarty resolution in order for full debate and consideration by the House.

Mr. DELANEY. Mr. Speaker, I yield 1 minute to the gentleman from Illinois [Mr. SABATH].

Mr. SABATH. Mr. Speaker, the Foreign Affairs Committee reported this resolution by a vote of 11 to 6, I understand. Personally, I cannot see why some of these gentlemen fear any damage from this resolution.

In 1919 I had the privilege of writing a similar resolution, and it was passed without objection. Was anyone injured by it? I might say, too, that I have advocated and supported numerous resolutions that have been brought to the floor of this House expressing interest in, and encouragement to, struggling small nations in their hour of despair, such as Czechoslovakia, Poland, Lithuania, Latvia, and several others when they were seeking home rule. I recall that I, with many others in this House, supported the resolution expressing confidence in and wishing success to the new State of Israel when it became established as an independent nation. What harm did any of these previous actions do? Who was hurt? What complaint arose from any of the large nations against these generous gestures we have approved from time to time. I know that not a word of criticism resulted from the enactment of a similar resolution in 1919.

If we believe in doing the right thing by the minorities and the oppressed, I feel we should be courageous enough to pass favorably upon this resolution because it can do no damage and it is bound to do a great deal of good for people who are fighting for freedom, liberty, and self-determination. That is all this resolution asks, and we should all be in favor of such a policy.

Mr. Speaker, I have abhorred and opposed oppression and discrimination since my early youth, for I had occasion to witness at that early age the struggle going on in my homeland for justice and self-determination; for freedom and liberty from the Austro-Hungarian imperialism that maintained a stranglehold on the Czech and Slovak peoples. I always looked forward to the day when the enlightened peoples of the world would join in bringing about a true spirit of self-determination to minorities and enslaved peoples in the smaller nations so that they might obtain that liberty and freedom of which they have been deprived by ruthless, autocratic, and despotic rulers.

I personally recollect that President Wilson, following World War I, assured the smaller nations of the world the right of self-determination, and we are pursuing that same policy today at great cost in Korea.

While a few of these small nations succeeded in attaining their independence following World War I, unfortunately many of them have since been deprived of their cherished freedom and liberty, such as Czechoslovakia, Poland, Lithuania, Latvia, and others.

Therefore, I favor this resolution because it follows the principles advocated and enunciated by our Government. All this resolution does is to express the sense of this House that the Irish people should be given the right, through a plebiscite, to determine their form of government.

There will be some who maintain that we should not tell Great Britain what to do. Well, Great Britain has been telling us what to do for many years, and has, in effect, forced us to do her will, not for our own good but to further her selfish imperialism and to insure the control of her possessions, control over which she secured through military and diplomatic conniving and trickery. Notwithstanding her diplomatic and economic maneuvering, however, some of her so-called possessions have attained independence from the crown, notably India under the leadership of Ghandi, that great disciple of action through peaceful force, while Australia and Canada have been gradually forcing the severance of their ties with their mother country. When it comes to interfering and meddling in the affairs of other nations on the part of Great Britain, we need but recall her imperialistic war in South Africa, 1899 to 1902, when she jumped on little Holland in what is known as the Boer War, and took possession of that vast productive area.

I never did subscribe to the old axiom that might is right, but that unquestionably has been the policy of Great Britain throughout the centuries.

We need but refresh our memories on some of the early history of our own land to see what the policy of Great Britain has been toward small nations and minorities, in recalling her war against our struggling States in 1812, and the aid she gave to the Confederacy in 1861 in the War Between the States.

Mr. Speaker, I recall very vividly the appearance of Mr. Balfour and his coterie in Washington following World War I, when we had come to the rescue of Great Britain in that struggle, pleading that his nation was fighting with its back to the wall and begging for financial aid, and how we again came to her rescue in every way, advancing her over $8,000,000,000, which even in that day was real money; and how, after a few years, how her financial leaders again came to us asking for a reduction in the

interest rate on these loans, attacking our great country and its leaders as shylocks.

No, Mr. Speaker, we need not go that far back to find that it was Great Britain that was originally and mainly concerned over the expansion of Russia, with her fears of the effect this expansion might have on the private holdings of her lords and regal gentry throughout Asia and the Near East, and her efforts to again unload her woes and problems on us, and how she maneuvered us into supporting her unfavorable position. Once this was accomplished she again brazenly attempted to set herself up as the arbitrator in all world matters, a position which rightfully belonged to us.

Notwithstanding our laudible desires and aims to stop communism, is she not today supporting these same communistic conspiracies, supplying those nations not only with the products of her factories and her industries, but also with the materials of war to be used against our own boys on far-flung battlefields.

Has she not recognized Red China with whom we are now locked in a murderous struggle?

Has she not nationalized her major industry with our money?

Is she not now attempting to bulldoze little Iran which is bravely attempting to protect for her destitute people the sole natural resource asset she has, the vast oil deposits now controlled by a pseudo-government corporation actually owned by her giant oil barons in combination with certain powerful American oil corporations?

I ask you, gentlemen, what justification can there be for any charge that we are interfering with the imperial government of Great Britain in the light of her actions throughout history in interfering with the sovereign rights of small nations? This resolution does not even approach her brazen policies and acts in this regard. It is merely an expression of the sense of this House as to the rights of the Irish people. Why should we not offer this word of encouragement to a great people, who have been dreaming and praying for the opportunity of self-determination in connection with the internal problem of unity; a race which has contributed so greatly to the upbuilding of our own land?

I, for one, firmly believe the Irish people are entitled to, and highly deserving of, this word of encouragement, and I urge the speedy approval of this resolution.

Mr. DELANEY. Mr. Speaker, I yield 4 minutes to the distinguished majority leader, the gentleman from Massachusetts [Mr. McCORMACK].

Mr. McCORMACK. Mr. Speaker, it is amusing to me to sit here today and listen to some of the arguments made against the adoption of the rule and the adoption of the resolution. It just makes me disgusted.

Some Members forget the history of our country. They have forgotten the fact that since the infant days of our Constitution one of the basic policies of our country has been the right of all nations, large or small, particularly the small ones because they are the ones that need an expression of this policy, to determine their own future—the right of self-determination.

This House has passed similar resolutions heretofore. The gentleman from Illinois [Mr. SABATH] referred to one passed in 1919. This very body and those who spoke against this resolution voted not so long ago to pass a resolution expressing the sense of this body that we believe in "a free and democratic Jewish nation in Palestine" and I fought for that resolution on the principle of self-determination. Yet they take the floor and deny it in this particular case. Why? That is an interesting question. Why?

Those of us who believe in this resolution are simply expressing our opinion that the people of all Ireland should be given the opportunity by a plebiscite, voting, to determine whether or not there should be a united Ireland in its entirety. Certainly geographically it is one unit. Certainly from the angle of population it is one unit. It is self-evident that those two important elements in relation to the self-determination and the unity of a nation, of a people, exist. Yet we have men here, for some reason far beyond my understanding, talking of their love for Ireland but opposing this resolution. I would admire them more if they came out flatly against it and stood on their own ground and took their own responsibility in opposing it, rather than trying to ride two horses at the same time, of opposing this resolution, and at the same time, telling of their high regard or love for those of Irish blood.

As I said, we have passed many resolutions in this body stating the sense of this body. We are not invading or intruding ourselves into the internal affairs of another nation. As the gentleman from Illinois [Mr. SHEEHAN] well said, and I agree with him, we are entitled to express our own opinion. We passed a resolution the other day in relation to an American newspaperman who has been tried and convicted and sentenced in one of the satellite Communist nations. Who would dare say that we did not have the right to pass that resolution? We did it. We had the right to pass other resolutions in this body from time to time as they were passed. We have a perfect right to do this.

This is no violation of the comity between nations in the adoption of the resolution, it is an expression of the opinion, if adopted, of the majority of the Members of this Congress. Some try to laugh it off by ridicule.

I am not voting to enter into the internal affairs of another nation by supporting this resolution but I am voting for the time-honored right of all Americans of all generations under constitutional government through their Members of this great body to express their opinion; and that is all we are doing today.

Mr. MORANO. Mr. Speaker, I join with the majority leader the gentleman from Massachusetts [Mr. McCORMACK] in the well-thought-out and eloquently spoken views on the resolution before us. Certainly this rule should be adopted so that free and full debate on the Fogarty resolution may be had.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 2 minutes to the gentleman from Maine [Mr. NELSON].

Mr. NELSON. Mr. Speaker, I, too, love the Irish. I have in my district many great and good friends who are Americans of Irish descent. They and the Maine Yankees get along famously. They, too, are hard working, independent, industrious, and frugal. They, too, are fine citizens. Like the Maine Yankees, they, too, have an infinite capacity for minding their own business.

This resolution is the exact opposite of that splendid trait. We propose to stick our national nose into something which, as a House of Representatives, is none of our darned business. We propose, in the interest of local politics purely, to complicate the international situation and do much to alienate a necessary friend.

If we pass this resolution, we may properly and justly expect the English House of Commons to pass a similar resolution stating that, in the interest of continental defense, the United States should immediately grant statehood to Alaska and Hawaii. And such a resolution on the part of the English House of Commons would have exactly the same effect on us that this will on them.

If this resolution promoted the cause of Irish unification, it would be a different matter. But this resolution will in no way benefit that cause. It will have the exact opposite effect and will set back that cause for some time. Having lived in England for 2 years during the war, I know their character and reactions fairly well. They resent us as an overgrown child. They are stubborn in their own opinions. The effect of this resolution will be but to freeze them in a determination to retain Northern Ireland in its present status.

As we consider this resolution reported by the Committee on Foreign Affairs, can we not but conclude that consistency is a jewel that the formulators of our foreign policy have never coveted. We are here deeply concerned with a people in Northern Ireland who now have a form of free, representative government. We do not, however, propose that they who are directly concerned be allowed by a plebiscite to determine their own future. It is to be the people of all Ireland. At the same time that we are so concerned, we are openly supporting with men and materials British colonialism in Malaya and Hong Kong and French colonialism in Indochina and British exploitation of the oil resources of Iran. Is the presence of natural resources to determine whether we are for or against freedom and self-determination of a people? If so, let us make up our minds, say what we mean, and proceed accordingly. No wonder the world wonders where America stands.

In all fact and truth, the passage of this resolution will hurt the cause of Irish unification. The only beneficial effect it might have is on the votes of those Americans of Irish descent who may not realize that it does hurt and not help.

Mr. ALLEN of Illinois. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon [Mr. ELLSWORTH].

Mr. ELLSWORTH. Mr. Speaker, in the course of this most interesting debate, I think we are losing sight of, and have lost sight of the question which is before the House. The question before the House does not deal with whether or not we think the people of Ireland should have unity. The question before the House, and the question upon which we shall vote very shortly, is whether or not the House of Representatives will approve the idea of taking up a resolution which has to do with some of the internal affairs of Ireland. I direct my comments in these 3 minutes only to the question of whether or not it is the proper thing for the House of Representatives of the United States Congress to take up the pending bill, debate it and amend it, and then vote on a question which concerns an internal problem in Ireland, a country which has never in its life attempted to interfere with our affairs.

The rule, as it is worded, certainly does not express what it is that we are voting upon, because the rule says:

Resolved, That immediately upon the adoption of this resolution, it shall be in order to move that the House shall resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the resolution (H. Res. 82) to provide for the unity of Ireland.

Mr. Speaker, if this resolution could provide for the unity of Ireland, I do not think there is anyone here who would vote against it. The truth is, however, that this House of Representatives cannot do one solitary thing regarding the unity of Ireland.

It is a mistake to bring this resolution to the floor. It is a mistake for us to take legislative action which has no force or effect other than to express an opinion which is not too clearly stated in the resolution anyhow. I think when we say it is the sense of the House of Representatives in this resolution, I would rather say, "It is the nonsense of this House of Representatives" to say there should be unity of Ireland, and then say there should be unity unless there is a vote of a majority of the people of Ireland to the contrary.

Let us consider 1 minute how foolishly we propose to reverse the fairly reasonable situation that exists in Ireland today. By the constitution of the Government of Ireland at the present time, a constitution which is still in effect and which was adopted years ago, all of Ireland and all of the islands adjacent thereto and the territorial waters are included, and that constitution is still in effect. The people of the six counties of Northern Ireland any time they wish can certainly join up with the South, if they want to.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. ALLEN of Illinois. Mr. Speaker, I yield to the gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, January 3, 1951, was a great and proud day in my lifetime. On that day the distinguished Speaker of this House administered the oath of office to me and others who had been elected to this Eighty-second Congress. It was a proud day because the people of the Sixteenth District of Ohio had honored me with election to the greatest legislative body in the world.

But, Mr. Speaker, I was somewhat confused when I read House Resolution 82, which is the subject of the rule we are now debating. I thought perhaps, Mr. Speaker, you had left out a few lines of the oath of office which you had administered to me, for I could remember nothing in that oath which had to do with my loyalty to the Constitution of Ireland or the Crown of Great Britain. I reread our oath here in the House, and you were right, Mr. Speaker. You may find it as a part of section 229 of Jefferson's Manual on Rules and Practices of the House of Representatives.

I did not know how right I was when I thought that the people of my district had elected me to the greatest legislative body in the world. I never thought, Mr. Speaker, that some of my duties would be enacting laws or passing resolutions for the administration or conduct of the affairs of Ireland or Great Britain.

The distinguished gentleman from Illinois [Mr. ALLEN] has made reference to our strict adherence to the Monroe Doctrine. I should like, if I may, Mr. Speaker, to quote from that document which established the Monroe Doctrine:

Our policy, in regard to Europe, which was adopted at an early stage of the wars which have so long agitated that quarter of the globe, nevertheless remains the same, which is, not to interfere in the internal concerns of any of its powers.

The distinguished majority leader has made his usual eloquent plea for the adoption of this rule and although I do not remember his exact words, he has charged us with having no good reason why this rule should not be adopted. He refers to the early days in the history of this Nation and to the Constitution with his usual vigor, and I may say, Mr. Speaker, with his usual lack of any definite or concrete reference to that Constitution. I say to the distinguished majority leader that if he had but taken the time to study the Constitution, I am sure that he would reach the same conclusion that I have reached, that the House has no constitutional right to adopt this resolution. I do not know what precedent he might seek to follow—my guide is the Constitution.

I remind the gentleman from Massachusetts that he need but read the preamble of that great document, and I am sure that he has many times, and he will find that we have ordained and established the Constitution for ourselves and our posterity. I do not find the word Ireland contained therein.

And I further remind the House that this House exists because it was created by the Constitution, and we must derive our powers and rights from that same Constitution. Most of these powers and rights are established in section 8 of article I, which provides the powers of Congress and the authority of this body:

To make all laws which shall be necessary and proper for carrying into execution the * * * powers.

It seems utterly ridiculous that the Congress in these crucial days, with so much to be done for our own people, should be constantly meddling in affairs which are not of its concern and over which it has no jurisdiction or power. If the majority party who controls the flow of legislation upon this floor is finding it difficult to find issues upon which legislation should be enacted, I refer them to the 1948 platform of the Democratic Party adopted by the Democratic National Convention, July 14, 1948, in Philadelphia, Pa.

In that document they pointed out many, many issues which they promised the American people they would correct. They made promises which they said they would fulfill, and I do not find in the Democratic platform any pledge that they would pass a resolution for Ireland—but there are many broken promises.

Let me refer, Mr. Speaker, to several of the statements contained in the platform of that party.

One of these is:

The Republican Eightieth Congress is directly responsible for the existing and ever-increasing high cost of living. It cannot dodge that responsibility. Unless the Republican candidates are defeated in the approaching elections, their mistaken policies will impose greater hardships and suffering on large numbers of the American people. Adequate food, clothing, and shelter—the bare necessities of life—are becoming too expensive for the average wage earner, and the prospects are more frightening each day. The Republican Eightieth Congress has lacked the courage to face this vital problem.

Now, Mr. Speaker, I should like to have the people of this country, in view of this promise and statement, secure any newspaper printed on July 14, 1948, and compare the prices being charged the American people on that date with the prices today and see whether or not the pledges to which I have referred have been kept.

I find one other statement in that platform:

We shall curb the Republican inflation.

I should only like to say in passing that if the Republican inflation was curbed, then the Democratic inflation which has come on since the adoption of that platform has brought this Nation to the brink of economic collapse.

Why are we not doing something about that rather than debating the passage of legislation for Ireland?

Yes, Mr. Speaker, just one or two items which that Democratic platform said:

We pledge the continued maintenance of those sound fiscal policies which under Democratic leadership have brought about a balanced budget and reduction of the public debt by $28,000,000,000.

Mr. Speaker, with a national debt today of approximately $260,000,000,000, with a budget completely out of balance, and a constantly mounting public debt, should we not be trying to put our house in order rather than acting as a backfence spinster trying to tell the mother of a large family how to raise her children?

Just one more interesting comment from the platform of broken promises:

We favor the reduction of taxes whenever it is possible to do so without unbalancing the Nation's economy.

I will say to the distinguished majority leader that his party and mine have pledged statehood to Hawaii and Alaska. Where are those statehood bills and why has not the leadership of this House given this Congress an opportunity to carry out the will of the people of this Nation which is so well-known to all of us?

Why must we pass a resolution that the Republic of Ireland should embrace the entire territory of Ireland when worthy subjects of the United States are denied the status of statehood?

I just wonder, Mr. Speaker, what would happen to the blood pressure of most of the Members of this House if we would receive from Great Britain a resolution directing us to grant statehood to Hawaii and Alaska. I am sure that most of the statements that would be made by the membership of this House would, under the rules of the House, be expunged from the RECORD because they would be unprintable.

I should like to say in closing, Mr. Speaker, that I feel that the passage of this resolution would be adding grist to the propaganda mill in Moscow. It could well be said that their charges against us are becoming true, that is, that we desire to control and dictate to all the governments of the world.

I trust, Mr. Speaker, that my colleagues will join me in voting against this rule.

Mr. ALLEN of Illinois. Mr. Speaker, I yield the remaining time to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Speaker, when this resolution was before the Committee on Foreign Affairs, I opposed bringing it out. I do not think this rule to make it in order ought to be adopted. I do not think passage of it, or extended debate on it, will do anybody any good, and it can do everybody concerned real harm.

It so happens that my branch of the Irish family comes from the south of Ireland, and my wife's branch comes from the north of Ireland. By much patient and persistent persuasion, I got her to join up with my branch from the south on a voluntary basis. That is the way we solved the problem of partition. Mr. Speaker, that is the only way the partition of Ireland or any such problem can be solved, in my judgment—by the voluntary desire and choice of both parties.

Some of you will remember that for several years I have annually sponsored an amendment to the various foreign-aid bills, which amendment declared it to be the policy of the people of the United States to encourage the economic unification and political federation of Europe. I thought we had a right, even a duty, to express that view and I was happy that this year the committee and the House and the Senate all adopted the amendment.

I think it would be proper for us to pass a resolution saying that the Congress would look with favor upon a union of the two parts of Ireland, if both sides want it. But that is not what the resolution before us says. It says "it is the sense of this House that the Republic of Ireland should embrace the entire territory of Ireland unless the clear majority of all of the people of Ireland in a free plebiscite determine and declare to the contrary." That puts the people of 26 counties against those of 6 counties. Such a plebiscite would, of course, be loaded in favor of union regardless of the wishes of a majority of those in the 6 northern counties.

Mr. Speaker, few people can be more aware than the Irish of the difficulties a minority undergoes when it is held in a union against its will. No people ever fought harder and more resolutely than the Irish to get their full independence. I sympathized with them in that struggle, and so did all Americans. For the very same reason that I sympathized with and supported the southern Irish as a minority in their struggle for self-determination, I must sympathize with and support the northern Irish as a minority, if they want to be independent or separate. I have no certain knowledge as to their wishes. But they ought not to be brought into any union unless they themselves so indicate by a free plebiscite in their own six counties.

Now if the resolution said that "it is the sense of this House that we favor the unification of Ireland, if a clear majority of all of the voters in each of the two sections of Ireland, in a free plebiscite so determine," I think that we would be within the reasonable bounds of our jurisdiction. We have a right to say that we believe it would be good for the world if both sides want to get together. I think it would be wonderful if they were voluntarily to arrange such a wedding. I am in favor of voluntary weddings. I am not in favor of shotgun marriages, and that is precisely what this resolution would accomplish. I hope the rule will be voted down.

The SPEAKER pro tempore. The time of the gentleman from Minnesota [Mr. JUDD] has expired.

Mr. DELANEY. Mr. Speaker, I yield the remainder of my time to the author of the bill, the gentleman from Rhode Island [Mr. FOGARTY].

Mr. FOGARTY. Mr. Speaker, I have listened during the past 55 minutes to those who are opposed to this rule. Those who are opposed to the rule no doubt are opposed to the resolution. There is no question about that. To those who have spoken against the rule let me say this—I have yet to find one good concrete reason why this rule should not be adopted. You have been beating all around the bush. You have spoken in vague generalities. The chairman of the Foreign Affairs Committee said adoption of the resolution would do harm. What harm will it do? I want all of you who have opposed this rule to show me where its adoption would be harmful. Not one of you has cited any specific instance of harm which will result from the adoption of this rule. As the majority leader said on the floor a moment ago, you are attempting to talk this resolution to death. Lacking any positive argument against the principle involved you would ridicule it into defeat. That is all you are doing. The gentleman from Virginia [Mr. SMITH] said there were no hearings on this resolution at all; that only the author of the resolution was heard for 15 minutes. Here are the hearings that were held—163 pages of them, in April, 1950, at a public hearing before the Foreign Affairs Committee. That is the answer to you, Mr. SMITH of Virginia, when you say there were no hearings at all. I do not know who was invited to testify, in opposition or otherwise, but it was public knowledge at that time, properly announced, that those hearings were to be public. Not one individual in the country, from the House or the Senate or the administration. No one opposed to this procedure, appeared before the Foreign Affairs Committee in opposition to this resolution. And this is the same resolution which I have introduced during each session of Congress for the past 3 years.

Some have said that the Irish people have not even consented to join the Atlantic Pact. Of course they could not consent to join the Atlantic Pact, as long as that partition exists in the northeastern section of Ireland. How could a sovereign nation join in a compact with an aggressor—still occupying, in fact, a substantial portion of its homeland—and agree to defend—defend what?—continuing aggression and occupation; continuing refusal to deny the voice of the vast majority of the people of that oppressed land. We speak here as great Americans, great Americans who believe in freedom and democracy and the right of all people to determine their form of government. You know as well as I do that all the people of Ireland were given a promise by Great Britain in 1914 and 1915, when they entered the First World War, that they could have an election, an election to determine the shape and form of their nation and its government. An election was held in 1918 under British rule when all the officials of the Republic of Ireland were in jail. Yet for the first time in the history of the world, with all the opposition the Crown could array against them, the people in Ireland, 80 percent of them, voted for freedom and unity and a new nation under God. Now you get up here and talk about Americanism and the right to free speech and freedom of assembly and the right of self-determination. You are going to condone just what Great Britain did to the Irish back in 1918 if you refuse to consider honestly this resolution. You are condoning their police-state methods that exist today in the six-county area of Northern Ireland. You are condoning the methods there today that we as Americans are decrying, day in and day out, all over the world, because we are against Stalin and communism. If you saw these police-state methods in action you would not recognize British rule. You would say that was rule under the Kremlin and under Stalin, because there is no difference.

The previous speaker said the majority of those six counties did not want to be united with the Republic. That is not the true fact. Four and one-half counties out of the six today, if they had a chance to vote—and that is all I am asking—if they had a chance to vote today, four and one-half counties of the six would vote for genuine, honest, and honorable freedom, as they did back in 1918. All I ask is that Great Britain

keep its promise made in 1918, when 80 percent of the people voted for freedom with honor and justice. By doing that, if Great Britain will permit the elimination of that unnatural partition across Ireland, Ireland will come into the Atlantic Pact. If we ever get rid of the veto power that Russia wields in the United Nations, Ireland will be a member of the United Nations. It has been Russia who has kept her out by the use of the veto. Ireland is the most anticommunistic country that exists in the world today, and can there be a man or woman in this House to declare to the contrary. That is why she is not in the United Nations.

As far as weakening our strength in the world today, there is no question in my mind that resistance against communism would be strengthened all over the world if that outpost in the Atlantic Ocean, as God intended it to be, were a free and sovereign nation alined with the cause of freedom. As far as men of Irish descent are concerned, I came across this book just a little while ago put out by the Navy Department. Take a look at it, look in the back of that book at the Medals of Honor that have been given and see the great number of Irish names in the list. There is the record; look at it.

Mr. SIEMINSKI. Mr. Speaker, I am for the passage of this resolution. I take exception to the remarks of the distinguished gentleman from Virginia [Mr. SMITH], who, among other points raised the challenge that if Members of this House want to fight let them go to Korea and not stir up friction at home by voting for this measure. As one who did just that, who went to Korea to uphold the principle, I trust, that freedom is indivisible, I am compelled to reject the gentleman's position, a facetious one to say the least.

And to the remarks of the distinguished and courageous gentleman from South Carolina [Mr. RICHARDS] whose high honor it is to direct the House Committee on Foreign Affairs, I must demur. No one desires to imperil the harmony of the free world, especially against the common danger of Communist Russia, at this or any other time. Passage of the resolution jeopardizes nothing but a wrong.

Much is said of the reaction of the British Parliament; that it would have the right to tell us to mind our own business; that we would be meddling in the affairs of friendly nations in passing this resolution. This is to say that our friends are never wrong only our enemies. Surely such is an argument based on expediency, not justice. In her thousand long year history, has England ever hesitated to do something because of the reaction of other parliaments? Did England hesitate to give Japan the green light when it crossed the Yalu in 1931, especially when Secretary of State Stimson invoked the Pact of Paris calling upon the nine signatories to halt Japan's aggression? Did England hesitate to give Hitler the green light in 1933 when it hesitated to spearhead a drive to guarantee the eastern Locarno, thereby signaling Hitler to go east? Did Hore-Belisha check Mussolini's drive into Ethiopia? Was England mindful of other parliaments when it recognized Red China, worse still when its Foreign Office stopped supporting Chiang Kai-shek fully 4 years before it advised us it had done so? And if England was not backing Chiang, while we were for 4 years, who was she backing? Was Winston Churchill mindful of allied opinion when he told Mikolajczyk, of Poland, to relinquish to the Soviets the eastern slice of Poland, in spite of fervent protestations by General Anders, hero of Monte Cassino, that Mikolajczyk had no constitutional right to do so? Was England mindful of the reaction of other parliaments when she announced she would continue to trade with the Soviets because she said she needed Russia's grain and timber? Was England mindful of other parliaments when she insisted we stay south of the thirty-eighth parallel?

Mr. Speaker, is not the need for justice equally as compelling as the need for grain and timber? Was not the lesson we learned in World War II a recognition of the need for watching one's friends as well as one's enemies? And had the true facts about the slaughter in Katyn Forest been revealed when they were learned, in 1942, might we not have been more cautious with Russia? Truth, Mr. Speaker, truth firms up the will to resist and fight back against wrong, does it not?

This House has recently voted the largest military appropriations in its history. The free world is girding for strength to enforce its will, its agreements. Its will for what? Peace with freedom and justice. That is what our Secretary of State says in today's papers, does he not? Peace, with freedom and justice for friend and foe. Freedom and justice are indivisible. They apply at all times, not merely when it is convenient to chant the cry.

When our boys were smashing their way from Inchon to Seoul, did the judge advocate of the Tenth Army Corps hesitate to enforce courts-martial proceedings against soldiers guilty of breaches of military discipline?

Mr. Speaker, our traditions count for ourselves and the world. We are girding for strength—we are closing the gap between our bayonet point and our covenants so that the latter can be enforced. Do we dare to think we can inspire those under the heel of Soviet tyranny to have hope in freedom's cause when we in this House refuse to pass a rule to discuss one of freedom's problems—the unification of Ireland?

When this resolution comes to the floor of the House again next year, I trust those of Irish forebears will allow time for debate to those with forebears from other lands who know with equal experience how tyranny rots the bones. I regret I was not allowed time on the floor. I asked the chairman guiding this resolution for time; he had none to give. I asked the distinguished gentleman from Rhode Island [Mr. FOGARTY], to yield to me on two occasions during his debate—and as his time was limited, I understand his refusal to yield. Accordingly, I state the above for the RECORD. I hope that truth and justice will yet prevail, and that debate for the unification of Ireland will be allowed on the floor of this House.

Mr. FEIGHAN. Mr. Speaker, the Irish are cognizant of the unity amid diversity of the United States and look for spiritual help from us to bring to their nation unity out of its diversity. They want their country to be what we proclaim America to be when we recite the pledge of allegiance to our flag—"One nation, indivisible, with liberty and justice for all."

In a world in which the dominant idological color is not black or white but gray, there is nothing either indefinite or indefinable in Ireland's tragic story. The creative power of God brought it into being out of nothingness.

From sea to sea—from the Bay of Belfast to the Cove of Cork—it is by nature one undivided entity. That oneness was sundered by the partition of 1920, which cut off its most strategic segment, Ulster, where the intense struggle for freedom began. Ulster was Ireland's Lexington and Concord, and this is the portion that is separated from independent Ireland by a line of demarcation that is an indictment of the natural law of boundaries, logic, and diplomacy. The arbitrary partition of Ireland was the error of men.

One nation under God was the prayer of Lincoln, and that prayer was answered after a hundred blood-drenched battlefields. A Mason and Dixon line dividing our country today would present a parallel to Ireland as it is now partitioned. E Pluribus Unum, the mighty symbol of the United States of America, would be a folly and a myth had the Union not survived. President Lincoln said that by all means, the Union must be preserved. Every nation today seeks its own unity. India, Indonesia, Pakistan, the Philippines, to mention a few, have sought and found their own freedom within recent years. Present-day Germany, divided into French, Russian, British, and American zones, seeks to regain its unity as a nation.

The morally indefensible partition of Ireland ought to evoke a protest not alone from a sympathetic world, but from an understanding world. To retain the partition of Ireland is foolhardy when she alone, in proximity to quaking Europe, is untouched by communism.

Divide and rule were the military tactics of the Caesars and in their wake lay strewn the remnants of once mighty powers and world empires.

Lovers of liberty and righteousness cannot afford to permit Ireland to be the latest victim of divide and conquer. A united Ireland would be an impregnable fortress against the onslaughts of communism with all its insidious works and deceitful pomps. Ireland stands as a flaming torch of freedom in a world threatened with communism. If given its unity and freedom of action, Ireland will throw its beam of faith and determination over land and sea to enlighten this spiritually darkened world, sorely in need of guidance.

One Member has criticized Ireland because it has not accepted membership in the Atlantic Pact. There are certain

facts which should be known. Since the British Government holds that part of northeastern Ireland claiming it as British territory, the Irish Government says that to join the Atlantic Pact would mean that it was ratifying this forcible partition of Ireland, which it has never recognized. The pact pledges each member to guarantee the "territorial integrity" of all the others. And since Britain claims northeastern Ireland as British territory the Irish Government would be put in the position of guaranteeing what it has always regarded as an unjust usurpation of Irish territory.

Of course, the reference by the gentleman from Virginia [Mr. SMITH] regarding the division between Virginia and West Virginia was meant to be facetious. The gentleman from Virginia [Mr. SMITH] fails to recognize the fact that the partition of Ireland is much more than a mere boundary dispute. If the United States had a boundary dispute with Canada, one might say that it was mainly a question of territory. On whichever side of the disputed boundary a man lived, he would find himself under a fair and democratic government. Likewise those citizens of Virginia and West Virginia find themselves under a fair and democratic government. In 1921, the British set up a northern government to govern the territory they claim in Ireland. Shortly after coming into existence, the Northern government declared a state of emergency and passed a special powers act, suspending all the civil guaranties.

The emergency has now lasted nearly 30 years. Let me quote you a couple of opinions from fairly unbiased sources on the northern government. In 1935 the British National Council for Civil Liberties—which included people like Lady Astor and the late Bernard Shaw and H. G. Wells—had an investigation made of the northern government. It reported:

> Through the use of the special powers, individual liberty is no longer protected by law, but is at the arbitrary disposition of the executive. This abrogation of law has been so practiced as to bring the freedoms of the subject into contempt.

Writing in the New York liberal weekly, the Nation, in August 1949, a former correspondent of the London Daily Herald, Griffin Barry, described the operation of the special powers:

> A person detained under these regulations is deprived of protections that have hedged the liberty of the subject in Britain for ages. He may be held indefinitely without being charged and without trial. He is allowed no visitors and no messages. He has no access to legal advice. A curious statute deals with the examination of witnesses by a resident magistrate. * * * A witness may not be accompanied to court by a legal advisor or friend and is specifically not excused from answering questions on the grounds that "an answer may incriminate or tend to incriminate himself." A refusal to answer is punishable by penal servitude up to 14 years.

The objection may be raised that in view of the great threat of communism, the Irish should waive their quarrel with England over the northern territory. To be logical one should also urge the British Government to abolish, or at least to reform, the northern government. But the British will not even discuss the northern government. One can understand that: The northern government simply cannot stand discussion. It would seem only reasonable to urge the British to be just before urging the Irish to be generous. For the ultimate redress of this injustice, Ireland looks not to arms, for it is a nation dedicated to peaceful settlement of international questions, but to the pressure of enlightened world opinion, especially of American opinion.

One of the previous speakers who opposed the form of this resolution, advocates a voluntary unification of Ireland. Following that logic, one must necessarily condemn the involuntary partition of Ireland which was effected by the British Parliament in 1920 when they arbitrarily divided Ireland. There is no logic in the contention that the passage of time has justified the arbitrary partition of Ireland. Therefore, if one contends that Ireland should have an opportunity to vote to decide whether it shall again become unified, the vote should be taken by all of Ireland, irrespective of the artificial partition forced upon Ireland by the act of the British Parliament.

The approval of this resolution will reflect the sentiments of the American people, whose aim is to bring and to preserve liberty and justice to all peoples everywhere. I urge adoption of the rule for House Resolution 82.

The SPEAKER. The time of the gentleman from Rhode Island has expired, all time on the resolution has expired.

Mr. DELANEY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

Mr. SMITH of Virginia and Mr. ROONEY asked for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 139, nays 206, answered "present" 2, not voting 83, as follows:

[Roll No. 186]

YEAS—139

Addonizio	Fulton	Larcade
Angell	Furcolo	Latham
Bakewell	Garmatz	Lesinski
Barrett	Gavin	Lyle
Bates, Ky.	George	McCarthy
Bates, Mass.	Gordon	McCormack
Beall	Granahan	McDonough
Beckworth	Green	McGrath
Blatnik	Gwinn	McGregor
Brehm	Hall, Edwin Arthur	McGuire
Buchanan	Hart	McVey
Byrne, N. Y.	Havenner	Machrowicz
Canfield	Hays, Ohio	Mack, Ill.
Cannon	Hedrick	Mack, Wash.
Carnahan	Heffernan	Madden
Celler	Herter	Mansfield
Chudoff	Heselton	Martin, Mass.
Clemente	Hillings	Merrow
Cunningham	Hoffman, Ill.	Miller, N. Y.
Curtis, Nebr.	Holmes	Mills
Dawson	Jackson, Wash.	Mitchell
Delaney	Javits	Morano
Dempsey	Jenison	Morgan
Dingell	Jonas	Multer
Dollinger	Karsten, Mo.	O'Brien, Ill.
Dolliver	Kearns	O'Brien, Mich.
Donohue	Keating	O'Hara
Donovan	Kelly, N. Y.	O'Neill
Doyle	Kennedy	Ostertag
Fallon	Kilday	O'Toole
Feighan	Kirwan	Polk
Fenton	Klein	Poulson
Fine	Kluczynski	Price
Flood	Lane	Quinn
Fogarty	Lanham	Radwan
Forand		Rhodes
Ribicoff	Shelley	Watts
Riehlman	Sheppard	Weichel
Rodino	Sieminski	Welch
Rogers, Colo.	Simpson, Ill.	Wharton
Rogers, Mass.	Spence	Wickersham
Rooney	Springer	Wigglesworth
Roosevelt	Sutton	Withrow
Sabath	Tollefson	Yates
Sasscer	Trimble	Yorty
Seely-Brown	Vail	Zablocki
Sheehan	Van Zandt	

NAYS—206

Aandahl	Doughton	Miller, Nebr.
Abbitt	Durham	Morris
Abernethy	Eaton	Murray, Tenn.
Adair	Elliott	Nelson
Albert	Ellsworth	Nicholson
Allen, Calif.	Evins	Norblad
Allen, Ill.	Fernandez	Norrell
Andersen, H. Carl	Fisher	O'Konski
Anderson, Calif.	Ford	Passman
Andresen, August H.	Forrester	Patman
Andrews	Frazier	Patten
Arends	Fugate	Perkins
Armstrong	Gamble	Pickett
Aspinall	Gary	Poage
Auchincloss	Gathings	Preston
Ayres	Golden	Prouty
Barden	Goodwin	Rains
Baring	Gore	Ramsay
Battle	Graham	Rankin
Beamer	Grant	Reams
Belcher	Greenwood	Reed, Ill.
Bennett, Fla.	Gross	Reed, N. Y.
Bennett, Mich.	Hagen	Rees, Kans.
Berry	Hale	Richards
Betts	Hall, Leonard W.	Riley
Bishop	Halleck	Roberts
Blackney	Hand	Robeson
Bonner	Harden	Rogers, Fla.
Bosone	Hardy	Rogers, Tex.
Bow	Harris	Saylor
Boykin	Harrison, Va.	Schwabe
Bramblett	Harrison, Wyo.	Scott, Hugh D., Jr.
Bray	Harvey	Scrivner
Brooks	Hays, Ark.	Scudder
Brown, Ga.	Hill	Secrest
Brownson	Hoeven	Shafer
Bryson	Hoffman, Mich.	Sikes
Budge	Hope	Sittler
Buffett	Horan	Smith, Kans.
Burdick	Hull	Smith, Miss.
Burleson	Hunter	Smith, Va.
Burnside	Ikard	Smith, Wis.
Burton	Jarman	Stanley
Bush	Jenkins	Steed
Butler	Jensen	Stefan
Byrnes, Wis.	Johnson	Stigler
Camp	Jones, Ala.	Taber
Carlyle	Jones, Mo.	Tackett
Chelf	Jones, Hamilton C.	Talle
Chenoweth	Jones, Woodrow W.	Thompson, Mich.
Chiperfield	Judd	Thompson, Tex.
Church	Kean	Van Pelt
Clevenger	Kearney	Velde
Cole, Kans.	Kee	Vorys
Colmer	Kilburn	Vursell
Combs	Lantaff	Walter
Cooper	LeCompte	Werdel
Cotton	Lind	Wheeler
Crawford	Lovre	Whitaker
Crumpacker	McConnell	Whitten
Curtis, Mo.	McKinnon	Widnall
Dague	McMillan	Williams, Miss.
Davis, Ga.	McMullen	Williams, N. Y.
Davis, Wis.	Magee	Wilson, Ind.
DeGraffenried	Mahon	Wilson, Tex.
Denton	Martin, Iowa	Winstead
Devereux	Meader	Wolcott
Dondero	Miller, Md.	Wood, Idaho
Dorn		Woodruff

ANSWERED "PRESENT"—2

Bolton Cox

NOT VOTING—83

Allen, La.	Cooley	Hess
Anfuso	Corbett	Hinshaw
Bailey	Coudert	Holifield
Baker	Crosser	Howell
Bender	Davis, Tenn.	Irving
Bentsen	Deane	Jackson, Calif.
Boggs, Del.	Denny	James
Boggs, La.	D'Ewart	Kelley, Pa.
Bolling	Eberharter	Keogh
Breen	Elston	Kerr
Brown, Ohio	Engle	Kersten, Wis.
Buckley	Granger	King
Busbey	Gregory	Lucas
Case	Hébert	McCulloch
Chatham	Heller	Marshall
Cole, N. Y.	Herlong	Mason

Miller, Calif.	Powell	Staggers
Morrison	Priest	Stockman
Morton	Rabaut	Taylor
Moulder	Redden	Teague
Mumma	Reece, Tenn.	Thomas
Murdock	Regan	Thornberry
Murphy	Rivers	Vinson
Murray, Wis.	Sadlak	Wier
Patterson	St. George	Willis
Philbin	Scott, Hardie	Wolverton
Phillips	Short	Wood, Ga.
Potter	Simpson, Pa.	

So the resolution was not agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Bender for, with Mr. Teague against.

Mrs. St. George for, with Mrs. Bolton against.

Mr. Keogh for, with Mr. Wood of Georgia, against.

Until further notice:

Mr. Philbin with Mr. Wolverton.
Mr. Herlong with Mr. Taylor.
Mr. Murphy with Mr. James.
Mr. Miller of California with Mr. Baker.
Mr. Buckley with Mr. Case.
Mr. Heller with Mr. McCulloch.
Mr. Engle with Mr. Potter.
Mr. Boggs of Louisiana with Mr. Short.
Mr. Morrison with Mr. Elston.
Mr. Vinson with Mr. Coudert.
Mr. Rivers with Mr. Cole of New York.
Mr. Staggers with Mr. Mason.
Mr. Redden with Mr. Patterson.
Mr. Gregory with Mr. Reece of Tennessee.
Mr. Holifield with Mr. Denny.
Mr. Kelley of Pennsylvania with Mr. Hess.
Mr. King with Mr. Boggs of Delaware.
Mr. Powell with Mr. Sadlak.
Mr. Priest with Mr. Simpson of Pennsylvania.
Mr. Rabaut with Mr. Phillips.
Mr. Granger with Mr. Busbey.
Mr. Eberharter with Mr. Corbett.
Mr. Deane with Mr. Morton.
Mr. Anfuso with Mr. Murray of Wisconsin.
Mr. Chatham with Mr. Stockman.
Mr. Moulder with Mr. D'Ewart.
Mr. Howell with Mr. Mumma.
Mr. Cooley with Mr. Hardie Scott.
Mr. Irving with Mr. Kersten of Wisconsin.
Mr. Wier with Mr. Hinshaw.
Mr. Davis of Tennessee with Mr. Jackson of California.

Mrs. BOLTON. Mr. Speaker, I have a live pair with the gentlewoman from New York, Mrs. ST. GEORGE. If she were present, she would vote "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. CARNAHAN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

SPECIAL ORDER GRANTED

Mr. POAGE asked and was given permission to address the House today for 10 minutes, following the legislative business of the day and any other special orders heretofore entered.

ESTATE OF OVILA P. GAUCHER

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 249) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That there shall be paid out of the contingent fund of the House of Representatives to the estate of Ovila P. Gaucher, late an employee of the House of Representatives, an amount equal to 6 months' salary at the rate he was receiving at the time of his death and an additional amount not to exceed $350 toward defraying the funeral expenses of said Ovila Gaucher.

The resolution was agreed to.

A motion to reconsider was laid on the table.

KATYN FOREST MASSACRE

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 410) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the studies and investigations, authorized by House Resolution 390, Eighty-second Congress, incurred by the Select Committee for the investigation of the Katyn Forest massacre, acting as a whole or by subcommittee, not to exceed $20,000, including expenditures for the employment of such experts, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPENSES OF COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 403) with an amendment, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the further expenses of conducting the studies and investigations authorized by clause (1)(Q) of rule XI incurred by the Committee on Un-American Activities, acting as a whole or by subcommittee, not to exceed $250,000, including expenditures for employment of such experts, special counsel, and such clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by said committee and signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia, if not otherwise engaged.

That the funds granted shall remain available for the expenses of the Committee on Un-American Activities until January 3, 1953.

With the following committee amendment:

On page 1, line 5, strike out the sum "$250,000" and insert "$100,000."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPENSES OF INVESTIGATION AND STUDIES AUTHORIZED BY HOUSE RESOLUTION 158

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 415) with an amendment, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the studies and investigations authorized by House Resolution 158, Eighty-second Congress, incurred by the Committee on Public Works, not to exceed $25,000, shall be paid out of the contingent fund of the House on vouchers authorized by such committee and signed by the chairman of the committee and approved by the Committee on House Administration.

With the following committee amendment:

Page 1, line 1, before the word "expenses" insert "further."

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

EXPENSES OF STUDY AND INVESTIGATION AUTHORIZED BY HOUSE RESOLUTION 33

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 417) and ask for its immediate consideration.

The Clerk read the solution, as follows:

Resolved, That the further expenses of conducting the study and investigation authorized by House Resolution 33 of the Eighty-second Congress, incurred by the select committee appointed to study and investigate the problems of small business, not to exceed $35,000, in addition to the unexpended balance of any sum heretofore made available for conducting such study and investigation, including expenditures for the employment of investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING EXPENDITURES FOR STUDIES BY COMMITTEE ON WAYS AND MEANS

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration I offer a privileged resolution (H. Res. 433) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That the further expenses of conducting the studies and investigations, authorized by House Resolution 78, Eighty-second Congress, incurred by the Committee on Ways and Means, acting as a whole or by subcommittee, not to exceed $150,000 in addition to the amount heretofore authorized by House Resolution 153, Eighty-second Congress, including expenditures for the employment of such experts, clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTRIC OFFICE EQUIPMENT FOR MEMBERS

Mr. STANLEY. Mr. Speaker, by direction of the Committee on House Administration I offer a privileged resolution (H. Res. 318) with amendments, and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the request of any Member, officer, or committee of the House of Representatives and with the approval of the Committee on House Administration, the Clerk of the House of Representatives is authorized and directed to purchase electric office equipment for the use of such Member, officer, or committee. The cost of such equipment shall be paid from the contingent fund of the House of Representatives.

SEC. 2. The Committee on House Administration shall prescribe such standards and regulations (including regulations establishing the types and maximum amount of electric office equipment which may be furnished to any Member, officer, or committee) as may be necessary to carry out the provisions of this resolution.

SEC. 3. Electric office equipment furnished under this resolution shall be registered in the office of the Clerk of the House of Representatives, and shall remain the property of the House of Representatives.

SEC. 4. For the purposes of this resolution, the term "Member" includes the Representatives in Congress, the Delegates from the Territories of Alaska and Hawaii, and the Resident Commissioner from Puerto Rico.

With the following committee amendments:

Line 1, following the word "That" insert "(a)."

Line 5, following the word "electric" insert the words "or mechanical."

Line 9, strike out line 9 and the remainder of the resolution.

Insert therefor the following:

"(b) Except as provided in subsection (c), the cost of electric or mechanical office equipment purchased for use in the office of a Member shall not exceed $1,500 and shall be paid from the contingent fund of the House of Representatives.

"(c) Any Member desiring electric or mechanical office equipment for use in his office in addition to the equipment purchased within the cost limitation prescribed by subsection (b) may request the Clerk of the House of Representatives to purchase such additional equipment at a cost of not to exceed $1,000. The cost of such additional electric or mechanical office equipment shall be deducted from the gross funds allocated to such Member for clerk hire.

"(d) Electric or mechanical office equipment furnished under this section shall be registered in the office of the Clerk of the House of Representatives, and shall remain the property of the House of Representatives.

"(e) As used in this section the term "Member" includes a Representative in Congress, a Delegate from a Territory, and the Resident Commissioner from Puerto Rico."

Mr. LECOMPTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LECOMPTE. Is this a privileged resolution?

The SPEAKER. The Chair would hold that this is a privileged resolution because the expenditure is out of the contingent fund of the House.

Mr. LECOMPTE. A further parliamentary inquiry, does the gentleman from Virginia control the time?

The SPEAKER. He does.

Mr. LECOMPTE. Will the gentleman from Virginia yield me 5 minutes?

Mr. STANLEY. Mr. Speaker, I yield 5 minutes to the gentleman from Iowa [Mr. LECOMPTE].

Mr. LECOMPTE. Mr. Speaker, I am unalterably opposed to this resolution, notwithstanding the fact that it has been amended in some respects. As I figure it by a hurried computation, I think this resolution could cost the taxpayers a million dollars or more.

The resolution provides for electric or mechanical equipment for each office at a cost of $1,500 to be charged to the contingent fund. If each Member asks for such equipment, and probably equipment for several committees—and it includes in addition $1,000 worth more of equipment to be paid for out of the allowance for clerk hire of each Member—that would be $2,500 worth of equipment that is provided for in this simple resolution for 435 Members and for the Delegates from Puerto Rico and Alaska and Hawaii, and perhaps for several committees. This will total over a million dollars.

I think that with the budget going up somewhere from $75,000,000 to $100,000,000; with the Congress laboring over a bill to raise more taxes, and the budget still far from balanced, that it would be a good time for Members of Congress to practice a little economy themselves. I realize that there may be some Members of Congress who have more correspondence than others, but we have gotten along with the arrangements we have, and I am unalterably opposed at this time to asking the taxpayers to take over the burden of paying for electric or mechanical equipment for 435 offices in addition to several more offices that may be included. I think the Congress can function and get through the present session without this additional equipment. I am unalterably opposed to the resolution. If the Members will ask themselves a question and do a little searching of their conscience they will find out that they can manage without this additional expenditure. If we could have the consideration of this resolution postponed for some time, and if the Members will investigate the sentiment at home, I think they will find there are a considerable number of folks who are not in favor of additional expenditures for Congress at this time.

I am opposed to this resolution, now or later, but at least let us postpone consideration until we can more carefully consider it. This is the best time I have ever seen for Congress to economize on needless expenditures.

Mr. STANLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Missouri [Mr. JONES].

Mr. JONES of Missouri. Mr. Speaker, I heard the gentleman from Iowa give a rough computation with reference to the cost of this equipment. Does the chairman of the committee have some figures on the cost of this equipment and what the final figure will be?

Mr. STANLEY. If every Member bought all of the equipment he could it would be $1,080,000.

Mr. JONES of Missouri. Does that include the amount that will be taken out of the contingency fund, plus the amount that would be taken from the Members' clerk allowance?

Mr. STANLEY. That is correct.

Mr. JONES of Missouri. Mr. Speaker, I think the House is making a mistake in acting on this resolution today calling for this expenditure of money. We should study the resolution and what the effects of it will be. Copies of the resolution and the proposed amendment are not available to the membership. I know most of us, when we see someone else get something, say that we want it too, regardless of whether we need it or not.

There are probably a lot of offices around here that need this electrical equipment and I would not want to keep anyone who needs it from having it. There are many of us who do not need this equipment and I think it might be better for the committee to study the possibility of accomplishing some economy by providing a central office for turning out mimeographed letters or any other means of duplication or reproduction that you might prefer. I think upon reflection this House would find it could accomplish the end without expending all of this money, and at a time when this equipment is in short supply, as I understand it, and at a time when we are trying to economize.

I do not like to be contentious about these things, but I do feel that this should be submitted to a vote and, personally, if the chairman does not want to carry this resolution over I am going to be constrained to ask for a roll call vote on the resolution.

Relatively speaking, $1,000,000 is not a large appropriation. But personally, I do not like to see any amount of money wasted by this House. I know from experience, and from talking with other Members, that some of us have purchased with our own funds some of the equipment authorized by this resolution, only to find that we are not getting the maximum amount of use out of the equipment, and we would not repeat our mistake. However, I dare say there will be few of us who will resist the opportunity and temptation to have the maximum amount of this equipment installed in our offices, regardless of how little need we have for it, if this resolution is adopted.

While I have not had an opportunity to read the resolution, from the explanation given by the gentleman from Virginia, and from hearing the clerk report the bill, I got the impression that the authorization was for the purchase of any electrical mechanical office equipment, which would include a variety of contraptions. A beverage cooler or an "office model" electrical refrigerator, would I believe, come within the scope of this resolution, and I do not think we would have to stretch the interpretation too far to include a radio or television set. Surely every office needs an electrically operated pencil sharpener. At least an enterprising salesman should have no difficulty in seeing that each Member spends the entire amount that he is allowed under the resolution. And

with a pair of electrically operated barber's clippers, we would have less reason to complain that another body has the advantage of free haircuts. In any event we will know it is the taxpayer who is getting clipped to the tune of more than a million dollars which could be saved.

Mr. STANLEY. Mr. Speaker, I yield 3 minutes to the gentleman from California [Mr. ANDERSON].

Mr. ANDERSON of California. Mr. Speaker, I regret that I must disagree with my colleague from Iowa and the gentleman who just spoke. I have served in this body for 13 years and I have always maintained that we are penny-wise and pound-foolish as far as taking care of our own office equipment is concerned.

The responsibilities of a Member of Congress in the last 12 years have increased tremendously, yet we have had no increase in our office equipment. The population of my congressional district has almost doubled and it is utterly impossible for me to keep up with the tremendous volume of correspondence that comes into my office without some sort of mechanical help. I do not believe the citizens I represent would want me to pay money out of my own pocket in order to properly serve their needs.

I sincerely hope on sober reflection and on second thought the gentlemen who originally opposed this resolution today will see fit to support it. I hope if a roll call is had that it will be passed overwhelmingly because you and I know in this day and age the Congress of the United States, sitting as the board of directors of the biggest business in the world, must have the necessary and sufficient equipment and a clerical staff to do the job and do it well.

Mr. H. CARL ANDERSEN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of California. I yield to the gentleman from Minnesota.

Mr. H. CARL ANDERSEN. If a Member feels he does not need the equipment he does not have to apply for it, does he?

Mr. ANDERSON of California. He does not have to apply for it, certainly not.

Mr. POULSON. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of California. I yield to the gentleman from California.

Mr. POULSON. It is stated that this equipment will last 10 years. If it does and costs $1,000,000, on the basis of a life of 10 years, that involves an expenditure of only $100,000 a year and the equipment still belongs to the Government, while at the same time it increases the efficiency of the Members' offices and, as the gentleman says, we should not approach this problem in a short-sighted manner.

Mr. ANDERSON of California. The gentleman is correct.

Mr. HORAN. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of California. I yield to the gentleman from Washington.

Mr. HORAN. Most of us spend additional money now over and above our allowance for letters that are mechanically typed.

Mr. ANDERSON of California. Almost every Member of the House is out of pocket for the mechanical work he has to have done in the minority or majority room.

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON of California. I yield to the gentleman from Texas.

Mr. POAGE. Have we heard any such complaint about providing equipment for the executive branch of the Government, the administrative agencies of Government? Have we heard anybody get up here and complain about money to buy mechanical equipment for the various Government offices?

Mr. ANDERSON of California. As a matter of fact, as the agencies expand we supply them with more and more equipment.

Mr. POAGE. Does not the gentleman think the work of the Congress is just as important as the work of the administrative agencies?

Mr. ANDERSON of California. Far more important today.

I am not asking for free haircuts such as they have in another body because I am not interested in them. I do not need one very often and there are a few other Members of the House, including the present occupant of the chair, who are in the same fix. I don't ask for free lunches, luxuries, or unnecessary perquisites. All I ask is that we have the staff and the equipment necessary to do our jobs.

Mr. STANLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT of Florida. Mr. Speaker, I regret to oppose an apparently constructive, progressive measure. The chief reason why I oppose this resolution is that, as far as I know, it would cause a waste of money. I have not been able to get a copy of the resolution. I sent for one, and they did not have a copy they could give me, so I have not had an opportunity to read it.

I think the acquiring of such mechanisms could be valuable to some offices. I have a district which has over 500,000 people in it. I bought one of these machines myself about 2 years ago. I think it serves some useful purpose, but I do think that not even half the Members of Congress could profitably use this machine.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Florida. I yield.

Mr. HAYS of Ohio. This resolution does not specify any particular machine. It could be a dictaphone or anything the Member thinks would serve his purpose in his particular office.

Mr. BENNETT of Florida. I think this resolution is primarily designed to get these particular machines. If I had a copy of the resolution I could tell better about it. I want to see to it that everybody is not going to get something that somebody just thinks would be good for them, but that would just sit around their offices and collect dust. I do not want to cut down on the Members getting good equipment that might be used to advantage by many of the Members, but I do not want to see the equipment wasted and stand around unused in any office.

Mr. SITTLER. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Florida. I yield to the gentleman from Pennsylvania.

Mr. SITTLER. It is at the option of the members to get this equipment. This is not foisted upon a Member or given to him without his consent, he gets it with the approval of the House.

Mr. BENNETT of Florida. Is there going to be any device provided so that everybody will not simply rush in and get one? I put out about $1,500 for one. I thought it was that good. But when I got it I found it was not that good. I found my office staff did not want to use it. I find that it gathers dust. I do not use it more often than once in 2 or 3 months if that often. It has been almost a total waste to me.

Mr. WILLIAMS of Mississippi. Mr. Speaker, will the gentleman yield?

Mr. BENNETT of Florida. I yield.

Mr. WILLIAMS of Mississippi. I may say that I also paid about $1,500 for one of them and I could use another one. Mine stays busy all the time, and I stay right behind in answering my mail.

Mr. BENNETT of Florida. I personally would like to see this thing go over and let it be studied a little more carefully to see to it that we do not encourage Members to procure equipment which they are ultimately not going to want, but which they think now they may want. That is my only objection. I have no objection to getting any amount of equipment that will be helpful and that will help the Members perform their duties to their constituents. What I do not want to see is any Member procuring equipment which will ultimately be a waste and which will not result in any benefit to our country.

Mr. STANLEY. Mr. Speaker, I yield 2 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON. Mr. Speaker, I am one of those who favor the resolution. This resolution provides not just equipment like high speed automatic machines about which our friend from Florida spoke. This authorization might be used for modern electric typewriters, which of course can type better and do better work, and which makes the work easier for the hard-pressed clerks in the Congressman's office. In addition, as has been said, it can be dictaphones or any sound-recording equipment, or it might be a machine to make plates that might have your various lists, or to address lists automatically, seal envelopes, or any useful office equipment that in the Member's judgment will expedite congressional work. So if you have items that are interesting to various groups in your district you can send out information that will bring your district up to date, and abreast of the issues.

I think it should always be borne in mind that we should depend upon the integrity of the Member when he decides whether or not he needs the equipment. He alone knows the workload he has in his office. This resolution leaves it

up to each Member to decide what will best serve his constituents.

There are those of us who have spent much on electrical equipment. I have spent about $1,500. I bought one of these Robotypers and electric typewriter, and also have a converter for my Washington office.

The difference in congressional districts should be taken into consideration. I am from a district where I think everybody was born with either a pen or a pencil in his right hand and my address in his left hand, because on the question that has just been before the House today, I have extra help in order to take care of 3,000 unanswered letters on that one issue, all coming from the southern part of Pittsburgh and Allegheny County.

There are sleeper districts in the United States, there is no doubt about it. There are, I am afraid, some people who like their districts to be quiet. But if a Congressman wants to give good service to his district, and if he wants to bring the issues to their attention, and dares to do so, the Congressman will need and will want the modern equipment that will help him to do a good office job. I think the Congress ought to vote for the resolution. It is not wasted money to do good, efficient work. It is not wasted money to bring these vitally important current issues and your views to the attention of your constituents. It is in the interest of the United States that your constituents should know the issues, and it is in the interest of the United States for you Congressmen to have the respect and integrity to decide whether you individually need this equipment or not. I, for one, will look carefully to see whether I need the equipment, and to see to it that there is no waste. My office secretaries and clerks are a hard-working and efficient group, and put in much overtime work, giving good service to our district. We all take a matter of personal pride in our faithful loyalty to the good people who have placed such confidence in us, and who come to us on so many of their personal problems with this vast and intricate Federal Government of ours.

The SPEAKER. The time of the gentleman has expired.

Mr. STANLEY. Mr. Speaker, this is a question that the Committee on House Administration has had under consideration for a long time. It had this under consideration during the Eighty-first Congress, and reported a resolution which provided that members might purchase a certain amount of electrical equipment out of the money appropriated for their clerk hire. There was some objection to that resolution, and it was withdrawn and never brought back to the floor again. So, for this entire Congress, the committee has had this matter under consideration. We have had many requests for some funds to be made available for the purchase of electrical office equipment. The committee, I think, was almost unanimous with the exception of the gentleman who spoke against it, a member of the committee, the gentleman from Iowa [Mr. LECOMPTE]. As I say, the committee was almost unanimous in believing that this should be made available to the Members of the House. It is just in keeping with equipment which is in most all well operated, and well regulated offices. We are living in a day of machines and have for a long time been living in a machine age, and in order to be able to compete with those who do similar business, you must have this kind of equipment to operate with.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. FULTON. Naturally, the Members themselves, the men and women who are Members of this House, should look at the wear and tear on the human machine. We of Pennsylvania have lost three Congressmen within 4 months this year, and largely from things that were caused by overwork. The Members should think of themselves too.

Mr. STANLEY. The committee feels that the provision to make available to each Member the sum of $1,500 for this equipment out of the contingent fund is reasonable. Then, the committee further thought that if any Member felt an additional need, he could have clearance for the purchase of additional equipment out of any saving he might have from his clerk hire allowance up to $1,000.

Mr. CRAWFORD. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. CRAWFORD. Is this electrical equipment referred to connected with direct or indirect current motors?

Mr. STANLEY. It is made to run on the current we now have, which is direct current here in the House.

Mr. CRAWFORD. If the current is changed, as I understand that work is now being done in the building, what then?

Mr. STANLEY. We are told that they have converters and either current may be used. So the machine would not become obsolete in case they were brought to be used on direct current. They could be used on alternating current later.

Mr. JONES of Missouri. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. JONES of Missouri. Mr. Speaker, to buy the converters would be an additional expense. If the current was later changed to alternating current, within a year let us say, then all of these converters would be surplus equipment and would have no value.

Mr. STANLEY. I am informed that there would be no additional expense as the machines are originally furnished complete, adapted to the type of electric power available.

Mr. JONES of Missouri. Certainly, it would be an additional expense. The converter is a special piece of equipment which comes on the line between the direct current which we have to convert to alternating current. I have one in my office to use on a tape machine, and I paid sixty-and-some-odd dollars for it. That would be out and of no use if the current were changed.

Mr. HAYS of Ohio. Mr. Speaker, will the gentleman yield?

Mr. STANLEY. I yield.

Mr. HAYS of Ohio. This particular equipment is not made with converters, but it is made with direct-current motors. There is a great demand for them because anything that runs from a battery practically has to use it. If this building should be changed to alternating current, it would simply be a proposition of changing the motor to an alternating-current motor, and then the direct-current motors could be disposed of with practically no loss at all.

Mr. JONES of Missouri. You mean the companies who would furnish this electrical equipment agree to change them over without any charge after we purchase them?

Mr. HAYS of Ohio. They have so stated to the committee.

Mr. STANLEY. Mr. Speaker, I have no further requests for time.

The SPEAKER. The question is on the committee amendments.

The amendments were agreed to.

CALL OF THE HOUSE

Mr. HAYS of Ohio. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently, no quorum is present.

Mr. MANSFIELD. 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. 187]

Allen, La.	Fallon	Murray, Wis.
Anfuso	Garmatz	Passman
Baker	Granahan	Patterson
Barrett	Green	Philbin
Bender	Gregory	Potter
Bensen	Hart	Powell
Boggs, Del.	Havenner	Priest
Boggs, La.	Hébert	Rabaut
Bolling	Heller	Ramsay
Breen	Herlong	Redden
Brehm	Herter	Reece, Tenn.
Brown, Ohio	Hess	Regan
Buchanan	Hinshaw	Richards
Budge	Holifield	Rivers
Busbey	Howell	Sadlak
Case	Irving	St. George
Chatham	Jackson, Calif.	Scott, Hardie
Cole, N. Y.	James	Seely-Brown
Combs	Kelley, Pa.	Shafer
Cooley	Keogh	Short
Corbett	Kersten, Wis.	Simpson, Pa.
Coudert	Lucas	Staggers
Crosser	McConnell	Stockman
Davis, Tenn.	McCulloch	Taylor
Dawson	Mason	Thornberry
Deane	Meader	Vinson
D'Ewart	Miller, Calif.	Watts
Dingell	Miller, Nebr.	Wier
Durham	Morano	Willis
Eaton	Morrison	Wilson, Ind.
Eberharter	Morton	Wood, Ga.
Ellsworth	Moulder	Wood, Idaho
Elston	Mumma	
Engle	Murphy	

The SPEAKER. On this roll call, 330 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

ELECTRIC OFFICE EQUIPMENT FOR MEMBERS

Mr. JONES of Missouri. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. JONES of Missouri. I should like to know if it would be in order to ask that this resolution be again read, together

with the amendment which has been adopted, in order that the Members may know what we are voting on.

The SPEAKER. By unanimous consent.

Mr. STANLEY. I make that request, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk again read the resolution, as amended.

The SPEAKER. The question is on the resolution.

Mr. JONES of Missouri. Mr. Speaker, I offer a motion to recommit.

The Clerk read as follows:

Mr. JONES of Missouri moves that House Resolution 318 be recommitted to the Committee on House Administration.

Mr. STANLEY. 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 Missouri [Mr. JONES].

The question was taken; and on a division (demanded by Mr. JONES of Missouri) there were—ayes 44, noes 154.

Mr. HOFFMAN of Michigan. 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. The gentleman from Michigan [Mr. HOFFMAN] makes the point of order that a quorum is not present. The Chair will count. [After counting.] Two hundred and fifty-eight Members are present, a quorum.

Mr. HOFFMAN of Michigan. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were refused.

So the motion to recommit was rejected.

The SPEAKER. The question is on agreeing to the resolution.

Mr. HOFFMAN of Michigan. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

The question was taken; and on a division (demanded by Mr. JONES of Missouri), there were—ayes 181, noes 65.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

PRIVILEGE OF THE HOUSE

Mr. LANHAM. Mr. Speaker, I rise to a question of the privilege of the House.

I have been subpenaed to appear before the District Court of the United States for the District of Columbia, to testify on October 3, 1951, at 10 a. m., in the case of the United States against William L. Patterson, which is a congressional contempt proceeding. Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send to the desk the subpena.

The Clerk read as follows:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA v. WILLIAM L. PATTERSON, NO. CRIMINAL 1787-50

To Hon. HENDERSON L. LANHAM of Georgia, *House Office Building:*

You are hereby commanded to appear in the United States District Court for the District of Columbia at United States District Court House in the city of Washington, D. C., on the 3d day of October 1951, at 10 o'clock a. m. to testify in the cast of the *United States* v. *William L. Patterson, defendant.*

HARRY M. HULL, *Clerk.*
By C. J. RUMSEY, *Deputy Clerk.*

Mr. MANSFIELD. Mr. Speaker, I offer a resolution (H. Res. 442).

The Clerk read as follows:

Whereas Representative HENDERSON LANHAM, a Member of this House, has been served with a subpena to appear as a witness before the District Court of the United States for the District of Columbia, to testify at 10 a. m. on the 3d day of October 1951, in the case of the *United States* v. *William L. Patterson*, Criminal Docket No. 1787-50; and

Whereas by the privileges of the House no Member is authorized to appear and testify but by order of the House: Therefore be it

Resolved, That Representative HENDERSON LANHAM is authorized to appear in response to the subpena of the District Court of the United States for the District of Columbia in the case of the *United States* v. *William L. Patterson* at such time as when the House is not sitting in session; and be it further

Resolved, That a copy of this resolution be submitted to the said court as a respectful answer to the subpena of said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. O'HARA. Mr. Speaker, I rise to a question of the privilege of the House.

I have been subpenaed to appear before the District Court of the United States for the District of Columbia, to testify on October 3, 1951, at 10:30 a. m., in the case of the United States against William L. Patterson, which is a congressional contempt proceeding. Under the precedents of the House, I am unable to comply with this subpena without the consent of the House, the privileges of the House being involved. I, therefore, submit the matter for the consideration of this body.

Mr. Speaker, I send to the desk the subpena.

The SPEAKER. The Clerk will read the subpena.

The Clerk read as follows:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA v. WILLIAM L. PATTERSON, NO. CRIMINAL 1787-50

To Hon. JOSEPH P. O'HARA, of Minnesota, *House Office Building:*

You are hereby commanded to appear in the United States District Court for the District of Columbia at United States District Court House in the city of Washington, D. C., on the 3d day of October 1951, at 10:30 a. m. to testify in the case of the *United States* v. *William L. Patterson, defendant.*

HARRY M. HULL, *Clerk.*
By C. J. RUMSEY, *Deputy Clerk.*

Mr. MANSFIELD. Mr. Speaker, I offer a resolution (H. Res. 443).

The Clerk read as follows:

Whereas Representative JOSEPH P. O'HARA, a Member of this House, has been served with a subpena to appear as a witness before the District Court of the United States for the District of Columbia, to testify at 10:30 a. m., on the 3d day of October 1951, in the case of the *United States* v. *William L. Patterson*, Criminal Docket No. 1787-50; and

Whereas by the privileges of the House no Member is authorized to appear and testify, but by order of the House: Therefore be it

Resolved, That Representative JOSEPH P. O'HARA is authorized to appear in response to the subpena of the District Court of the United States for the District of Columbia in the case of the *United States* v. *William L. Patterson* at such time as when the House is not sitting in session; and be it further

Resolved, That a copy of this resolution be submitted to the said court as a respectful answer to the subpena of said court.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ADJOURNMENT OVER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourns to meet at 12 o'clock noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

INTERIM AUTHORITY TO THE CLERK AND THE SPEAKER

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next the Clerk be authorized to receive messages from the Senate and the Speaker be authorized to sign bills and joint resolutions passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

CHANGED PROGRAM FOR WEEK OF OCTOBER 1

Mr. MARTIN of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. MARTIN of Massachusetts. Mr. Speaker, I take this time for the purpose of inquiring about some changes which I understand have been made in the program for next week.

Mr. McCORMACK. It has been agreed upon among the leadership—I think that is correct.

Mr. MARTIN of Massachusetts. That is correct.

Mr. McCORMACK. It has been agreed that on Thursday we will call up the bill (H. R. 3669) amending the Railroad Retirement Act, call it up for general debate, at least, with the understanding that any vote on the bill will go over until the next day, Friday.

Thereafter House Resolution 426, providing for certain studies of the Railroad Retirement Act, will be in order.

In the light of the above changes I am programing S. 1335 to adjust the

weight and size limit of fourth-class mail packages for Wednesday. If for any reason this bill does not come up Wednesday, it will then follow H. R. 3669 and House Resolution 426.

If any legislation comes out that is in order in connection with the Missouri flood situation, I shall program that for Wednesday. If it is not ready for Wednesday I will consider that legislation of vital importance. I shall have to have flexibility in relation to the program to put it ahead of some of the other bills. I am hopeful it will be in order by Wednesday so that the House may consider it. Any other changes will be announced as soon as possible. But the leadership wanted to announce to the House the change in connection with the bill amending the Railroad Retirement Act from Wednesday to Thursday and that the final vote will be on Friday.

Mr. JUDD. Can the gentleman tell us when it is probable that the conference report on the Mutual Security Act will be considered?

Mr. McCORMACK. If in order, I expect that to come up on Wednesday. I expect that I shall ask permission that the House meet early on Wednesday. It is according to what the legislative situation is at that time. If the conference report is agreed to by the other body and is in order it will come up Wednesday at the earliest possible moment.

Mr. STEFAN. I did not quite understand about the Railroad Retirement Act. Will that come up and be considered on Thursday, but no vote until Friday?

Mr. McCORMACK. That is the present plan.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a joint resolution of the House of the following title:

H. J. Res. 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes.

The message also announced that the Vice President has appointed Mr. JOHNSTON of South Carolina and Mr. LANGER, members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 52–7.

The SPEAKER. Under previous order of the House, the gentleman from North Dakota [Mr. BURDICK] is recognized for 25 minutes.

THE POWER TO DECLARE WAR HAS BEEN TAKEN FROM CONGRESS, IF THE UNITED NATIONS IS NOT SET ASIDE

Mr. BURDICK. Mr. Speaker, while the Constitution of the United States, section 8, article I, says the power of declaring war is a duty and responsibility of Congress, this wise provision has been set aside and it is doubtful if Congress will ever again have any power or authority over whether or not this country shall enter a war.

The Charter of the United Nations, as approved by the Senate, has stripped Congress of this power. The Charter provides:

Article 43: 1. All members of the United Nations, in order to contribute to the maintenance of international peace and security, undertake to make available to the Security Council, on its call and in accordance with a special agreement or agreements, armed forces, assistance, and facilities, including rights of passage, necessary for the purpose of maintaining international peace and security.

2. Such agreement or agreements shall govern the numbers and types of forces, their degree of readiness and general location, and the nature of the facilities and assistance to be provided.

3. The agreement or agreements shall be negotiated as soon as possible on the initiative of the Security Council. They shall be concluded between the Security Council and members or between the Security Council and groups of members and shall be subject to ratification by the signatory States in accordance with their respective constitutional processes.

Article 44: When the Security Council has decided to use force it shall, before calling upon a member not represented on it to provide armed forces in fulfillment of the obligations assumed under article 43, invite that member, if the member so desires, to participate in the decisions of the Security Council concerning the employment of contingents of that member's armed forces.

Article 45: In order to enable the United Nations to take urgent military measures, members shall hold immediately available national air force contingents for combined international enforcement action. The strength and degree of readiness of these contingents and plans for their combined action shall be determined, within the limits laid down in the special agreement or agreements referred to in article 43, by the Security Council with the assistance of the Military Staff Committee.

Article 46: Plans for the application of armed force shall be made by the Security Council with the assistance of the Military Staff Committee.

Article 47: 1. There shall be established a Military Staff Committee to advise and assist the Security Council on all questions relating to the Security Council's military requirements for the maintenance of international peace and security, the employment and command of forces placed at its disposal, the regulation of armaments, and possible disarmament.

2. The Military Staff Committee shall consist of the Chiefs of Staff of the permanent members of the Security Council or their representatives. Any member of the United Nations not permanently represented on the committee shall be invited by the committee to be associated with it when the efficient discharge of the committee's responsibilities requires the participation of that member in its work.

3. The Military Staff Committee shall be responsible under the Security Council for the strategic direction of any armed forces placed at the disposal of the Security Council. Questions relating to the command of such forces shall be worked out subsequently.

4. The Military Staff Committee, with the authorization of the Security Council and after consultation with appropriate regional agencies, may establish regional subcommittees.

Article 48: 1. The action required to carry out the decisions of the Security Council for the maintenance of international peace and security shall be taken by all members of the United Nations or by some of them, as the Security Council may determine.

2. Such decisions shall be carried out by the members of the United Nations directly and through their action in the appropriate international agencies of which they are members.

Article 49: The members of the United Nations shall join in affording mutual assistance in carrying out the measures decided upon by the Security Council.

Article 50: If preventive or enforcement measures against any state are taken by the Security Council, any other state, whether a member of the United Nations or not, which finds itself confronted with special economic problems arising from the carrying out of those measures shall have the right to consult the Security Council with regard to a solution of those problems.

Article 51: Nothing in the present Charter shall impair the inherent right of individual or collective self-defense if an armed attack occurs against a Member of the United Nations, until the Security Council has taken the measures necessary to maintain international peace and security. Measures taken by Members in the exercise of this right of self-defense shall be immediately reported to the Security Council and shall not in any way affect the authority and responsibility of the Security Council under the present Charter to take any time such action as it deems necessary in order to maintain or restore international peace and security.

We could have legally entered the Korean war according to the United Nations Charter if the President had followed the provisions of the Charter of the United Nations, but he did not do that—he sent the troops of the United States into Korea without following the Charter and several hours before the United Nations took any action at all in the matter. The United Nations followed the President.

Congress was again stripped of the power to declare war when the Atlantic Pact was passed, for this provides, in relation to actual war, that when any of the nations who have signed the pact are attacked it is deemed an attack against all, and it is the duty of this country forthwith to go to the rescue of the nation attacked. No declaration of war is necessary, as that obligation of Congress was given away in the passing of the pact.

From careful reading of these provisions, this Nation, as a member, has already pledged itself to immediately offer troops and equipment to enter a war, without the consent of Congress. The number of troops, the kind of troops and kind of equipment, are fixed by special agreements with the Security Council, and upon call of the United Nations these forces go into action, without further consulting Congress.

In the Korean war, the President erred in entering it so fast, as no special agreements had been made, and our entry was before the United Nations ordered intervention. But that is not so material, because the President could have entered into this special agreement as to troops, and they would have been called to fight when ordered by the Security Council.

What we have done, by accepting that Charter, is to take away from Congress

the power to say when our troops shall engage in war.

Even in the defense of our own country, where an invasion occurs, we can take initial action, but must report what we have done to the Security Council; and our action shall not in any way affect the authority of the Security Council to take such action as it may determine in our case. In other words, the defense of this country, at any time, is taken away from us and delivered lock, stock and barrel, to the Security Council. Our historic right of self-defense, in any manner we choose to exercise it, is gone.

When we have made these special agreements with the Security Council to furnish troops and equipment, the amount and kind, they shall be subject to ratification by the signatory States in accordance with their respective constitutional processes. That provision suggests that Congress will have the right to approve these agreements, but since the agreements have already been entered into, and perhaps a war has been started, Congress is in no position to say "No." In the Korean war the President not only failed to make any special agreements, so there was nothing to submit to Congress, but he failed to even advise Congress what was contemplated. From our own conduct in this Korean war, you can see how the constitutional provision making a declaration of war the duty of Congress, has been circumvented.

Can you think of a single case in the future of this country when Congress will determine whether or not we enter a conflict? That power has been turned over to the Security Council or the United Nations.

What about the Atlantic Pact and the power of Congress to declare war? Article 5 of the North Atlantic Pact provides:

> The parties agree that an armed attack against one or more of them in Europe or North America shall be considered an attack against them all; and consequently they agree that, if such an armed attack occurs, each of them, in exercise of the right of individual or collective self-defense recognized by article 51 of the Charter of the United Nations, will assist the party or parties so attacked by taking forthwith, individually and in concert with the other parties, such action as it deems necessary, including the use of armed force, to restore and maintain the security of the North Atlantic area.

It will thus be seen that in approving the North Atlantic Pact the Congress gave away its power to declare war. As soon as an armed attack is made against one of the parties to the pact, we agree forthwith to enter into such conflict, without any further action by Congress. This is a delegation of power not authorized by the Constitution. The President is not to blame for the transfer of this power of Congress, but Congress itself is to blame by passing the act. Members of Congress who voted for this pact cannot now be heard to complain because the power to declare war has been taken away from Congress.

Here is seen a perfect example of the scheme and plan to build in the world a supergovernment at the expense of the sovereign power of the states composing the United Nations. In every field of endeavor of the United Nations can be seen this design and plan to strip the United States of its soverign power as a great government. According to this scheme, we are to be a state in a great nation of states, with our destiny not shaped by ourselves, but by a supergovernment. Our Government, our educational system, our trade and commerce, our own domestic laws, the control of our Armies, Navies, and Air Forces are to be given completely to this super-world-government, all in the name of preserving peace. Is that the kind of peace the builders of this great Nation want? Is peace so sweet that we are willing to be made slaves in order to obtain it?

The tragedy in the surrender of our individual liberties and the dissolution of this great sovereign Nation lies in the fact that under our own system we have become the leader among nations; we have grown powerful and prosperous; we feed the world; our school system, our means of disseminating information through the press, books and the radio, make available to the people knowledge that no other government offers or will permit. The encouragement given science and invention by our educational systems and direct appropriations from Congress has made us an outstanding leader in that field. In other words, our Nation has become the beacon light of liberty to all countries.

Are we meekly to surrender this great achievement in government in the name of peace?

Another tragedy is that a great number of good people are giving their efforts to build this so-called superior power. We should not let the desire for a pictured peace lead us astray. Everybody wants peace, but it can't be obtained for us if we are to lose our great sovereign power. We have made two fatal attempts to build world peace, and are now making the third attempt.

We entered World War I to make the world "safe for democracy," but when it ended democracy was safe nowhere. We entered World War II for the four freedoms, freedom from fear being the cardinal one. When the war ended fear seized the people everywhere. In the Korean war we proposed to stop communism and liberate people who desire freedom, but when we get through we may find that we have brought some freedom to others but have lost our own.

Peace is so hoped for by all common people in the world that almost anything can be done in the name of peace. As important as peace is, it is not as important as liberty. Liberty is the greatest gift of the Almighty, and we should be willing to fight for it—not humbly submit to a compromised liberty in the name of peace. Our New England ancestors wanted peace. They fled Europe to obtain peace, but when they attended church here they carried a Bible under one arm and a shotgun under the other.

We are not worthy to be their sons if we are afraid to stand up for liberty.

There are three ways we can escape the powers of the United Nations in seeking to build a world government and take away the sovereign powers of the United States.

First. Test the constitutionality of the court's decision in the Fujii case, which will bring up the question of whether or not the approval of the Charter of the United Nations by the President and the Senate was a constitutional act. In my opinion the approval was unconstitutional, as from time immemorial in our life as a Nation a treaty has always been construed as an undertaking between nations. It has never been recognized that any treaty ever made, or to be made, could affect the constitutions and laws of the contracting nations. It has always been held to be an agreement between nations, taking the nations as they exist individually at the time of the agreement. Here, in the case of the approval of the United Nations Charter, the Federal circuit court in the State of California interprets the treaty as authority for setting aside a State law. No such power in a treaty was ever before recognized in this country.

It would appear that the approval of a treaty that does, in effect, concern itself with the repeal of State laws, and has nothing to do with relations between the contracting parties as they existed at the date of the approval of the treaty, is clearly unconstitutional.

The power of the President, with the approval of the Senate, to make a treaty at all, is derived from the Constitution. Hence can it be said that an act derived from the Constitution can destroy the Constitution itself? The unconstitutionality of the approval of the Charter is so clearly discernible that further argument seems unnecessary. The Constitution itself provides the manner in which the Constitution can be changed. Hence any attempt to change it by indirection through any carefully worded treaty is clearly not authorized, and any attempt to do it is unconstitutional.

Second. If a treaty is an agreement between nations, what nation did we undertake to make a treaty with when we approved the Charter of the United Nations? None of the nations that existed at the time the Charter of the United Nations was presented to the United States for approval was a party. There was no party to the contract with us except the United Nations, which, from its very origin, could not be a separate entity capable of contracting by treaty. So far as the United States is concerned, the United Nations never came into being until we approved its Charter. When its Charter was approved by the 60 nations, then the United Nations came into being so far as those nations are concerned; not as a nation with treaty-making powers, but as an agency of all the nations forming it.

Therefore, its Charter could not be approved in the way treaties are made, but the approval of such an agency could be made by an act of Congress, the same as all other agencies are created. Here in the United States this was not done. Hence our pretended approval of the Charter was unconstitutional and void. Since this is true, Congress can, by an act, declare it void and of no effect in the United States.

Third. To escape the provisions of the Charter of the United Nations, the Congress of the United States can pass an act withdrawing from that organization.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman stated that "whenever it is necessary." Does the gentleman mean whenever they think it is necessary?

Mr. BURDICK. That is right. Everything is left to the judgment of the Security Council.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Michigan.

Mr. HOFFMAN of Michigan. The gentleman has made several very remarkable contributions on this same subject. I would like to ask the gentleman this question: Our men are now fighting to contain communism, several hundred thousand of them, as the gentleman mentioned, to prevent the Communists from destroying this Republic. Here in America we are trying to prevent them from destroying it by force, prosecuting them and sending them to jail. What is the difference in principle between those Communists who would destroy this Government by force and those who, like former Chief Justice Roberts and that group, would have us surrender our independence, as you have pointed out, to the United Nations? Is not the effect practically the same?

Mr. BURDICK. No. The latter is more dangerous.

Mr. HOFFMAN of Michigan. Because we do not sense it?

Mr. BURDICK. Because we do not sense it. The latter is more dangerous because they work without our knowledge. You can take care of the enemies you can see, but you cannot always take care of those you do not see.

Mr. LYLE. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield to the gentleman from Texas.

Mr. LYLE. The gentleman touches a point that gravely concerns most of the Members of this body. I know he has given a lot of thought to it. I am sure it was not with a conscious intention of a single Member of this body when he voted upon these various matters, or in the other body, that we would subject the laws of our State and our Government to the whims of the United Nations. Certainly we did not intend for the creature to overpower the creator. The gentleman has studied the problem; does he have suggestions upon which we may act that would be a safeguard to our States and our Nation that our laws will not be invaded?

Mr. BURDICK. I thank the gentleman for his question, because that is material, what to do about it. Here is what you can do about it: When that charter was approved by the United States Senate when the United Nations was incapable of making a treaty it was unconstitutional and void; all you have to do is to pass an act of Congress saying so and you are out of it. They could have created the United Nations for the purpose of protecting the peace by an act of this Congress, which is the way other agencies are set up; but they did not do that.

Mr. LYLE. Mr. Speaker, will the gentleman yield right there?

Mr. BURDICK. I yield.

Mr. LYLE. Does the gentleman think it would be feasible to withdraw altogether? As I gathered a moment ago the gentleman felt that the most plausible and feasible step would be to take such action as would insure that our local laws and our Constitution would not be vitiated or violated rather than to withdraw entirely from this worthy purpose of creating a forum whereby the problems of the world might be settled peacefully.

Mr. BURDICK. I would withdraw from the construction that the United Nations have put upon that approval; and I would not be opposed to gathering the same nations together for the purpose of acting as our agents to preserve the peace of the world; I would agree with that.

Mr. HAYS of Arkansas. Mr. Speaker, will the gentleman yield?

Mr. BURDICK. I yield.

Mr. HAYS of Arkansas. I am very glad the gentleman has in his remarks pointed out this weak place in the structure of the United Nations. That is a matter that has distressed many of us. It is nevertheless correct that there is this structural weakness. I believe the gentleman from North Dakota will be interested in knowing that a subcommittee of the Committee on Foreign Affairs is now studying very diligently this very problem which he has called to the attention of the House.

Mr. BURDICK. I want to thank the gentleman for his contribution. I may say in passing that I presume there are a great many people who think I am pretty severe on this organization, but I cannot remain silent when the sovereign power of this Republic is threatened.

The SPEAKER. The time of the gentleman from North Dakota has expired.

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Georgia [Mr. LANHAM] is recognized for 20 minutes.

THE INTEGRITY OF THE LEGISLATIVE AND ADMINISTRATIVE BRANCHES OF GOVERNMENT

Mr. LANHAM. Mr. Speaker, at the outset I want to say that I had no information that the President would send down today the message he did; and, certainly, I had no knowledge of its contents. What I shall say is an approach to the same problem discussed by the President, but from a different angle. This is not in any sense, of course, an answer to the President's message; because, as I say, I knew nothing about it when I prepared what I shall say.

I think the President is right when he says there is a determined effort and a movement to discredit not only the administration, but the Congress, and I regret that as much as the President does.

What the President proposes, and I have not had time to study it or to really make up my mind about whether it is sound or not, but what the President proposes might help in the future.

But what I am going to talk about is what has already happened, and I want to emphasize the fact that the things that have been happening in Washington have given ammunition to those people who are seeking to discredit the administration and discredit the Congress.

Mr. Speaker, you and the Members of the House are well aware of my loyalty to the Democratic Party. I have voted consistently for the party program when I could conscientiously do so; for I believe that party responsibility is a necessary element in our democratic government. I have not been in favor of the extension of the welfare state, although I have not and do not now condemn as socialistic every proposal made for the welfare of the people as a whole. As our distinguished majority leader, the Honorable JOHN MCCORMACK, of Massachusetts, has so well said, many of these programs are nothing more than dynamic democracy in action.

My belief is that, as John Temple Graves has said, the New Deal has been dealt, and that any further major extension of the welfare state would result in the destruction of the spirit of self-dependence of our people, and take away some of their personal initiative. But I have voted for adequate funds for the continuation of those features of the New Deal program—which, by the way, I am sure saved us from communism or socialism during the dark days of the depression of the thirties—which have become an accepted part of our social and economic life; and which few now would propose to repeal.

When Mr. Truman made his brave, spectacular, and victorious fight for the Presidency against overwhelming odds, I took a definite stand—and was the first in my State delegation to do so—in favor of his candidacy. As a matter of fact, my recollection is that every member of the Georgia delegation in both the Senate and House supported the Democratic Party and refused to go off on a tangent after the so-called Dixiecrat movement. We did this because we believe in the basic and fundamental principles of the Democratic Party although we do not approve of many of the recent unwise additions to the old Democratic Party principles, such as the so-called civil-rights program, socialized medicine, the farm subsidy program, known as the Brannan plan, and other programs recently included in the party platform. We stayed in the party to try to regenerate it from within and correct the mistakes in its platform, rather than to follow the abortive Dixiecrat movement.

I say all this because I think my loyalty to the party and the major well-established principles for which it stands entitles me to say what I am going to say this afternoon. Definitely now the time has come to regenerate and clean up the party.

I love the Democratic Party but I do not approve the influence peddling, the mink coats, the deep freezes, free trips to Florida, 11½-pound hams—some of them petty things it is true—that have

come to light recently through investigations sponsored and carried to a successful conclusion by such stalwart young Democrats as Senator FULBRIGHT, of Arkansas; Senator KEFAUVER, of Tennessee; and others who have been uncompromising in their efforts to uncover whatever bribery and corruption and whatever lowering of public morals might exist in our Government.

It is true that the shady and evil-smelling acts that have come to light and that have been brought to the surface by these investigations, are but emblematic and symptomatic of a general worsening of public morals and a general lowering of ethical and moral standards that have been creeping and spreading like a cancerous growth throughout our twentieth century civilization. This lowering of moral and ethical standards is evident from what has been happening in a few of our colleges where students have been bribed to fix athletic games and even in our Academy at West Point. It is evident in the attitude of businessmen who seek to buy the influence of Government officials and law enforcement officers. For every official who is bribed or corrupted, someone is equally guilty in offering the bribe which leads to the corruption of the public official.

It is evident in the cheating by many of our people on their income-tax returns. It is made manifest by our changed attitude toward sexual standards and the conduct and relationship between the sexes. It stares at us from the voluptuous nudes, who flaunt their nakedness on the newsstands before the eyes of our boys. It glares at us from the pages of the so-called realistic and blasphemous books that we read. It is apparent from the sordid lives of some of our big-name entertainment stars. Corruption and influence peddling in public office is just a part of the whole malignant growth that threatens the destruction of our civilization from within. This malignant and cancerous growth—this falling away from integrity, this lowering of our moral standards can and will destroy us, if we do not call a halt and reverse the trend.

We do not have to look far to find the causes for this moral decay and degeneration. For the past 35 or 40 years our "intellectuals" and so-called philosophers have neglected spiritual values and have raised to major importance materialist values. Out of this has come the pragmatic philosophy that whatever works is right which dominates our intellectual thinking. We have emphasized material values and material things far out of proportion to their importance.

The same tendency to magnify material values and to put into second place spiritual and moral values has been evident also in our social thinking and relationships. The pragmatic philosophy that whatever works is right has led us to the point that we no longer believe that there are absolute moral standards or ethical principles. Some 20 years ago, I recall trying to read a book by Walter Lippmann entitled "A Preface to Morals"; Walter Lippmann is well known to all of you, and I have admired for a long time his writings and read his column when available. I had read his Preface to Politics and enjoyed and profited by the reading, but when I opened the pages of A Preface to Morals I soon found that Mr. Lippmann had been caught up in the new philosophy and had come to the conclusion that the people of America had lost confidence in the validity and in the authority and reliability of the Old Testament Scriptures. I do not believe I am misquoting or misconstruing Mr. Lippmann's position. Believing as he did that we had lost faith in the moral authority of the Ten Commandments and the ethical standards of right and wrong set up in the Judeo-Christian religion, as we get it from the Bible, he proposed that we must find some pragmatic social standard to guide our conduct and to determine what is right and what is wrong. This is just one instance of the philosophic and social thinking of our age. Is it any wonder that our young people who have grown up during the past 20 years are unable to measure up in a few instances and resist the temptation to take the easy way out?

Mr. Speaker, the Southern States have been referred to in derision as the Bible Belt. I am happy that our section of the country has been so designated. It is true that oftentimes high religious principles and doctrines have been debased and made ridiculous by some of our religious fanatics in the South, but by and large we are an intelligent, believing, and a devout people, though we, too, have been influenced by modern religious and philosophic errors to some extent.

If we are to save America and ourselves from the moral rot and disintegration that is taking place, we must return to those absolute standards of right and wrong set up for our guidance in the Ten Commandments and the moral teachings of the great Prophets of the Jewish race and the spiritualized and sublimated version of these moral standards as given us in the teachings of Christ. While the Sermon on the Mount is too much for me, nevertheless, it is a standard which all of us should strive to reach in our social and individual living. To these standards we must return if we are to be saved from the moral and ethical disintegration that is going on all about us.

I have said that moral delinquency in our local, State, and National Governments is a part of the general moral deterioration that is so evident about us, yet this lack of morality and high ethical principles in those in high places is more reprehensible and more destructive because of its public influence than that at any other level of our society. For this reason I call for a thorough house cleaning by the President and by the leaders of our party of all who have transgressed and who have brought into disrepute our party and to some extent our Government itself. Our President himself is a man of character and integrity and I regret to say that his exaggerated sense of loyalty leads him to condone conduct which if not actually illegal definitely falls short of the high moral and ethical standards that ought to dominate the conduct and character of those in public office. Our political leaders and our men in public life should, like Caesar's wife, be above suspicion.

I call for the resignation or removal of Mr. Boyle, the chairman of the Democratic executive committee. He is an affable and likable man and this affability may have been, in some measure, the cause for his efforts to help others. But there is already enough evidence that he has profited financially since he became chairman of the Democratic executive committee by using the influence of his position to make him ineligible for that high position. I do not believe Mr. Boyle has been guilty of any illegal or any immoral conduct, but he has compromised himself and our party, it seems to me. Moreover, all those in the executive departments who have been guilty of accepting gifts for their influence, should be discharged.

If the party is not cleaned up and if those in the administration who have been weighed and found wanting are not purged from the party, I am afraid the results at the polls next year will be disastrous.

May I pay a tribute in passing to a man high in our Government who has shown remarkable courage and statesmanship since he has been made head of the Reconstruction Finance Corporation, where so much of the governmental moral rot and infection has been localized. I refer to Mr. Stuart Symington, who has insisted that those now in his organization live up to the highest ethical and moral standards and has promptly discharged all who have fallen short of the high standards he has set. May his tribe increase.

All I have said I have meant to say in the kindest of spirit and with the humble realization that I, too, am human and liable to err, but with a prayer that I may have the strength of character to resist the temptations that come to all men in public life to lower their standards for financial or political reasons.

Let me close by repeating an old poem which I think expresses so well the crying need of our times:

GOD GIVE US MEN

God give us men. The time demands
Strong minds, great hearts, true faith, and willing hands.
Men whom the lust of office does not kill;
Men whom the spoils of office cannot buy;
Men who possess opinions and a will;
Men who have honor; men who will not lie;
Men who can stand before a demagog
And damn his treacherous flatteries without winking;
Tall men, sun-crowned, who live above the fog
In public duty and in private thinking.
For while the rabble with their thumb-worn creeds,
Their large professions, and their little deeds
Mingle in selfish strife; lo, freedom weeps.
Wrong rules the land, and waiting justice sleeps.

—*J. G. Holland.*

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. LANHAM. I yield.

Mr. HOFFMAN of Michigan. I wish to commend the gentleman for the state-

ment he has made. It is just exactly what those of us who know him best would expect. Now, omitting or not considering those statements which the gentleman has made which refer to the President and to the chairman of the Democratic National Committee, and perhaps to others, it occurred to me as the gentleman was speaking that his thoughts ran almost parallel to what might be called the sermon delivered not long ago by former President Hoover, who spoke along the same lines and expressed practically the same sentiments as the gentleman did, calling for a revival of honesty in National Government.

Mr. LANHAM. I think it is the thing most needed in the country today.

The SPEAKER pro tempore. The time of the gentleman from Georgia [Mr. LANHAM] has expired.

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Texas [Mr. POAGE] is recognized for 10 minutes.

WHOSE BUSINESS IS PHONY?

Mr. POAGE. Mr. Speaker, in its October 1951 issue the Reader's Digest prints an article entitled "Phony Business," which is labeled as having been "adapted from Red Oak (Iowa) Express as quoted in the CONGRESSIONAL RECORD."

It is, of course, very difficult to adapt a rather long newspaper account into a short article. In doing so the Reader's Digest has, in this case, made a frankly critical article appear even more critical. In the article the Digest has raised the question of honesty and good faith on the part of the Rural Electrification Administration. The charges are nonetheless serious because they are implied rather than frankly stated.

Basically the complaint is that REA has asked applicants for rural-telephone loans to borrow more money than these applicants have requested. This is undoubtedly true, and in the absence of any explanation might well be the basis of condemnation. There is, however, what I believe to be a very proper and logical explanation, and it was available from exactly the same source which the Digest used to get this article—the CONGRESSIONAL RECORD. On August 15, 1951, Senator GILLETTE, of Iowa, inserted in the RECORD a comprehensive statement covering all of the details of this transaction, and specifically refuting the only definite and positive statement of improper action contained in the Digest article.

I have always held the Reader's Digest in such high esteem that I can but surmise that its editorial staff had not seen Senator GILLETTE's answer. I am not prepared to assume that the Reader's Digest would knowingly and deliberately present such a distorted picture as that contained in the article.

Mr. LANHAM. Mr. Speaker, will the gentleman yield?

Mr. POAGE. I yield.

Mr. LANHAM. When Flynn's book, The Road Ahead, was published in the Reader's Digest, the gentleman will recall a letter was included that was so cut that it omitted statements which the writer expressed opposing the Flynn book, but the editor of the Reader's Digest so mutilated that letter that it appeared as approving the book by Mr. Flynn. I know that that was not accidental.

Mr. POAGE. I do not know what was accidental and what was intentional, but I do know that in this case the criticism which was contained in the original article was sharpened up in the adaptation of the Digest.

The fact is that very few of us realize just how much technical advancement has been made in the telephone business since I was a boy and talked over a barbed wire fence. It is still possible to talk over wire fences, but it is not possible to get good service that way, nor is a phone system which depends on antiquated equipment likely to be good security for a 35-year loan.

The REA is prohibited by law from making loans unless both of two conditions are met:

First. The proposed service shall be made available to the widest number of rural users. This is what we have come to call area coverage. It is expensive to give service to all the farms in an area, and many telephone companies do not ask for enough money to serve all. Too often the telephone company proposes to serve only the most profitable part of the area, and seeks no funds to build lines to the more remote farms, which often need service most. It was to assure service to these remote farms that Congress placed this "area coverage" provision in the law. Congress realized that if only the more profitable connections were made in a community it would become utterly impossible for any other phone system to ever give service to the remainder. REA, therefore, properly says, "We will not lend you money to serve 60 percent of the people, but we will lend you money to serve 100 percent of the people." REA cannot legally make a loan without satisfying this requirement for area coverage.

Second. The Administrator of REA must certify that in his judgment the loan will be repaid with interest within the specified period, usually 35 years. Satisfactory service to the largest practicable number of rural people during the entire life of the loan obviously offers the greatest assurance that a rural telephone system will be able to repay its loan. Satisfactory service over a 35-year period can only be expected if the system is properly designed, constructed and equipped. Often a short-term loan to serve only part of the families wanting service may be a safe investment without the assurance of long-time, satisfactory service which the REA standards require. It is, therefore, entirely possible to cite instances where a company may be able to get a smaller loan from a private source than REA would make.

In the case cited the REA states that it was the considered judgment of its telephone engineers and specialists that a loan of $175,000—the amount of the application—would be far from adequate to complete the rehabilitation, expansion, and improvements necessary to assure good area-wide telephone service in the Villisca territory. They felt that from the standpoint of loan security the larger loan would be safer. They recognized, of course, that a "patchwork" job could be done for considerably less money, but they did not feel it would be as economical, last as long, or meet the requirements of the law.

REA is not a charity organization. It does not give away public money. It makes loans which have to be repaid with interest. It is the duty of REA to see to it that the security is ample and that the earning capacity of the system is such that the income will be available to meet the loan payments for years to come. In order to meet these obligations REA has properly required its borrowers to meet rigid standards of construction. To know that the borrower himself gets what he pays for, as well as to know that the security is just what it is supposed to be, REA has required that every construction job be supervised by a competent, impartial engineer. This is the invariable rule of all larger private companies.

In this case REA proposed to lend 7 percent of the construction costs to cover engineering fees—not fees for REA engineers, as the article incorrectly stated, but fees for outside engineers to be selected by the borrower. Had this requirement been omitted, I suspect that REA would have been bitterly criticized for "their careless waste of public funds."

The article quotes the manager of the local telephone company as saying he did not need an engineer "when we have our own employees and equipment suppliers who will provide their own engineering." The original article from which the Digest's adaptation was taken shows that the engineers of the telephone company included the manager, three linemen, eight operators, and a bookkeeper. The same article names the directors of the company and says that all are farmers except one, who is an implement dealer, and one who is a real estate and insurance broker. I submit that the employment of an outside engineer was essential to the financial solvency of the company, unless it was proposed to let the suppliers of material be the judges of the quality of their own wares.

As the author of the bill which authorized rural telephone loans, I sincerely wish it were possible to get full area coverage and to bring first-class telephone service to all farm people at 1935 costs, but it cannot be done, and I am glad to see the REA require sound business practices and the installation of adequate facilities to give all the people of a community the type of service which will endure. REA is doing a better and more businesslike job than some telephone companies are doing, and I believe that this is true in the case described by the Reader's Digest.

DISCRIMINATION AGAINST NEW ENGLAND IN THE MATTER OF GOVERNMENT CONTRACTS

Mrs. ROGERS of Massachusetts. 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 gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, the other day on the floor I reminded the House that I felt that in the award of Government contracts there was unfairness and discrimination against New England and that I was having that investigated. My remarks were mislaid and they have not as yet appeared in the RECORD.

Mr. Speaker, to my mind it is very obvious that the labor market in Massachusetts, in fact in all of New England, is being depleted. One of the instances was the removal of the district office of the Veterans' Administration to Philadelphia. There are a good many other instances. It was very different during World War II when I felt there was much more fairness in the treatment of industry in Massachusetts and in New England, also in the awarding of contracts. The situation that exists today is terribly unfair. It hurts us now, but ultimately it will hurt war production.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Appendix of the RECORD, or to revise and extend remarks, was granted to:

Mr. MORANO in two instances, in each to include extraneous matter.

Mr. WEICHEL (at the request of Mr. ARENDS).

Mr. STEFAN and to include an editorial.

Mr. REAMS and to include an editorial from the Toledo Blade on the subject of freedom of the Press Gallery.

Mr. LANE in two instances, in each to include extraneous matter.

Mr. WICKERSHAM in seven instances and to include extraneous matter.

Mr. MCKINNON (at the request of Mr. HAYS of Ohio) and to include extraneous matter.

Mr. DOYLE and to include appropriate material.

Mr. RODINO and to include an editorial.

Mrs. ROGERS of Massachusetts and to include a letter endorsing the House version of the amputee car bill.

Mr. OSTERTAG and to include a resolution from the Fraternal Order of Eagles.

Mr. GOODWIN in four instances and to include extraneous matter.

Mr. NORBLAD in three instances and to include extraneous matter.

Mr. HARRISON of Wyoming and to include extraneous matter.

Mr. JENISON in two instances and to include extraneous matter.

Mr. FURCOLO and to include extraneous matter.

Mr. BARRETT and to include extraneous matter.

Mr. VELDE and to include extraneous matter.

Mr. MEADER.

Mr. ADDONIZIO and to include two resolutions.

Mr. ROOSEVELT (at the request of Mr. ADDONIZIO) and to include a speech.

Mr. MURDOCK and to include extraneous matter.

Mr. JARMAN and to include extraneous matter.

Mr. JAVITS in two instances, in each to include extraneous matter.

Mr. CURTIS of Nebraska and to include an editorial.

Mr. POULSON in three instances, in each to include extraneous matter.

Mr. HAGEN in two instances, in each to include extraneous printed matter.

ENROLLED JOINT RESOLUTION SIGNED

Mr. STANLEY, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H. J. Res. 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BROWN of Ohio (at the request of Mr. MARTIN of Massachusetts), for today, on account of official business.

Mr. KING, for 1 day, on account of official business.

ADJOURNMENT

Mr. HAYS of Arkansas. Mr. Speaker, I move that the House do now adjourn. The motion was agreed to; accordingly (at 5 o'clock and 14 minutes p. m.) the House, under its previous order, adjourned until Monday, October 1, 1951, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

825. A letter from the Assistant Secretary of Defense, transmitting a draft of a proposed bill entitled, "A bill to amend section 3268 of the Internal Revenue Code so as to exempt certain recreational facilities from the tax prescribed therein"; to the Committee on Ways and Means.

826. A letter from the Chairman, Civil Aeronautics Board, transmitting a draft of a proposed bill entitled, "A bill to amend the Civil Aeronautics Act of 1938, as amended, so as to authorize the imposition of civil penalties in certain cases"; to the Committee on Interstate and Foreign Commerce.

827. A letter from the Attorney General, transmitting copies of orders entered in cases where the ninth proviso to section 3 of the Immigration Act of February 5, 1917 (8 U. S. C. 136), was exercised in behalf of such aliens, pursuant to section 6 (b) of the act of October 16, 1918, as amended by section 22 of the Internal Security Act of 1950 (Public Law 831, 81st Cong.); to the Committee on the Judiciary.

828. A letter from the Attorney General, transmitting a letter relative to the case of Fajgla Tuchmajer Ajzin nee Tuchmajer, file No. A-6819145 CR 33295, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

829. A letter from the Attorney General, transmitting a letter relative to the case of Ilona (Helen) Goldstein, file No. A-6465693 CR 34726, requesting that it be withdrawn from those now pending before the Congress and returned to the jurisdiction of the Department of Justice; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. CANNON: Committee on Appropriations. House Joint Resolution 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes; without amendment (Rept. No. 1063). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 3368. A bill providing for the conveyance of the Bear Lake Fish Cultural Station to the Fish and Game Commission of the State of Utah; without amendment (Rept. No. 1064). Referred to the Committee of the Whole House on the State of the Union.

Mr. BONNER: Committee on Merchant Marine and Fisheries. H. R. 4808. A bill to provide for the granting of an easement for a public road through the Pea Island National Wildlife Refuge in Dare County, N. C.; with amendment (Rept. No. 1065). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Armed Services. H. R. 5426. A bill relating to the Reserve components of the Armed Forces of the United States; with amendment (Rept. No. 1066). Referred to the Committee of the Whole House on the State of the Union.

Mr. STANLEY: Committee on House Administration. House Resolution 249. Resolution for the relief of the estate of Ovila P. Gaucher; without amendment (Rept. No. 1067). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 410. Resolution to provide funds for the expenses of the investigation and study authorized by House Resolution 390 which creates a select committee on the Katyn Forest massacre; without amendment (Rept. No. 1068). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 403. Resolution to authorize the expenditure of certain funds for the expenses of the Committee on Un-American Activities; with amendment (Rept. No. 1069). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 415. Resolution to provide funds for the expenses of the investigation and studies authorized by House Resolution 158; with amendment (Rept. No. 1070). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 417. Resolution to provide additional funds for the study and investigation authorized by House Resolution 33; without amendment (Rept. No. 1071). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 433. Resolution providing for the further expenses of conducting the studies and investigations authorized by House Resolution 78. Eighty-second Congress; without amendment (Rept. No. 1072). Ordered to be printed.

Mr. STANLEY: Committee on House Administration. House Resolution 318. Resolution authorizing the purchase of electric office equipment for use by Members, officers, and committees of the House of Representatives; with amendment (Rept. No. 1073). Ordered to be printed.

Mr. PRICE: Committee on Armed Services. H. R. 5067. A bill to authorize the use of the incompleted submarine *Ulua* as a target for explosive tests, and for other purposes; without amendment (Rept. No. 1074). Referred to the Committee of the Whole House on the State of the Union.

Mr. LARCADE: Committee on Public Works. H. R. 1949. A bill to retrocede to the State of Illinois jurisdiction over 154.2 acres of land used in connection with the Chain of Rocks Canal, Madison County, Ill.; without amendment (Rept. No. 1075). Referred to the Committee of the Whole House on the State of the Union.

Mr. JOHNSON: Committee on Armed Services. H. R. 3548. A bill to provide that payments to States and Territories for care given to certain disabled soldiers and sailors of the United States shall be effective from the date such care commences; with amendment (Rept. No. 1076). Referred to the Committee of the Whole House on the State of the Union.

Mr. BROOKS: Committee on Armed Services. H. R. 4049. A bill to authorize the Secretary of the Navy to transfer to the Commonwealth of Massachusetts certain lands and improvements comprising the Castle Island Terminal Facility at South Boston in exchange for certain other lands; without amendment (Rept. No. 1077). Referred to the Committee of the Whole House on the State of the Union.

Mr. KILDAY: Committee on Armed Services. H. R. 5405. A bill to amend section 207 (a) of Public Law 351, Eighty-first Congress; with amendment (Rept. No. 1078). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H. R. 5131. A bill granting the consent of Congress to a compact or agreement between the Commonwealth of Pennsylvania and the State of New Jersey concerning a bridge across the Delaware River to provide a connection between the Pennsylvania Turnpike system and the New Jersey Turnpike, and for other purposes; with amendment (Rept. No. 1079). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Select Committee on Small Business. Report pursuant to House Resolution 33, Eighty-first Congress, first session. Resolution creating a select committee to conduct a study and investigation of the problems of small business; without amendment (Rept. No. 1081). Referred to the Committee of the Whole House on the State of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. VAN ZANDT: Committee on Armed Services. H. R. 2604. A bill to authorize the appointment of Sidney F. Mashbir, colonel, Army of the United States, to the permanent grade of colonel in the Regular Army; with amendment (Rept. No. 1080). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. WOLVERTON:

H. R. 5502. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

H. R. 5503. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said commission, and for other purposes; to the Committee on Public Works.

By Mr. BUCKLEY:

H. R. 5504. A bill to amend section 12 of the Federal-Aid Highway Act of 1950 to increase the amount available for the construction of access roads certified as essential to the national defense; to the Committee on Public Works.

By Mr. DOUGHTON:

H. R. 5505. A bill to amend certain administrative provisions of the Tariff Act of 1930 and related laws, and for other purposes; to the Committee on Ways and Means.

By Mrs. KEE:

H. R. 5506. A bill making an emergency authorization of an appropriation for the purpose of erecting in Bluefield, W. Va., a post office and courthouse building; to the Committee on Public Works.

By Mr. LARCADE:

H. R. 5507. A bill making an emergency authorization and appropriation for the purpose of erecting in Lake Charles, La., a post office and courthouse building; to the Committee on Public Works.

By Mr. BARRETT:

H. R. 5508. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania concerning the Delaware River Port Authority, formerly the Delaware River Joint Commission, and for other purposes; to the Committee on Public Works.

H. R. 5509. A bill granting the consent of Congress to a supplemental compact or agreement between the State of New Jersey and the Commonwealth of Pennsylvania, authorizing the Delaware River Joint Commission to construct, finance, operate, maintain, and own a vehicular tunnel or tunnels under, or an additional bridge across, the Delaware River and defining certain functions, powers, and duties of said Commission, and for other purposes; to the Committee on Public Works.

By Mr. KEARNS:

H. R. 5510. A bill to authorize the heads of the executive departments and of the agencies and independent establishments of the Federal Government and the Commissioners of the District of Columbia to provide for the promotion and maintenance of recreation programs to improve the efficiency, morale, health, and general welfare of employees of their respective departments and agencies; to the Committee on Post Office and Civil Service.

By Mr. McMILLAN:

H. R. 5511. A bill to authorize the Board of Commissioners of the District of Columbia to permit certain improvements to two business properties situated in the District of Columbia; to the Committee on the District of Columbia.

By Mr. BUCKLEY:

H. R. 5512. A bill to authorize the Secretary of Agriculture to install measures for runoff and waterflow retardation and soil erosion prevention, and for other purposes; to the Committee on Public Works.

By Mr. SHELLEY:

H. R. 5513. A bill to extend certain benefits granted to widows of veterans of World War I to certain widows of such veterans not now entitled thereto; to the Committee on Veterans' Affairs.

H. R. 5514. A bill to amend title 28, United States Code, so as to extend the privilege of trial by jury to certain cases arising within the special maritime and territorial jurisdiction of the United States; to the Committee on the Judiciary.

By Mr. CANNON:

H. J. Res. 335. Joint resolution amending an act making temporary appropriations for the fiscal year 1952, and for other purposes; to the Committee on Appropriations.

By Mr. CLEMENTE:

H. J. Res. 336. Joint resolution authorizing and directing an investigation by the Coast Guard of the need for safety regulations applicable to small craft; to the Committee on Merchant Marine and Fisheries.

By Mr. CASE:

H. Con. Res. 165. Concurrent resolution favoring certain action against the Government of Czechoslovakia unless John Hvasta, citizen of the United States is released from custody; to the Committee on Foreign Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. BEALL:

H. R. 5515. A bill for the relief of John H. Vogel; to the Committee on the Judiciary.

By Mr. BOGGS of Louisiana:

H. R. 5516. A bill for the relief of Dimple Benoit; to the Committee on the Judiciary.

By Mrs. BOLTON:

H. R. 5517. A bill for the relief of Mrs. Katharina Luise Trenye; to the Committee on the Judiciary.

H. R. 5518. A bill for the relief of Pietro Petralia; to the Committee on the Judiciary.

By Mr. BYRNE of New York:

H. R. 5519. A bill for the relief of Mrs. Agnes Turkett; to the Committee on the Judiciary.

By Mr. DOLLINGER:

H. R. 5520. A bill for the relief of Fredy Kohn, Anna Kohn, and Hugo Ronald Kohn; to the Committee on the Judiciary.

By Mr. FORD:

H. R. 5521. A bill for the relief of Miss Yoshiko Okura; to the Committee on the Judiciary.

By Mr. GATHINGS:

H. R. 5522. A bill for the relief of Quan Yee; to the Committee on the Judiciary.

By Mr. GEORGE:

H. R. 5523. A bill for the relief of Hildegard Purre; to the Committee on the Judiciary.

By Mr. HOFFMAN of Illinois:

H. R. 5524. A bill for the relief of Miss Anna and Mr. Karl Bamberger; to the Committee on the Judiciary.

By Mr. KEOGH:

H. R. 5525. A bill for the relief of Abraham Davidson; to the Committee on the Judiciary.

By Mr. LANTAFF:

H. R. 5526. A bill for the relief of Dr. J. Ernest Ayre; to the Committee on the Judiciary.

By Mr. MANSFIELD:

H. R. 5527. A bill to provide for the lump-sum payment of the national service life insurance granted the late Lester T. Brown to his widow, Mrs. Gay Dobler Brown; to the Committee on the Judiciary.

By Mr. McKINNON:

H. R. 5528. A bill for the relief of Thomas R. Grady; to the Committee on the Judiciary.

By Mr. MITCHELL:

H. R. 5529. A bill for the relief of Pasquale Giuseppe Scrivanich; to the Committee on the Judiciary.

By Mr. O'TOOLE:

H. R. 5530. A bill for the relief of Artur Duarte; to the Committee on the Judiciary.

By Mr. QUINN:

H. R. 5531. A bill for the relief of Mrs. Gertrude Weite Paez; to the Committee on the Judiciary.

H. R. 5532. A bill for the relief of the estate of Martin A. Gleason; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 5533. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

H. R. 5534. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

H. R. 5535. A bill for the relief of Mrs. Carolyn Elizabeth Schmidt; to the Committee on the Judiciary.

H. R. 5536. A bill for the relief of Chor Youl Park Kwak; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 5537. A bill for the relief of Elizabeth Ellen Atkins; to the Committee on the Judiciary.

H. R. 5538. A bill for the relief of Alexei Frank; to the Committee on the Judiciary.

By Mr. HUGH D. SCOTT, JR.:

H. R. 5539. A bill for the relief of Hiroko Doki and Takako Doki; to the Committee on the Judiciary.

By Mr. SIEMINSKI:

H. R. 5540. A bill for the relief of Stamatis Karastamatis; to the Committee on the Judiciary.

By Mr. SMITH of Virginia:

H. R. 5541. A bill for the relief of Capt. Walter C. Wolf; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 5542. A bill for the relief of Isak Benmuvhar; to the Committee on the Judiciary.

By Mr. WILSON of Indiana:

H. R. 5543. A bill for the relief of Mrs. Elisabeth Rosalia Haste; to the Committee on the Judiciary.

By Mr. YATES:

H. R. 5544. A bill for the relief of Moy Yin Sue; to the Committee on the Judiciary.

SENATE

FRIDAY, SEPTEMBER 28, 1951

(Legislative day of Wednesday, September 19, 1951)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

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

Our Father God, we come before Thee with thanksgiving grateful that each new day enfolds us with Thy loving kindness in the morning and Thy faithfulness every night. Cleanse our hearts, we pray Thee, from all guile that as a part of this corrupt and perverse generation we may abhor that which is evil and cleave to that which is good. May our attitudes and actions make us a part of the solution rather than of the problem of our ailing social order. As with moral and material might we smite and vow to shatter the rampant iniquity of today, which degrades Thy children and keeps them from more abundant life, grant us a vision of the far-off years as they may be if redeemed by the sons of God; that we may take heart in these days freighted with destiny and do battle for Thy children and ours, leaving the earth fairer and cleaner than we found it. We ask it in that Name which is above every name. Amen.

THE JOURNAL

On request of Mr. MCFARLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, September 27, 1951, was dispensed with.

REVENUE ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 4473) to provide revenue, and for other purposes.

The VICE PRESIDENT. The Chair, during the remainder of the debate, can recognize only Senators to whom time is yielded by those who control it.

Mr. MCFARLAND. I suggest the absence of a quorum, and, Mr. President, I ask unanimous consent that the time consumed in calling the roll be not charged to either side.

The VICE PRESIDENT. The Senator from Arizona makes a point of no quorum. Is there objection to his unanimous-consent request? The Chair hears none, and it is so ordered. The Secretary will call the roll.

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

Butler, Md.	Ives	Neely
Cain	Johnson, Tex.	Pastore
Carlson	Johnston, S. C.	Robertson
Clements	Langer	Saltonstall
Connally	Lehman	Smathers
Dirksen	Martin	Smith, N. C.
Dworshak	Maybank	Stennis
Ferguson	McCarran	Underwood
George	McFarland	Watkins
Hayden	McMahon	Wiley
Holland	Millikin	

Mr. JOHNSON of Texas. I announce that the Senator from New Mexico [Mr. ANDERSON] is absent by leave of the Senate.

The Senator from Virginia [Mr. BYRD] is absent because of illness in his family.

The Senator from New Mexico [Mr. CHAVEZ] and the Senator from West Virginia [Mr. KILGORE] are absent on official business.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Vermont [Mr. FLANDERS], the Senator from Missouri [Mr. KEM], and the Senator from Ohio [Mr. TAFT] are absent on official business.

The Senator from Wisconsin [Mr. MCCARTHY] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. TOBEY] is absent because of illness.

The Senator from Nebraska [Mr. WHERRY] is necessarily absent.

The VICE PRESIDENT. A quorum is not present. The Secretary will call the names of the absent Senators.

The names of the absent Senators were called.

The VICE PRESIDENT. A quorum is not present.

Mr. MCFARLAND. I move that the Sergeant at Arms be directed to request the attendance of Senators.

The motion was agreed to.

The VICE PRESIDENT. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. AIKEN, Mr. BENNETT, Mr. BENTON, Mr. BREWSTER, Mr. BRICKER, Mr. BUTLER of Nebraska, Mr. CAPEHART, Mr. CASE, Mr. CORDON, Mr. DOUGLAS, Mr. DUFF, Mr. EASTLAND, Mr. ECTON, Mr. ELLENDER, Mr. FREAR, Mr. FULBRIGHT, Mr. GILLETTE, Mr. GREEN, Mr. HENDRICKSON, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HOEY, Mr. HUMPHREY, Mr. HUNT, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KEFAUVER, Mr. KERR, Mr. KNOWLAND, Mr. LODGE, Mr. LONG, Mr. MAGNUSON, Mr. MALONE, Mr. MCCLELLAN, Mr. MCKELLAR, Mr. MONRONEY, Mr. MOODY, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. NIXON, Mr. O'CONOR, Mr. O'MAHONEY, Mr. RUSSELL, Mr. SCHOEPPEL, Mrs. SMITH of Maine, Mr. SMITH of New Jersey, Mr. SPARKMAN, Mr. THYE, Mr. WELKER, Mr. WILLIAMS, and Mr. YOUNG entered the Chamber and answered to their names.

The VICE PRESIDENT. A quorum is present.

The pending question is on agreeing to the amendment offered by the Senator from North Dakota [Mr. LANGER], on which he has 15 minutes, and on which, in opposition, the Senator from Georgia has 15 minutes.

THE KOREAN PEACE CONFERENCE STALEMATE

Mr. LANGER obtained the floor.

Mr. ROBERTSON. Mr. President, will the Senator from North Dakota yield to me for 30 seconds?

Mr. LANGER. I yield 30 seconds.

Mr. ROBERTSON. Mr. President, ever since July 10 the Communists in Korea have been backing and filling with us on a discussion of peace. There has been no recorded parallel in history when a nation with the power that we have has permitted a weaker enemy to drag out the discussions, clearly intended for the advantage of our enemy.

Mr. President, we cannot afford to continue these discussions into the winter months, with the attrition which is now happening to us and the opportunity to the enemy to build up its manpower, to leave us next spring in a worse position than we are in at the present time.

I say, Mr. President, much as we love peace, and much as we want peace, the time has come when we had better adopt the old military axiom, "The hotter the war, the sooner the peace," and notify our enemies that we are not going to be double-crossed any longer, that these are our terms on which we shall settle, and that if they are not going to settle, to say so, and then we will go all out to end a war that was forced upon the peace-loving but freedom-loving nations of the world.

The VICE PRESIDENT. The time of the Senator from Virginia has expired.

REVENUE ACT OF 1951

The Senate resumed the consideration of the bill (H. R. 4473) to provide revenue, and for other purposes.

Mr. LANGER. Mr. President, I desire to modify my amendment on page 1, line 9, by striking out "of $50 or more."

The VICE PRESIDENT. The Senator from North Dakota modifies his amendment, which he has a right to do. The Chair asks Senators to help keep order. The Senate has entered into a limitation of time for debate, and it is desirable that we proceed as rapidly as possible. Therefore, the Chair hopes Senators will cooperate in trying to keep order. The Senator from North Dakota.

Mr. LANGER. Mr. President, strange as it may seem to Senators, absolutely