SENATE

THURSDAY, FEBRUARY 25, 1954

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

Lord of all being, who holdest the world in the hollow of Thine hand: Give us now, we pray as we bow at the altar of Thy grace, the emancipating consciousness that the rampant confusions of today are seen by Thee in their true perspective. In this quiet moment give us to see that so often the things that disturb us most, agitate our spirits, and seem to loom so large, are like the grass which groweth up: In the morning it flourisheth and groweth up; in the evening it is cut down, and withereth. Save us from mistaken magnitudes. Grant us a constant awareness of eternal principles whose majesty outweighs the temporal and the passing.

Bringing our cares to Thy fatherly understanding, even our concerns for the Nation in these storm-tossed days, may our hearts be kept in perfect peace as we stay our minds on Thee. We ask it in the Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., February 25, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. THOMAS H. KUCHEL, a Senator from the State of California, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. KUCHEL thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, February 24, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

CALL OF THE ROLL

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

The ACTING PRESIDENT pro tempore. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the order for the call of the roll be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

EXECUTIVE COMMUNICATIONS, ETC.

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

REPORT ON REAPPORTIONMENT OF AN APPROPRIATION

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Department of Labor for "Unemployment Compensation for Veterans, Bureau of Employment Security," for the fiscal year 1954, had been apportioned on a basis which indicates a necessity for a supplemental estimate of appropriation (with an accompanying paper); to the Committee on Appropriations.

DISPOSITION OF EXECUTIVE PAPERS

A letter from the Archivist of the United States, transmitting, pursuant to law, a list of papers and documents on the files of several departments and agencies of the Government which are not needed in the conduct of business and have no permanent value or historical interest, and requesting action looking to their disposition (with accompanying papers); to a Joint Select Committee on the Disposition of Papers in the Executive Departments.

The ACTING PRESIDENT pro tempore appointed Mr. CARLSON and Mr. JOHNSTON of South Carolina members of the committee on the part of the Senate.

FLEXIBLE FARM PRICE-SUPPORT PROGRAM — STATEMENT OF MONTGOMERY COUNTY FARM BUREAU DAIRY COMMODITY COMMITTEE, FONDA, N. Y.

Mr. AIKEN. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a statement of the position taken by the Montgomery County Farm Bureau Dairy Commodity Committee, at Fonda, N. Y., on the flexible farm price support program as proposed by Secretary of Agriculture Benson.

There being no objection, the statement was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

The Montgomery County Farm Bureau Dairy Commodity Committee meeting at the Old Court House in Fonda Monday evening went on record unanimously as favoring the flexible farm price support program as proposed by Secretary of Agriculture Benson. John B. Holloway, of Amsterdam, was authorized and instructed to carry the sentiments of the committee to the Agriculture Committees of the House and Senate.

The session was attended by 29 members of the committee for the purpose of studying the problems of Montgomery County dairymen and offering suggested activities for the dairy program for 1954–55. Every township in the county was represented.

Problems of Montgomery County dairymen as outlined by the committee include:

1. Milk marketing, including advertising and efficient distribution.
2. Reducing cost of producing milk.
3. Herd management, including the need for dairy records and disposal of poor producers.
4. Need to produce more home-grown grain, particularly corn for grain.
5. Herd health, with particular emphasis on sterility or nonfertility and mastitis.

The program suggested by the committee to meet the needs of county dairymen includes:

1. Support the milk advertising program.
2. Sponsor a "green-acres" contest to stimulate interest in improved pastures and high quality feed production.
3. Broaden the area of contact by getting new men on committees and into activities.
4. Have larger meetings with well-known speakers and follow up with news reports or service letters.
5. Continue herd health program.
6. Conduct machinery demonstrations or field days.
7. Encourage testing and culling of dairy cattle.
8. Keep informed on public policy for agriculture.

Roland Fox, of Fonda, was reelected chairman of the committee.

James Mead and Max Silka, of Amsterdam, Warren Casler, of Fort Plain, and Robert Shuster, of St. Johnsville, were appointed to the "green acres" subcommittee.

Those attending included: Robert Krum, Canajoharie; Richard Brookman, Fort Plain; Warren Casler, Fort Plain; Donald Klemme, Fort Plain; William Dusold, Canajoharie; Theodore Browngardt, Sprakers; Judd Chase, Sprakers; Stanley Elwood, Sprakers; Henry Lyker, Sprakers; Ludwig Piening, Randall, Kenneth Hughes, Fultonville, Edward Ingersoll, Fultonville; Kenneth Beyer, Fultonville; Harold Bellinger, Fultonville; James Mead, Amsterdam; John Holloway, Amsterdam; Lawrence Phillips, Amsterdam; Charles Persons, Jr., Amsterdam; Max Silka, Amsterdam; Roland Fox, Fonda; Roy Manelius, Fonda; David Fox, Fonda; Alton Dillenbeck, Fonda; Rutherford Downes, Fort Plain; William Lamphere, Fort Plain; Wilbur Saltsman, Fort Plain; Robert Shuster, St. Johnsville; and Eddie Bowers, St. Johnsville.

THE WESTERN MINING INDUSTRY

Mr. WELKER. Mr. President, the plight of the western mining industry continues to be a matter of most serious concern. It has called forth protests from representatives of both management and labor because of the many mine shutdowns, which occur almost daily. Work schedules have been and are now being drastically cut.

Recently the State central committee of the Republican Party in Idaho met to consider the problem, and the result was a resolution calling upon the administration to take corrective action to save our hard-hit mining industry.

I desire to add my voice to that of the Republican committee in my home State, in urging that the administration soon take steps to end the disastrous trend which is unquestionably ruining the mining industry of the United States.

I ask unanimous consent to have printed at this point in my remarks, and appropriately referred, the resolution adopted by the Idaho State Republican central committee.

There being no objection, the resolution was referred to the Committee on Finance and ordered to be printed in the RECORD, as follows:

Whereas over a period of several years last past, excessive imports of lead and zinc have flooded the American market with supplies of these metals which could not be absorbed and as a consequence the price of these metals has been forced down below the cost of production in the mines of the West, and

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there has been at least a 70-percent shutdown of these mines; and

Whereas every dollar spent for domestic mine operation and the production of these vital metals is effective to its full value in the national economy of the United States, supporting the workingman, the retailer, wholesaler, farmer, railroads, trucklines, professions, and men and women in the service industries, as well as providing tax revenues and dividends to thousands of large and small stockholders in mining and related industries; and

Whereas to the contrary the dollars spent in foreign nations for the production of these metals have a very limited helpful influence upon the economy of this country and its citizens since only a few cents of every dollar are circulated here; and

Whereas it is our considered opinion that no more effective steps could be taken to weaken the defenses of this Nation and leave us relatively disarmed than to permit the continued shutdown of our western mines and the prolonged interference with our national economy which results from this situation: Now, therefore, be it

Resolved, That we call upon the President of the United States, the Congress, the Tariff Commission, and all other agencies of Government to immediately take whatever steps are necessary in their good judgment to terminate this vicious and destructive throttling of the mining industry upon which the strength and prosperity of the Nation so largely depends.

REPUBLICAN STATE CENTRAL COMMITTEE,
WM. S. CAMPBELL,
State Chairman.

AID TO FARMERS IN MISSOURI—RESOLUTION OF MISSOURI BANKERS ASSOCIATION, COLUMBIA, MO.

Mr. HENNINGS. Mr. President, I present for appropriate reference, and ask unanimous consent to have printed in the RECORD, a resolution adopted by the Missouri Bankers Association, which was sent in a telegram to Secretary of Agriculture Ezra Taft Benson on February 11, 1954. The resolution calls attention to the disaster conditions resulting from the unprecedented drought in many areas, and urges the Secretary of Agriculture to immediately extend aid for the restoration of pastures, or advise the appropriate agency in Missouri that such aid to Missouri farmers is not to be expected from the Secretary of Agriculture.

There being no objection, the resolution was referred to the Committee on Agriculture and Forestry, and ordered to be printed in the RECORD, as follows:

COLUMBIA, MO., *February 11, 1954.*

EZRA T. BENSON,
Secretary of Agriculture,
Washington, D. C.:

The following resolution is sent you by the president, treasurer, executive manager of the Missouri Bankers Association and the chairman of the association's agricultural committee:

"RESOLUTION FOR AID BY THE UNITED STATES DEPARTMENT OF AGRICULTURE TO MISSOURI FARMERS IN THE SEEDING AND FERTILIZING OF PASTURES DAMAGED BY DROUGHT IN 1953

"Whereas the drought of 1953, unprecedented in duration and severity, has brought disaster to Missouri farmers in many wide areas, especially in the form of damage to pastures and livestock; and

"Whereas the immediate reseeding or reestablishment of these damaged or dead pastures is necessary for the continuing profitable operation of Missouri farms, especially livestock farms; and

"Whereas this quick restoration of pastures by reseeding and fertilizing will require expenditures difficult for farmers who have lately suffered drastic losses; and

"Whereas all State and Federal agricultural agencies and farm organizations in Missouri have lately and jointly and most earnestly requested from the Secretary of Agriculture a program of aid in the restoration of Missouri pastures; and

"Whereas this request has been received by the Secretary of Agriculture but action upon it has been unseasonably postponed until further delay will be fatal: Therefore be it

"*Resolved*, That the Secretary of Agriculture is respectfully and earnestly requested to extend immediately the aid already sought for the restoration of Missouri pastures, or that he advise the appropriate Federal agricultural agency in Missouri that such aid to Missouri farmers is not to be expected from the Secretary of Agriculture."

JOHN ROGERS,
President.
R. A. EVANS,
Treasurer.
ROBERT E. LEE HILL,
Executive Manager.
O. J. STRATMAN,
Chairman, Agricultural Committee.

ELECTORAL REFORM

Mr. MUNDT. Mr. President, a great many Americans are interested in the problems involved in electoral reform, changing somewhat the functioning of our electoral college. I ask unanimous consent to have printed in the RECORD a resolution unanimously adopted by the 28th Women's Patriotic Conference on National Defense, on February 5, 1954, at the Statler Hotel in Washington, urging support of the so-called Mundt-Coudert amendment, relating to the election of presidential electors.

There being no objection, the resolution was referred to the Committee on the Judiciary, and ordered to be printed in the RECORD, as follows:

RESOLUTION URGING SUPPORT OF THE MUNDT-COUDERT AMENDMENT

Whereas the present method of electing presidential electors has narrowed the effective political foundation of the President to a few large doubtful and pivotal States whose electoral votes are vital to victory, and puts a high premium on the power of organized pressure groups; and

Whereas Representative FREDERIC R. COUDERT, JR., and United States Senator KARL E. MUNDT have proposed in Congress an amendment to the Constitution of the United States requiring that electors for the President and Vice President be elected in exactly the same manner as Senators and Representatives are elected, that is, 1 in each congressional district and 2 at large, or statewide in each State: Therefore be it

Resolved, That the 28th Women's Patriotic Conference on National Defense urges wholehearted support of the proposed Mundt-Coudert amendment, Senate Joint Resolution 95 and House Joint Resolution 1, which provides for the election of 435 Representative electors in congressional districts and the election of each State's 2 senatorial electors by statewide popular vote as United States Senators are elected.

(Adopted unanimously February 5, 1954, by the 28th Women's Patriotic Conference on National Defense in session at the Hotel Statler, Washington, D. C.)

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. FERGUSON (for Mr. BRIDGES), from the Committee on Appropriations:

H. R. 7996. A bill making supplemental appropriations for the fiscal year ending June 30, 1954, and for other purposes; with amendments (Rept. No. 1029).

By Mr. DUFF, from the Committee on Armed Services, without amendment:

H. R. 5509. A bill to amend the Army-Navy Medical Services Corps Act of 1947 relating to the percent of colonels in the Medical Service Corps, Regular Army (Rept. No. 1030).

By Mr. DUFF, from the Committee on Armed Services, with an amendment:

S. 2040. A bill to define service as a member of the Women's Army Auxiliary Corps as active military service under certain conditions (Rept. No. 1031).

By Mr. DUFF, from the Committee on Armed Services, with amendments:

S. 897. A bill to extend the time for making application for terminal-leave pay under the Armed Forces Leave Act of 1946, as amended (Rept. No. 1032); and

S. 2247. A bill to authorize certain members of the Armed Forces to accept and wear decorations of certain foreign nations (Rept. No. 1033).

PRINTING OF ADDITIONAL COPIES OF HEARINGS ON INTERLOCKING SUBVERSION IN GOVERNMENT DEPARTMENTS

Mr. JENNER. Mr. President, from the Committee on Rules and Administration, I report an original concurrent resolution to provide for printing additional copies of hearings entitled "Interlocking Subversion in Government Departments."

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and placed on the calendar.

The concurrent resolution (S. Con. Res. 66) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary not to exceed 25,000 copies of parts 15, 16, 17, and subsequent parts of the hearings entitled "Interlocking Subversion in Government Departments," held before a subcommittee of the above committee during the 83d Congress.

BILLS INTRODUCED

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

By Mr. MARTIN (by request):

S. 3006. A bill to permit court review of Veterans' Administration decisions on issuance, reinstatement, or conversion of insurance;

S. 3007. A bill to limit eligibility of a stepchild and of a stepparent for servicemen's indemnity awards;

S. 3008. A bill to amend certain provisions of the Servicemen's Indemnity Act of 1951;

S. 3009. A bill to amend section 622 of the National Service Life Insurance Act of 1940;

S. 3010. A bill to amend subsection 602 (j) of the National Service Life Insurance Act of 1940, as amended;

S. 3011. A bill to amend Veterans Regulation No. 9 (a), as amended, so as to provide for transportation of the body of a veteran dying in a State veterans' home;

S. 3012. A bill to amend veterans regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for multiple sclerosis and the chronic functional psychoses; and

S. 3013. A bill to provide increases in the monthly rates of wartime service-connected death compensation payable to widows alone and to dependent parents; to the Committee on Finance.

S. 3014. A bill for the relief of Helen Panagiotis Stamoulis, also known as Heleni P. Stamoolis or Stamouli; to the Committee on the Judiciary.

(See the remarks of Mr. MARTIN when he introduced the above bills, which appear under separate headings.)

By Mr. EASTLAND:

S. 3015. A bill to provide that the price of whole milk, butterfat and the products thereof shall be supported at 90 percent of parity until April 1, 1955; to the Committee on Agriculture and Forestry.

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

By Mr. SMITH of New Jersey:

S. 3016. A bill for the relief of Michele Nini and Emilia Nini; to the Committee on the Judiciary.

By Mr. GREEN:

S. 3017. A bill for the relief of Thomas Barron; to the Committee on the Judiciary.

By Mr. KERR:

S. 3018. A bill for the relief of Frederick August Westphal; to the Committee on Finance.

By Mr. ELLENDER (for himself, Mr. LONG, Mr. HOLLAND, and Mr. SMATHERS):

S. 3019. A bill to amend the Sugar Act of 1948, as amended; to the Committee on Finance.

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

By Mr. HUMPHREY:

S. 3020. A bill to authorize the President to use agricultural commodities to improve the foreign relations of the United States, to relieve famine, and for other purposes; to the Committee on Agriculture and Forestry.

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

By Mr. BUTLER of Maryland:

S. 3021. A bill to amend the Interstate Commerce Act in order to authorize the terminal placement of railroad cars without separate charge therefor in certain cases; to the Committee on Interstate and Foreign Commerce.

S. 3022. A bill for the relief of Arthur Sew Sang, Kee Yin Sew Wong, Sew Ing Lin, Sew Ing Quay, and Sew Ing You; to the Committee on the Judiciary.

By Mr. SALTONSTALL:

S. 3023. A bill for the relief of Palmira Smarrelli (nee Lattanzio);

S. 3024. A bill for the relief of Malvina David (nee Gabriel); and

S. 3025 (by request). A bill for the relief of Nikolaj Perehud-Pogorelski; to the Committee on the Judiciary.

S. 3026 (by request). A bill to provide for the award of a suitable medal to George E. Clark; to the Committee on Interstate and Foreign Commerce.

By Mr. CARLSON:

S. 3027. A bill to incorporate the American Federation of the Physically Handicapped; to the Committee on the Judiciary.

By Mr. CARLSON (for himself and Mr. JOHNSTON of South Carolina) (by request):

S. 3028. A bill to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster; to the Committee on Post Office and Civil Service.

PROPOSED VETERANS' LEGISLATION

Mr. MARTIN. Mr. President, by request, I introduce for appropriate reference eight bills relating to proposed veterans' legislation. The bills are recommended by the director, national legislative commission, the American Legion, and are accompanied by letters from the director explaining the bills.

I ask unanimous consent that the accompanying letters in each case be printed in the RECORD immediately following the listing of the bills introduced.

The ACTING PRESIDENT pro tempore. The bills will be received and appropriately referred; and, without objection, the letters will be printed in the RECORD.

The bills introduced by Mr. MARTIN, by request, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 3006. A bill to permit court review of Veterans' Administration decisions on issuance, reinstatement, or conversion of insurance.

The letter accompanying Senate bill 3006 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6578, introduced in the House on July 28, 1953, same being a bill to permit court review of Veterans' Administration decisions on issuance, reinstatement, or conversion of insurance.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Present law provides authority for the United States to be sued in the United States District Court for the District of Columbia or in any other district court of the United States only in the event of disagreement as to an insurance claim.

The bill would permit the United States to be sued in any of the courts mentioned not only when a claim is involved but where exception is taken to a Veterans' Administration decision regarding issuance, reinstatement, or conversion of United States Government or national service life insurance.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3007. A bill to limit eligibility of a stepchild and of a stepparent for servicemen's indemnity awards.

The letter accompanying Senate bill 3007 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6936 introduced in the House on January 6, 1954, same being a bill to limit eligibility of a stepchild and of a stepparent for servicemen's indemnity awards.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Section 1: Present provisions of section 3, Servicemen's Indemnity Act of 1951 (pt. I, Public Law 23, 82d Cong., approved April 25, 1951), place a stepchild on a parity with a natural child and a stepparent on a parity with a natural parent for servicemen's indemnity awards as beneficiaries. Actually, the insured might never have met or been acquainted with either. It is possible, even probable, that the insured would have no idea that such a person might take precedence as beneficiary over some other person in the limited beneficiary class whom he would want to protect.

This bill would authorize an award to a stepchild or stepparent, designated as beneficiary by the insured, making certain that payment would be made if the person in service wanted this. Also, as is proper, if a stepparent, not designated as beneficiary, had nonetheless stood in the relationship of parent to the insured for 1 year or more at any time prior to the insured's entry into active service, such parent would be in the permitted class of beneficiaries.

For national service life insurance matured before August 1, 1946, when limitation on the class of beneficiaries was removed, there was the same restriction placed by Congress on the payment of that insurance as concerns a stepchild or stepparent that is proposed here for servicemen's indemnity purposes.

Section 2: This would require a claim by a person made eligible to an award and would authorize continuance of payment, to the end of the second month following receipt of such claim, to a person whose award would be terminated. It would also prevent duplicate benefit payments.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3008. A bill to amend certain provisions of the Servicemen's Indemnity Act of 1951.

The letter accompanying Senate bill 3008 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate, Senate Office Building, Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6927 introduced in the House

on January 6, 1954, same being a bill to amend certain provisions of the Servicemen's Indemnity Act of 1951.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Enclosed is copy of resolution No. 9 adopted at the May 1, 1953, meeting of our national executive committee:

Item 4 of that resolution seeks amendatory legislation to permit a person to revive a United States Government or national service life insurance policy if the term expires within 120 days after the separation from active service, upon application, payment of premium, and proof of good health, as is authorized presently when the term expires during active service.

Section 1 of this bill would accomplish this result. By virtue of approval July 23, 1953, of Public Law 148, 83d Congress, these term policies would be automatically renewed for a further term, if they were in force under premium-paying conditions or through premium waiver under section 622 of the NSLI Act of 1940, as added by the Insurance Act of 1951. However, if an insured permitted the term contract to lapse in order to obtain free servicemen's indemnity coverage during active service and for 120 days after separation, he could revive the lapsed term contract through present provisions of section 5 of the Servicemen's Indemnity Act of 1951 only when the term expired in service. This bill would permit revival if expiry date fell in the 120-day period after separation.

Item 5 of resolution 9 seeks amendatory legislation to provide that the Government bear excess losses resulting from regranting or reinstating insurance without medical examination under authority contained in the Servicemen's Indemnity Act of 1951, so as to protect the participating United States Government and national service life insurance trust funds.

Section 2 of this bill will accomplish this purpose. The beneficial interest in the reserves in the USGLI and NSLI trust funds, created in the Treasury for these participating insurance programs, belong to the policyholders. Violence could be done the funds by imposition of substandard risks who are permitted by section 5 of the Servicemen's Indemnity Act of 1951 to secure, without proof of good health, permanent-plan policies within 120 days after separation from active service to replace those surrendered for cash during service by authority contained in the stated section.

Enactment of this section is necessary to preserve the sanctity of the trust funds for which the Government acts as trustee.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3009. A bill to amend section 622 of the National Service Life Insurance Act of 1940.

The letter accompanying Senate bill 3009 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6928, introduced in the House on January 6, 1954, same being a bill to amend section 622 of the National Service Life Insurance Act of 1940.

Also enclosed is copy of resolution No. 9 adopted at the May 1, 1953, meeting of our national executive committee. The proposed bill is to take care of item 3 of said resolution.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

The purpose of the bill is to waive all premiums on United States Government or national service life insurance term policies and so much of the premiums on permanent plan policies as represents the pure insurance risk for those insureds who were unable to apply for the waiver authorized by section 622 of the National Service Life Insurance Act of 1940 because of being missing in action or captured by the enemy after April 25, 1951, date of enactment of the Insurance Act of 1951, which added section 622 to the National Service Life Insurance Act of 1940 and before April 26, 1952.

In this period of 1 year from April 25, 1951, those in active service would have had full opportunity to take advantage of the waiver provisions of section 622, unless in a missing or prisoner-of-war status, so a premium waiver, if they had sought one, would have been effective should they be missing or captured later.

Section 1 would make insurance nonparticipating, if waived under provisions of section 622 under any circumstance. As section 1 in effect provides for an automatic waiver under certain conditions or waiver retroactively upon others, the amendment proposed is necessary because presently it is provided that the insurance shall be nonparticipating only if the insured elects to have the premium waiver granted.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3010. A bill to amend subsection 602 (j) of the National Service Life Insurance Act of 1940, as amended.

The letter accompanying Senate bill 3010 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6926 introduced in the House on January 6, 1954, same being a bill to amend subsection 602 (j) of the National Service Life Insurance Act of 1940, as amended.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Section 602 (j) of the NSLI Act of 1940, as amended, applies to national service life insurance matured before August 1, 1946.

The section presently prohibits payments of insurance installments to the heirs or legal representatives as such of the insured or of any beneficiary. Also, in the event no person in the permitted class of beneficiaries, to which payment was restricted before August 1, 1946, survives to receive the insurance or any part of it, no payment of the unpaid installments was permitted. However, if the reserve of a converted contract, together with accumulated dividends, less any indebtedness, exceeds the aggregate amount paid to beneficiaries, it does provide for payment of the excess to the estate of the insured, unless any sums paid would escheat.

This bill would require that insurance proceeds, which could not be paid under provisions of existing law, be paid to the estate of the insured, unless such sums would escheat. In this way, payment would be made to heirs of the insured to whom no payment is possible now because of the limited class of beneficiaries allowed before August 1, 1946.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director.

S. 3011. A bill to amend Veterans Regulation No. 9 (a), as amended, so as to provide for transportation of the body of a veteran dying in a State veterans' home.

The letter accompanying Senate bill 3011 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6935 introduced in the House on January 6, 1954, same being a bill to amend Veterans Regulation No. 9 (a), as amended, so as to provide for transportation of the body of a veteran dying in a State veterans' home.

Also enclosed is copy of Resolution No. 2 adopted at the October 16, 1953, meeting of our national executive committee.

This bill would authorize the Veterans Administration to pay for transporting the body of a veteran, eligible for a VA burial allowance, who dies in a State veterans' home, to the place of burial within the continental limits of the United States on the same basis as now provided for one dying in a VA facility.

Under the first sentence of paragraph III of Veterans Regulation No. 9 (a), as amended, the Veterans' Administration will assume the actual cost of burial and funeral, not to exceed $150, and transport the body to the place of burial in the continental United States, where a veteran dies in a VA facility within the continental limits.

Up to $150 may now be paid by the Veterans' Administration, where a veteran meeting the allowance requirements dies in a State veterans' home for burial and funeral expenses and transportation of the body (including preparation of the body) to the place of burial.

Assumption by the Federal Government of the cost of transporting the body to its final resting place will make certain that the burial and funeral allowance is sufficient to assure a fitting burial for the veteran in recognition of his service to his country.

It is believed that equal treatment in this regard should be accorded the veteran, whether he has been domiciled in a State veterans' home or Veterans' Administration home.

The national organization of the American Legion would be grateful if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,

MILES D. KENNEDY,
Director

S. 3012. A bill to amend veterans regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for multiple sclerosis and the chronic functional psychoses.

The letter accompanying Senate bill S. 3012 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6931 introduced in the House on January 6, 1954, same being a bill to amend veterans regulations to establish for persons who served in the Armed Forces during World War II a further presumption of service connection for multiple sclerosis and the chronic functional psychoses.

Also enclosed is copy of resolution No. 522 adopted at our 1953 national convention.

This bill would grant a statutory 3-year presumption of service connection, instead of the present statutory 2-year presumption, for multiple sclerosis. It would also grant a 3-year statutory presumption of service connection for the chronic functional psychoses instead of the present 1-year presumption now afforded by inclusion in a list of chronic diseases in a Veterans' Administration regulation.

Multiple sclerosis and the chronic functional psychoses would then be placed on a parity with all types of active tuberculosis.

The presumption is accorded only where the veteran's disability is thus held related to wartime service. The Government would have the right of rebuttal upon affirmative showing of inception before or after service.

By virtue of provisions of Public Law No. 28, 82d Congress, approved May 11, 1951, veterans of service in the Armed Forces during the Korean conflict would be granted the presumption through enactment of this bill on the same basis as the World War II veteran.

The national organization of the American Legion would be very grateful if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,
MILES D. KENNEDY,
Director.

S. 3013. A bill to provide increases in the monthly rates of wartime service-connected death compensation payable to widows alone and to dependent parents.

The letter accompanying Senate bill 3013 is as follows:

THE AMERICAN LEGION,
NATIONAL LEGISLATIVE COMMISSION,
Washington, D. C., January 18, 1954.

Hon. EDWARD MARTIN,
United States Senate,
Senate Office Building,
Washington, D. C.

DEAR SENATOR MARTIN: Enclosed please find copy of H. R. 6934 introduced in the House on January 6, 1954, same being a bill to provide increases in the monthly rates of wartime service-connected death compensation payable to widows alone and to dependent parents.

Also enclosed is copy of resolution No. 100 adopted at our national convention of 1953.

Section 1: This section proposes a monthly compensation rate in wartime service-connected deaths of $85 for a widow with no child, instead of the present $75, and of $75 for a dependent mother or father, instead of the present $60, or where both are granted the benefit, $40 each, instead of the present $35 each.

This proposed amendment of paragraph IV of part I of Veterans Regulation No. 1 (a) pertains only to the survivors; the rates for the widows with children and for children, where there are no widows entitled to the benefit, remain undisturbed as shown by the bill.

There is ample justification for the recommended modest adjustment of rates. All other disability and death compensation and pension rates were increased in 1952 by approval of Public Laws 356 and 427 of the 82d Congress. The cost of living increased for these survivors as for everyone else. There are widows and dependent parents of deceased World War I veterans who are eking out a bare existence because the compensation award is their only income to meet their living expenses.

Section 2: This section would make the increased awards effective from the first day of the first calendar month after date of enactment and should facilitate the adjustments.

The national organization of the American Legion would be very grateful to you if you would be good enough to introduce a companion bill in the Senate at your earliest convenience.

Thanking you for your courtesy and cooperation, and with warmest personal regards, I am,

Sincerely yours,
MILES D. KENNEDY,
Director.

HELEN PANAGIOTIS STAMOULIS, ALSO KNOWN AS HELENI P. STAMOOLIS OR STAMOULI

Mr. MARTIN. Mr. President, by request of Representative HERMAN P. EBERHARTER, from the 32d District of Pennsylvania, I introduce for appropriate reference a bill for the relief of Helen Panagiotis Stamoulis, also known as Heleni P. Stamoolis or Stamouli. I ask unanimous consent that Representative EBERHARTER's letter be printed in the RECORD.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 3014) for the relief of Helen Panagiotis Stamoulis, also known as Heleni P. Stamoolis or Stamouli, introduced by Mr. MARTIN, by request, was read twice by its title, and referred to the Committee on the Judiciary.

The letter accompanying Senate bill 3014 is as follows:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., February 25, 1954.

Senator EDWARD MARTIN,
Senate Office Building,
Washington, D. C.

MY DEAR SENATOR MARTIN: In connection with the private bill introduced by you in 1951 (copy attached) it is my understanding that administratively an adverse decision has been rendered.

However, representations have come to me from highly responsible sources in Pittsburgh that further investigation may disclose evidence that there is, indeed, a great deal of merit in the proposal to permit Miss Stamoolis to remain in the United States for permanent residence.

In view of these representations may I respectfully request that you introduce in the Senate a new bill which would have the effect as proposed in the one originally introduced by you in 1951.

With sincere personal regards, I am,

Yours very truly,
HERMAN P. EBERHARTER.

AMENDMENT OF SUGAR ACT OF 1948

Mr. ELLENDER. Mr. President, in behalf of myself, my colleague, the junior Senator from Louisiana [Mr. LONG], and the Senators from Florida [Mr. HOLLAND and Mr. SMATHERS], I introduce for appropriate reference a bill, the purpose of which is to increase the mainland cane-sugar quota 100,000 tons.

I ask unanimous consent that a statement entitled "The Mainland Cane-Quota Situation," submitted by the local representative of the American Sugar Cane League, be printed in the RECORD as part of my remarks.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred, and without objection the statement will be printed in the RECORD.

The bill (S. 3019) to amend the Sugar Act of 1948, as amended, introduced by Mr. ELLENDER (for himself, Mr. LONG, Mr. HOLLAND, and Mr. SMATHERS) was received, read twice by its title, and referred to the Committee on Finance.

The statement presented by Mr. ELLENDER is as follows:

THE MAINLAND CANE QUOTA SITUATION

STATEMENT MADE ON BEHALF OF THE 53 PROCESSORS AND MORE THAN 8,000 GROWERS OF SUGARCANE IN LOUISIANA AND FLORIDA—THE MAINLAND CANE AREA

The mainland cane sugar area needs its quota increased from 500,000 tons to 600,000 tons.

Sugar production in the area in 4 of the last 5 years has been in excess of the 500,000-ton quota. The current crop will produce more than 640,000 tons.

This over-quota production is due not to increased plantings but to greater efficiency of operation in field and factory; the results of research done by private industry and scientists of the United States Department of Agriculture, which developed disease and cold-resistant varieties that give greater yields of cane and sugar per acre; more scientific farming practices and wider use of improved mechanical equipment.

Although more than 640,000 tons of sugar will be produced from the current crop only 500,000 tons can be sold. The effective inventory on January 1, 1954 was approximately 300,000 tons; actual stocks on that date were estimated to be 190,000 tons. Facilities are not available in the area for warehousing all of the over-quota sugar nor are all producers able to pay the high cost of carrying over that quantity of sugar until January 1, 1955, the beginning of the next quota year, and at the same time finance their next year's crop.

Proportionate share acres (acreage quotas) for 1954 established by the USDA require an acreage cut of 5 percent or 27,000 acres. This makes the total acreage of the area for 1954 20,000 acres less than the total acreage harvested in 1948, when the quota of 500,000 tons was established. Although the area will harvest 20,000 less acres, the estimated production of sugar is still greatly in excess of the statutory quota. A hearing on proportionate shares for 1955 will be held the middle

of this year and all statistics available at this time indicate that the area is faced with a further acreage cut of 30 percent effective for the 1954–55 crop year.

No farmer in the area can survive such a drastic reduction of his crop. Overhead costs on his greatly reduced acreage will still be as high as the overhead costs on the current crop and, incidentally, the current costs are the highest in the history of the area.

The cost of planting an acre of sugarcane is high. It is amortized over a period of some 3 to 5 years because that many annual crops of sugarcane normally are harvested from one planting. So, when a farmer complies with orders from the USDA to reduce his acreage, he must destroy a sizable capital investment.

The following table I shows the acreage of sugarcane and production and stocks of sugar for Florida and Louisiana and for the mainland cane area as a whole for the years 1949 to date:

Acreage of sugarcane and production and stocks of sugar

Crop year	Acreage			Sugar production			Jan. 1 stocks	Jan. 1 effective inventory
	Louisiana	Florida	Total	Louisiana	Florida	Total	Mainland area	Mainland area
	Thous. acres	*Thous. acres*	*Thous. acres*	*Thous. tons*	*Thous. tons*	*Thous. tons*	*Thous. tons*	*Thous. tons*
1949	301	39	340	414	105	519	70	184
1950	296	40	336	451	109	560	61	145
1951	301	40	341	294	[1] 123	417	110	187
1952	295	44	339	451	154	605	55	144
1953 [2]	302	45	347	481	159	640	64	177
1954 [2]						600	190	300
1955 [2]							300	400

[1] Unprecedented early freeze.
[2] Preliminary and estimated.

All of the sugar produced in the mainland cane area is sold in the Continental United States. The value of the current crop of sugarcane in Florida and Louisiana is more than $100 million. That $100 million constitutes new wealth derived from the sale of sugarcane and its byproducts in a trade area largely outside the States where the sugarcane is grown. However, practically all of that money is spent in Florida and Louisiana for labor, machinery, fertilizer and other items needed to produce and process sugarcane, and for family living. Thus, the mainland cane industry makes a major contribution to the economy of both Florida and Louisiana and to all of the United States of America.

Table II below shows the amount of sugar marketed and imported in the United States for the years 1948 to date:

Sugar marketed and imported

(Charges against quotas)

1948	7,084,135
1949	7,588,049
1950	8,273,853
1951	7,761,646
1952	7,966,130
1953	[1] 8,100,000
1954	[2] 8,400,000

[1] 1953 quotas as currently established.
[2] Secretary Benson's estimate of 1954 needs.

The figures in table II represent the approximate annual consumption of sugar in the continental United States. You will note that the consumption in 1954, according to the Secretary of Agriculture's estimate, will be more than 1,300,000 tons greater than the consumption in the year 1948. As you know, the population in the United States is increasing at a rate in excess of 2½ million per year. The per capita consumption of sugar in the United States is approximately 100 pounds, which means that as a result of annual population growth there is an annual average increase in sugar consumption of approximately 125,000 tons. The data in table I clearly indicates that the mainland cane area requires a quota increase of at least 100,000 tons, which mounts to less than 1 year's average increase in consumption in this country due to population increases.

The mainland cane sugar quota, like other domestic area quotas, is not automatically increased in proportion to increases in consumption as is the case with the quota for Cuba and other foreign countries which supply sugar to the United States. As a matter of fact, the Sugar Act provides for 100 percent of any increase in our consumption to go to Cuba and other foreign countries. A 100,000-ton quota increase for the mainland cane area could be made without lowering the basic quota of Cuba or any foreign country. It could be accomplished merely by requiring the foreign countries supplying our market to forego only 80 percent of 1 year's consumption increase due to population growth in our own country.

The mainland cane area's quota of 500,000 tons has not been revised since it was established by Congress in 1947.

The continental beet quota established at the same time is 1,800,000 tons. Only once in its history has the beet area been able to fill its quota. The beet area failed to fill its quota in 1953 by 180,000 tons; in 1952 by 240,000 tons; in 1951 by 100,000 tons; and in 1950 by 1,000 tons.

The principal reason for the consistent failure of the beet area to fill its quota is the fact that normally other crops are more profitable than sugar beets. Consequently, when farmers in that area feel they can get better returns per acre from beans, cotton, or wheat, they do not plant sugar beets and the area has a large deficit.

Puerto Rico's quota was increased by Congress January 1, 1953, by 170,000 tons to its present total of 1,080,000 tons. Although Puerto Rico for some time has talked need for more quota, representatives authorized to speak for the entire sugar industry of that island agreed February 23, 1954, in a meeting with representatives of continental beets, Hawaii, United States Cane Sugar Refiners Association, and mainland cane, that because of the urgency of the Louisiana-Florida quota problem which outweighs Puerto Rico's problem, Puerto Rico would not ask for a quota increase at this time and would give all assistance possible in getting the mainland cane quota increased by 100,000 tons.

The Puerto Ricans further agreed that if and when they did ask for more quota, the request would be limited to raw quota only.

Hawaii has a quota of 1,052,000 tons. Spokesmen for that area stated that Hawaii does not seek a quota increase, but does reserve the right to ask for one in the future if such increase should be justified.

The Virgin Islands quota was increased January 1, 1953, from 6,000 to 12,000 tons, which is adequate for that limited area.

Two States—Florida and Louisiana—produce cane sugar. Twenty-two States produce beet sugar. The total of cane and beet sugar produced in the continental United States is less than one-third of the sugar consumed in the United States. When the production from the Territories of Hawaii, Puerto Rico, and the Virgin Islands is added, the total production of sugar from all domestic areas is only a little more than half of the total sugar requirements of the United States.

Consumers have a definite interest in maintaining a sound domestic sugar industry, particularly that segment of the industry located in the continental United States. The value of the continental domestic sugar industry was impressively demonstrated during World War I—and again during World War II—when it was almost impossible, because of enemy submarine activity, to get sugar from foreign countries and from some of our offshore domestic sugar-producing areas. Now, in the face of a threat of a world war III, it is especially important to consumers that a dependable source of sugar be maintained on the mainland of the United States.

Beyond any doubt the mainland cane area has demonstrated its ability to produce consistently and economically 600,000 tons of sugar annually. Please help Louisiana and Florida to get it.

USE OF AGRICULTURAL COMMODITIES TO IMPROVE FOREIGN RELATIONS

Mr. HUMPHREY. Mr. President, I introduce for appropriate reference a bill to authorize the President to use agricultural commodities to improve the foreign relations of the United States, to relieve famine, and for other purposes. I ask unanimous consent that I be granted not more than 5 minutes to make a statement in connection with the introduction of the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3020) to authorize the President to use agricultural commodities to improve the foreign relations of the United States, to relieve famine, and for other purposes, introduced by Mr. HUMPHREY, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Minnesota to speak for not more than 5 minutes?

Mr. MANSFIELD. Mr. President, reserving the right to object, I hope this will be the last request for an extension of time. I think this morning hour today has been used a little indiscriminately.

The ACTING PRESIDENT pro tempore. Does the Senator from Montana raise a point of order?

Mr. MANSFIELD. No; I do not at this time.

The ACTING PRESIDENT pro tempore. The request was for how much time?

Mr. HUMPHREY. For not more than 5 minutes.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair

hears none, and the Senator from Minnesota may proceed.

Mr. HUMPHREY. Mr. President, regardless of any differences on other phases of our agricultural policy I believe every member of this body recognizes the imperative need for expanding our overseas outlets, both through increased private export trade and through our Government making greater use of farm products to replace financial assistance as an arm of our foreign policy.

My interest in this matter has been repeatedly expressed on this floor and elsewhere. I am proud to have cosponsored with the distinguished Senator from Montana [Mr. MURRAY] the resolution calling for creation of international food reserves as a sound, long-range step in solving this problem in a multilateral way through agencies of the United Nations.

I have repeatedly in the past called for greater efforts on the part of our own Government in this direction, and I have supported every move toward that end. My interest in obtaining wheat for both India and Pakistan is well known. My support for granting authority to the President for use of our farm abundance to combat famine anywhere in the world is a matter of record.

On many occasions, I have backed efforts to make greater use of private facilities such as the great organizations of CARE and CROP in overseas distribution of food as a gift from the American people.

Mr. President, this Congress has shown a full awareness of the need to expand our overseas outlets. Many constructive proposals have been advanced.

I have studied all of these proposals, finding merit in most of them, but none covering the entire problem.

Mr. President, I believe this bill combines the best out of several proposals before this body and rounds them together in one omnibus measure that—

First. Extends the authority of the President, which now expires March 31, to use our abundant food supplies for famine relief.

Second. Authorizes the Foreign Operations Administration or such other agency as the President may direct to serve as a trading post for stimulating export sales through converting into dollars the foreign currencies received by exporters in payment for the sale of abundant agricultural commodities.

Third. Requires use of private trade channels to the maximum extent practicable in developing the sales for foreign currencies, and requires the use of private nonprofit agencies and organizations to the greatest extent practicable in carrying out famine relief operations.

Fourth. Provides safeguards against dumping that would substitute or displace usual marketings, and to assure to the maximum extent practicable sales prices consistent with world market prices.

Fifth. Provides for use of foreign currencies obtained through such sales for providing military assistance to friendly countries, for purchase of goods or services in friendly countries, for loans to increase production of goods and services, including strategic materials, for developing new markets on a mutually beneficial basis, and for acquiring materials for United States stockpiles.

Mr. President, all these proposals have been discussed in the Senate last year, this year, and in preceding Congresses. In fact, just a few moments ago we were discussing the same matters, during the speech of the distinguished senior Senator from Mississippi [Mr. EASTLAND].

Because it is the intent of this bill to make use of America's agricultural resources as a positive arm of our foreign policy, rather than just in any sense a farm relief program, the measure provides for the cost to be chargeable to foreign assistance appropriations, rather than to the Department of Agriculture.

The authorization asked for appropriations is no higher than in other bills before the Senate to provide separately for famine relief authority and increased export trade through the mutual security program. I believe there is merit in combining the program into one package, although earmarking the specific amounts authorized for each, in order to provide some limitations.

Mr. President, I believe the bill conforms to the objectives of the Minnesota Farm Bureau Federation and the American Farm Bureau Federation toward an aggressive program of securing mutually acceptable trade agreements with other countries, and providing a clearinghouse for foreign currency as a means of moving surplus agricultural commodities and encouraging two-way trade in lieu of direct aid.

I further believe, Mr. President, that the bill meets the objectives set forth by President Eisenhower in his messages to the Congress.

Mr. President, in an address to the 16th Annual National Farm Institute, at Des Moines, Iowa, on February 19, the Assistant Secretary of Agriculture offered some of the most constructive observations I have yet heard from a spokesman for agriculture in the executive branch of this administration. In the course of his remarks, Assistant Secretary Davis said:

> We must expand foreign outlets. This we can do (A) by promoting export sales through normal trade channels at fair prices, and (B) by promoting exports over and above normal amounts by accepting local currencies under conditions advantageous to both the United States and the cooperating countries.

Mr. President, those are the objectives of the bill I have introduced. I ask that it be held open, and I invite any interested Senators on either side of the aisle to join me in sponsoring this effort to make a constructive approach to carrying out one of the foremost objectives of American agriculture, and one to which President Eisenhower has given his public blessing on several occasions.

While I still believe the international food reserve approach is the eventual one which must be taken, it is imperative that our country act on its own, pending establishment of some multilateral program. For that reason, I have offered this new bill, which I believe includes several refinements of other proposals. I invite its careful study, particularly by my colleagues on both sides of the aisle who have shown such a constructive interest in this problem in the past.

INVESTIGATION BY GENERAL ASSEMBLY OF UNITED NATIONS OF THE KOREA AND KATYN MASSACRES

Mr. DOUGLAS. Mr. President, I submit for appropriate reference a concurrent resolution to force a showdown in the United Nations on the Korean massacres of American soldiers, and the Katyn massacre of officers of the Polish army.

I hope my concurrent resolution will receive speedy approval, and that we shall proceed at once to force organized communism to render an accounting at the bar of world opinion for these horrors.

For several years the Communists succeeded by their propaganda in creating doubts about their guilt in Poland. They successfully gave the impression that these massacres were perpetrated by the German Nazi armies. But they refused to permit an impartial investigation by the International Red Cross—just as, years later, they refused to permit an impartial investigation by the same agency into the Korean atrocities.

In both instances the Communist claim that others perpetrated the crimes, but those claims have been thoroughly exploded. Evidence gathered by the American forces clearly convicts the Communist Koreans, working hand and glove with their Russian-Chinese advisers and commanders, of the Korean slaughter.

A special committee of Congress, under the direction of Representative RAY MADDEN, of Indiana, a Democrat, has amassed evidence beyond any reasonable doubt that it was the Russian armies which cruelly slaughtered thousands of Polish officers in the Katyn Forest. Representative MADDEN's evidence would stand in a court of law. It is painstaking, carefully documented, and convincing proof. His committee report suggests that the United States bring the Katyn atrocities before the United Nations General Assembly for action. For some reason or other, this recommendation has not been followed, and the Katyn case has not been brought before the United Nations.

I have read the report of Mr. MADDEN's committee—a unanimous report, by the way.

These atrocities must not be forgotten, nor remain in the limbo of "unfinished business." They should be brought before the United Nations, with all the evidence and persuasion at our command, time and again, until Russia stands condemned before the world. They are a part and parcel of the pattern of Communist conquest and aggression—to invade, seize or subvert a nation, then slaughter all who could conceivably provide an effective resistance in the future.

The United Nations General Assembly, as a world forum, can take up where the Congress cannot proceed. It can proceed to bring these cases before the World Court, for a final judgment of Communist guilt. Russia ought to be made to stand up and defend these atrocities in a court of law; or she should be shown before the world as an outlaw nation unwilling and afraid to accept

the highest processes of justice. That is exactly what I hope this concurrent resolution will accomplish.

The United States should proceed at once to force this issue of wholesale slaughter and torture before the world, for its condemnation.

Mr. President, the concurrent resolution I am now submitting asks the State Department to bring the Katyn massacre before the Assembly of the United Nations, to have the matter referred to the World Court, to have Russia put on trial in the World Court for its actions in the Katyn massacre, and also to have Russia and China placed on trial in the World Court for the massacre of American soldiers in Korea.

The ACTING PRESIDENT pro tempore. The concurrent resolution will be received and appropriately referred.

The concurrent resolution (S. Con. Res. 65), submitted by Mr. DOUGLAS, was referred to the Committee on Foreign Relations, as follows:

Whereas a committee of Congress, after more than a year of investigation, has unanimously found that the Katyn massacre of Polish soldiers was perpetrated by the Soviet NKVD;

Whereas this committee has recommended that the United Nations proceed to bring Russia before the International Court of Justice for trial on charges of violating general principles of law recognized by civilized nations;

Whereas Russia not only has refused to permit an investigation of this crime by the International Red Cross, but likewise has refused to permit the investigation by the International Red Cross of similar atrocities committed against American soldiers in Korea; and

Whereas the massacre of Americans in Korea makes more pressing the necessity of action by the United Nations and the International Court of Justice to establish guilt of crimes of war in conformance with the policy established in the Nuremberg and other war trials: Therefore be it

Resolved by the Senate (the House of Representatives concurring), That the President is requested to instruct the United States Representative to the United Nations to bring the Korea and Katyn cases before the General Assembly of the United Nations for the purpose of seeking an immediate and thorough investigation of such cases by the General Assembly, and, if such investigation indicates the desirability of further action, the reference of such cases to the International Court of Justice.

PROPOSED CONSTITUTIONAL AMENDMENT RELATIVE TO TREATIES AND EXECUTIVE AGREEMENTS—AMENDMENT

Mr. MUNDT submitted an amendment intended to be proposed by him to the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements, which was ordered to lie on the table and be printed.

TAX LEGISLATION—AMENDMENT

Mr. WILLIAMS. Mr. President, on behalf of the Senator from Vermont [Mr. AIKEN] and myself, I submit an amendment which we propose to offer to the tax bill when it comes over from the House.

The amendment has a dual purpose. The first section would reduce the present depletion allowance on oil and gas from 27½ percent to 15 percent. The second section proposes to make it mandatory for the departments to lease all public lands by competitive bidding, rather than under the present procedure of noncompetitive awards.

I ask that the amendment, together with a statement of explanation, be printed in the body of the RECORD.

The ACTING PRESIDENT pro tempore. The amendment will be received, printed, and will lie on the table; and, without objection, the amendment and statement will be printed in the RECORD.

The amendment submitted by Mr. WILLIAMS (for himself and Mr. AIKEN) is as follows:

At the end of the bill, add two new sections as follows:

"SEC. . (a) Section 114 (b) (3) of the Internal Revenue Code (relating to percentage depletion for oil and gas wells) is amended by striking out '27½ percent' and inserting in lieu thereof '15 percent.'

"Section 9 of the Mineral Leasing Act for acquiring lands (30 U. S. C., sec. 358; Public Law 382, 80th Cong.) is amended by inserting '(a)' after 'Sec. 9),' and by adding at the end thereof the following new subsection:

"'(b) On and after the date of the enactment of this subsection all deposits of oil and gas, whether or not within any known geological structure of a producing oil or gas field, leased under this act shall be leased to the highest responsible qualified bidder by competitive bidding under the same conditions as contained in the leasing provisions of the mineral-leasing laws applicable to the leasing of lands within any known geological structure of a producing oil or gas field. Nothing in this subsection shall be construed to affect any rights acquired by any lessee prior to the date of the enactment of this subsection, and such rights shall be governed by the law in effect at the time of their acquisition.'"

The explanation presented by Mr. WILLIAMS is as follows:

STATEMENT BY SENATOR WILLIAMS

AMENDMENT TO THE TAX BILL

Depletion allowance

The proposed amendment (subsection (a)) would amend section 114 (b) (3) of the Internal Revenue Code in order to reduce the deduction allowed for depletion of oil and gas wells from 27½ percent of the gross income from the property during the taxable year to 15 percent of such gross income. Section 23 (m) of the Internal Revenue Code allows a deduction, in the case of mines, oil and gas wells, other natural deposits, and timber, of a reasonable allowance for depletion and for depreciation of improvements. However, the depletion allowable under section 23 (m) may be determined, in the case of oil and gas wells and in the case of coal and metal mines and certain other mines and mineral deposits enumerated in section 114 (b) (4) (A) of the Internal Revenue Code, on the basis of a percentage of the gross income from the property during the taxable year. In the case of oil and gas wells, the allowance for depletion under section 23 (m) is, under the present law, 27½ percent of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or rental incurred or paid by the taxpayer in respect of the property. The proposed amendment would reduce the percentage to 15 percent. The proposed amendment would be applicable only with respect to taxable years beginning after the date of its enactment.

Require competitive bidding on leases of mineral rights

This portion concerns the manner in which the Government has been leasing and disposing of its valuable mineral rights for a fraction of their real worth. In an unbusinesslike method the mineral rights under our public lands are being leased by the Department of the Interior at millions of dollars below their marketable value.

This Department, under the provisions of a law passed in 1947, has been leasing public lands for the development of minerals by private negotiation at a nominal fee of 25 cents to 50 cents an acre, sometimes even lower, instead of negotiating these leases on a competitive-bid basis. This rejection of competitive bidding has resulted in the loss of millions of dollars annually. The policy of rejecting competitive bids, sometimes as high as $20 or $30 per acre and accepting only a nominal fee has been explained by the Department as being required under an interpretation of the existing law.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. SALTONSTALL, from the Committee on Armed Services:

Maj. Gen. John Alexander Klein, Army of the United States (brigadier general, U. S. Army), for appointment as The Adjutant General, United States Army, and as major general in the Regular Army of the United States;

Brig. Gen. Laurence Coffin Ames, and sundry other officers, for appointment as Reserve commissioned officers in the United States Air Force for service as members of the Air National Guard; and

Charles P. Anderson, and sundry other persons, for appointment in the Navy.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. UPTON:

Statement prepared by him on the tragic fate of the Lithuanian people under Communist rule.

BIRTHDAY ANNIVERSARY OF SENATOR FERGUSON AND SENATOR McCLELLAN

Mr. POTTER. Mr. President, I wish to express warmest congratulations to my senior colleague from Michigan, Senator HOMER FERGUSON, who today is

celebrating his 65th birthday. He is a young man at 65.

Senator FERGUSON has had a distinguished career in the State of Michigan, and the State of Michigan is proud of its senior Senator. He served as a circuit judge in our great State from 1929 to 1943. He served in that office with great distinction. Senator FERGUSON served as a one-man jury in our State for a period of time in which he cleaned up graft, corruption, and vice in Detroit and Wayne County. When he became a candidate for the United States Senate, he left the bench. He was elected to the Senate in 1942.

The distinguished senior Senator from Michigan is known for his industry. He is one of the hardest working Members of the Senate. He is a man of conspicuous ability. He is kind and thoughtful, and always has in mind the welfare of the people he represents in connection with his consideration of the many major problems which come before the Senate.

So, Mr. President, it is with a great deal of pride and pleasure that I extend my felicitations to my colleague, the distinguished senior Senator from Michigan, HOMER FERGUSON, and wish for him many, many more years of fruitful public service.

Mr. SMITH of New Jersey. Mr. President, I desire to open the day, so far as I am concerned, with a very cheering and wonderful thought. Our best affections and hearty congratulations go today to the senior Senator from Michigan, HOMER FERGUSON, who today is celebrating his birthday. I know I speak for all my colleagues in expressing the wish that he will have many, many more happy birthdays and many, many more years of effective service in the Senate of the Nation.

Mr. JOHNSON of Texas. Mr. President, I desire to join the junior Senator from Michigan [Mr. POTTER] and the senior Senator from New Jersey [Mr. SMITH] in wishing the chairman of the majority policy committee, the distinguished senior Senator from Michigan [Mr. FERGUSON] a very happy birthday, and I hope he may have many more of them.

Let me also call attention to the fact that today is the birthday of the distinguished senior Senator from Arkansas [Mr. MCCLELLAN]; and I know all of us wish him many happy returns.

JOHN MCCLELLAN is one of those great statesmen who make us all proud to be Americans.

He is not a flamboyant character—not a man who speaks without thought. He is rather the kind of legislator who combines experience, ability and courage. The combination is one of the most effective that can be found in the Senate.

JOHN MCCLELLAN is a real leader of his people. He is a real leader because he speaks for them—because he places their interests at the forefront of his thoughts.

He has been an effective Senator for Arkansas—an able legislator for the whole country. The people of his State deserve congratulations for their good judgment and I join them in wishing him many happy returns of the day.

Mr. KNOWLAND. Mr. President, I also desire to join my colleagues in wishing the distinguished senior Senator from Michigan [Mr. FERGUSON] many, many happy returns of the day.

Mr. President, it happens to be my privilege, and has been for some years, to serve with the senior Senator from Michigan on the Appropriations Committee, on which he is now the ranking Republican member. I have watched him perform his work with ability and distinction. He is always a very diligent member of the committee, and is regular in his attendance at its meetings. He handles with equal dispatch the work of the subcommittee to which he is assigned.

At present I am also serving with him as a member of the Senate Foreign Relations Committee, and there he also takes a very keen and active interest in the work of the committee.

Senator FERGUSON bears the very heavy responsibility of being chairman of the Senate Republican policy committee, and he also takes a very active part in the work of that committee.

So, Mr. President, I am happy to join with his other friends and colleagues in wishing him many, many happy returns of the day.

Mr. MARTIN. Mr. President, I am very much pleased and honored to have this opportunity of joining my colleagues in wishing Senator FERGUSON a very happy birthday.

Pennsylvania is very proud of the accomplishments of HOMER FERGUSON. Both Senator FERGUSON and Mrs. Ferguson were born in Westmoreland County, Pa. We have watched with the greatest of interest their outstanding progress and achievements.

Mr. President, when I first came to the Senate, one of the first men I met was Senator FERGUSON. I have observed with much satisfaction and pride his work in the Senate. He has a very high conception of American ideals, and has earned a notable reputation as an outstanding legislator.

The people of Michigan are most fortunate in having him as one of their representatives in the United States Senate.

Mr. THYE. Mr. President, I, too, desire to join my colleagues in wishing Senator FERGUSON many, many, many more pleasant birthdays here on the floor of the Senate. The Nation needs men of the ability, character, sincerity, and purpose that have marked the distinguished career of Senator FERGUSON. As a member of the Appropriations Committee, I have been privileged to serve with him, not only as a member of the full committee, but also as a member of the Subcommittee on Military Appropriations. I know of his ability and his determination to obtain the facts and to deal properly and justly with all maters pertaining to the affairs of our Government, whether military or civil.

So, Mr. President, I desire to join my colleagues in wishing for Senator HOMER FERGUSON many, many more years of service in the United States Senate.

Mr. BRICKER. Mr. President, I, too, desire to join my colleagues in extending our warmest felicitations and greetings to our good friend and distinguished colleague, the senior Senator from the State of Michigan, HOMER FERGUSON. I have known him for many years, and knew him for many years before serving in the Senate. I have had many pleasant and happy associations and relationships with him. At all times I have known him to be most able and most friendly.

Mr. President, I was gratified when his colleague, the junior Senator from Michigan [Mr. POTTER], referred to Senator HOMER FERGUSON as a young man. Certainly the senior Senator from Michigan gives every evidence of being young and active, as he diligently performs the heavy tasks which are his in the Senate.

So, Mr. President, I desire to join my colleagues in wishing for Senator FERGUSON many, many more years of service to his people and to his country.

Mr. GORE. Mr. President, I desire to join in extending congratulations to the senior Senator from Michigan [Mr. FERGUSON] and in wishing him many happy returns.

I desire also, Mr. President, to congratulate the distinguished senior Senator from Arkansas [Mr. MCCLELLAN] upon his attainment of another milestone. The birthday of the senior Senator from Arkansas is a matter of note because of the outstanding service which he has rendered to his country and to his State.

Mr. SMATHERS. Mr. President, it affords me pleasure to join with my colleague, the junior Senator from Tennessee [Mr. GORE] and my other colleagues who have expressed their felicitations to the senior Senator from Michigan [Mr. FERGUSON] and to the senior Senator from Arkansas [Mr. MCCLELLAN] on their birthdays.

The senior Senator from Arkansas has a distinguished record. At one point in his career he served as prosecuting attorney. He was elected to the 74th Congress to represent the 6th Congressional District of Arkansas. He served in the House of Representatives as a Representative for two terms, following which he was elected to the United States Senate, since which time he has been serving in the Senate with distinction.

I wish to add my voice to the sentiment expressed by the junior Senator from Tennessee in extending to the senior Senator from Arkansas best wishes and congratulations.

REPORT BY SECRETARY OF STATE DULLES ON FOUR-POWER MEETING AT BERLIN

Mr. SMITH of New Jersey. Mr. President, yesterday the Secretary of State, Hon. John Foster Dulles, delivered a very important address, which was carried over nationwide television facilities last night. It was a report on the recent Four Power meeting in Berlin. Because of the importance of this address I ask unanimous consent that the full text of the address be printed in the body of the RECORD at this point as a part of my remarks.

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

REPORT ON BERLIN

(Address by Hon. John Foster Dulles, Secretary of State, concerning the recent Four Power meeting at Berlin)

Last Friday evening I returned to Washington after 4 weeks of daily discussion at Berlin with the Foreign Ministers of France, Great Britain, and the Soviet Union—Mr. Bidault, Mr. Eden, Mr. Molotov. Also, on the way back, I met with Chancellor Adenauer, of Germany.

I find on my return that there is some confusion as to what really happened. That is not surprising. It is difficult to grasp quickly the results of 4 weeks of debate on many different matters. Indeed, the full results cannot be clearly seen for many months. I can, however, say that this meeting had two results which will profoundly influence the future.

First, as far as Europe was concerned, we brought Mr. Molotov to show Russia's hand. It was seen as a hand that held fast to everything it had, including East Germany and East Austria, and also it sought to grab some more.

Second, as far as Korea and Indochina were concerned, we brought Mr. Molotov to accept a resolution which spelled out the United States position that Red China might in these two instances be dealt with, but not as a government recognized by us.

You may ask whether it was worth while to go to Berlin and to make the great effort that the conference involved merely to obtain these results.

My answer is "Yes," and I have no doubt about that. Berlin cleared the way for other things to happen. The unification and the strengthening of West Europe may now go on. In Asia there could be a unification of Korea and an end to aggression in Indochina—if Red China wants it.

I do not predict that these things will happen. What I do say is that they could not have happened had it not been for Berlin.

II

Five years had elapsed since the Western Ministers had met with the Soviet Foreign Minister. During those 5 years much had occurred.

A war had started and been stopped in Korea.

A war had reached ominous proportions in Indochina.

Stalin had died and his successors talked more softly.

Six nations of Europe had created their coal and steel community and planned to move on to a European Defense Community.

Communist China had emerged as an aggressive military organization, allying its vast manpower with that of the Soviet Union.

In the Soviet Union itself, industrial and agricultural strains were developing.

In East Germany, the spontaneous outbreak of June 17, 1953, revealed, in one enlightening flash, how much the captives crave freedom.

What did all of this add up to, in terms of world politics? Many speculated and no one knew. The uncertainty was leading to hesitation, wishful thinking and some paralysis of action.

There was only one way to find out—that was to meet with the Russians and deal with them in terms of some practical tests.

III

We went to Berlin in the hope that Soviet policies would now permit the unification of Germany in freedom, or at least the liberation of Austria. Those two matters would, in relation to Europe, test the Soviet temper. We hoped to achieve those two results and we were determined to let no minor obstacles deter us.

The obstacles we incurred were, however, not minor, but fundamental.

The Soviet position was not at first openly revealed. It was masked behind ambiguous words and phrases. But as the conference unfolded and as Mr. Molotov was compelled to respond to our probing of his words, the Soviet purpose became apparent.

The seating and speaking order at the conference table were such that it always fell to me to speak first after Mr. Molotov. Then after me came Mr. Bidault, of France, and then Mr. Eden, of Britain. They carried with conspicuous ability their share of the task. Between the three of us, we exposed what lay behind Mr. Molotov's clever words. For the first time in 5 years the people of West Europe, America, and indeed all who could and would observe, sized up today's Soviet policy out of Mr. Molotov's own mouth, instead of by guess or by theory.

It amounted to this:

To hold on to East Germany.

To permit its unification with West Germany only under conditions such that the Communists would control the election machinery through all Germany.

To maintain Soviet troops indefinitely in Austria.

To offer Western Europe, as the price of Soviet good will, a Soviet-controlled Europe which would exclude the United States except in the nominal role of an observer along with Communist China.

This last Soviet project for what Mr. Molotov called European security was so preposterous that when he read it laughter rippled around the western sides of the table to the dismay of the Communist delegation.

Laughter is a denial of fear and the destroyer of mystery—two weapons upon which the Soviet Union has relied far too long. Both of these weapons were swept aside in one moment of western laughter.

But Mr. Molotov did more than just to furnish us with an occasion for ridicule. In that same breath, he told Germany that the price of unification was total Sovietization. He told Austria she was to be occupied until Germany paid the Soviet price. He told France that the western frontier of communism was to be the Rhine and not the Elbe. He told all Western Europe, including the United Kingdom, that the price of momentary respite was for the Americans to go home.

His final utterances were harsh. When he called for the abandonment of a European Defense Community, the dismantling of the North Atlantic Treaty Organization, the scrapping of United States bases he spoke with no soft words. Gone was the post-Stalin "new look." Thus he made clear what, to some, had been in doubt.

IV

The Soviet position admitted of no real negotiation. There is no middle ground between free German elections and the kind of elections which were carried on the eastern zone of Germany, where the people were forced to deposit Communist Party ballots bearing one set of names alone.

There is no middle ground between a free and independent Austria and an Austria infiltrated with Russian soldiers.

There is no middle ground between an Atlantic community defense system and "Americans, go home."

There is no middle ground between freedom and slavery.

For the clearest and sharpest and simplest exposition of these basic truths, all of us are indebted to Mr. Molotov.

In my closing statement before the conference last Thursday afternoon, I recalled that we had fought the Second World War for goals expressed in the Atlantic Charter, to which the Soviet Union had subscribed. One of these was freedom from fear. But, once victory was won, the dominant Soviet motive had been "fear of freedom."

There is no doubt in my mind that the Soviet leaders genuinely fear freedom. They do not feel safe unless freedom is extinguished, or is defenseless. That Soviet attitude made it impossible to achieve any agreement at Berlin in relation to European matters.

V

I have referred to the efforts of the western Ministers to require Mr. Molotov to expose Soviet policies in their reality. That effort gave drama to every meeting of the four. There was another aspect which carried, too, its drama. That was the effort of Mr. Molotov to divide the three Western powers.

Mr. Molotov occasionally complained that he was at a disadvantage because we were three to his one. But from his standpoint, that was an advantage. It is much easier to divide three than it is to divide one. If Mr. Molotov had achieved that division, he would have won the conference. In that respect, he failed totally. The conference ended with a greater degree of unity between the three Western powers than had existed when the conference began.

That unity did not come about merely because there had been prior planning. There had been able planning, and our United States staff was one of which all Americans can be proud. But no planning could anticipate all the moves which could be made by so shrewd a diplomat as Mr. Molotov and which called for instantaneous response. The unity that emerged was a natural and spontaneous unity which came from the fact that the three Foreign Ministers stood for governments and nations which were dedicated to the concepts of human liberty and national integrity which Mr. Molotov attacked.

VI

It is a tragedy for the peoples of Germany that Germany and Berlin must remain divided; and for the people of Austria that they remain occupied and economically exploited. It can be said, however, to the eternal honor of these peoples, that they would not have had us do other than we did.

The Austrian bipartisan delegation offered the Soviet Union every concession compatible with national honor. They firmly refused to go beyond that point.

We were constantly in contact with the government and political leaders of the Federal Republic of Germany and we knew that they did not want us to buy German unity at the price of making Germany a Soviet satellite. The Germans under Soviet rule had no government to represent them, but we saw them in East Berlin. They provided a startling and shocking contrast with the people of West Berlin. There we saw open countenances and everywhere welcoming smiles and gestures. In the Soviet sector of Berlin we saw only frozen and haggard countenances, as the people stood silently under the vigilant eyes of the ever-present and heavily armed police. A few waved at me from behind a policeman's back and many wrote me through underground channels. They made clear that they passionately wanted unification with West Germany, but they did not seek that unification on terms which would not really have ended their own enslavement, but would have merely extended that enslavement to their brothers of the West.

The alien peoples under Soviet rule can know that nothing that happened in Berlin has made less likely the unification of Germany, or the liberation of Austria and indeed the restoration of freedom to Poland, Czechoslovakia and the other satellite countries. At Berlin I did not conceal my views in this respect. In my closing remarks to the three other Foreign Ministers I said "we do not believe that the people of Germany or Aus-

tria or for that matter of other neighboring nations need to bury their hopes."

I am confident that in saying this I expressed the abiding sentiments of the American people.

The Governments of France and Britain rejected, without hesitation, the Soviet proffer of European peace at a price which would have meant Western European disunity in the face of the huge consolidation of Soviet power.

Thus it came about that, in relation to Europe, much has been revealed. The Soviet has offered its alternatives to Western planning and they are so repellent that there seems no choice but to proceed as planned. Certainly that is the United States conviction.

VII

I had two private talks with Mr. Molotov about advancing President Eisenhower's atomic energy plan. We have agreed on the next procedural step which will involve communication between Moscow and Washington through the Soviet Embassy in Washington. I should note in this connection that the Berlin Conference adopted a resolution to exchange views on limitation of armament as contemplated by a United Nations resolution of last November. It was, however, made clear that these talks would not replace, or cut across, the independent development of President Eisenhower's atomic energy plan.

VIII

We dealt also with the matter of peace in Korea and Indochina.

We wanted a political conference on Korea because we felt it a duty to ourselves, the Korean people and the United Nations to seek to replace a Korea divided by an armistice with a Korea united in peace. The Korean Armistice recommended such a conference with the Communists. But for over 6 months, the Communists had blocked agreement upon either the time or place or composition of that conference. As far back as last September, in agreement with President Rhee of Korea, the United States had proposed that the conference be held at Geneva. That proposal had been rejected. We proposed, also in agreement with President Rhee, that the conference should be composed of Communist China, Soviet Russia, North Korea, and, on the United Nations side, the Republic of Korea, and the 16 United Nations members which had fought in Korea. This proposal had been rejected.

The Communists insisted that a group of Asian "neutrals" should be present and that Soviet Russia would be among these neutrals and so not bound by conference decisions.

We were able at Berlin to settle all these matters. It was agreed that a conference will be held at Geneva, as we had long ago proposed, and that the composition will be precisely that which the United States, the Republic of Korea, and the United Nations General Assembly had sought. There will be no Asian "neutrals" there.

IX

Some profess to fear that the holding of this conference will imply United States recognition of Communist China. That fear is without basis. Those throughout the world who suggest that the prospective Geneva Conference implies recognition are giving the Communists a success which they could not win at Berlin. The resolution adopted at Berlin explicitly provides—I shall read the text—"It is understood that neither the invitation to, nor the holding of, the abovementioned conference shall be deemed to imply diplomatic recognition in any case where it has not already been accorded."

I had told Mr. Molotov, flatly, that I would not agree to meet with the Chinese Communists unless it was expressly agreed and put in writing that no United States recognition would be involved.

Mr. Molotov resisted that provision to the last. He sought by every artifice and device, directly and through our allies, to tempt us to meet with Communist China as one of the five great powers. We refused, and our British and French allies stood with us. When we went into the final session last Thursday afternoon, I did not know what Mr. Molotov's final position would be. So far, he had not accepted my position. We were to adjourn at 7 o'clock. At 6 o'clock—just 60 minutes before the final adjournment—Mr. Molotov announced that he would accept our nonrecognition proviso.

A Soviet concession of that order ought not to be ignored.

My basic position with reference to Communist China was made clear beyond the possibility of misunderstanding.

In my opening statement (January 26), I said "I should like to state here, plainly and unequivocally, what the Soviet Foreign Minister already knows—the United States will not agree to join in a five-power conference with the Chinese Communist aggressors for the purpose of dealing generally with the peace of the world. The United States refuses not because, as suggested, it denies that the regime exists or that it has power. We in the United States well know that it exists and has power because its aggressive armies joined with the North Korean aggressors to kill and wound 150,000 Americans. We do not refuse to deal with it where occasion requires. It is, however, one thing to recognize evil as a fact. It is another thing to take evil to one's breast and call it good."

That explains our nonrecognition of the Communist regime and also our opposition to its admission to the United Nations.

I adhered to that position without compromise. It is that position which is reflected in the final Berlin Conference Resolution. Under that resolution the Communist regime will not come to Geneva to be honored by us, but rather to account before the bar of world opinion.

X

The Berlin Resolution also touches on Indochina. It says that "the establishment, by peaceful means, of a united and independent Korea would be an important factor * * * in restoring peace in other parts of Asia," and it concludes that "the problem of restoring peace in Indochina will also be discussed at the conference."

This portion of the resolution was primarily and properly the responsibility of France. The United States has a very vital interest in developments in this area and we are helping the French union forces to defeat Communist aggression by helping them out with grants of money and equipment.

But the French and peoples of the Associated States of Indochina are doing the actual fighting in a war now in its eighth year. They have our confidence and our support. We can give counsel and that counsel is welcomed and taken into account. But just as the United States had a special position in relation to the Korean armistice so France has a special position in Indochina.

XI

I recognize, of course, that the Soviet Union would not have accepted, 100 percent, our terms for the Korean political conference, unless it expected to benefit thereby. But so do we.

I can think of some Soviet benefits that we would not like and should prevent. But I do not wholly exclude the idea that the Soviet Union might in fact want peace in Asia.

We can hope so, and we shall see. In the meantime, we shall keep on our guard.

There is, however, no reason why we should refuse to seek peacefully the results we want merely because of fear that we will be outmaneuvered at the conference table. No informed observers believe that we were outmaneuvered at Berlin.

We need not, out of fright, lay down the tools of diplomacy and the possibilities which they provide. Our cause is not so poor, and our capacity not so low, that our Nation must seek security by sulking in its tent.

XII

Berlin gave the free nations up-to-date, first-hand post-Stalin knowledge of Soviet intentions. That knowledge was not reassuring. It shows that the free nations must remain steadfast in their unity and steadfast in their determination to build military strength and human welfare to the point where aggression is deterred and the ideals of freedom are dynamic in the world.

We must continue to hold fast to the conviction that the peoples and nations who are today not the masters of their own destinies shall become their own masters.

If we do all of this, not belligerently, but wisely and soberly; if we remain ever-watchful for a sign from the Soviet rulers that they realize that freedom is not something to be frightened by, but something to be accepted, then we may indeed, as these eventful coming months unfold, advance the hopes for peace of the world, hopes so eloquently voiced by President Eisenhower last April, and again last December.

XIII

In all of this, we Americans have a special responsibility.

Over recent years, the fearful problem of dealing with Soviet expansion has brought many to a truly disturbing emotional and moral state. In a sense, brains have been washed to such an extent that many are tempted to trade principles of justice for some sense of momentary respite.

Our ultimate reliance is not dollars, is not guided missiles, is not weapons of mass destruction. The ultimate weapon is moral principle.

George Washington, in his farewell address, called upon our Nation to observe justice toward all others. "It will," he said, "be worthy of a free, enlightened, and, at no distant period, a great Nation to give to mankind the too novel example of a people always guided by an exalted justice * * *. The experiment, at least, is recommended."

That recommendation has, in fact, guided us throughout most of our national life and we have become the great Nation which Washington foresaw. This is not the moment to foresake that guiding principle. It is not a moment to flee from opportunities because we fear that we shall be inadequate. If what we stand for is right, why should we fear?

There are some in Europe who would have us forsake our friends in Asia in the hope of gain for Europe. There are some in Asia who would have us forsake our friends in Europe in hope of gain for Asia. We dare not be critical of them, for they are subject to strains which we are spared by our fortunate material and geographical position. Indeed, there are some Americans who would have us sacrifice our friends both in Asia and in Europe for some fancied benefit to ourselves.

I do not argue that American foreign policy should be conducted for the benefit of others. American foreign policy should be designed to promote American welfare. But we can know that our own welfare would not really be promoted by cynical conduct which defies moral principles. In a world in which no nation can live alone, to treat our friends unjustly is to destroy ourselves. We must stand as a solid rock of principle on which others can depend. That will be the case if we follow George Washington's advice and continue to be a people who are guided by "exalted justice."

THE FOREIGN SERVICE OF THE UNITED STATES

Mr. SMITH of New Jersey. Mr. President, recently I have had called to my attention an article which appeared in the Saturday Evening Post, January 9, 1954, entitled "I Rode Uncle Sam's Gravy Train Overseas." This article, which was reprinted in the CONGRESSIONAL RECORD, was critical of the Foreign Service and perhaps left the implication that a good many of our public servants abroad are engaged in high living and are not devoting their best efforts to the interests of the United States.

I do not share the point of view that such abuses as are implied in this article are universal. I have visited a good many of our missions abroad and it is my conviction that, generally speaking, the Foreign Service of the United States is staffed with competent people, many of whom are making important sacrifices to serve their country abroad.

Last week I made a report to the Senate on my recent visit to the Far East. In that report I made some comments on the over-all caliber of the Foreign Service, which I now quote:

> I desire to pay special tribute to the career men and the members of the staffs of our Foreign Service. In many of these places they are working under extreme difficulties and great personal sacrifice. They deserve the confidence and support of the people of the United States.

Further on in the report I listed some of the encouraging aspects of the situation we encountered in our visit. Among those encouraging aspects I listed the following:

> Finally, we should point out that we were very favorably impressed by the quality of our leadership in Asia. Our ambassadors, on the whole, are outstanding as are our military leaders. * * * It is gratifying to meet such extremely able people in the field who are devoted to the best interests of the United States.

I make this statement for the CONGRESSIONAL RECORD, because I think it is time that the fine service being rendered by our public servants abroad should be properly recognized.

THE ST. LOUIS CARDINAL BASEBALL CLUB

Mr. HENNINGS. Mr. President, I am very glad to have this opportunity to ask unanimous consent to have printed in the body of the CONGRESSIONAL RECORD three telegrams which I have received in reply to the statement made on the Senate floor on Monday by the distinguished senior Senator from Colorado [Mr. JOHNSON] about the St. Louis Cardinal Baseball Club.

The first telegram is from Honorable Raymond R. Tucker, mayor of the city of St. Louis, and is a copy which he sent to me of the wire which he has addressed to Senator JOHNSON. The second wire is from Honorable Aloys Kaufmann, president of the Chamber of Commerce of metropolitan St. Louis and was likewise sent to me as an information copy of a wire sent to Senator JOHNSON. The third telegram is a statement made by Mr. August A. Busch, Jr., president of the St. Louis Cardinals and Anheuser-Busch, Inc.

At a later date I shall have more to say about this controversy.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

ST. LOUIS, MO., *February 24, 1954.*

Senator THOMAS C. HENNINGS,
Senate Office Building,
Washington, D. C.:

Copy of a telegram sent to Hon. EDWIN C. JOHNSON, Senate Office Building, Washington, D. C.:

"As mayor of St. Louis, I want to call your attention to my opinion regarding Mr. Busch and the motives of his company in purchasing and operating the St. Louis Cardinals. The fact is that St. Louis was in great danger of losing the Cardinals to another city when Anheuser-Busch, Inc., came forward with the capital required to keep them here and to build a championship team.

"The St. Louis Cardinals are more than a St. Louis institution, and more than a Midwest institution. They are the home team of more Americans than any other major league baseball club. Mr. Busch respects that tradition and will continue it. He is an outstanding leader in St. Louis affairs and chairman of Civic Progress, Inc., our organization devoted to building a better St. Louis.

"The peoples of St. Louis do not think the Cardinals are being run for business purposes. They see much evidence that their owners are interested only in giving St. Louis the kind of National League baseball to which it is accustomed—winning baseball.

"Speaking for the people of St. Louis, I want to assure you that we have complete confidence that Mr. Busch will do everything he can to give the fans of this vast section of America a Cardinal team that they will be proud to root to a world championship."

RAYMOND R. TUCKER,
Mayor.

ST. LOUIS, MO., *February 24, 1954.*

Senator THOMAS C. HENNINGS,
Senate Office Building,
Washington, D. C.:

Statement by August A. Busch, Jr., president of the St. Louis Cardinals and Anheuser-Busch, Inc.:

"We respect the right of a United States Senator to make any comment or introduce any legislation, though we hardly believe it proper legislation to be aimed at an individual or single company.

"We do not want to enter into any controversy with Senator JOHNSON, but we believe the 100-year record of Anheuser-Busch, Inc., and our record since we have been in organized baseball speak for themselves.

"1. Anheuser-Busch, Inc., was a leader in its field before any baseball broadcasts—and even before organized baseball itself made an appearance on the American scene. To accuse us of using baseball to achieve a position in the industry we long have enjoyed is self-answering.

"2. Our record for the year we have been in organized baseball has been recorded.

"In the first place we bought the Cardinals only when we were certain that no other group could keep them in St. Louis. Then we proceeded to improve our stadium with one objective—to make the park more comfortable and baseball more enjoyable.

"Baseball broadcasting under brewery sponsorships is certainly not new. More than half of the major league broadcasts are under such sponsorship. Were it not for this sponsorship millions of fans would have been unable to enjoy baseball.

"I can assure fans that Anheuser-Busch, as owner of the Cardinals, will continue to serve the best interests of baseball and the public."

ST. LOUIS CARDINALS.

ST. LOUIS, MO., *February 24, 1954.*

Senator THOMAS C. HENNINGS,
Senate Office Building,
Washington, D. C.:

Information copy of a telegram to EDWIN C. JOHNSON, Senate Office Building, Washington, D. C.:

"We are certain that Anheuser-Busch or Col. August A. Busch, Jr., president of Anheuser-Busch and the Cardinals, needs no defense by us. This telegram is simply to inform you that this 100-year-old company and its president have brought great credit to this community and this area through their business practices, civic spirit, and community participation.

"It was through the personal efforts of Colonel Busch and the expenditure of millions of dollars by the company he heads that kept the colorful Cardinals, one of our great civic assets, in St. Louis. Our citizens are grateful and Mr. Busch's subsequent conduct of the Cardinals has made them very happy.

"We are jealous of the reputation of our community and of its leading citizens and organizations and we are sure you would want to know how we feel.

"This telegram bespeaks the sentiments of the overwhelming majority of our citizens and the business community as well. We respectfully call it to your attention in the interests of fair play."

ALOYS KAUFMANN,
President, Chamber of Commerce of Metropolitan St. Louis.

CLOSING OF POLISH CONSULAR ESTABLISHMENTS IN THE UNITED STATES

Mr. FERGUSON. Mr. President, I know the Senate will be interested in the fact that I have received word, after considerable work on the matter, that the Polish consular establishments in the United States are to be closed. I read the following communication which I have just received:

> The Secretary of State presents his compliments to His Excellency the Ambassador of the Polish People's Republic and has the honor to inform the Ambassador that the Department of State has reviewed the activities of the Polish consulates general in the United States. After careful consideration the Department has reached the conclusion that these consular establishments serve no useful purpose in the conduct of relations between the United States and Poland at the present time. The United States Government, consequently, requests that the Polish Government close its consulates general at New York, Chicago, and Detroit and withdraw the personnel of those offices within a reasonable period for liquidating their affairs.

I can vouch for the fact that the Polish consulate in the city of Detroit has served no useful purpose and we are delighted that, as a result of our having taken up the matter with the Secretary of State, the Polish Embassy has now finally closed its consular offices.

PARITY FOR DAIRY PRODUCTS

Mr. EASTLAND. Mr. President, I introduce for appropriate reference a bill to provide that the price of whole milk, butterfat, and the products thereof shall be supported at 90 percent of parity until April 1, 1955. I ask unanimous consent that I may address the Senate briefly on the bill.

The ACTING PRESIDENT pro tempore. The bill will be received and ap-

propriately referred; and, without objection, the Senator from Mississippi may proceed.

The bill (S. 3015) to provide that the price of whole milk, butterfat, and the products thereof shall be supported at 90 percent of parity until April 1, 1955, introduced by Mr. EASTLAND, was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. EASTLAND. Mr. President, the action of the Department of Agriculture in reducing the support price of dairy products from 90 percent to 75 percent of parity comes at a singularly inopportune time. I have therefore this day introduced a bill to continue 90 percent support prices for dairy products for 1 year, until the new farm bill has been enacted, and the Congress has had an opportunity to consider permanent dairy legislation.

Mr. President, the economy of this country is now in a recession or mild depression. The unemployed number approximately 3½ million today. Unemployment, in my judgment, will rise considerably higher. I know that unemployment will rise much higher if we reduce farm support prices and thereby curtail farm income and weaken the structure of agricultural purchasing power which undergirds our economic well-being. If the American farmer cannot buy, the wheels of American industry will not turn. If agriculture, our basic industry, is not prosperous, then the manufacturing industries will not prosper, and there will be further unemployment and wage reductions in industry.

It is a crucial error, at a time when the Nation's economy is peculiarly sensitive to governmental policy because of deepening unemployment, to reduce support prices and cut farm income. It is as if a person coming down with a cold were forced to sit in a draft instead of being bundled up and kept warm and given a hot drink.

All that lowering support prices will accomplish, Mr. President, is to create more unemployment. If one deliberately wanted to intensify a recession into a real depression, I cannot think of a better way to do it than to impoverish American agriculture. I shall oppose any reduction in support prices for any farm commodity.

The price of dairy products, Mr. President, is tied to the price of grain. Grain is supported at 90 percent of parity. My judgment is that grain will continue to be supported at 90 percent of parity after the year 1954. It is wrong to support the price of dairy products at 75 percent of parity when the dairy farmer must pay 90 percent for his grain. It is unjust to impose such a cost-price squeeze upon the dairy farmers of this country. If grains are supported at 90 percent—and they should be—then the dairy industry is also entitled to a 90-percent-support price. This is but simple justice.

Dairying is a basic agricultural industry. It is one of the largest in this country; it is one of the most important in this country. There are 602,000 commercial dairy farms in the United States. A total of 2,007,000 farmers derive a part of their cash income from the sale of dairy products, not to mention the even larger number who produce dairy products for their own use.

Mr. President, the total number of farms in the United States is only 5,382,000. Over 2 million of them are dependent in a more or less substantial degree upon the sale of dairy products for their cash income. In other words, in lowering the supports on butter, milk, and cheese from 90 percent of parity to 75 percent, you are lowering the cash income of nearly 40 percent of America's farmers. History has shown that national prosperity is tied to farm prosperity. Why promote a depression by moving to impoverish 40 percent of the Nation's farmers?

No branch of agriculture contributes more to the health of the American people than does our great dairy industry. No farm group works longer hours the year around than do the Nation's dairy farmers and their families. It is elementary justice that they should receive 90 percent of parity for their products just as much as the remainder of America's farm population.

The dairyman's costs have not gone down, and will not go down. His income is modest enough as it is. The Department of Agriculture made a study of farm income on so-called typical farms in 1952. They found that on a typical dairy farm in western Wisconsin the average wage per hour received by the dairy farmer and members of his family was 71 cents. In eastern Wisconsin it was 74 cents. In the great northeastern dairy belt of New York and Pennsylvania it was only 55 cents per hour. No computation was made for the southern dairy industry.

By comparison, the per-hour wage earned on a typical cash grain farm in Illinois or Iowa was $2.29 per hour in 1952 and on a grain and stock farm in the same Illinois-Iowa area, $1.57 per hour. On a North Dakota wheat farm the income per hour of work was 49 cents. On a Washington State grain farm, the per-hour-of-labor income was $3.67.

Mr. President, the 55–74 cents per-hour-of-labor income of the dairy farmer and his family is one of the lowest per-hour incomes in American agriculture. The average factory wage rate for the entire United States in 1953 was $1.76½ per hour. Compare the $1.76½ per hour wage of American factory labor with the 55 cents per hour or the 74 cents per hour of America's dairy farmers and we find that factory workers received approximately 2½ times as much per hour as America's dairy farmers.

I am glad that America's factory workers do receive a good income. Their buying power is a powerful element in the maintenance of our prosperity. But, by the same token, the buying power of over 2 million dairy farmers and their families is equally basic for the maintenance of our prosperity. Seven or eight cents more per pound for butter or a cent more a quart for milk is a small price, indeed, to pay for the prosperity of our great dairy industry.

Never forget that our dairy farmers can buy far more automobiles, far more farm machinery, more refrigerators, more clothing, more furniture, and more of every type of manufactured product if their income is sustained at 90 percent of parity than they can buy if it drops to 75 percent. Economic equity is the key to continued prosperity and that is all I am insisting upon for the dairy farmer.

Why should the dairy farmers be singled out to be the victim of a deflationary policy in a time of economic recession when President Eisenhower is frankly promising and boldly proclaiming inflationary remedies for other phases of the economy? Surely such inconsistency does not make sense.

It will not fatten the dairy farmer's pocketbook to tell him he will sell more dairy products at 75 percent of parity than at 90 percent. He is currently selling all his dairy products at 90 percent, with the Government taking the surplus.

I am not trying to dodge the existence of surplus dairy products. They are no greater than other surpluses and less than some. Like other surpluses, they are impressive only in the cumulative sense. They do not frighten me at all; I view them as a blessing in disguise.

The remedy for surpluses is obvious—export. Western Europe, with its large consumption of breadstuffs, could use far more butter, cheese, and milk than it does today. The energetic, productive peoples of many foreign nations are eager to raise their standard of living. If we will take just enough additional foreign products to enable them to absorb our surplus dairy products and other surpluses, the exchange will become feasible. Or, because of the dollar shortage abroad, we could accept foreign currency for dairy surpluses and use this currency to pay part of our occupation costs and other military expenses. We have military establishments in 49 foreign countries at the present time. Western Germany, with 42 million people in an area the size of California, would, however, be our best customer for surplus butter, cheese, and dried milk.

In my 12 years in the Senate of the United States I have introduced a variety of bills looking to the export of our surpluses. Several have been enacted to the material benefit of agriculture, not only in my own State of Mississippi but in the Nation as a whole. A little further pressure on this export question, and I think we shall have our surplus problems solved.

Mr. THYE. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I should like to conclude my remarks first; then I shall be very happy to yield.

Mr. THYE. On the subject of exporting dairy surpluses, I wish to commend the Senator from Mississippi for that particular reference, because I believe we have not exerted ourselves as a nation in that field to the extent we should have exerted ourselves.

Mr. EASTLAND. I thank the distinguished Senator from Minnesota, and I will say that I believe the suggestion concerning exportations is applicable to all our agricultural surpluses. They have

accumulated because we have not exerted ourselves or taken simple steps to remedy the situation.

Mr. THYE. That is correct.

Mr. LONG. Mr. President, will the Senator from Mississippi yield?

Mr. EASTLAND. I yield.

Mr. LONG. As a matter of fact, it has occurred to me, and I am sure it may have occurred to other Senators, that we could trade some of these perishable commodities for various things which would not deteriorate rapidly. We could trade them for metals and other things of that kind, of which it is almost impossible to obtain adequate supplies.

Mr. EASTLAND. Certainly; and or with the proceeds we could pay occupation costs and costs in connection with the bases which we are constructing abroad.

Every country from which we are buying military equipment is critically short of food and fiber of all kinds.

I will say this for Secretary Benson, that he is heartily in favor of exporting, so far as possible, surplus agricultural commodities. The hitch seems to be in the State Department.

Mr. President, if we had sold Russia our surplus butter recently when she desired to purchase it, our butter surplus would be down to manageable proportions. But 40 million Germans can eat a lot of butter, too, and if we are wise we will get our surpluses to them and to other foreign nations and not yield to a counsel of desperation here at home on this surplus question and liquidate our dairy farmers and promote a depression.

We can give our dairy farmers 90 percent of parity with the greatest of ease simply by exporting our surpluses.

Of course, we must meet competitive foreign prices of dairy products if we are to sell abroad. But the Secretary of Agriculture already has discretionary power to do this by utilizing section 32 funds comprising 30 percent of United States import duties on foreign goods.

Mr. President, an across-the-board reduction in agricultural support prices would throw this country into a drastic depression. I know of no better way to fight depression than to maintain agricultural income at 90 percent of parity and thereby enable the farmers of this country to buy the products of American industry. Farm prosperity is the best job insurance our factory workers can have. Retention of 90-percent support prices for dairy products is vital to the entire Nation because it is vital to the prosperity of the United States.

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

Mr. EASTLAND. I yield.

Mr. AIKEN. I agree thoroughly with what the Senator has said with reference to exporting our dairy products. I think it is nothing less than humiliating that we are prevented from selling a normal excess in a normal competitive world market.

I should like to ask the Senator from Mississippi two questions. The first question is whether he would be in favor of permitting unlimited production of dairy products at a 90-percent price support.

Mr. EASTLAND. Let me answer the Senator's first question first.

Mr. AIKEN. I think that is a good idea.

Mr. EASTLAND. That is a question which does not confront us at this time.

Mr. AIKEN. It will, very shortly.

Mr. EASTLAND. No. What we have got to do is to take the steps necessary to export these surpluses. I think that will cure the situation. In my opinion, there would have been large exports if it had not been for the action of the State Department in throttling them. We would not then have had the surplus of dairy products which we now have. If at some time in the future, in spite of the fact that we are exporting and selling competitively, there should accumulate a surplus which is unmanageable, that is another question. But that situation does not confront us today.

Mr. AIKEN. The fact remains that it does confront us. We are not permitted to export dairy products. In order to be exported they have to be licensed.

Mr. EASTLAND. That is my complaint, exactly. I do not think we should permit the whole price program to be destroyed and the Nation thrown into a depression because we do nothing about exporting our surpluses.

Mr. AIKEN. We have been faced for nearly 10 years with the opposition of the State Department to the exporting of American farm commodities. I agree with the Senator that it is time Congress, or someone, took some action to prevent such unwarranted interference with the farm prosperity of this country. I am willing to help to do something about it.

When any Government officials say the United States cannot export farm commodities on a normal competitive market, they are going far beyond the bounds of economic propriety.

Mr. EASTLAND. Let me make a suggestion before the Senator asks his next question.

Mr. AIKEN. Very well.

Mr. EASTLAND. I think these surpluses are a blessing. The reason why I consider them to be a blessing is that the weight of the surplus, because of the problem which confronts us, will force the administration to take action to correct the situation.

Mr. AIKEN. My next question is, If we support one type of fats and oils at 90 percent of parity, should we not also support other types at the same level? If we support dairy products at 90 percent of parity, should we not also support cottonseed and soybeans at the same level?

Mr. EASTLAND. They are all interrelated, of course. Cottonseed is supported at 75 percent of parity. There is under way a drive to take off all price supports.

Mr. AIKEN. The soybean producers are conducting an intensive campaign. Can the Senator explain why the soybean producers are putting on such a campaign? Is it to bring about an increase in the support price for cottonseed?

Mr. EASTLAND. I did not know they were doing that.

Mr. AIKEN. I think every soybean association in the country has been urging Congress to raise the support level for cottonseed. Can the Senator conceive of any good reason for their doing that?

Mr. EASTLAND. Oh, yes. I understand the State Department objected to the Department of Agriculture publishing daily price information because some foreign nation might object. I was given that information by a very high official in the Department of Agriculture. I should like the distinguished Senator from Vermont, who is one of the most powerful men in the administration, to verify that information.

Mr. AIKEN. I do not understand the point the Senator wants to have verified. My question was whether the Senator would insist upon 90-percent price support for cottonseed.

Mr. EASTLAND. I would insist upon the same support price that is applicable to soybeans. It would be the rankest kind of discrimination to support a product grown in the Midwest at one level and to support a product grown in the South at another level. In 1953 soybeans were supported at 90 percent of parity; cottonseed at 75 percent. Soybeans today are supported at 80 percent, and the drive is on to take off all supports and impoverish the farmer.

Mr. AIKEN. Is it not a fact that when cottonseed was supported at 90 percent of parity the Federal Government was the only market for the oil, and that at the present time——

Mr. EASTLAND. No; I do not know those figures, but I will tell the Senator from Vermont that any time the Government is called upon to take 90 percent of a product because of the support price, the price has got to be lowered.

Whether the Senator's figures are accurate or not, I do not know. I do not think they are.

Mr. AIKEN. I do not know the exact percentage; I do not claim to know. I simply had a feeling that the cottonseed support price was lowered to 75 percent after it was found that there was a good market and that producers were happy over that market at the present time.

I also have had a feeling that the soybean growers were putting on their campaign to raise the price of cottonseed in order to push a competitor out of the market. Furthermore, I have felt that there are persons who wish to keep butter out of a competitive position with oleomargarine. I do not know whether the Senator from Mississippi can explain that.

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

The ACTING PRESIDENT pro tempore. The Chair desires to call the attention of Senators to the fact that the Senate is operating in the morning hour, for the transaction of routine business. The Senator from Mississippi is speaking under a unanimous-consent agreement that a few minutes may be devoted by him to a bill he has introduced. The Chair supposes the word "few" may be variously defined.

Does the Senator from Mississippi yield to the Senator from Alabama?

Mr. EASTLAND. Yes; I yield.

Mr. SPARKMAN. The able Senator from Vermont has just said something

about the cottonseed growers being very happy now with the price situation and the market situation. Does not the Senator overlook the very important point that the able Senator from Mississippi made a few minutes ago, namely, that the relief which the support price affords the tenant and sharecropper at cotton-harvesting time certainly does not apply now, because the tenant and sharecropper do not hold the seed now?

The Senator from Mississippi is talking about something which will help the man who produces the seed, rather than assistance that may be given after the seed gets to the processor.

Mr. EASTLAND. The Senator from Alabama certainly is correct.

Mr. SPARKMAN. I believe the Senator from Mississippi will agree with me in the statement of a fact of which I fear a great many people throughout the country are not aware, and that is that cottonseed really represents, to a great many persons in the cotton-growing section, the real earnings or net profits they receive from their cotton crop.

Mr. EASTLAND. To millions of them it is the principal source of income.

Mr. SPARKMAN. Of course, when the cotton is harvested, the crop gets into the market immediately. Most of the small farmers in the cotton-growing sections of the South do not even take their cottonseed home; they dispose of it at the gin.

Mr. EASTLAND. That is correct.

Mr. SPARKMAN. I have just one other point to make. I appreciate the courtesy of the Senator from Mississippi in yielding to me, for I know he is speaking under a limitation of time.

I wish to commend the Senator for something he said a few moments ago; that is, that the surpluses ought to be considered a blessing. As a matter of fact, I often have the feeling that there might develop in this country a psychology that surpluses are a curse, when, as a matter of fact, they ought to be considered a blessing. In most parts of the world the great struggle is to produce enough.

Mr. EASTLAND. We can export. We have not been exporting because we have not attempted to do so. We have been letting the surpluses pile up and thus destroy the production program.

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

Mr. EASTLAND. I yield.

Mr. HUMPHREY. First, I wish to say, "Three cheers for the statement of the Senator from Mississippi." He has done a great service today by pointing out the importance of a sensible and effective price-support program, not merely with respect to dairy products, which are the current issue, but also with respect to the whole area of the commodities of American agriculture.

As the Senator from Mississippi knows, a few days ago I spoke on this very subject.

Mr. EASTLAND. Yes; and the Senator from Minnesota made a very fine speech.

Mr. HUMPHREY. I wish to commend the Senator from Mississippi, particularly upon the foreign-trade aspects, because this afternoon I shall introduce a bill entitled "The Farm Trading Post Act," which will tie together a number of proposals which have been suggested either in resolution form or in statements by committees.

I reviewed the hearings of the Senate Committee on Agriculture and Forestry of last year, and I have drawn up a bill which proposes to do exactly what the Senator from Mississippi is suggesting; namely, to stimulate the exportation of agricultural exports.

The Senator from Mississippi is exactly right when he says that a great deal more can be done than has been done. I think there has been much dragging of feet. There has been very little creative imagination.

The Senator from Mississippi has pointed out the importance of surpluses as a stimulant to the Government to get busy. I may say they are also important in terms of the consumer in the United States. The countries which have a shortage of any commodity pay much higher prices than we do in this country, where we have a price-support program.

We have looked upon surpluses as giving us a variety of goods from which to choose, in addition to the high quality of the goods we consume. We can look upon surpluses as a real blessing and as an economic asset.

I noticed a while ago that the junior Senator from Louisiana [Mr. LONG] mentioned the possibility of exchanging some of our surplus agricultural commodities for more of the storable commodities necessary for our stockpile. All I say is that the administration and the Government seem to lack any creative imagination whatsoever. Their answer to the problem seems to be to reduce price, a process which ultimately results in liquidating a large number of producers.

Mr. EASTLAND. And also a deepening of the depression.

Mr. HUMPHREY. And a deepening of the depression; indeed, it does.

I point out, in collaboration with the statement of the Senator from Mississippi, that once prices have been reduced, a large number of smaller producers will have been knocked out of economic existence, which will cause an aggravation of the economic problem in the United States from which it may take years to recover.

Besides that, the herds in the dairy industry will have been destroyed by the thousands, and it will take anywhere from 3 to 5 years to recover from such a disaster.

Mr. EASTLAND. What the distinguished Senator from Minnesota has said is correct. There is one way to save a support program at 90 percent, and it can be saved; that way is to market the surplus products. Instead of that, the surpluses are being allowed to accumulate, so the whole program is falling of its own weight. Nothing has been done to reduce the surpluses, but they can be reduced in a hungry world.

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

Mr. EASTLAND. I yield.

Mr. HUMPHREY. I was on the floor last year when the Secretary of Agriculture set the 90 percent of parity price. The manner in which he did it, by delaying the announcement, did much, literally, to pile up butter and other dairy products in Government warehouses. That is the judgment of people who are engaged in the business.

I further say that during this period of time when price supports are going to come down, the Government will have just that much more dairy production on its hands. There will not be a producer who will hold any of his 90 percent of parity commodity until the day the 75 percent price support goes into effect.

Mr. EASTLAND. I can understand that.

Mr. HUMPHREY. I further say that the Department of Agriculture has not seen fit to make a constructive proposal to Congress to deal with the so-called surpluses. Yet the Secretary of Agriculture himself said, in one of his recent statements, a press release which I read on the floor of the Senate, that during the 4 years when dairy production was under 90 percent support price, the demand for dairy products was almost in balance with the supply.

This is the answer to the question of what will happen if 90 percent support prices are in effect for a long time. We had them for 4 years, and had no surplus. The Secretary said the surplus was due to two factors: First, unusually good weather in the winter. No Secretary has a pipeline to the Weather Man upstairs, so that he will be able to adjust the weather according to the statistics of the Department of Agriculture.

The second factor which the Secretary reminded us of, which he said had increased the dairy production, was the low price of beef cattle, which resulted in farmers in dairy areas not culling out the cows from their herds.

I realize the Secretary of Agriculture cannot do much about the weather, but he could have done a little more about beef prices. These two factors have no relevancy whatever to the reduction of support prices.

I say the Secretary can produce no evidence whatsoever that a reduction to 75 percent of parity will in any way increase the consumption of butter fat.

Once a stable policy is established, once dairy producers know what can be expected, plus an energetic program of selling to foreign outlets in exchange for critically needed goods, there will be normal consumption and demand.

Mr. EASTLAND. There ought to be a congressional investigation of the State Department and the way in which it has hamstrung and prevented the export of agricultural surpluses. I have stated on the floor of the Senate that I do not think the State Department is an American agency of government, and I repeat that statement—I do not think it is an American agency of government. I think it has done everything to promote the interests of the foreign producer against the interests of the United States.

Mr. HUMPHREY. While the Senator from Mississippi may not be able to be present when I can have the floor in my

own right, I expect to read a statement in connection with my introduction of a bill which wil be called The Farm Trading Post Act. I shall introduce such a bill today.

The bill will contain some mandatory provisions regarding the Department of State and the Department of Agriculture, to the effect that if such departments lack the necessary motivation for taking appropriate action on their own initiative under existing law, the Congress of the United States may provide the departments with some real motivation by legislative enactment.

Once in a while political appointees have to be taken into the woodshed and taught a lesson. I think the time has come when the shillelagh should be wielded in order to get some action on the part of those departments in the area which we have been discussing.

Mr. EASTLAND. Such provisions I believe are very essential.

Mr. President, I yield the floor.

COVERAGE UNDER SOCIAL SECURITY OF ADDITIONAL PERSONS

Mr. HUNT. Mr. President, the President of the United States, in his state of the Union message, recommended bringing into the coverage of social security approximately 10½ million additional persons, including professional groups. It has been my observation through a period of years that the medical and dental professions do not wish to be covered by social security.

I ask unanimous consent to have printed in the RECORD at this point a letter from the president of the Weld County Dental Society, of Greeley, Colo., dated February 17, 1954, expressing the views of the Society on the question.

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

WELD COUNTY DENTAL SOCIETY,
Greeley, Colo., February 17, 1954.

Hon. LESTER HUNT,
United States Senator,
Washington, D. C.

DEAR SIR: In reply to your letter of February 5, 1954, I would like to submit the following reasons why the Weld County Dental Society opposes the extension of social security to the self-employed.

We did not debate or consider the political and economic philosophy or criticize the manner in which the program is administered. All these considerations depend upon the individual's line of thinking and political upbringing.

First we realzed that the self-employed dentist, if he wants to be included, must pay 50 percent more than the salaried employee. Some colleagues in writing in favor of this bill have written that all pension funds are largely financed by passing the cost on to the consumer and if dentists were included it could be added to the cost of service. We feel that this is not right, for there is a large group among the 10,000,000 prospective new Social Security members, for example the farmers, that can't raise their fees. The raising of fees and cost to the consumers is not the answer to our rising cost of living nor does it help in our fight against socialized medicine.

Secondly, once the profession is in the program it is a compulsory participation and no one may withdraw in this generation or the next or the next.

Thirdly, the contributions payable are not contributions at all. They are a tax payable with your income tax. We feel our concern should be with the young dentists who will be following us and not with the present older group who will be paying a lower rate and only for a short time.

Here are the figures for the dentist starting in practice at the age of 25 paying on $4,200:

1954–59, 4 percent, $168 for 6 years	$1,008
1959–64, 5 percent, $200 for 5 years	1,000
1965–69, 6 percent, $252 for 5 years	1,260
1970 to age 65, 6½ percent, $273 for 24 years	6,552
Cost for 40 years	9,820
Interest on payment at 3 percent compound	7,902
Total actual cost of program	17,722

Even if the payments are raised from the present $85 a month to $100 a month the recovery of their own money at monthly payments of $142.50 would require a period of 12 years. Thus they would both have to live to the age of 77 to break even. This does not figure interest on their money after the age of 65. If they die near the age of 65 their estate receives nothing except $255 to help defray funeral cost.

The Longevity of Dentists, compiled by the ADA Bureau, show these statistics: Only 1.5 percent of all dentists died at ages between 35 and 39; that 5.6 percent died between 45–49; that 10 percent died between 50–54.

The insurance companies show the life expectancy of both sexes today to be 69. It becomes obvious that on an overall group basis, the feature of payments to minors under 18 after a dentist's death has less than one-sixth the value it suggests.

We compared the Federal old-age and survivors insurance program with several private insurance policies and found that the self-employed could obtain more security and secure an immediate estate for himself and his family through private insurance, mutual investment funds, and Government bonds.

We thank you for your attention to this matter and for your personal letter.

Sincerely yours,
J. P. HOLMES, D. D. S.,
President, Weld County Dental Society.

REDUCTION OF SUPPORT PRICES FOR DAIRY PRODUCTS

Mr. HUNT. Mr. President, the recent directive of the Secretary of Agriculture, Mr. Benson, reducing support prices for dairy products, has resulted in the receipt in my office of a series of telegrams from cheese manufacturers and dairy associations objecting to that directive. I ask unanimous consent that copies of such telegrams be printed in the RECORD at this point in my remarks.

There being no objection, the telegrams were ordered to be printed in the RECORD, as follows:

THAYNE, WYO., *February 24, 1954.*

Hon. LESTER C. HUNT,
United States Senate:

Home from NRECA meeting at Miami. Wish to advise that Benson's decision lowering parity will have its negative effect on purchasing power and obligations in Wyoming. To my observation most dairymen are at a loss about their future.

STAR VALLEY SWISS CHEESE CO.,
ERNEST BORG, *Manager.*

AFTON, WYO., *February 17, 1954.*

Hon. LESTER C. HUNT,
Senate Office Building,
Washington, D. C.:

Dairymen will suffer tremendous loss of income from support announcement of Benson yesterday. This loss of income to farmers now in debt will put many of them out of business. It looks almost like a managed program toward a depression. Congress should concern itself with a correction before it is too late.

CARL ROBINSON.

CODY, WYO., *February 16, 1954.*

Hon. LESTER C. HUNT,
Senate Office Building,
Washington, D. C.:

Secretary Benson's recent reduction of supports on dried milk, cheese, and butter will have a crippling effect upon dairying in Wyoming unless dairy farmers are provided with some form of temporary subsidy to make up the difference. We believe that lowering the price of butter to the consumer to get it off Government stockpiles is a necessary move, but some way must be found to cushion the drop in price to the producer. The present high cost of his dairy feeds, equipment, and buildings will not permit a lowering in price of the product he sells. Most Wyoming dairy farmers who have been working to improve their herds and standards in accordance with high State requirements are already operating on a very slim margin of profit. Reduction of that profit must be followed by a drop in standards of quality. We appreciate your continued support.

BIG HORN BASIN DAIRY PRODUCERS ASSOCIATION,
WILLIAM HILL, *Vice President.*
CECIL A. LEGG, *Secretary.*

TREATY RATIFICATION

Mr. THYE. Mr. President, at various times recently reference has been made to the fact that the Senate gave consent to the ratification of a treaty when there were only two Senators on the floor of the Senate. On that occasion I was 1 of the 2 present, and the Senator from Alabama [Mr. SPARKMAN] was the second, and was then acting as presiding officer.

Inasmuch as the occasion has been referred to more than once, I have obtained and have before me a report by Dr. Carl Marcy, of the staff of the Committee on Foreign Relations, which gives a full and complete explanation of how the ratification which has been referred to took place and what led up to the report on the treaty. For that reason, Mr. President, I refer to it.

An examination of the record will reveal that the subject of the treaty was considered by a three-man subcommittee, of which the Senator from Alabama [Mr. SPARKMAN] was the chairman. The subcommittee held public hearings, after which it reported to the full committee. The full committee considered the matter and reported the treaty on May 21, 1952. It was placed on the executive calendar on June 12, 1952, at which time the then presiding officer, the Senator from Alabama [Mr. SPARKMAN] who was chairman of the subcommittee, referred to the treaty and stated it would be considered when the executive calendar was called on the following day.

Inasmuch as the treaty had been acted on and was reported unanimously, and had been on the executive calendar for many days, and inasmuch as the statement had been made that there was no objection to the treaty, when the treaty was considered on the floor I saw no objection to considering it at that time.

Mr. President, I thought there should be in the RECORD a complete explanation

of the action taken on the treaty. I therefore ask unanimous consent that there be printed in the body of the RECORD at this point in my remarks the full and official report of the transaction regarding the treaty, which was a convention with Ireland, as it appears in a publication entitled "A Note on Treaty Ratification," by Carl Marcy.

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

A NOTE ON TREATY RATIFICATION

(By Carl Marcy)

On June 13, 1952, with two Senators on the floor, the Senate of the United States gave its advice and consent to the ratification of three treaties which thereby became a part of the supreme law of the land.[1] One of the Senators did not vote. The other voiced his "aye" while serving as Presiding Officer.

The Conventions approved by the voice vote of one Senator were the Consular Convention with Ireland,[2] a protocol supplementary to the said Convention; [3] and the Consular Convention with the United Kingdom.[4]

Article II, section 2 of the United States Constitution provides that the President shall have power "to make treaties, provided two-thirds of the Senators present concur." Even though, under article I, section 5, clause 2, "Each House may determine the rules of its proceedings" how, as a matter of law, was it possible for the Senate, with but two Senators on the floor, one of whom did not vote and the other of whom was in the chair, to give its advice and consent to a treaty? And as a matter of policy was the Senate in this case properly discharging its responsibilities?

There has been frequent criticism of the Senate in recent months for alleged failure properly to discharge its treaty functions. Whether this criticism is justified depends upon a careful examination of the facts of each case. In this instance, the three Conventions were received by the Senate between 1949 and 1952.[5] A three-man subcommittee of the Foreign Relations Committee held public hearings on the pending conventions on May 9, 1952. On May 21, the full Foreign Relations Committee favorably reported the conventions to the Senate where they remained on the Executive Calendar until June 13, 1952, when they were approved.

On June 12, Senator SPARKMAN, who on that day was acting as Presiding Officer of the Senate and who had acted as chairman of the Foreign Relations Subcommittee considering the conventions, announced as follows: "In his capacity as a Senator, the present occupant of the chair gives notice that in accordance with the understanding between the majority leader and the minority leader, it will be his purpose tomorrow to call up two consular conventions and a protocol which are Nos. 11, 12, and 13 on the Executive Calendar." [6]

June 13 was a Friday. Toward midafternoon the majority leader, Senator JOHNSON, of Texas, announced that when the Senate concluded its business for the day it would recess until Monday. Senator MORSE then obtained the floor and began a speech on the Hells Canyon Dam. At about 6 p. m. he finished his speech, picked up his papers, and departed. During his speech Senators had drifted in and out of the Chamber and, on receiving assurances that no business was pending save the noncontroversial treaties, had departed. When Senator MORSE left, the only Senator remaining on the floor was Senator THYE, who made a few remarks on the St. Lawrence seaway. Senator SPARKMAN had been serving as Presiding Officer during the Morse speech and waiting for an opportunity to call up the conventions in accordance with his announcement of the day before.

When Senator THYE completed his statement, the presiding officer, Mr. SPARKMAN, said that without objection the Senate would proceed to the consideration of executive business. The treaties were then called up one by one, the resolutions of ratification read, and the question put by the presiding officer as follows: "The question is on agreeing to the resolution of ratification. [Putting the question.] In the opinion of the Chair, two-thirds of the Senator present concurring therein, the resolution of ratification is agreed to, and the convention is ratified." [7] There was no quorum call immediately preceding the voice vote, although the presence of a quorum had been ascertained by a quorum call earlier in the day. While the CONGRESSIONAL RECORD does not, therefore, show which Senators were present and who voted, observers in the Senate Chamber noted that Senator THYE did not vote either for or against the conventions. The only Senator casting a voice vote was the Presiding Officer, Mr. SPARKMAN, who voted in the affirmative, and then, on advice of the Senate Parliamentarian, expressed the opinion that "two-thirds of the Senators present" had concurred in the resolution of ratification.

Since Senator THYE did not vote it seems obvious that two-thirds of the Senators present did not vote in favor of the resolution of ratification. The fact that Senator THYE did not vote against the resolution, however, might be construed as indicating that he "concurred" in the resolution. Senator THYE, when asked about the proceedings, told newspaper reporters: "I did not object." [8] His silence must be construed as consent if the constitutional requirements that "two-thirds of the Senators present concur" was met. If one construes the constitutional requirement to mean that two-thirds of the Senators present and voting must concur in resolutions consenting to the ratification of a convention, then the interesting question is raised as to whether one Senator present and voting constituted a two-thirds vote of the Senate.

The view that the treaties under discussion now have the effect of "supreme law" must rest on the presumption that a quorum of the Senate is present unless the question is raised "by any Senator as to the presence of a quorum." [9] In the case under discussion, since the question of the absence of a quorum was not raised preceding the vote, it is to be presumed that a quorum was present, and that the Senate acted properly. It is unlikely that a court will go behind the record which presents a prima facie case of proper action.[10]

Whether the Senate was properly discharging its responsibility in approving the pending conventions with but two Senators on the floor would seem to depend upon whether adequate opportunity was given for anyone who might have objected to any provision of the conventions to make his objection known. In this connection the following facts are relevant: (1) The conventions had been published and pending, substantially in the form finally acted upon, for nearly 2 years. Moreover, because of objections received by the Committee on Foreign Relations when the conventions were first submitted, the convention with the United Kingdom had been renegotiated and the convention with Ireland had been amended by a protocol.[11] (2) A subcommittee had been appointed to consider the conventions. (3) After due notice public hearings had been held, at which no one objected to the terms of the conventions.[12] (4) The favorable report of the subcommittee on the conventions was considered and approved by the full Committee on Foreign Relations. (5) The conventions, accompanied by the committee report, were on the Senate Calendar from May 21 to June 13, and during that period no one brought any objections to the attention of the committee or Senate leaders. Furthermore, during that period when items are on the calendar, it is normal for the minority policy committee of the Senate to examine pending matters to see if there are provisions to which the minority party may wish to take exception. (6) Twenty-four hours in advance of consideration by the Senate, notice had been given that the conventions were to be taken up and the majority and minority leaders of the Senate had agreed to their consideration.

Under these circumstances, it seems fair to conclude that there was sufficient public notice and opportunity for objections to be made known.

It is doubtful that this type of situation will soon arise again. On July 18, 1953, Senator LEHMAN introduced a resolution (S. Res. 145) to amend the Standing Rules of the Senate to require that "No vote upon the final question to advise and consent to the ratification shall be had unless, immediately prior to such vote, it has been ascertained by a rollcall * * * that a quorum of the Senate is present. The final question to advise and consent to the ratification shall be determined by a yea-and-nay vote." [13] Senator LEHMAN discussed this proposed change in the Senate rules at some length, referring briefly to the case discussed here, to the fact that during 1952 the Senate acted upon 5 out of 25 treaties by a rollcall vote (the others being approved by a voice vote), to the approval of the Greek-Turkish protocol to the North Atlantic Treaty with six Senators on the floor (because of objection by Senator GILLETTE and others the protocol was subsequently recalled by the Senate and approved by a rollcall vote), and to Senate approval of a proposed constitutional amendment during a call of the calendar and without a rollcall vote. On July 20, Senator KNOWLAND, the acting majority

[1] See CONGRESSIONAL RECORD, June 13, 1952, pp. 7217–7228.

[2] Executive P, 81st Cong., 2d sess.

[3] Executive F, 82d Cong., 2d sess.

[4] Executive O, 82d Cong., 1st sess.

[5] See Legislative History of the Committee on Foreign Relations, S. Doc. No. 161, 82d Cong., 2d sess., pp. 49–50, for summary.

[6] CONGRESSIONAL RECORD, June 12, 1952, p. 7131.

[7] See CONGRESSIONAL RECORD, June 13, 1952, p. 7228.

[8] Washington Evening Star, June 14, 1952, p. 1. For an interesting discussion of the reason for the requirement of a two-thirds vote of Senators present, see The Federalist, No. 75.

[9] Standing Rules of the Senate, rule V.

[10] But see *Christoffel* v. *United States* (338 U. S. 84), where the Supreme Court by a 5-to-4 decision in a contempt case permitted oral testimony to rebut the showing of the record that a quorum was present in a House committee. Justice Jackson, in dissent, noted, however (p. 92): "All the parliamentary authorities, including those cited by the Court, agree that a quorum is required for action, other than adjournment, by any parliamentary body; and they agree that the customary law of such bodies is that, the presence of a quorum having been ascertained and recorded at the beginning of a session, that record stands unless and until the point of no quorum is raised. This is the universal practice. If it were otherwise, repeated useless rollcalls would be necessary before every action."

[11] See Ex. Rept. No. 8, 82d Cong., 2d sess., p. 2, for discussion of this matter.

[12] The hearings were printed as an appendix to the report cited.

[13] CONGRESSIONAL RECORD, July 18, 1953, p. 9129; see pp. 9129–9136 for discussion.

leader, announced that the proposal had been discussed with the majority policy committee and said: "As a matter of standing operating procedure in the future, we intend, in connection with all treaties, and on constitutional amendments as well, not only to ask for a quorum call, but to ask for a yea-and-nay vote, at least on the first of a series of treaties * * * We shall endeavor to follow that policy as a standard operating procedure from now on." [14]

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

Mr. MANSFIELD obtained the floor.

Mr. JOHNSON of Texas. Mr. President, will the Senator from Montana yield to me?

Mr. MANSFIELD. I yield, provided that in doing so I do not lose the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JOHNSON of Texas. Mr. President, shortly after the Senate convened today the Senator from Texas informed the distinguished majority leader that the Senator from Texas planned to refer to some press statements made by the majority leader after the session of the Senate ended on yesterday.

A moment ago I asked that the majority leader be notified that I was about to be reached on the list of speakers. I am informed that the majority leader is temporarily detained. Therefore I shall wait until his return to make my comments.

I express to the Senator from Montana my deep appreciation for his willingness to yield to me, but I shall postpone my remarks.

Mr. MANSFIELD. Mr. President, I have not participated extensively in the debate on the Bricker amendment, since much of the debate has been of a legal nature. In these matters I yield to those who are much more erudite in constitutional theory and precedent than I. I wish to assure the Senate that what I am about to say will not contain any reference whatsoever to the so-called Pink case.

Sitting on the sidelines, however, I cannot help but feel that we are talking round and round the real issue, because we are talking about too many issues. Thanks to the many learned expositions which have been made on the floor of the Senate these past few weeks, I have come to the conclusion that we are discussing not one question but four questions. All of these, to be sure, revolve around a fundamental issue, namely, the division of power among the several branches of government in respect to our relations with other nations. But each question has its own ramifications, and needs to be considered separately if the fundamental issue is to be clearly understood. So long as they are lumped together, the confusion can only deepen.

The Bricker amendment, in its original form, as I understand it, would bring about a drastic and four-sided reshuffling in the ratio of power among the several branches of Government. In effect, it would shift power over foreign relations away from the Senate and the Executive. At the same time it would enhance the power of the House of Representatives and the 48 individual State governments in matters affecting our foreign relations.

The first of the four questions we are really discussing then is whether to reduce the power of the Senate in the field of foreign relations relative to the other branches of Government. Is there a Member of this body who believes that the Senate has been so incompetent in the performance of its constitutional duties that it ought to be relieved of these responsibilities, even in part? I speak now of the Senate through 160 years of history, not any particular Senate. Has its record been so shameful, so inadequate that the Senate of the 83d Congress ought to go on record as bringing about a fundamental change in its role in American Government? I, for one, do not believe that this is so, and I doubt that any other Member of the Senate so believes.

The second of the four questions before us is whether or not to increase the power of the House of Representatives in the field of foreign relations. I have heard no demands from the House for such an increase. This proposed amendment originated in the Senate, not in the House. With all due respect for the great capacities of the other body in which I was privileged to sit for a decade, I would not force this added responsibility on it. The House already has unique responsibilities in the field of appropriations. They are necessary; they are just as valid as the Senate's unique role in foreign relations. I would change neither.

The third question which we are discussing is whether or not to project revolutionary responsibilities in the field of foreign relations on the 48 State governments. Except for those who would turn the clock back, not half a century, not even a century, but 160 years or more, this question hardly merits debate. The State governments themselves rejected a role in foreign relations when the Constitution was accepted. They provided instead for Senators to protect the interests of the States in the Senate. Both the senior Senator and the junior Senator from Montana were elected to safeguard the interests of Montana within the broad framework of the national interest. Those interests include any that may be at stake in our foreign relations. We will do our best to protect them. I am sure that other Senators will do the same for their States, and that they are fully qualified to do so.

If it is neither a desire to reduce the power of the Senate nor to increase the power of the House or the State governments, what, then, is really at issue in this debate? There must certainly be a real issue or the Senate would hardly spend weeks in debate on the proposed amendment.

There is a real issue and it has troubled me deeply as I am sure it has troubled other Senators. It is to be found in the fourth of the questions which are under discussion here, namely, the power of the executive branch in the field of foreign policy.

The Constitution specifically provides the President with certain unique powers to conduct our foreign relations, just as the other branches of government have unique powers in other matters. I do not question those powers which accrue to him as Commander in Chief of the Armed Forces.

But in one aspect of our foreign relations, the treatymaking power, he does not have unique, but rather concurrent power shared with the Senate. Treaties are to be made by the President only with the advice and consent of the Senate. The most vital matters involving the relationships of this country with others are or should be conducted within this realm of concurrent power.

But it is precisely in this realm that an extra-constitutional device, the executive agreement, now threatens the fine balance of power which has been maintained under our system of government for a century and a half.

An executive agreement has been defined as an international agreement with a foreign government, entered into by the Executive with the consent of the Senate. It may be formally negotiated and signed, or it may be achieved by an exchange of notes, the governments merely transmitting diplomatic communications describing the terms of the understanding.

In the Constitution no specific authorization was given to the Chief Executive to make international agreements other than formal treaties, but this power has been exercised by him as the executive head of the Government in charge of foreign relations and as Commander in Chief of the Army and Navy.

I understand that the George substitute to the Bricker amendment makes it very clear, as indicated by the statements made by the distinguished Senator from Georgia, that his substitute in no way conflicts with the power of the President as Commander in Chief of the Army and Navy or his authority to receive foreign envoys.

It will be argued, as it has been, that executive agreements are used almost exclusively in pursuance of authority delegated by Congress or to implement certain valid undertakings growing out of the unique powers of the President. That is true; and I think the device, so used, is necessary and useful and harmless to the principle of balance of powers.

But it is not in the mass of executive agreements that the issue is to be found. It is, rather, in the few—in the very few. For it is in the few, the very few, that this extra-constitutional device can be used to stretch the unique powers of the Executive. It is in the few that there lies the danger of usurpation, destruction of the constitutional balance, and, in the last analysis, the threat of executive tyranny.

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[14] CONGRESSIONAL RECORD, July 20, 1953, p. 9231; see also ibid., July 21, 1953, p. 9306, for additional discussion.

This is no imaginary fear which haunts me and other Members of the Senate. Executive agreements have been used to stretch the powers of the Presidency; and unless safeguards are established, there is no reason to believe that they will not continue to be so used. If the Senate will bear with me for a few moments longer, I will undertake to prove by specific example how this extra-constitutional device can undermine the power of the Senate in foreign relations. I will endeavor to show how this device can be used and has been used to erode that power and transfer it painlessly, almost imperceptibly, from this body to the executive branch.

For decades, treaties of friendship, commerce, and navigation have been made with other countries by the President with the advice and consent of the Senate. As Senators know, these are basic treaties which establish the framework of our relations with other countries. The Senate has traditionally given advice and consent to such treaties. It still does so, for the most part.

In 1933, however, the Department of State negotiated an agreement of friendship and commerce with Saudi Arabia. So far as I can determine, this was the first time an executive agreement, rather than a treaty, was used for this purpose. To be sure, the agreement with Saudi Arabia was labeled provisional in nature and was to remain in effect "until the entry in force of a definitive treaty of commerce and navigation."

Even though it was temporary, however, the State Department must have known that this executive agreement was treading on dangerous constitutional ground, for it added the following clause:

> Should the Government of the United States of America be prevented by future action of its Legislature from carrying out the terms of these stipulations the obligations thereof shall thereupon lapse.

This executive agreement was never replaced by a definitive treaty of friendship, commerce, and navigation. Though the Senate has never given consent to ratification, it stands in equal force with genuine treaties dealing with the same subject matter, to which the Senate has given approval.

This agreement, Mr. President, established a precedent. Note now how the precedent is reinforced. Thirteen years later, in 1946, the State Department negotiated a similar agreement with the Kingdom of Yemen. The terms of the 2 agreements were practically identical except for 2 omissions. The agreement with Yemen no longer carried the phrase indicating that it was to remain in effect only "until the entry in force of a definitive treaty of commerce and navigation." Also omitted was the phrase, "Should the Government of the United States of America be prevented by future action of its Legislature from carrying out the terms of these stipulations the obligations thereof shall thereupon lapse." In place of the former is the phrase, "until succeeded by a more comprehensive commercial agreement."

In short, the State Department appears, in 13 years, to have reached the conclusion that the power to make treaties of friendship, commerce, and navigation had become, at least in some cases, a unique power of the executive branch, that the consent of the Senate was no longer necessary, at least in some of these agreements.

One year later, in 1947, a third agreement of friendship, commerce, and navigation was negotiated with the Kingdom of Nepal. In printing the text of this agreement in its Bulletin, the State Department apparently still had a twinge of nervousness about the procedure it was following. It was constrained to point to two precedents. What were the precedents? The agreements with Yemen and Saudi Arabia.

Yemen, Saudi Arabia, and Nepal. These are faraway lands. Few of us could locate them quickly on a map. Still fewer have any direct concern with what transpires in them. Yet, the agreements which have been negotiated with them constitute a series of precedents which is of vital importance to our constitutional division of powers. None of them has ever been replaced by a regular treaty, yet all of them cover subject matter which traditionally has been handled by treaty.

Twenty-one years have elapsed since the first of these three agreements was negotiated. Was the failure to replace the agreements by permanent treaty an oversight or a conscious expansion of the unique powers of the Executive at the expense of the Senate? Is this example a straw man or a very real case of usurpation of power? Will the President now send these three agreements, or their permanent replacements, to the Senate for advice or consent, or after years and decades is the need still for temporary agreements?

How is the Senate to deal with the disappearance of its prerogatives in this fashion? By abdication to the House or to the 48 States, or by crippling the capacity of the President in the field of foreign relations? In each case, the remedy would be far worse than the illness. The answer for the Senate is to deal with the real area of danger and that area alone. The answer is to take only those precautions which are necessary to prevent a bureaucratic abuse of this extra-constitutional device, the executive agreement.

In my opinion this can be accomplished by the Senate if it will adopt the George substitute to the Bricker amendment. The George substitute reads:

> SECTION 1. A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.
>
> SEC. 2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.

Mr. President, I am in favor of the George proposal as it now stands, and I shall vote for it.

Mr. President, I ask unanimous consent that at this point in my remarks there may be printed a statement relative to executive agreements.

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

EXECUTIVE AGREEMENTS: THEIR USE AND PRESENT STATUS

Executive agreements can best be described and understood if they are compared with treaties. By tracing the origin of the treaty-making power and contrasting treaties with executive agreements, it is possible to depict more clearly what executive agreements are, the manner in which they may be used, and their present status.

THE TREATYMAKING POWER

Under the Articles of Confederation, Congress, while it had power to enter into treaties, could not compel the States to observe them because of the veto power which they possessed. Satisfactory foreign relations under these conditions were difficult. To help correct this situation the members of the Constitutional Convention framed the Constitution so as to give the Federal Government alone the power of dealing with foreign countries and to enter into treaties with them. The question then arose as to who should exercise this power. Congress as a whole was considered too unwieldy to act expeditiously, so the choice was narrowed down to the President or the Senate. The customary international practice of other nations, plus the recognized need for speed and secrecy in negotiating treaties, favored placing this power in the hands of the President, but some of the founders felt that the power should reside in the legislative branch. A logical compromise was effected by which the President was empowered to negotiate treaties while the approval of the Senate was made a prerequisite of ratification. Article II, section 2, provides that "He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two-thirds of the Senators present concur."

DEFINITION AND NATURE OF TREATIES

The treaty has been defined as an understanding or engagement between states which is usually concluded to establish, alter, or terminate mutual rights and reciprocal obligations.[1] Under the Constitution the responsibility for negotiating a treaty rests on the President. In practice, negotiations are normally performed by the Secretary of State, a member of the Foreign Service, or a specially designated emissary. After a treaty has been concluded with a foreign power it is submitted to the Senate for its approval before final ratification by the President. Many of the treaties so submitted are approved without change. But in numerous instances treaties are not acted on by the Senate, are rejected, or are approved only with reservations.

When a treaty has been ratified and has gone into effect the House of Representatives (as well as the Senate) must, under penalty of sacrificing the good faith of the United States, make the necessary appropriations or must pass such laws as may be necessary to carry it out. The House has objected at times to being thus coerced, but historical precedent and constitutional interpretation have upheld the power of the President and the Senate to act.[2] President Washington refused to submit papers on the Jay treaty on request of the House of Representatives, stating that it was clear from a vote in the Constitutional Convention that the House of Representatives did not share in the treatymaking power.

EXECUTIVE AGREEMENTS: DEFINITION AND SCOPE

The word "agreement" occurs in article I, section 10, of the Constitution, which says: "No State shall, without the consent of Congress * * * enter into any agreement or compact with another State, or with a foreign power." This serves to indicate that the Members of the Continental Congress recognized that different kinds of international

[1] Elmer Plischke, Conduct of American Diplomacy (New York, 1950), p. 268.

[2] Quincy Wright, The United States and International Agreements. In International Conciliation (No. 411, May 1945), p. 379.

agreements might exist, and it is argued by some authorities that, since the President was not forbidden to use the other kinds of agreements mentioned in the Constitution, he may rightly do so.

An executive agreement has been defined as "an international agreement with a foreign government entered into by the Executive without the consent of the Senate." It may be formally negotiated and signed, or it may be achieved by an exchange of notes, the governments merely transmitting diplomatic communications to each other prescribing the terms of the understanding.[3] In the Constitution no specific authorization was given to the Executive to make international agreements other than formal treaties, but this power has been exercised by him as the Executive head of the Government in charge of foreign relations and as Commander in Chief of the Army and Navy.

TYPES OF EXECUTIVE AGREEMENTS

Although executive agreements are not submitted to the Senate for approval or ratification, they may have legislative sanction of some other kind, and may be classified accordingly in the following categories.

1. Agreements which are made with prior authorization

In this case Congress enacts basic legislation which authorizes international agreements for specific purposes. For instance, in the Economic Cooperation Act of 1948 the Secretary of State was authorized to conclude, with individual participating countries or any number of such countries or with an organization representing any such countries, agreements in furtherance of the purposes of the act.[4] Subsequently 105 executive agreements were made under the authority of this act and the Foreign Aid Appropriation Act of 1949. Forty-six agreements were made under the authority granted in the Lend-Lease Act.

2. Agreements which implement a treaty

Similar to agreements which are authorized by legislation are agreements which are authorized by treaty or are necessary to implement a treaty. These may generally be considered to have the sanction of the majority of the Senate which consented to the ratification of the treaty involved. Examples of this would be the agreement made for the extradition of a criminal under an extradition treaty or an agreement on the marking of a boundary delimited by treaty.

3. Agreements which are subsequently sanctioned or implemented by congressional legislation

In many cases an executive agreement requires appropriations or implementing legislation before it can be effective, for instance, the agreement to establish the seat of the United Nations in New York City. Congress gives its approval to this kind of agreement by passing a joint resolution giving it effect, or by making appropriations to carry out its provisions. This method has often been used in entering international organizations. Among organizations joined by the United States in this manner are the International Labor Organization, the United Nations Relief and Rehabilitation Administration, the Food and Agriculture Organization, the International Monetary Fund, and the United Nations Educational, Scientific, and Cultural Organization. These are sometimes called legislative agreements.

4. Agreements made on executive authority without any congressional approval

Probably the most controversial type of executive agreement is that which has not been previously authorized by legislation or treaty and is not subsequently submitted to Congress for approval by joint resolution. Agreements of this type are entered into solely on the powers of the President, either as Commander in Chief of the Armed Forces or under his general foreign relations authority.

As Commander in Chief the President has entered executive agreements concerning the use of American military forces, military plans, exchange of prisoners, armistices, and many other subjects. A brief list of the surrenders and armistices effectuated by executive agreement includes the "Declaration for the Suspension of Arms and Cessation of Hostilities" which was signed some months prior to the treaty of peace following the Revolutionary War; the agreement concluded with Spain during the war of 1898, which included a number of nonmilitary principles; the armistice entered into with Germany and Austria during World War I; and the surrenders and armistices terminating hostilities in World War II.

The President's authority as "sole organ of external relations," as expressed by John Marshall in 1799, has been the basis for many other international executive agreements. Among these are the recognition of the Soviet Union in 1933, various arrangements regarding claims, and political understandings such as the Lansing-Ishii agreement of 1917.

DIFFERENCES BETWEEN TREATIES AND EXECUTIVE AGREEMENTS

Subject matter is not necessarily a means of distinguishing between treaties and executive agreements. The subjects of some executive agreements are of equal or even more importance than the subjects of some treaties. Executive agreements on occasion during World War II were concerned with matters of very great importance. Likewise, the form of treaties and executive agreements is often similar.

However, executive agreements are different from treaties in certain other characteristics. Whereas treatymaking is often a formal and lengthy process involving negotiation, signing, approval by the Senate, ratification, exchange of ratifications, and proclamation, an executive agreement may be made very simply because it does not go through the ratification process. This is sometimes the only feature distinguishing a treaty from an executive agreement.

Under the Constitution, treaties are the supreme law of the land. They supersede previous, conflicting laws passed by Congress. The legal status of an executive agreement is less definite. In international law executive agreements are usually considered equally as binding as treaties.

As far as they affect domestic law, however, there appears to be a greater degree of difference. While in some cases courts have held that executive agreements are of equal dignity with treaties and like them supersede previous, conflicting laws, other authorities contend that an executive agreement does not become the supreme law of the land unless supported by congressional action.[5]

ALTERNATE USE OF TREATIES AND AGREEMENTS

There are no formal rules as to when the treaty procedure should be used or when an executive agreement may be employed. The executive agreement has played its part side by side with the treaty in international political affairs. Since the Revolutionary War, when hostilities were terminated by executive agreement, it has been used from time to time to end wars (by armistice or surrender) and to prepare for peace. But when thus used, it has usually been followed by a treaty formally reestablishing peace. The executive agreement has also been used alternately with treaties in arranging membership in international organizations, in acquiring territory, and in settling disputes. The outstanding cases of the acquisition of territory by means other than treaties are those of Texas and Hawaii, which were annexed by executive agreement with the endorsement of Congress after the attempt to annex them by treaty had failed because the Senate refused to approve ratification.

Since the legal status of an executive agreement is less precise, a treaty is considered to have more prestige and be more durable. Accordingly it will be more often used for matters which relate to permanent arrangements. Executive agreements are more likely to pertain to routine or transitory matters.

Many authorities contend that practical expediency is the chief reason for using an executive agreement. Since one-third plus one of the Senators present and voting can defeat a treaty and the Senate has defeated or shelved many treaties in the past, there is sometimes reason for the Executive to be uncertain that a particular treaty will be approved. Furthermore, if speed is desired, an executive agreement may more likely be used than a treaty because the Executive may feel there is not time to wait for the consent of the Senate.

Although a secret treaty has not been concluded since 1790,[6] executive agreements have been kept secret in the case of the Taft-Katsura Agreed Memorandum of 1905, a protocol of the Lansing-Ishii Agreement of 1917, and the Yalta, Potsdam, and Teheran agreements. Such secret agreements would hardly have been possible if the treaty form had been used.

Other authorities feel that the treaty process is just too cumbersome to use for the rank and file agreements necessary in the conduct of foreign affairs, especially as the number of international agreements is increasing yearly. To support this view are statistics which show that, as the number of international agreements in which the United States has participated has increased, the executive agreement has been used in an increasingly higher ratio than the treaty. The following chart[7] shows this increase to the beginning of World War II.

Period	Number of international agreements	Executive agreements	Treaties
1789–1839	87	27	60
1839–89	453	238	215
1889–1939	1,441	917	524

Since the war both the total number of international agreements and the ratio of executive agreements to treaties have continued to increase. One observer has stated that the ratio is now at least 10 to 1 against the use of the treaty procedure.[8]

In view of the large number of international agreements at the present time, "the President could not successfully deal with [foreign relations] if every agreement made by him on any and every question or subject of discussion * * * required the approval of the Senate before becoming effective. Such a procedure would * * * hamstring the President. * * * It would negate the underlying theme of the constitutional division of authority between the three branches of Government."[9]

[3] Plischke, op. cit., 273.

[4] Economic Cooperation Act of 1948, sec. 115.

[5] Quincy Wright, op. cit., p. 383.

[6] Green H. Hackworth, Digest of International Law (Washington, 1943), vol. V, p. 87.

[7] Wallace McClure, International Executive Agreements. New York, Columbia University Press, 1941, p. 4.

[8] John Sloan Dickey, Our Treaty Procedure Versus Our Foreign Policies. Foreign Affairs, April 1947, p. 359.

[9] Green H. Hackworth, op. cit., p. 397.

TERMINATION OF INTERNATIONAL AGREEMENTS

Many international agreements contain time limits, and after the expiration of that time, the agreement simply lapses. Other agreements pass out of force because their terms have been fulfilled, or by mutual agreement of the parties concerned. When a treaty or executive agreement does not die a natural death in the above manner, the question arises as to how long the agreement is binding upon the parties.

Since a treaty is a pact between States, it binds not only the Government in authority at the time it is made but also subsequent administrations. The duration of executive agreements, however, is less certain. Some authorities contend that an executive agreement morally binds only the signing executive, not his successors; if they wish to continue, it is by voluntary act.[10]

On the other hand, the Chief of the Treaty Division, United States Department of State, in 1934 expressed the view that executive agreements with foreign governments entered into under one President continue to remain in force under his successors unless and until the statutes or regulations in pursuance of which they are entered into are repealed, or the specified time for their operation has expired or notice of a desire to terminate is given by one side or the other.[11]

During the period that an international agreement is in force, its terms are considered binding in international law. A party may terminate, or withdraw from, the agreement by the process of denunciation. Often the method of denunciation is prescribed in the terms of the agreement.

Although the Constitution does not specify which organ of the Government has the right or responsibility of denunciation of a treaty, notice of termination of treaties is given by the President. There are precedents for the Executive to act on his own initiative, or with the advice and consent of the Senate, or in accordance with congressional resolutions, or with later congressional approval.[12]

There is also various practice in the denunciation of executive agreements. It has been done by the President under authority granted in the act authorizing an agreement, as in the case of the trade agreement with Czechoslovakia which was revoked in 1939. Similarly, termination has been announced by the President under congressional authorization which he has requested, as in the case of the Taft agreement between the United States and Panama in 1923.[13] The President has also denounced executive agreements without congressional approval. This happened in the case of a commercial agreement with France which the Department of State declared had been superseded by the Tariff Act of 1909, and in the case of the Lansing-Ishii agreement which was superseded by the Nine Power Treaty of 1922.

Grounds for unilateral denunciation of a treaty are generally considered in international law to include the breach of a treaty obligation by the other party or parties. Writers in the field of international law appear to hold the view that, while in force, executive agreements are subject to the same criteria as treaties.

PRESENT STATUS OF EXECUTIVE AGREEMENTS

From the above brief account one may see how the President's use of executive agreements has grown apace as the United States has moved rapidly forward toward a position of leadership in the modern world. Various reasons for the use of executive agreements have been mentioned and certain advantages which executive agreements have over treaties have been indicated. However, the growing prevalence of executive agreements has caused concern to many observers, which has found expression in the public press and in congressional debate and resolution. The position of those wishing to curb the power of the President in the making of executive agreements may be very briefly summarized as follows: (1) the powers of the legislative branch of the Government are being usurped and, if the trend continues, the executive branch will have exclusive control over the making of United States foreign policy; (2) executive agreements are often made by means of secret diplomacy which denies to the people and to their elected representatives information which, if known, might prevent the transaction from being consummated (the Yalta Agreement is often cited a case in point); (3) the conduct of American foreign relations without the participation of the American people through Congress is essentially an undemocratic procedure.

Mr. GILLETTE obtained the floor.

Mr. DANIEL. Mr. President, will the Senator from Iowa yield so that I may ask a question of the Senator from Montana?

The ACTING PRESIDENT pro tempore. Does the Senator from Iowa yield?

Mr. GILLETTE. I shall be glad to yield for that purpose, provided I do not lose my right to the floor.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Texas may proceed.

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

Mr. MANSFIELD. I yield.

Mr. DANIEL. I congratulate the distinguished Senator from Montana on his excellent speech concerning the danger arising from the use by the State Department of executive agreements instead of proceeding via the treaty route, especially with reference to the type of agreements the Senator has mentioned.

I should like to ask the Senator, however, what there is in the George substitute which would cause the executive agreements to which the Senator from Montana has referred to be submitted to the Senate for approval?

Mr. MANSFIELD. I may say to the distinguished Senator from Texas that practically every treaty of friendship, commerce, and navigation with which I am familiar could in some way perhaps be considered to be applicable as internal law within a State itself. Hence, treaties which affect relationships between two sovereign nations have been referred to the Senate for ratification. Under the executive agreement procedure, agreements are not necessarily referred to the Senate. The result is that executive agreements along this particular line, of friendship, commerce, and navigation, seem to be coming into use, and treaties which must be considered constitutionally are going out the window.

Mr. DANIEL. But the George substitute refers only to international agreements that have to do with internal law. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. DANIEL. Then is there not need for some policy to be adopted to bring the type of international agreements to which the Senator from Montana has referred into the treaty realm so that they will come before the Senate for its advice and consent, if we are to keep international agreements from being used by the State Department to circumvent the Senate in its constitutional power?

Mr. MANSFIELD. I agree with the Senator from Texas. As I understood the senior Senator from Georgia, in discussing his substitute, he made the statement that it would be up to the President to decide which of the particular executive agreements conflict with internal law, and those would have to be submitted to the Senate and considered as treaties. So far as executive agreements covering friendship, commerce, and navigation are concerned, I do not believe they should be considered in that particular category, but should be submitted to the Senate as full-fledged treaties, so that they can be passed on by the Senate under constitutional provisions.

Mr. DANIEL. I thank the Senator from Montana.

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

Mr. GILLETTE. Mr. President, I shall be glad to yield, provided I do not lose the floor.

Mr. HENNINGS. I should like to interrogate the Senator from Montana.

Mr. GILLETTE. I shall be glad to yield for that purpose, provided I do not lose the floor.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and the Senator from Missouri may proceed.

Mr. HENNINGS. Mr. President, does the Senator from Montana understand that there is any date upon which such agreements may be terminated by either side? Is there not a 30-day termination clause in the agreements?

Mr. MANSFIELD. I do not know about the termination date.

Mr. HENNINGS. There is a 30-day termination clause in both agreements to which the Senator from Montana has referred, providing that the agreement may be terminated by either party to it within 30 days.

Mr. MANSFIELD. Usually there is a termination date. The one with the Kingdom of Nepal, the latest one, in section 12 reads:

> This agreement shall continue in force until superseded by a more comprehensive commercial agreement, or until 30 days from the date of written notice of termination, given by either party to the other party, whichever is the earlier. Moreover, either party may terminate paragraphs 7 and 8 on 30 days' written notice.

Mr. HENNINGS. I take it, since the Senator from Montana believes the agreements are improvident, and could be injurious to the United States, that he proposes they be terminated?

Mr. MANSFIELD. The Senator misses my point, I believe. My point is that these executive agreements are in reality treaties, and as such should come before the Senate for consideration. I used

[10] Edward M. Borchard, Treaties and Executive Agreements. American Political Science Review, vol. 40, p. 738.

[11] Herbert W. Briggs in the American Journal of International Law, vol. 40 (1946), pp. 381–382.

[12] Wallaces M. McClure, op. cit., p. 16.

[13] Green H. Hackworth, op. cit., p. 432.

them as illustrative of the fact that under the Constitution there is no reference whatever to executive agreements. There is a need for such a procedure, I will admit, and I am in favor of the President using executive agreements to further the foreign affairs of the United States; but I do not believe he should usurp power in that particular respect, by using executive agreements in matters which could be better taken care of in the form of treaties, which would have to be considered by the Senate.

Mr. HENNINGS. I listened carefully to the Senator's excellent speech on the subject. I believe I understood his point. The Senator is aware of the fact, of course, that the agreements were published; is he not?

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. When were they published?

Mr. MANSFIELD. The one with Saudi Arabia was published November 7, 1933; the one for Yemen was published May 4, 1946, and the one for Nepal was published in 1947.

Mr. HENNINGS. The Senator is aware, is he not, that any Senator may offer a resolution to negate the effect of these agreements?

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. Does the Senator propose to do that?

Mr. MANSFIELD. I do not propose to do it, no; and I made no such assertion during the course of my remarks.

Mr. HENNINGS. I was asking for information. The Senator having raised the point, I wondered if he would in any way quarrel with the effect of these agreements, either externally or internally.

Mr. MANSFIELD. I quarrel with the aspect of the agreement which has to do with the sidestepping of the Senate in carrying out its duties with regard to treaties.

Mr. HENNINGS. The Senator is aware, of course, that there are obstacles in the way of negotiating treaties involving what we may call formalities.

Mr. MANSFIELD. I am aware of the fact that the Senate has been called the graveyard of treaties.

Mr. HENNINGS. I mean in reference to the specific cases which the Senator has chosen as illustrative of his point.

Mr. MANSFIELD. Will the Senator state his question again?

Mr. HENNINGS. I suggest that the Senator is aware of the fact that under the terms of the agreements which the Senator has chosen as illustrative of his point the Senate can take action upon them.

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. And the Senator is also aware of the fact that we have had some difficulty in consummating treaties.

Mr. MANSFIELD. That is correct.

Mr. HENNINGS. Would the Senator say that we should not have negotiated the executive agreements when the Senator must know that the United States is the beneficiary of these agreements?

Mr. MANSFIELD. Let us hope that is true. I do not think it is a beneficiary so far as the Senate is concerned.

If the Senator from Missouri will indulge me, I should like to cite some figures to illustrate the growth of executive agreements. Too many of them are being negotiated.

From 1789 to 1839 there were 87 international agreements, of which 27 were executive agreements and 60 were treaties.

From 1839 to 1889 there were 453 international agreements, of which 238 were executive agreements and 215 were treaties.

From 1889 to 1939 there were 1,441 international agreements, of which 917 were executive agreements and 524 were treaties.

Since the war both the total number of international agreements and the ratio of executive agreements to treaties have continued to increase. One observer has stated that the ratio is now at least 10 to 1 against the use of the treaty procedure.

Mr. HENNINGS. If the Senator will yield further, the Senator has, for some obvious reason well known to him, selected two examples upon which he relies as illustrative of his point.

Does not the Senator agree that this country has been the beneficiary under the terms of those two agreements?

Mr. MANSFIELD. I am sure we have received what we wanted, or we would not have signed them. But I may point out that these are the only ones I found. There may be more. In later years, since 1933—and, incidentally, the negotiations covering the Saudi-Arabia agreement go back 2 or 3 years beyond that—the trend has been to increase the usurpation of power in this respect, because we have so many more executive agreements to contend with, and we know very little about many of them. I think executive agreements are necessary, but I think there should be a check on their possible infringing on internal law.

Mr. HENNINGS. I do not want to labor the point, but I think it is very important. I understand a great many executive agreements have been entered into within 3 years. Who is to decide whether any one of those agreements has any impact upon what has been said to be internal law or domestic law? Who is to determine that question under the terms of the amendment of the distinguished Senator from Georgia, in order to submit such agreements to the Senate and to the House of Representatives?

Mr. MANSFIELD. If I correctly understand what the distinguished Senator from Georgia has stated with regard to his own amendment, that would be a matter for the President to determine. In other words, it would be up to him to decide whether any executive agreement was in conflict with internal law. I assume he would work it out through the State Department.

Mr. HENNINGS. Then the man whose power is sought to be restricted, under the substitute of the distinguished Senator from Georgia, is the very man who is to determine what is to come before the Senate to be passed upon as executive agreements affecting internal or domestic law?

Mr. MANSFIELD. That is correct.

Mr. GEORGE. Mr. President, will the Senator from Iowa yield?

Mr. GILLETTE. I shall be glad to yield to the Senator from Georgia, provided I shall not lose the floor.

Mr. GEORGE. I should like to cite one other example of how this form of usurpation of power by the executive branch has grown. I think that is the sole purpose of the Senator from Montana [Mr. MANSFIELD] in his very excellent statement.

Mr. President, I invite attention to the fact that in December 1950, Prime Minister Attlee visited Washington and suggested the creation of an international operation—note the language—to distribute raw materials on an international basis. A month later, the State Department announced the creation of such an operation, known as the International Materials Conference, the "IMC," as it is called, with offices in the Department of State, and largely paid for with American funds.

There was established a central group under this organization, composed of the United States, the United Kingdom, and France. Then certain committees were formed to allocate and control prices of certain raw materials. The IMC, as I shall call it for the sake of brevity, made clear the responsibility of each country for "seeing that their allocations are not exceeded."

In 1952, Assistant Secretary McFall, who was in charge of a part, at least, of the operation, issued a statement which contains this language:

> There is no statutory authority for the participation of the United States in this conference, as it is one of many activities carried out in furtherance of the foreign policy of the United States.

I invite attention to the fact that these activities were carried out in the United States by regularly established agencies of the United States, such as the National Production Administration, the OPS, and other agencies. I also invite attention to the fact that most dealers in and fabricators of copper will tell us that even down to this day this organization did, in fact, affect prices in the United States through the regulations made under the agreement, which was extra-law, extra-Constitution, and extra-everything, except that it had been established by the State Department in the exercise of its authority over foreign affairs.

GRAIN STORAGE SHORTAGE

Mr. GILLETTE. Mr. President, I desire to take the time of the Senate to discuss a matter extraneous to the unfinished business, although it is of paramount importance to the agricultural interests of the United States.

Unless the Department of Agriculture promptly makes provision for at least 200 million bushels of additional grain storage space before the wheat and corn harvests this year, farmers will face another

year of acute shortage in storage space and disastrously low harvest-period prices.

The impending 200-million-bushel shortage of storage room is already affecting grain markets and causing declines in futures prices.

The Secretary of Agriculture must give the highest priority to securing adequate storage, using all the authority and funds available to him.

Within the last hour my attention has been called to a report on the news ticker that the Secretary of Agriculture has issued a statement with reference to the same matter, in which he calls the attention of farmers to the need of the farmers themselves to construct the additional storage facilities.

Mr. President, the Secretary would, in fact, do far better to stay in Washington solving the storage problem than making speeches around the country denouncing the price-support programs. If price supports are not working, it could well be because of failure to provide sufficient grain storage. If the Secretary will stay home and use all efforts to build the necessary storage, he will have no trouble keeping prices up to support levels.

Mr. President, the 1954 storm warnings are hoisted high for all to see who wish to see.

As early as January 22 of this year the Wall Street Journal printed a story headlined "Storage Squeeze Threatens a Farm Crisis by Midyear." The article stated the problem as follows:

> Where to store hundreds of millions of bushels of wheat and corn the United States will acquire this year in price-propping deals. Farmers can't get price guaranties unless they can find adequate storage space.

To demonstrate the immediate impact of the threatening shortage I quote a paragraph from an Associated Press dispatch datelined Chicago, February 4:

> The specter of not enough storage room for 1954 crops cast its shadow over the grain market on the Board of Trade today. Prices generally declined, particularly for those futures representing 1954 crops, on reports the Agriculture Department was concerned over the fact that it would not have enough room to store mounting Government surpluses.

In an extensive analysis of prospects for what it calls homeless grains, the Wall Street Journal on February 4 reported that the Department of Agriculture anticipates an increase in storage needs of 500 million bushels, but has in sight only 220 million bushels of storage space through the guaranteed occupancy storage program and use of the mothball shipping fleet. According to this calculation, there will be 280 million bushels of grain this year with no space to store it.

I ask how, in the face of these figures, the Secretary of Agriculture expects any price-support program to succeed. The price-support law requires farmers to find storage space for their crops if they are to place them under the price-support and loan program. If there is no storage space, the farmer can seek a waiver of this provision, but he bears the cost of any loss resulting from spoilage.

The Wall Street Journal article describes some of the current and proposed plans of the Department to find storage space, including wider use of the mothballed merchant ships and such other unorthodox facilities as abandoned army barracks, idle airplane hangars, vacant garages, deserted movie houses and other sorts of empty buildings. The article reports one official saying facetiously: "If that doesn't do the trick, the farmers will have to dump the stuff in their bathtubs or put it in the front parlor." The key paragraph in the Journal account is this one:

> But the new bin building, spurred by a variety of Government incentives, together with wider use of idle ships, will furnish no more than about 220 million bushels of new capacity, agriculture experts figure. The United States would thus be shy some 280 million bushels of storage space for grain.

Mr. President, I ask unanimous consent that the full text of the February 4 Wall Street Journal article be printed in the RECORD at this point in my remarks.

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

HOMELESS GRAIN—PRESENT STORAGE SPACE ISN'T ENOUGH TO HOUSE EXPECTED 1954 SURPLUS—NEW BINS, USE OF MORE IDLE SHIPS WOULD STILL LEAVE 280 MILLION BUSHELS OVER—FARMER LOSSES AND ELECTION

(By Gene E. Miller)

WASHINGTON.—Federal farm boss Benson and his aides are bracing for a new crisis. Their problem: Where to cache 280 million bushels of wheat, corn, rye, oats, barley, and other grains, due to be harvested this summer, for which no storage space is available.

For the Federal farm folks the crisis is political as well as agricultural. Price support law requires that if farmers put their crops under supports they must find storage space, or if none is available, seek a waiver of this provision and bear any resulting loss from spoilage. The scramble for space is likely to ruffle many rural tempers. Farmers whose crops spoil are bound to be more than just ruffled. This being an election year, Mr. Benson and his minions will be under heavy pressure to do something about the situation.

STUDYING THE OUTLOOK

Agriculture Department officials have made a private study of the storage outlook this year, trying to match prospective supplies of grains with available storage space in warehouses, grain elevators, and even mothballed merchant ships. Here are their unhappy conclusions:

When added to present record surpluses, this year's grain crops, even if yields are only average, will create the need for an extra 500 million bushels of storage space, atop the Nation's 7.7 billion bushels of grain storage capacity available last year.

But new bin building, spurred by a variety of Government incentives, together with wider use of idle ships, will furnish no more than about 220 million bushels of new capacity, agriculture experts figure. The United States would thus be shy some 280 million bushels of storage space for grain.

WORSE WOES?

Of course, widespread crop failures or a new war emergency could upset this prediction, and ease the storage squeeze. But unusually good crops, on the other hand, would aggravate the problem. And right now, the Department's crystal gazers are betting privately that grain production this year will be very favorable, despite 1954 planting curbs. If they're right, Mr. Benson's storage woes may be even worse than presently reckoned.

The upshot is hard to predict in precise terms. But officials concede that failure to find shelter for a big chunk of this year's crops of wheat, corn, and other grains can only result in heavy losses for some farmers.

One way out for the administration would be a hurry-up request to Congress for funds to finance Government building of storage bins. But this isn't likely; for one thing, it doesn't fit in with President Eisenhower's drive to get the Government out of private businesses.

FARM PROGRAM'S ROLE

More important, however, is the fact that construction by the Government of a flock of new storage bins doesn't jibe with Mr. Benson's long-range farm aims. He's busy trying to sell Congress on a new, fresh-start farm program designed to discourage overproduction of food and fiber in the future. He's also pushing plans to dispose of much of the Government-owned hoard of farm products, now valued at $2.7 billion and expected to jump to $4.2 billion by mid-1955.

The key to his scheme: A new system of flexible price supports that could be raised or lowered to encourage output of scarce goods, dampen production of commodities when surpluses threatened. This would replace the present rigid, high props under prices of wheat, corn, cotton, tobacco, rice, and peanuts.

Mr. Benson thinks doing away with the present rigid supports will eventually solve the storage problem. But some influential lawmakers from farming areas are not inclined to approve such a scheme if it would mean lower price supports under crops grown in their home districts. As of now, the chances that Congress will approve Mr. Benson's plans are rated poor.

SOME PLANS

Meantime, Agriculture Department aides are wrestling with the more pressing problem of where to store the current farm glut until Congress decides what to do about it. Here are some of their plans:

The Agriculture Department already has decided to make wider use of mothballed merchant ships. This year the Government stowed about 28 million bushels of grain in ships on the east coast. But these floating warehouses, already taken into consideration in reckoning the storage outlook, have one disadvantage: The Maritime Commission insists the Agriculture Department be prepared to unload the wheat on short notice, in case of emergency.

The farm planners are counting on some other unorthodox storage facilities to help ease the pinch. Officials are prepared to turn to abandoned Army barracks and idle airplane hangars, the two types of buildings most readily converted into grain warehouses.

If such facilities aren't enough, and the expectation is they won't be, the Department is mulling an emergency order to Agriculture Department fieldmen to scour the countryside for any kind of empty buildings, from vacant garages to deserted movie houses, to use for storing grain.

"And if that doesn't do the trick," says one official facetiously, "the farmers will have to dump the stuff in their bathtubs or put it in the front parlor."

Actually, the Federal experts think the farmers may well be able to find extra storage space on their farms—without tying up the bathtub. For one thing, they figure, horses can be turned out to pasture, and wheat stored in the stalls. Or farm machinery

can be put in temporary sheds, and wheat poured into the barn.

Also, the Government is pushing a plan to make it more appealing for farmers to build their own storage facilities. Under a law passed last year, farmers can write off for tax purposes the entire cost of a new storage bin in the first 5 years, instead of spreading the depreciation allowance over a term of 20 years or more, as in the past. Until 1953 tax receipts are in, the Government will have no idea how this scheme is working, and even then it may not have an accurate count.

Under another program aimed at easing the storage shortage, the Government guarantees to use a certain proportion of a new storage bin for a given length of time. This plan, aimed at warehousemen and other builders of storage facilities, has not, however, been a smashing success. Since it was first announced late last summer, the Agriculture Department has received inquiries from enough builders to suggest a 530-million-bushel increase in storage capacity—more than enough to solve this year's storage problem.

CANCELLATIONS GROW

But builders have been dropping out of the plan at a fast clip. The Department has actually made use-guarantee agreements with builders accounting for 292 million bushels of storage capacity. But contractors already have canceled out 78 million bushels of this and further cancellations are expected, due to high building costs and other factors. Many of the original applicants were just curious, Department officials note.

Another reason for cancellations: Contractors are presumably leery of an oversupply of storage space a few years hence, if Mr. Benson is in fact successful in chipping away at the Government's heavy stocks of farm products. The Government guarantees use of the new facilities under the program from 3 to 6 years, depending on how much of the facilities Uncle Sam promises to occupy.

Officials say the use-guarantee scheme will add less than 200 million bushels of capacity to the more than 7 billion bushels of storage space now supplied by private warehousemen, elevator operators, and grain terminals. The rest of the Nation's grain-storage space, totaling about 639 million bushels of capacity, is owned by the Government. This is more than three-quarters filled with corn right now, and will be jammed close to capacity next October when the Government has to take over ownership of corn under loan from last year's crop.

Mr. GILLETTE. Mr. President, it may be that these figures are exaggerated and that the new crop will not be as large as foreseen. There is drought in the Midwest, as well as other unpredictable weather factors. I have obtained a report on the supply situation as viewed by Agriculture Department experts which is somewhat more conservative. At the same time I have information leading me to believe that the storage space under present plans will fall far short of what the Wall Street Journal writer predicts, thus leaving approximately the same gap between supply and available storage.

The USDA supply estimates of stocks, as we go into the harvesting of 1954 crops, as compared with stocks in the year previous, indicate that at the beginning of the current marketing year carryover stocks will be 393.3 million bushels net greater than last year. I ask unanimous consent that the table showing these carryover figures be printed as a part of my remarks at this point.

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

Grain supply situation

[Million bushels]

Commodity	Beginning stocks, 1953	Beginning stocks, 1954	Change
Wheat	562.3	830.0	+267.7
Corn	768.8	890.0	+121.2
Rye	6.3	15.0	+8.7
Oats	255.5	235.0	−20.5
Barley	51.4	65.0	+13.6
Sorghums	7.3	12.0	+4.7
Soybeans	10.1	4.0	−6.1
Flaxseed	10.0	14.0	+4.0
Total	1,671.7	2,065.0	+419.9 −26.5
Net change (increase)			393.3

Mr. GILLETTE. Mr. President, Senators will be interested to know that this table shows that whereas as beginning stocks last year we had 562.3 million bushels of wheat, at the start of this harvesting year wheat stocks will amount to an estimated 830 million bushels, an increase since 1953 of 267.7 million bushels. We had as beginning stocks last year 768.8 million bushels of corn, whereas at the start of harvesting this year we will have stocks of corn amounting to an estimated 890 million bushels, or an increase of 121.2 million bushels over last year. The net increase of all grains over the beginning of harvest in 1953 will be, according to these calculations 393.3 million bushels.

What are the figures for storage space? It is reported that the Department has located 35 million bushels of storage space in vessels of the mothballed fleet on the east and west coasts. The Department is also working on its guaranteed occupancy storage plan which is designed to encourage private building of additional commercial storage facilities.

If one reads the headlines of Department bulletins one gains the impression that nearly 294 million bushels of new storage space will be provided under this plan. Unfortunately the text of the releases does not justify this impression. Actually the program is sliding backward instead of advancing at the required swift pace.

The February 12 announcement, for example, declared that the total acceptances by commercial storage companies had risen by 1,282,800 bushels over the total on February 1. But it is revealed in the second paragraph that cancellations in prior applications had exceeded the new contracts by 400 percent. This rapid advance toward the rear, left us with net occupancy storage facilities of some 208 million bushels on February 12, or 6 million bushels less space than 2 weeks before.

For the edification of fellow Senators, I read these two splendid specimens of progress through publicity:

February 1 release. Headline, "Additional Acceptances in Occupancy Storage Program: Total now 292,156,824 bushels":

The United States Department of Agriculture today announced additional acceptances of applications totaling 3,012,500 bushels for participation in the grain occupancy contract program. * * * Today's list brings total acceptances to date to 292,156,824.

The Department also announced that cancellations and withdrawals by applicants of tentatively approved applications to date total 77,973,996 bushels. This leaves a net total of acceptances of 214,182,828 bushels.

The second release is dated February 12. Headline, "Additional Acceptances in Occupancy Storage Program: Total Now 293,689,624 Bushels":

The United States Department of Agriculture announced additional acceptances of applications totaling 1,282,800 bushels for participation in the grain-occupancy contract program. * * * Today's list brings total acceptances to date to 293,689,624 bushels.

The Department also announced that cancellations and withdrawals by applicants of tentatively approved applications to date total 85,445,496 bushels. This leaves a net total of acceptances of 208,244,128 bushels.

By this kind of public-relations legerdemain, Mr. President, we are increasing our available grain-storage space at the rate of a net loss of 6 million bushels in 2 weeks.

Some agricultural experts believe that cancellations under such a program may ultimately reduce the total net sign-up considerably below the present mark of 208 million bushels, and that new storage space actually ready through this bin-construction program may be as low as 150 million bushels by the time harvesting begins.

All these figures indicate our farmers are going to have to contend with at least 200 million bushels of homeless grain this year. If the prospective 393-million-bushel increase in grain carryover turns out to be correct, if storage space on mothballed ships is not more than 35 million bushels, and if the commercial storage-construction program provides only 150 million bushels of space, simple arithmetic leaves a gap in storage of 208 million bushels.

Even if the construction program under the guaranteed-occupancy plan holds up to the present level, with no more cancellations, we will be short 150 million bushels of storage space. Is it really the serious belief of the Department of Agriculture that such space can be found in old school buildings, garages, hangars, and movie houses?

After last year's experience when farmers suffered losses of millions of dollars because the administration would not or could not make the price-support and loan program work, there can be no excuse for failing to be ready this year.

Farm-price supports can work only if there is enough storage. If the Department of Agriculture refuses to do everything in its power to provide adequate grain storage, it can be charged—and it will be charged—with deliberate sabotage of the price-support program.

Mr. Benson must announce, and the sooner the better, that he is going to see that there is a home for every bushel of

grain. The Commodity Credit Corporation has all the authority it needs to let contracts for the construction of bins and other storage facilities. It has the funds to do the job, and if it needs additional funds it can come to Congress for them.

We seem to have difficulty impressing on those currently in charge of administering the farm program the simple fact that for a farmer to obtain a Government loan under the price-support program, he must have adequate storage for his grain. If the carryover of previous years fills all the storage space in existence, he cannot move his new crop into bins and granaries at harvest time.

What will happen to grain prices, come harvest time, if, as is conservatively estimated, there are 393.3 million bushels of grain more than last year which need storage space, but there are only 150 million or even 200 million bushels of space available? Are the wheat and corn farmers going to face the choice of dumping their new harvest on the market at ruinous prices or leaving it spoil on the ground?

The Secretary of Agriculture seems determined to blame the high level and rigidity of corn and wheat price supports on the fact that farmers are receiving less than full support prices.

As recently as February 10, Secretary Benson was quoted as telling a farm audience in Columbus, Nebr., that the price-support program is not working, and citing as proof that "the average market price of wheat is only 82 percent of parity" and "the average price of corn is only 79 percent of parity."

I wonder if it would not be the better part of wisdom for the Secretary to use every means at his command to provide for adequate storage space so that the price support program will be fully effective, instead of undermining farmers' faith in a program which Congress has approved, and which farmers themselves have repeatedly endorsed in democratic, secret balloting.

Just 3 days before the Secretary spoke at Columbus, the Omaha World-Herald printed an article on February 7, with the following headline: "Elevators Can't Hold All Grain—Storage Already Tight in Area; Corn, Wheat To Increase Squeeze."

The article asked:

> What is Nebraska going to do with all the grain? Omaha grain men agreed Saturday the State, and the rest of the country, faces an almost certain shortage of storage. James Lemley, Lincoln, chief of the price-support program in Nebraska, said: "We're going to be in real trouble in the summer."

The story continued:

> Tight conditions at the terminals mean the same conditions at country elevators and farm granaries. Farmers may be forced to pile wheat on the ground "temporarily if not permanently," said Harry C. Christiansen, a former exchange president. Omaha grain men said new facilities scheduled won't make much of a dent in the space picture.

Mr. President, I will repeat that last sentence, because it is of controlling importance as we face the new crop:

> Omaha grain men said new facilities scheduled won't make much of a dent in the space picture.

This fact is important not only for its own sake, but also the Department of Agriculture is claiming that its program of guaranteed occupancy will result in enormous additions to the Nation's storage capacity. The grain trade evidently does not agree with these claims.

Although, as I have pointed out, the Department has been showing gross acceptance figures in this program of about 293½ million bushels, with 85½ million bushels of space already cancelled, the Department is left with 70 percent of what it claims.

We will doubtless hear other claims in the next few months, telling us how many ships have been filled with grain, how many contracts have been let, how many empty barracks and school buildings have been transformed into storehouses for grain, and so on. But the proof of success or failure will come at harvest time, at the moment when farmers must either sell at distress prices or have available to them storage space into which they can put their grain under loan.

I am deeply disturbed over signs which are apparent so early this year that the storage program will not succeed. Farm income is too crucial in our Nation's economy to risk such a failure. I sincerely hope the administration reads those signs and does what it should do, vigorously, thoroughly, and immediately. If strong action is taken now, some of the damage later may be prevented.

The price-support programs will certainly not work if the Secretary of Agriculture fails to do all in his power to build enough storage for grain, fails to ask Congress for any additional authority or funds he believes he may need, and, on top of that, attempts to use the consequences of such failure as arguments proving the program will not work. Failure to provide adequate space last year was the major cause in low farm prices. If that failure is repeated again this year, obviously farm income will sag again.

Mr. President, the farmers of my State and the farmers of the whole Nation will not tolerate another year of inaction, postponement, and failure. Let no one try to brush aside these warnings of mine on the specious grounds that, for example, in my State of Iowa there may be enough storage to take care of local stocks of corn, or that drought or weather conditions may reduce the Iowa crop and thus ease the local storage problem. There is no certainty that such eventualities will occur, in the first place; and, in the second place, the farmers of my State know that prices in Iowa are affected just as much by a shortage of storage space in other States as in Iowa itself. Corn and wheat from all the producing States are sold on the same market in Chicago, and the forces that bear down on prices in Chicago originate in all the States, not in just one or two.

We from the great grain-producing region of America await with anxiety to learn what the Department of Agriculture is going to do about filling the gap in storage space in time for the coming harvest.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The PRESIDING OFFICER (Mr. GRISWOLD in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business.

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], inserting on page 3, after line 9, a new section.

THE TENTH INTER-AMERICAN CONFERENCE

Mr. SMATHERS. Mr. President, on Monday, next, representatives of the various nations of the Western Hemisphere will assemble at Caracas for the 10th Inter-American Conference. The importance of this conference is emphasized by the fact that on the opening day our own Secretary of State, Hon. John Foster Dulles, will address the assembly, carrying a message to the conference from the President of the United States and the people of the United States.

It is incumbent upon all of us in the Congress, in my opinion, to take note of this occasion and, each in his own way and in accordance with his own capacity, as his duties permit, to make some contribution toward the success of the meeting. I hope there will be adequate and attentive representation of the Congress at these deliberations and discussions. Furthermore, I trust that a comprehensive report of the meeting and its results will be made to the Congress.

In my opinion, Mr. President, it is not presumptive to expect that the Secretary of State and his staff will return from the conference with some factual findings as to the degree of Communist infiltration into the Western Hemisphere. What we are seeking in this regard are the facts—just the facts. For too long, this subject, as well as the entire field of inter-American relations, has been brushed off with glib phrases, wordy reports, and noble-sounding clichés, which have not produced the results we must have. So, to repeat, Mr. President, I hope we can look forward to receiving "just the facts—nothing but the facts," from the meeting.

For instance, it is most important that we have the facts about Guatemala and its reportedly Communist-dominated government. There are reports that the Reds are winning in Guatemala without a fight. We are reading news accounts that, despite the fact the Communist strength in Guatemala is estimated at only 3,000 in a population of 3 million, the Reds have control of 51 of the 56 seats in the National Congress. A report of our National Planning Council states:

> At the present time [late 1953], the Communists are so deeply entrenched that it may no longer be possible to eliminate them by peaceful means.

Mr. President, it appears unknown to millions of people in this Nation, but reports are that right next door to the Panama Canal, only a few hours by air from vital oilfields and key industries in the United States, a Government has been established with the potential of weakening and subverting other Latin American countries and decreasing the strength, or perhaps the hope for, any allied inter-American anti-Communist action. What are the facts, Mr. President? Have the Communists actually opened a beachhead, or a bridgehead, in the Western Hemisphere—and, in fact, on the North American Continent? Have the Communists by stealth and ideological treachery infiltrated among our good neighbors? Have the Reds politically breached our defenses, in violation of the Monroe Doctrine—accomplishing by political maneuver and ideological propaganda what no nation has ever done, and what no nation could ever do, by force of arms? What is the truth about Guatemala? We made much of our continued use of the fine phrase "good neighbors." Have we been so long preoccupied with fighting communism in Europe and in Asia that there now is, in fact, a Red foothold right at our back door?

Mr. President, I hope this will prove not to be the case. I understand that our expenditures in Indochina, where for several years now we have been aiding the French in their struggle against the Communists, have reached a billion dollars. We have spent many times that amount in Korea and in other places in Asia, and many times that amount in Europe.

It is most important that we not lessen our support of other free peoples in the world in their struggle against communism, and it is vital to us that the Communists be repulsed in Indochina. But, in my humble opinion, there is a grave object lesson for us in Guatemala and in many other chapters of the current story about this great inter-America of which we are a part.

The Western Hemisphere is our home, and it must have our priority attention, just as it has the first love of the citizens of our country and the citizens of the other countries which are our neighbors. There are many reasons why Latin America should be our major diplomatic concern, rather than a casual one. Latin America, now with a population as great as that of the United States and Canada combined, will outnumber us by 550 millions to 250 millions in 50 years. In this fastest growing area, industrial and trade expansion goes apace, and already it is the busiest trading area outside Western Europe.

We look forward to the opportunities offered the United States in the Inter-American Conference. I feel sure that all of us in Congress look for the Conference to produce some further guideposts for a tightening of ties among the Americas.

Mr. President, in connection with the statement I have just made, I ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Latin America—World's Fastest Population Increase Makes Good Neighbors Important to United States." The article was written by Richard Fryklund, and was published in the Washington Star of February 21.

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

LATIN AMERICA—WORLD'S FASTEST POPULATION INCREASE MAKES GOOD NEIGHBORS IMPORTANT TO UNITED STATES

(By Richard Fryklund)

Latin America, with a population already equal to that of the United States and Canada combined, is the fastest-growing area in the world.

This fact alone would be enough to make Uncle Sam look southward, as he will be doing at the coming Caracas conference, to firm up ties with an important part of the world. But there is another good, practical reason for paying closer attention to Latin America: Much of that area is moving from an underdeveloped status onto a higher producing and consuming level. South and Central Americas are bound to grow more important in the near future, both economically and politically.

The population of Latin America, according to latest estimates, is about 173 million. Canada and the United States, the only two English-speaking nations, count about 13.6 million and 160 million persons, respectively. Three Latin American countries are more populous than Canada—Brazil, the eighth largest nation in the world with about 54 million; Mexico with more than 27 million, and Argentina with 18 million.

There are 62 cities in Latin America with a population of more than 100,000, compared with 106 in the United States. The third, fourth, fifth, and sixth largest cities in the Western Hemisphere are in Latin America: Buenos Aires (3 million), Rio de Janeiro (2.4 million), São Paulo, Brazil (2.2 million), and Mexico City (2.2 million).

THE FUTURE

All this is small potatoes compared with what is to come. While world population is growing at the rate of 1 percent a year and the United States is growing 1.7 percent a year, Latin America is swelling by 2.5 percent. If that rate continues, Latin Americans will outnumber North Americans 550 million to 250 million in another 50 years.

Reasons for the amazing growth are the high, steady birth rates (Chile, for instance, has had an annual birth rate of 32 or 33 a year per thousand persons since 1934; Venezuela is up to 44.3 per thousand and still gaining; no Latin American nation has as low a birth rate as the United States' 24.5) and steadily declining death rates (Peru, 9.2 a year per thousand, down from 16 in 1937; Argentine, 8.7 compared with 11.5 in 1937; Honduras, 10.7 compared with 18.2 in 1937; the United States' has dropped slightly from 11.3 to 9.7 over the same period).

Birth rates in Latin America, predominantly Catholic countries, are expected to remain high, but modern health measures are expected to lower the death rate further. So populations are expected to continue gains like these: Argentina, 13.5 million to more than 18 million since 1937; Brazil, from 38.7 million to 54 million; Mexico, 18.7 million to 27 million; Colombia, 8.5 million to 11.3 million.

Along with this population growth has gone economic expansion, reflected particularly in increased foreign trade. Eighteen percent of the world's trade now goes to or from Latin America, compared with 15.3 percent in 1937. This is of particular importance to the United States, as most of this trade (10.1 percent of the world total) is between North America and Latin America. This is the busiest trading area outside Western Europe and the artifically maintained sterling bloc.

Except for Canada, Latin America is this country's biggest customer and supplier.

Industrial production in Latin America is expanding with population: Almost doubled in Argentina since 1937; more than doubled in Chile; almost doubled in Mexico. As another indication of expansion, the number of railway passenger miles traveled in Argentina and Cuba almost tripled since 1947, doubled in Brazil and Mexico, increased by 50 percent in Chile. Rail freight ton-miles have almost doubled in the same period in Costa Rica, almost tripled in Ecuador, increased by 50 percent in Chile and 30 percent in Argentina and Brazil.

LIVING STANDARDS SOAR

Standards of living also are on the rise in the southern nations, although the increase is not as spectacular as that in population. Per capita incomes still average below the $500 mark, as compared with upward of $1,000 in Canada, Britain and Scandinavia, for instance. Since 1937 United States national income has quadrupled, Venezuela's has almost quintupled, Mexico's is up 600 percent, Guatemala's 500 percent, Argentina's 800 percent.

Food production has not expanded enough, however, to raise diets to desirable levels. Persons in Argentina and Uruguay take in enough calories, on the average, but persons in Mexico, for instance, lag by 17 percent, in Chile by 10 percent, in Brazil by almost 5 percent. Most countries are better off than in pre-World War II years, however: Average calories consumed per person in Brazil is up 10 percent, in Venezuela and Cuba up 5 percent, in Mexico up 12 percent, in Colombia up 20 percent.

Nutrition will improve faster in Latin America if wasteful agricultural practices are abandoned and if more arable land is put into production. Good land, however, is not plentiful in many countries, and food shortages threaten to be a real danger to Latin America if her population continues to expand at the present rate.

But school attendance is growing rapidly, an indication that Latin America is out to solve her problems over the long haul.

There can be no doubt that the expanding countries to the south will be increasingly important neighbors to the United States in the years to come.

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Caracas Parley To Focus Spotlight on Red Infiltration." The article was published in the Miami Daily News of February 21.

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

CARACAS PARLEY TO FOCUS SPOTLIGHT ON RED INFILTRATION

(By Morgan Monroe)

WASHINGTON, February 20.—The United States and its Latin American neighbors are preparing for a policy showdown on Communist penetration of the Americas.

That subject dominates the political agenda of the 10th Inter-American Conference which opens March 1 in Caracas. The Communist issue promises to make the conference one of the most significant get-togethers in the history of the Organization of American States.

In addition, the high-level meeting will offer the Eisenhower administration its first opportunity to outline for Latin America this Nation's position on a number of other vital

inter-American matters. As the OAS policy-making body convenes only twice in each decade, the conference will set the pattern of United States Latin American relations for the next 5 years.

Overshadowing that long-term significance, however, is a pressing challenge to the immediate future of solidarity and security in the hemisphere. The challenge appears on the conference agenda in these words:

"Intervention on international communism in the American republics."

FAST-GROWING THREAT

That subject will focus world attention on Caracas in March. Free nations will look for evidences of renewed inter-American unity. Moscow will be watching for signs of Communist-encouraged nationalism, dissension, and anti-United States sentiment.

Since the last inter-American conference in 1948, the Soviet Union has pushed its penetration of the Americas to a point which makes communism the most critical item on the agenda of the forthcoming conference. Conditions in Guatemala and elsewhere in Latin America leave no doubt that the OAS nations are confronted with a fast-growing threat to individual sovereignty and collective security.

Guatemala, second largest and most heavily populated nation in Central America, is the chief source of immediate concern. Since 1948 the colorful country has become the first Soviet satellite in this hemisphere.

First by infiltration and more recently through political power, Communists have for 10 years worked toward their present entrenchment in Guatemala. The sustained Red effort has been shockingly successful. With control of government, all major political parties, labor unions, the press and radio, Soviet imperialism is today the most powerful influence in Guatemala.

MAJORITY NOT RED

But the majority of Guatemalans are not Communists. Political observers in Latin America estimate the number of hard-core Reds in control of the country at not more than 3,000 among a population of approximately 3 million. Yet Soviet-trained subversives, aided by fellow travelers who helped them rise to power, control 51 of the 56 national congress seats, together with the executive and judicial branches of government.

An extensive report released last December by the Washington office of the National Planning Association summed up Guatemalan Red strength in these terms:

"At the present time (late 1953), the Communists are so deeply entrenched that it may no longer be possible to eliminate them by peaceful means."

Unknown to millions in this nation, that situation prevails next door to the Panama Canal. And Guatemala is only a few hours by air from vital oilfields and key industries in the Southern and Southwestern United States.

Communist strategy therefore has been aimed at weakening and subverting other Latin-American countries. This is designed to decrease the possibility of governmental and popular support of any inter-American anti-Communist action. Red propaganda has been geared to alienate Latin-American sentiment from the United States. In the process of pursuing this strategy, Guatemala has been turned into a base for infiltration and subversion of other Latin-American nations.

Machinery with which to create an inter-American defense against Communist penetration will be at hand when the conference convenes. It is contained in the OAS charter and in agreements made at an earlier conference. The latter have since been known as the Rio treaty.

John M. Cabot, former Assistant Secretary of State for Inter-American Affairs, pointed out that both the charter and the Rio treaty contain provisions against intervention which could be invoked if warranted as the basis for concerted policy against Red penetration. But either of two things could stall collective action.

REDS APPLY PRESSURE

One is the attitude of the United States. Although the Communist subject appears on the conference agenda at the insistence of this Nation, there are misgivings in some parts of Latin America about how far the United States is prepared to go on the issue.

These doubts were spurred by a magazine interview with Cabot, circulated throughout Latin America, in which the Assistant Secretary's statements were interpreted as indicating the United States has cooled off somewhat on the Communist issue.

Whether those misgivings will reflect in official positions of the governments represented at Caracas remains to be seen. But it is certain that any anticommunism policy would require the wholehearted support of the United States.

The other factor which would prevent action is Red pressure on some OAS-member government, particularly those which are politically unstable. This pressure has been increased as the conference nears.

CHARGE RIDICULED

An example of methods employed by Latin-American Communists in their efforts to undermine unity at Caracas is the recent "invasion plot" charge by the Red Guatemalan Government. On January 29 that nation's puppet president alleged that four Latin-American governments were planning to invade his country with United States approval.

The charge was branded "ridiculous and untrue" by the State Department, and promptly denied by the accused Latin American nations. The allegation appeared to be an attempt to create suspicion toward the United States in the hope of stimulating disunity at Caracas. This purpose was pointed out by a State Department spokesman.

These and earlier developments make it clear that Latin American Communists are flexing their muscles in preparation for new political conquests. And it is equally clear that unless the free nations of the hemisphere take action at Caracas to halt the spread of subversion, Red expansion will continue at stepped-up pace.

That is why the Communist issue is the most urgent matter to be considered at Caracas.

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Inter-American Conference: Coffee, Colonialism, and Communism Will Be Top Issues at March Meeting," which was published in the Washington Star on February 21.

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

INTER-AMERICAN CONFERENCE—COFFEE, COLONIALISM, AND COMMUNISM WILL BE TOP ISSUES AT MARCH MEETING

(By Henry B. Lee)

The 10th Inter-American Conference meets at Caracas a week from tomorrow to try to resolve in 1 month issues that have been developing for years. These issues involve communism, colonialism, coffee, and diplomatic asylum. Some are deeply rooted in inter-American history. Most are interrelated, and all are complicated.

Each is loaded with implications for United States diplomacy. Some countries may oppose collective action against international communism. Some will insist on self-determination for Latin American colonies held by strong European allies of the United States. A stronger, Peron-led Latin bloc will press the United States for economic concessions.

In addition, there are issues involving disputes among Latin countries. The question of diplomatic asylum involves a tense dispute between Peru and Colombia. Guatemala and the Dominican Republic charge others with granting territorial asylum to promote revolutionary movements against them. Last week Costa Rica said it would not attend the conference because it is being held within sight of a jail crowded with Venezuelan political prisoners. Chile's Radical Party went on record Thursday in opposition to Carcacas as the site for the same reason.

Thus this conference is confronted with the severest test since the first and founding conference at Washington in 1889. Its agenda is loaded with explosive controversies. It may be the first time a member state boycotts a conference.

MUCH TO LOSE

The United States, moreover, has much to lose and little to gain. There are several issues on which it can hardly take a stand without impairing relations with essential allies.

In historical perspective the conference is nonetheless important. It is the first under the Organization of American States, which replaced the old Pan American Union at the strife-torn 1948 Bogota Conference. The conference, supreme OAS body, meets every 5 years to formulate general policy for the next half decade. Since Bogota, the United States has scattered its foreign policy commitments about the globe in response to cold-war demands. Its inter-American commitments must be made in the light of globe demands.

It is in the light of these extended global demands that the United States wants collective inter-American action against the growing threat of communism in the Western Hemisphere. The need for such action is emphasized by the apparent control Communists have acquired in Guatemala and the election of a Communist-led government in British Guiana last spring.

Except for Guatemala, all Latin-American governments are anti-Communist to some degree. About half have broken diplomatic relations with Russia and outlawed local Communist parties. But some Latin countries say communism is a domestic or constitutional matter, and collective action against it may conflict with their principle of nonintervention in domestic affairs. Latin statesmen pushed this principle for many years and hailed United States recognition of it in 1934 as the cornerstone of the inter-American system. Some are more concerned about an infraction of this principle than the problem of communism.

COLLECTIVE ACTION

Even Guatemala's worst enemies in neighboring Central America are reported hesitant to subscribe to effective collective action. There are, however, some who will for a price—economic concessions.

At best, the United States can expect support from several dictators. This would place us in the poor ideological position of being supported by totalitarian regimes and opposed by democratic ones. To avert this embarrassment, we may delay a showdown for a later conference under better circumstances. Or we may get some neighbor of Guatemala to press the project.

Ironically, this issue, now directed at Guatemala, got on the agenda through the action of an earlier and more moderate Guatemalan

Government. It proposed at Mexico City in 1945 "to stop the establishment of undemocratic regimes" in the Americas. At Bogota the threat of "undemocratic regimes" was defined as "international communism or any other totalitarian doctrine." The fourth meeting of consultation (Foreign Ministers meet periodically to consider urgent matters) at Washington, in March 1951, ordered studies made of methods for fighting communism. The whole issue of communism will break open in the discussion of these studies.

The fact that Guatemala now has an "undemocratic regime" with an alien flavor will not deter that country from pressing this issue. Guatemala may see it as a wedge that can be driven between the Western Allies.

The agenda question relating to colonialism is another test for United States diplomacy. The presence of British, French, and Dutch colonies has become increasingly unpopular in Latin America. The 1948 Bogota Conference resolved that "colonialism and the occupation of American territories by extra-continental countries should be brought to an end." The conference also named a committee to study the whole question and submit a report at Caracas.

When this report comes up the delegations will divide along three lines—those considering European colonies a United Nations question, those suggesting the conference should produce at least another resolution supporting self-determination, and those with territorial claims against the British. Guatemala regards British Honduras as part of its territory occupied by Britain. Argentina feels similarly about the Falkland Islands; in fact, Argentina has issued stamps showing the islands as Argentine territory.

Naturally, these countries will scream "colonialism," if only to boost their claims against the British. Argentina also has territorial disputes in Antarctica with the United States, Britain, and Chile. Venezuela is still fretting over territory it lost to British Guiana in a border dispute with Britain and subsequent arbitration award in the 1890's.

The debate on colonialism is expected to involve recent British action in disposing of the Communist-led Jagan government in British Guiana. The Red-tinged Peoples Progressive Party claims it has solicited and received the support of several Latin governments against the British action. The Communist-dominated government of Guatemala is expected to carry the PPP torch at the conference. It may be joined by Argentina and Venezuela, both of which are officially anti-Communist. Thus will hemispheric politics make strange bedfellows.

The United States will, of course, take the position that this whole subject is out of order for an inter-American conference, where Britain has no representation. We may be joined by Chile and several others in holding it is a subject for the United Nations.

ASYLUM ISSUE

The United States will remain aloof from the issue of political asylum—a subject of political philosophy as well as political controversy in Latin America. Two conventions will be considered: Territorial asylum (in another country) and diplomatic asylum (in an embassy). The latter involves a bitter dispute between Peru and Colombia.

Five years ago Colombia granted diplomatic asylum to Victor Raul Haya de la Torre, left-wing Peruvian leader. Since then the legality of this asylum has gone to the World Court and back without a decisive answer. Meanwhile, Peru has stationed guards around the Embassy.

The dispute has become so bitter that the Inter-American Peace Committee has been trying to get the two countries to settle their dispute peacefully. It now has them negotiating bilaterally.

All concerned are anxious to keep it out of the Caracas Conference when the diplomatic asylum convention comes up. This convention gives the granting state the right to determine who is to be granted asylum. If the Haya de la Torre matter is debated in this connection, Peru may walk out of the conference.

The proposed convention on territorial asylum also has current political implications. For more than a century, Latin countries have granted asylum to political refugees. Some refugees have taken advantage of this asylum to foment revolutions back home, thus causing the principle of territorial asylum to conflict with nonintervention. In recent years the Dominican Republic has claimed several neighboring republics have been harboring its political refugees so they may return home as a revolutionary force and overthrow the government. Many alleged plots have been attributed to the so-called Caribbean Legion. Generalissimo Rafael L. Trujillo, the Dominican Republic's "strong man," charges that remnants of the legion are now in Costa Rica plotting against his government. Guatemala recently accused the United States and several Central American countries of a similar conspiracy.

The issue of fomenting revolutions or civil strife in another country will also be considered under another item on the agenda. The 1928 Convention on Duties and Rights of States in Event of Civil Strife required states to prevent aliens from forming armies on their soil to invade another country. It was signed by 17 states, but the practice continued. This conference will consider adding a protocol that would make the 1928 convention more effective.

ECONOMIC PROBLEMS

While these political issues are interesting and important for the stability of United States allies, the economic issues present a greater challenge to United States national interests. Here we must stand and be counted. And it looks as if we may be counted out before the voting is over.

For the first time since 1928 we have few economic concessions to offer. The Eisenhower administration has not yet clearly committed itself to reciprocal trade agreements. It is retrenching on foreign economic aid.

Latin countries will, however, enter the conference with the strongest economic bloc they ever had. They will negotiate on the inference Latin America must have markets for its raw materials. If the United States doesn't lower its tariff barriers, they will find markets in the Soviet bloc.

Coffee will be in the immediate background of economic debate. It will remain a symbol of the grievances among Latin countries whose economies are generally dependent on one or two basic raw materials, mostly sold in United States markets. These countries have often complained about prices for these commodities fluctuating between boom and bust. They say they prefer stabilized prices that will guarantee them prices commensurate with prices they pay for our manufactured goods. In short, they want the purchasing-power parity granted our farmers. Coffee-producing countries feel some American politicians have played for the housewife vote here by unjustly blaming them for high coffee prices.

Another grievance these countries have on the agenda involves the protection of purchasing power of monetary reserves against inflationary pressures. This issue stems from World War II when they sold many goods to us, but could not in return buy much manufactured goods from our war economy. When our goods did go back on the market after the war price controls were dropped and their accumulated dollar reserves were thus decimated.

ECONOMIC DEVELOPMENT

These issues of guaranteed prices and monetary reserves are related to another agenda item. The conference will discuss economic development of Latin America that could make it less dependent on producing one or two raw materials.

Here the United States has one of its best tactical opportunities. Instead of infusing economic development with handouts, we can insist this objective can best be reached by better treatment of United States private investments.

In connection with economic development the conference will consider a permanent status for the OAS technical cooperation program, development of oil and seafood resources in the submerged Continental Shelf and uniform customs and statistical procedures.

These economic issues are perhaps more critical than the administration realizes. President Juan Peron, of Argentina, has thus far met with only limited success in his efforts to form an economic bloc in Latin America against the United States. States now lined up with Peron are Paraguay, Chile, and Ecuador. But if his neighbors come away from Caracas emptyhanded, his success may not be so limited in the future. Already he is courting Nicaragua economically.

Latin countries that have stoutly resisted Communist infiltration have fretted at watching us pour economic aid into Italy and France, which have not so stoutly resisted communism.

If the administration is very much concerned about these impending diplomatic defeats, it is not evident. Almost on the eve of the conference John Moors Cabot, Assistant Secretary of State for Latin American Affairs, was switched to an Ambassador's post in Europe. He will attend the conference as an adviser to his successor.

Mr. SMATHERS. Mr. President, I also ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled "Trade Will Be a Big Factor at Caracas," which was published in the Washington Star on February 21.

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

TRADE WILL BE A BIG FACTOR AT CARACAS

In nations as in individuals, the most sensitive nerve in the body is the pocketbook nerve. This will become evident as the Caracas conference unfolds next month, and baffling realinements take place.

For instance, when communism is up for discussion. Brazil undoubtedly will oppose the Guatemalan point of view, since the one nation is strongly anti-Communist and the other is dominated by Reds. But when the issue is coffee, the two countries can be expected to present a united front.

Coffee is a major item of export to the United States from 12 of the 20 Latin American Republics. Bananas are a chief export for six nations, cocoa and related products for five, and manila and sisal fibers for five.

The Latin countries are primarily producers of raw materials and consumers of finished goods. Thus they complement the United States in trade as ham complements eggs at breakfast. Chile produces iron ore and buys iron and steel mill products. Bolivia sells metallic ores to the United States and buys back machinery that contains these metals.

The position of the United States vis-a-vis the Latin Republics has changed in the years since the last Inter-American conference at Bogotá in 1948. At that time, the United States was principally an exporter; now it is an importer.

In 1948, the United States exported $3,166,000,000 worth of goods to Latin America and imported $2,352,000,000, for a "favorable" trade balance of $814 million. Last year, we exported something less than our 1948 total—$3,085,000,000 worth of commodities—but imported $3,400,000,000, or 44 percent more than we imported 5 years earlier. Our trade balance last year was "unfavorable" to the tune of $315 million.

The table below shows what we sold Latin America (exports and reexports) and what we bought (imports). Chief commodities exported to and imported from these countries also are shown.

The 1953 breakdown for exports does not add up to the total of $3,085,000,000 because this total includes $202 million of "special category" exports on which detailed information is withheld for security reasons.

Country-by-country breakdown follows:

Country	Volume of trade in millions of dollars				Chief commodities, 1953	
	Exports		Imports		Exported from United States	Imported to United States
	1948	1953	1948	1953		
Argentina	381	101	180	185	Machinery, cars chemicals	Wool, beef, tanning extract.
Bolivia	36	18	49	62	Machinery, cars, textiles	Tin, tungsten, lead ores.
Brazil	497	285	514	756	Machinery, cars, chemicals	Coffee, cocoa, carnauba wax.
Chile	105	96	179	243	Machinery, cars, iron and steel.	Copper, iron ore, nitrates.
Colombia	197	281	236	446	Machinery, cars, chemicals	Coffee, bananas, crude oil.
Costa Rica	29	37	23	33	Textiles, chemicals, machinery.	Coffee, bananas, abaca fiber.
Cuba	441	424	375	436	Foodstuffs, machinery, textiles.	Cane sugar, molasses, tobacco.
Dominican Republic	47	48	35	51	Textiles, machinery, cars	Cocoa, coffee, chocolate.
Ecuador	31	42	19	45	Machinery, cars, chemicals	Bananas, coffee, cocoa.
El Salvador	26	36	31	63	Textiles, machinery, chemicals.	Coffee, vegetable oils.
Guatemala	45	45	44	56	do	Coffee, fibers, bananas.
Haiti	20	28	19	15	Textiles, machinery, cars	Coffee, sisal, cocoa.
Honduras	27	36	13	31	Machinery, textiles, chemicals.	Bananas coffee, abaca fiber.
Mexico	522	640	246	349	Machinery, cars, chemicals	Lead, coffee, petroleum.
Nicaragua	21	25	12	25	Machinery, textiles, chemicals.	Coffee, vegetable oils, wood
Panama	92	83	9	17	Textiles, chemicals, machinery.	Bananas, fibers, cocoa.
Paraguay	6	7	4	6	Cars, machinery, textiles	Tanning extract, vegetable oils, meats.
Peru	67	118	35	87	Machinery, cars, chemicals	Lead, zinc, copper.
Uruguay	60	24	58	53	do	Wool, wool tops, canned beef.
Venezuela	517	509	271	441	Machinery, cars, foodstuffs	Crude oil, fuel oil, coffee.

NOTE.—1953 totals include estimate for December; exclude "special category" commodities in export column.
Source: Bureau of Foreign Commerce, U. S. Department of Commerce.

Mr. SMATHERS. Finally, Mr. President, I ask unanimous consent to have printed at this point in the body of the RECORD, as a part of my remarks, an article entitled: "Reds Winning in Guatemala Without Fight," which was published in the Washington Times-Herald on February 17.

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

REDS WINNING IN GUATEMALA WITHOUT FIGHT—WRITER SAYS SWIFT AID IS NEEDED THERE

(By Victor Riesel)

Three flying hours from the United States, and only two flying hours from our Panama Canal, the Communist international operates a replica of the Red military machine which it camouflaged as an agrarian reform party in China before it took over the entire mainland.

Just as that Communist machine in the Orient won by default, so have the Soviets virtually defeated us without firing a shot in Guatemala. Now only swift military and propaganda aid can keep all of central America from going Soviet in a few years.

This our State Department has known for years. To my personal knowledge it has been warned repeatedly by several authorities, including the most knowing of all, Serafino Romauldi, the AFL's Latin American expert, that the Soviets are using Guatemala as a vast base.

There have been warnings of submarine landings, of the use of Guatemalan passports by Red operatives, of the seizure and control of the General Confederation of Labor by Soviet agent Lombardo Toledano, of private Communist airfields, and of arms and money shipments to Central American Reds as far north as Mexico.

FRONTIERS HEAVILY GUARDED

So tough is this network that all the countries near Guatemala have informed the United States that they must guard their frontiers with heavy military contingents. The Soviets, operating in Guatemala, have been intriguing against Honduras, El Salvador, Nicaragua, Costa Rica, and Panama in Central America and against Cuba and the Dominican Republic in the West Indies. Our intelligence files are jammed with this information.

Soviet agents come and go about the Zocolo in Guatemala City, as though it were Red Square in Moscow. For example, during the first week of May 1952, the comintern sent a "rep" in by name of Comrade Ramirez. He arrived by air from Mexico City. He called a secret conference of all Central American and Caribbean Communist leaders.

Then this 45-year-old, well dressed, cultured agent got up and told the comrades how to intensify their undercover, anti-United States revolutionary activities in their respective countries. The Dominican intelligence services passed this on to the United States. We did nothing.

USE DIPLOMATIC OFFICES

There is a pro-Communist legion operating in Guatemala which receives its instructions and money through the Czech diplomatic mission there. Its weapons are Czech. In turn, this legion helps the military cadres of the labor federation now controlled by Toledano.

The link is not with Moscow alone. There are reports of submarine landings and departures of Chinese agents, too, who are specialists in land seizure.

The Soviet intelligence services operate through the Guatemalan diplomatic offices in Paris, traditional center of Russia's western intelligence.

Moscow's influence is also powerful in the Guatemalan radio and press. During the Korean war these media told the usual lies about our alleged germ warfare. The discredited film produced by sovietized Chinese accusing our forces of this type of warfare was shown in the public schools.

And there are government schools to train Communist land reformers and labor leaders.

NO ONE OBJECTS

For the Guatemalans to shout complaints against those of us who have huge files crammed with evidence of Soviet dominance is the sheerest arrogance.

For example when the completely Communist-controlled second labor union congress opened at the Teatro America in Guatemala City, January 29, the government officially congratulated it for perfection of its organization and discipline which is evident in every one of its member labor unions.

When Stalin died last year, the Guatemalan labor dictator, Victor Manuel Gutierrez, insisted that the national congress observe a minute of silence. Then one of Gutierriez's comrades called Stalin:

"The champion of democracy and a guide and teacher of humanity."

No one rose to object. Some congress, indeed.

To top it all, it is virtually illegal to be anti-Communist. The presidential guard shot down anti-Soviet students protesting the discharge of anti-Red members of the supreme court. Anti-Communist radio broadcasters have been beaten and arrested. Anti-Communist youth and political leaders have been murdered—machinegunned in Capone style.

The documentation is available. It has been for several years now. But apparently no one in our Government cared much. Now what are we waiting for?

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a bill (H. R. 8069) to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations, in which it requested the concurrence of the Senate.

AMENDMENT TO THE CONSTITUTION RELATING TO TREATIES AND EXECUTIVE AGREEMENTS

The Senate resumed the consideration of the joint resolution (S. J. Res. 1) proposing an amendment to the Constitution of the United States relative to the making of treaties and executive agreements.

Mr. JOHNSON of Texas. Mr. President, sometimes in the heat of debate we use words we later regret. It is a human failing to which all of us are prone. It is an unfortunate human failing, because frequently it drives men so far apart that they are unable to work closely and harmoniously together.

Mr. President, I was somewhat shocked this morning to read a statement by the distinguished Senate majority leader to a correspondent of the reliable New York Times. The distinguished senior Senator from California, in referring to the vote last evening on a purely procedural question, after the Senate had adjourned said: "It's a filibuster."

The distinguished majority leader then explained his theory, that the Democrats in this body were somehow

filibustering against the administration's legislative program.

Mr. President, I have a great deal of affection for the Senator from California. I hope and presume that he must have spoken those words without weighing all their implications. I yielded to him last evening, but he did not make that statement on the floor of the Senate, where it could be refuted. The correspondent of the New York Times did not have my views on this unfounded charge before the article appeared.

I also assume that the majority leader spoke without reflection or without looking at the record, because on last Saturday the distinguished majority leader telephoned me, asked me for my reaction and the reaction of as many Democrats as I could consult, about a proposed unanimous-consent agreement with respect to the Bricker amendment and the pending amendments thereto. I assured the distinguished majority leader, when he first called me, that the Senator from Texas had no objection to an agreement on a specific time to vote, and was ready to vote.

On Monday, after consulting with many of my colleagues, I again assured him that, so far as I had been able to determine, no Democrats would object to his proposed unanimous-consent agreement to vote.

Mr. President, I cannot believe that the Senator from California would think that the Democrats would be willing to enter into a unanimous-consent agreement in the midst of what he termed their effort to filibuster. Ordinarily I would let such statements pass without further notice, but a reflection has been cast upon certain Members of the Senate; and, in a spirit of friendliness and courtesy, I wish the RECORD to be kept straight.

First of all, Mr. President, the Senator from Texas has not detected any evidence of a filibuster. The Senator from Texas thinks that charge was unfair and untrue. It is still early in the session. It may well be that some Senators have indulged themselves in lengthy remarks; but if that be the case, the greater indulgence has been exercised over on the other side of the aisle. A rough check has been made of the CONGRESSIONAL RECORD for this session. It discloses that only a little more than 40 percent of the column space has been taken up with Democratic speeches. The Democrats have taken up a little more than 40 percent, although they have 50 percent of the membership of this body. I will concede that it is the best 40 percent. It is the best half of the discussion. But if there has been any filibustering, as was charged by the majority leader after the Senate adjourned last evening, it has come from the other side of the aisle.

Personally I am willing to defend the party of the distinguished majority leader from such a charge. I do not think his party has been filibustering either. Although the Senator from California used 18 columns of the RECORD yesterday after returning from Philadelphia the day before; although it was necessary for us to have numerous quorum calls in order to keep the Senate in session until 5 o'clock—after he had used 18 columns speaking on the amendment, intelligently and thoroughly, it is true—I would be the last one to charge the majority leader with filibustering. However, the RECORD should be made clear. If there are any undue delays they could be because of a surplus of Republican oratory. I might suggest, inasmuch as the majority leader has talked more than 10 times as much as has the minority leader, that perhaps there has been a surplus of oratory from directly across the aisle.

Even more important is the statement of the Senator from California that the delays are designed to block the administration's program. Just what is being blocked? Is the so-called Bricker amendment a part of the administration's program? That was not my impression, although frequently in the days in which we are now living impressions are not always confirmed. Perhaps the majority leader has some information on that question which has been withheld from the minority leader. At any rate, it was the Republican policy committee, not the Democratic policy committee, which scheduled the Bricker amendment for floor debate. We Democrats did not schedule it, although we are ready to vote upon it, and we have been ready to vote upon it for many days, as I assured the majority leader last Monday.

Does the distinguished majority leader imply that labor legislation is being held up? Such legislation has not even been written by the Committee on Labor and Public Welfare. Does he imply that the tax bill is being held up—a tax bill which has yet to emerge from the House Ways and Means Committee? Does he imply that the farm bill is being held up, when hearings have not even started? Is the Senator implying that appropriation bills are being held up, when only one minor measure has even cleared a subcommittee?

Perhaps the Senator thinks, as he indicated to the newspaper reporters, that Hawaiian statehood is being held up. If so, I assure the Senator that the Democrats are ready to vote on the so-called Bricker amendment and proceed with the Hawaiian statehood measure whenever the Senator from California makes the motion. I remind the Senator that on February 4, his own committee voted to report a companion measure, the Alaskan statehood bill, and on February 24, the report had not even been written. Who is blocking what?

Mr. President, we are ready to vote as soon as the Republicans, including the distinguished majority leader, cut down their speeches and allow us to reach a vote. I might point out that the majority leader himself, as I have previously stated, only yesterday used 18 full columns in the RECORD. In other words, the distinguished Senator from California is asking us to listen to Republican speeches all day long and then return to the Senate, after being roused out of bed at night, to vote on the amendment of the Senator from Ohio [Mr. BRICKER] or some of the other Republicans perfecting amendments. Then, when I woke up this morning, I read that I had been obstructing the President's program. No, Mr. President. I wish to make the situation abundantly clear. I ask my distinguished friend the majority leader to stop, look, and listen.

There was only one issue involved in yesterday's vote. That was the issue of one-man rule versus orderly procedure—one-man rule versus the wishes of the majority of the Members of the Senate.

The Senate has many serious problems on its hands. Over the years it has found that its burdens can be eased by following the rule of comity and cooperation on purely procedural matters. I believe that has been the experience in every legislative body that I know anything of. The general rule has not been broken in the memory of anyone with whom I have talked in the Senate. It is customary for the majority and the minority leaders to keep each other informed on timetables, to exchange views, and to make every attempt possible to agree on behalf of a majority on both sides of the aisle on purely procedural matters.

Mr. President, there are 47 Members in this Chamber who come to me for information concerning the schedule of the Senate. Sometimes I am able to give them the information, if the press has been kind enough to inform me what the program is. Today the program for this evening, if there is to be a program, and for tomorrow evening and for Saturday was graciously given to me by alert newspapermen. In fairness, I should say that after I received the information and passed it on to one or two Members on my side of the aisle, the majority leader let me in on the secret.

When the Senate majority leader, a few days ago, scheduled a night session for yesterday, without informing the minority leader, as well as many of the other 94 Senators, I felt it was a new and dangerous policy. It is a policy which I do not expect to emulate in the Senate next year when we are in the majority.

What the majority leader in effect said was that 48 Members of the Senate can find out when they will go to work and how long they will be required to work if they are avid readers of the newspapers, or if they do not overlook the RECORD the next day.

Mr. President, I do not believe that is the way to treat Members of the Senate. I do not believe that is the way to treat even half the Members of the Senate. I know it is not the way to treat the Independent Party. [Laughter.]

Mr. President, all of us know that Senators work long and hard hours. The majority of us start our working day at 8 o'clock in the morning. By 6 or 7 o'clock in the evening, after the sun has gone down, we have put in 10 or 11 hours of hard work. I do not think that it is fair to ask the Members of the Senate this early in the session, without consulting them and without their acquiescence, to return to the Chamber in the evening, when actually, as we all know, no program is being blocked, there is no log jam of legislation, and there is no emergency of any

description. It is particularly unfair when they object, as many of them have. I recall communicating their objections to the majority leader some weeks ago, when we had an impetuous announcement to the effect that the Senate would meet at 10 o'clock in the morning and stay in session until late in the evening on several evenings.

Mr. President, I am not a man who is hard to get along with. For 7 months I worked with the previous majority leader of this body, the late Senator Taft. I have stated before, but it will bear repeating, that there was never a cross word between us. There was never an occasion on which the Senate was stalled for even 30 seconds over a pure question of procedure.

Prior to that time, as acting majority leader, I worked in close cooperation with the senior Senator from New Hampshire [Mr. BRIDGES], who then was minority leader and, who is now the distinguished President pro tempore of the Senate. Not once, while I was acting majority leader and the Senator from New Hampshire was minority leader, did a situation like this arise. We tried to find out what the majority on both sides felt was reasonable, fair, and just; we tried to agree on it, and then we let one or the other announce it to the Senate.

Mr. President, I should like to have the same relationship with the present majority leader as I had with Senator Taft and with the Senator from New Hampshire [Mr. BRIDGES].

I believe I have tried my best to demonstrate a deep sense of friendship for the majority leader. However, Mr. President, I wish the RECORD to show, when it comes to the issue of one man—one man—determining how long we work and when we work, without consulting with other Senators; when it reaches the point of one-man rule versus orderly procedure, I am not going to be very cooperative.

I would suggest that we all try the path of cooperation and comity. The Senator from Texas will do his level best to hold up his part of the load and he will always meet the majority leader 50 percent of the way.

Mr. KNOWLAND. Mr. President, I do not intend to carry on this discussion today. My distinguished friend and colleague on the other side of the aisle has already made mention of the fact that I have occupied a few pages of the CONGRESSIONAL RECORD.

I suppose in the normal exercise of the duties of a majority leader, in making motions, and so forth, the majority leader in the Senate must occupy more space in the CONGRESSIONAL RECORD than the minority leader.

Mr. JOHNSON of Texas. Mr. President, will the Senator yield at that point?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. However, the Senator from California does not have to charge his sins to the Democrats. The Senator from California charged that we were taking the time and that we were obstructing the program.

Mr. KNOWLAND. Mr. President, I wish to say to my friend from Texas—and he is my very good friend—that in the period of time I have served in the Senate, both as acting majority leader during the illness of Bob Taft and since then, I have consulted very fully with the distinguished Senator from Texas, as is quite proper and as I intend to do in the future. I should like to add that nothing that has been said here today will in the slightest diminish the very high regard and feeling of friendship I have for the Senator from Texas.

However, in order to keep the record straight, it should be pointed out that on several occasions, well in advance, I had indicated to the Senate that, in the interest of orderly procedure and the dispatch of the public business, it might be necessary to hold an evening session. I discussed the matter with the distinguished Senator from Texas. I fully understand his point of view in opposition to evening sessions, and his reasons therefor. I certainly would not take any offense with his differing with me as to the necessity of holding evening sessions.

I wish to invite the attention of the Senate to the fact that in the CONGRESSIONAL RECORD of February 18, which was Thursday of last week, at page 2005 of the RECORD, I said:

> I hope Senators will keep themselves in readiness, because we may have to have several evening sessions next week. We shall see what progress we can make on Tuesday. There is further legislative business piling up on the calendar. I hope we may have the cooperation of all Senators.
>
> Some time next week, when we have finished the consideration of Senate Joint Resolution 1, it will be the intention of the majority leader to ask for a call of the calendar, for the consideration of bills to which there is no objection, starting where we left off at the last calendar call. That might be on Wednesday or on Thursday, when we have finished debate on the Bricker amendment.

I admit I was a little too optimistic at the time.

> That is as far in advance, Mr. President, as I can now predict.
>
> For the information of Senators, I may say there will not be a Saturday session this week.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. The Senator from California had no discussion with the minority leader as to the evening session referred to, as he admitted last night.

Mr. KNOWLAND. I had no discussion with the Senator from Texas about it. I did not know what progress we would make, but I had to the best of my ability served notice, under my responsibility, not on the basis of one-man rule, because the Senator from Texas and I both know there can be no one-man rule in this body, and there should not be. Whoever occupies this position, having in mind the Senator's optimistic estimate as to who may occupy it next time as majority leader, would be faced with the same problems. We never know from day to day whether we can finish debate and vote on a measure. If there had been a vote by 5 or 6 o'clock last night there would, of course, have been no need for an evening session. On the day before yesterday I did not precipitate an evening session without advance notice. I said it might be necessary to hold an evening session on the following day.

I do not care to prolong the discussion, Mr. President, but I should like to put into the RECORD for the information of the Senate the fact that I think I have given advance notice of the program of the Senate as far in advance as it was possible to see. I am informed—I have not had an opportunity personally to check the information—that in the 33 days on which the Senate has been in session, I have given notice on 25 occasions, as far in advance as I could see, as to what the program of the Senate would be. As I said last night, I gave to the minority notice on the same day our own Policy Committee had the information.

I ask unanimous consent to have printed at this point in the RECORD a memorandum showing the dates on which I have given such notice to the Senate.

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

Date:	Page
Jan. 6	4
Jan. 7	77
Jan. 11	90, 118
Jan. 14	255
Jan. 18	353
Jan. 19	451
Jan. 20	468, 495
Jan. 22	631
Jan. 25	703
Jan. 25	829
Jan. 28	923
Feb. 1	1051
Feb. 2	1120
Feb. 3	1229, 1243, 1256
Feb. 4	1296
Feb. 5	1407
Feb. 8	1423, 1472
Feb. 9	1578
Feb. 10	1607
Feb. 11	1663
Feb. 16	1782
Feb. 17	1887
Feb. 18	2005
Feb. 23	2128
Feb. 24	2217

Twenty-five times in the 33 days of session.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield further?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I have felt that in the past the distinguished majority leader has given such information. I think that in the 25 instances to which the Senator refers, with the possible exception of two, there were joint agreements. The Senator has said in effect, "This is what we should like to do. We have considered it and reasoned it out, and have added some things and eliminated others, and we have agreed." That is not the policy to which I am objecting. In at least two instances, the first information I had about the program was when I read it next day in the CONGRESSIONAL RECORD.

Mr. KNOWLAND. Mr. President, I do not care to prolong this discussion. I am anxious to get on with the voting on the pending amendment, which is that of the Senator from Ohio [Mr.

BRICKER] to Senate Joint Resolution 1. I hope we can finish it this afternoon by 5 or 6 o'clock. If we shall not have finished it by that time, I shall recommend to the Senate, of course, understanding that the Senate is the sole judge of its deliberations, that we hold a session this evening. I would not expect the Senate to be held in any prolonged session this evening, certainly not beyond 9 o'clock. I would recommend, also, that we have an evening session tomorrow, and, if we cannot finish the work by that time, I would recommend that we hold a Saturday session.

Senators may not wish to meet that schedule, but I have the responsibility for making that recommendation.

I understand the Senator from Texas is opposed to evening sessions, but I think most of the Senators—and I have talked with a number of them from time to time on both sides of the aisle—have at least indicated that, in their judgment, after debate has proceeded for a certain length of time, oftentimes a vote can be obtained by holding an evening session when otherwise the debate may be thrown into another week.

I do not think I have been unreasonable in making my recommendations. We have had only two evening sessions so far this year. I hope we shall not have to have many of them. I have been a Member of the Senate long enough to know, however, that in the closing days of the session it is frequently necessary to meet until very late at night, or all night. I think that is a hardship on Members of the Senate. But if I am to be foreclosed as to holding evening sessions, I think there will be a great many things in the President's program which will be very difficult to accomplish. I want to be in position to recommend in February or in March or in April evening sessions of the Senate if that be necessary in order to keep the legislative program moving along.

Mr. HENNINGS. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the distinguished Senator from Missouri.

Mr. HENNINGS. Mr. President, as the minority leader, the Senator from Texas [Mr. JOHNSON] has well stated, a number of us who are particularly interested in the pending amendment have been ready to vote for some time. When the courtesy was shown me a few days ago of inquiring as to whether I would be opposed to a unanimous-consent agreement to vote, I said that I personally would not be opposed to it, but as I represented others, I was trying to express, in connection with a number of other Senators, the view that we were opposed to any amendment to the Constitution of the United States.

We have felt that the debate has about run its course in terms of being useful or constructive in helping the membership to reach a proper conclusion based upon the facts, the evidence, and the arguments.

I wanted to ask the distinguished minority leader—I mean, the distinguished majority leader——

Mr. KNOWLAND. I am not sure but that the Senator was correct the first time. [Laughter.]

Mr. HENNINGS. Some 10 days ago, with reference to the amendment of the distinguished Senator from Ohio, the distinguished Senator from California suggested, on page 1789 of the RECORD of February 16, that he had in his possession a memorandum from the Attorney General of the United States. I took it that the memorandum related either to the amendment of the Senator from Ohio or the substitute amendment of the Senator from Georgia, or both, and that it also related to certain provisos which might have been added to the so-called George substitute, having reference, particularly, to the powers of the President as Commander in Chief and to the authority of the President to receive foreign ambassadors and ministers, and as to whether, in the opinion of the Attorney General of the United States, such provisos would tend to cure any of what seemed to some of us to be patent defects in the substitute amendment.

I hope I am not transgressing on any confidence, but it seems to some of us that upon the eve of voting, upon the threshold of our taking a vote, certainly, on the amendment of the distinguished Senator from Ohio, and, thereafter, upon the substitute amendment, as I understand the legislative procedure, we might have the benefit of the memorandum which the distinguished majority leader assured us some 10 days ago would in due course and at the proper time be made public, and of which the Senate would be given the benefit.

I hope I am not in anywise at this time bringing any pressure to bear upon a matter which certainly is within the discretion of the majority leader, but I am certain that some of us would like to have the benefit of the opinion of the Attorney General with respect to the amendment and the substitute, so that we might conceivably study the opinion and be guided to some extent by it, if it meets with our views, or at least, be enlightened by it.

For that reason, I think it would be most helpful if we could know at this time, I may say to the distinguished majority leader, what the memorandum contained. Is there any objection to letting us have it?

Mr. KNOWLAND. I may say to the distinguished Senator from Missouri, as I pointed out to him before I had received the memorandums from the Attorney General's office, dealing with this subject, and I suppose other prospective amendments which had been discussed from time to time, I have not felt at liberty, up to the moment, at least, to put them into the RECORD or make them available. At least, they were not given to me with the understanding that they would be made public; and until I shall have become completely satisfied that that would be the proper thing to do, I would not wish to make them available.

Frankly, I can see no reason why, I may say to the Senator, they should not be made available, and during the course of the afternoon I shall try to determine whether there would be any objection to having them made available.

Mr. HENNINGS. Without attempting to engage in any disputatious contention with my good friend, the Senator from California, I was relying upon his statement, which appears at page 1789 of the RECORD of February 16. I shall read it only for the purpose of refreshing the recollection of the distinguished majority leader, if I may take the liberty of doing so, with full recognition that it is within his discretion as to how and when, or if and when, he desires to release the letter or memorandum, if such exists.

The majority leader, who was the Presiding Officer at the time, made the statement in reply to a question asked him by the distinguished junior Senator from Arkansas [Mr. FULBRIGHT]:

> The PRESIDING OFFICER. The memorandum—it is in the form of a memorandum, rather than an official opinion—was made available, at the request of the Senator from California, while these discussions were going on.
>
> It will be my purpose to make the memorandum available to the distinguished Senator from Arkansas and the other Members of the Senate in ample time before the debate on the George amendment gets under way, and before any voting regarding that amendment occurs.

My reading of that statement was not, of course, for the purpose of impeaching my good friend, the distinguished Senator from California, but many Senators have been relying somewhat upon the release of the memorandum of the legal adviser of the President of the United States, the Attorney General. We have been told that we would have the benefit of it.

Mr. KNOWLAND. I shall give the question further consideration, to see if the memorandum can be made available.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Does the Senator from California labor under the illusion that the minority leader would have ever agreed to a unanimous-consent agreement in the middle of a filibuster he is alleged to be conducting?

Mr. KNOWLAND. No. I think the Senator from Texas misunderstands the situation. I have not charged that the Senator from Texas was personally conducting a filibuster, but I did indicate that, in my judgment, if I am not to be in a position to recommend an evening session so as to help clear the decks of pending legislation after a reasonable period of debate—and it seems to me that 5 weeks is a reasonable period for discussion——

Mr. JOHNSON of Texas. It seems so to the Senator from Texas.

Mr. KNOWLAND. When we come to other proposed legislation, perhaps equally controversial, and we near the end of the session, the entire legislative program could be blocked.

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

Mr. KNOWLAND. I am glad to yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I do not wish to lend any credence or attach any substance to the majority leader's news-

paper charge that we on this side of the aisle are filibustering; but before we proceed with the voting, I wish to confirm my memory.

Does not the majority leader recall my assuring him on Saturday of last week and on Monday of this week that, so far as the Democratic leader was concerned, the Senate could proceed to a vote on the Bricker amendment, and on all related amendments, under a unanimous-consent agreement?

Mr. KNOWLAND. I have not disputed the Senator's statement that he thought the unanimous-consent agreement I proposed——

Mr. JOHNSON of Texas. Does not the Senator from California recall that statement?

Mr. KNOWLAND. Yes; I recall it.

Mr. JOHNSON of Texas. In that respect, certainly we have been in complete agreement. The only point I wish to make—and I am certain the Senator from California will agree—is that on last Friday the Senator from California said there would be no Saturday session; that no business would be transacted on Monday; that very likely there would be no votes on Tuesday.

On Wednesday it became necessary to have several quorum calls in order to carry on the business of the Senate until almost 5 o'clock. Then, like a blast out of the sky, it was decided that we should do our legislating in the dark, after the sun had gone down.

The Senator from Texas believes that the majority leader and the minority leader can reason these problems together, without asking the indulgence of all our colleagues. I have assured the distinguished majority leader that I am at his call at any time of the day or night. I will be in touch with him as soon as I receive such a call.

But I think, and the vote last night seems to indicate, that a majority of the Senate believe that at this stage of the game we would lose more than we would gain by asking Senators to work more than 7 hours per day in the Senate Chamber.

I hope that these remarks will be persuasive with the Senator from California, and that he will consider them.

I think the occurrence last evening did not expedite the business of the Senate in any way. I do not believe it will expedite the business of the Senate this evening.

I appeal to the Senator from California to attempt to evolve, in cooperation with the minority, a program which will bring about expeditious action. There is no tendency on this side of the aisle to delay legislation. Our desire is to solve our problems efficiently, instead of having Senators called back at night in order to try to legislate in the night. We have never been successful in doing that, and the record of every legislative body establishes the point that to do so is a mistake.

Mr. KNOWLAND. I wish to thank the distinguished Senator from Texas for his remarks, and also for his cooperation, which has been very helpful during this session. I thank him sincerely. I shall certainly endeavor to make the cooperation mutual for the remainder of the session.

I should like to have a vote on the pending amendment. I can assure the distinguished Senator from Texas that since I did not plan to have the Senate continue in session beyond 9 o'clock last evening, I do not quite understand his statement that it would have been necessary to get Senators out of bed.

Mr. President, may I ask what is the pending question?

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], to insert, on page 3, after line 9, a new section. On this question the yeas and nays have been ordered.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. With reference to the point just made by the Senator that it had not been his plan to keep the Senate in session longer than 9 o'clock, this is the first information I have had of that. I thank the Senator for telling me on Thursday what he had planned to do on Wednesday.

Mr. KNOWLAND. That statement was made several times yesterday during the discussion.

SEVERAL SENATORS. Vote! Vote!

Mr. HENNINGS. Mr. President, I am afraid I did not understand the majority leader, in connection with my request for the Attorney General's memorandum, which was adverted to 9 days ago, on February 16, as to whether we are presently to have the benefit of the memorandum, before the vote upon the pending amendment, or are to have it sometime hereafter; and if so, about when? I assume the distinguished majority leader has the memorandum.

Mr. KNOWLAND. As I now recall the incident which the Senator has read into the RECORD, it occurred at a time when very few Senators were in the Chamber, and I had been called upon to preside.

Mr. HENNINGS. The distinguished Senator from California was occupying the Chair.

Mr. KNOWLAND. I did not, obviously, have my papers with me at the time the Senator from Arkansas raised the question. I mentioned at that time that I hoped to have the memorandum available prior to action by the Senate on the so-called George amendment.

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

Mr. HENNINGS. I yield.

Mr. CHAVEZ. I should like to ask the distinguished Senator from California a question. I am definitely of the opinion that I shall vote for the Bricker amendment, the one on which a vote has been ordered; but it might be that the argument of the Attorney General, or his memorandum, would be so convincing as to cause me to change my mind. Certainly I should like to know what the memorandum contains before I might possibly make a mistake. I think the Senate is entitled to know, one way or the other, whether the memorandum will be made available, before action on the Bricker amendment is concluded.

Mr. KNOWLAND. I believe I had indicated to the Senate at an earlier date, and my statement stands, that so far as both amendments were concerned, the Department of Justice did not feel that either one was acceptable as it stood.

Mr. HENNINGS. Does the distinguished majority leader propose to give the Senate the benefit of the memorandum, with its citations, and prepared somewhat in legal form, so that we can apply the reasoning and conclusions of the chief legal officer of the United States to the amendment, or are we to be restricted and, therefore, constrained to accept the statement that the Attorney General approves of neither the Bricker amendment, which is the pending question, or the George amendment, without any reasons therefor being given?

Mr. KNOWLAND. I think I made clear to the distinguished Senator from Missouri that it was not in the form of a formal legal opinion. I believe I said that in my statement. It was in the form of a memorandum, and it was a rather brief one. It was addressed to the Senator from California. I am not normally in the habit of making public personal correspondence, or correspondence of that kind, without the permission of the one who sent the information, because it was not written for public purposes. If it had been, it would have been released some time ago.

Mr. HENNINGS. I do not wish to quibble, or labor the point, but I had understood from reading the RECORD, and I happened to be on the floor at the time, that a memorandum had been sent by the Attorney General to the majority leader. Relying only on what the majority leader said, I had understood the memorandum was to be released and made public for the benefit of the Senate. I do not necessarily wish to hold the majority leader to that commitment, but the majority leader stated:

> It will be my purpose to make the memorandum available to the distinguished Senator from Arkansas and the other Members of the Senate in ample time before the debate on the George amendment gets under way, and before any voting regarding that amendment occurs.

Of course, the debate on the George amendment has been under way for some time. The distinguished Senator from Montana [Mr. MANSFIELD] spoke to it this afternoon. A number of us have addressed ourselves to that amendment over the period of the last 2 weeks.

I would appreciate it very much if the distinguished majority leader could tell some of us who are interested whether or not we are to be given the benefit of any opinion from the Attorney General of the United States relating to the Bricker amendment or the substitute amendment offered by the Senator from Georgia, known as the George substitute.

Mr. KNOWLAND. Before the Senate starts voting on the question, after a quorum call, as soon as I can leave the floor of the Senate I shall endeavor to determine whether the memorandum can be made available.

Mr. HENNINGS. I thank the Senator.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], inserting on page 3, after line 9, a new section. On this question the yeas and nays have been ordered.

Mr. BRICKER. Mr. President, I do not wish to prolong the discussion. I desire a vote to be taken on it at the earliest possible time. I do not think I could be charged with filibustering in any way on the pending amendment, or on any other amendment, so far as that is concerned. My remarks shall take only 1 or 2 minutes.

I should like to call the attention of my colleagues to the particular amendment now pending. I refer to a few statements which I made the other day, when some of the Senators now here were not present on the floor.

The three perfecting amendments to the committee text already adopted are acceptable to me and to the administration. Taken together, however, they afford inadequate protection against the danger of treaty law.

In my judgment, the so-called George amendment is also inadequate. It is good so far as it goes. It does not go far enough in that it does not make treaties as well as executive agreements nonself-executing.

For the advice of my colleagues now on the floor, let me say that this amendment would merely place the United States in the same position in which practically every other country in the world is at the present time in regard to treaties.

My amendment to the committee text retains two essential features of the original resolution. First, it helps to insure that the American people will be governed by laws written by their own elected representatives rather than by treaty provisions, the meaning of which is often impossible to ascertain at the time of Senate consent to ratification. And, secondly, this amendment to the committee text will prevent a President of the United States from making domestic law by international agreements not approved by either House of Congress. I cannot honestly describe as adequate any constitutional amendment lacking those two essential safeguards. The George amendment contains the latter provision exactly in the words I have used. Accordingly, the vote on the pending amendment will be properly interpreted as a vote for or against the substance of the so-called Bricker amendment. The pending amendment gives every Senator an opportunity to be recorded for or against what is popularly known as the Bricker amendment. To the best of my knowledge—and this is very important—no administration spokesman and no Member of the Senate has objected to the provision making treaties nonself-executing as domestic law subject to the right of two-thirds of the Senate to make them effective immediately as internal law.

In my statement yesterday and in previous statements, I pointed out that it is constitutionally impossible for the Senate of the United States to protect the reserved powers of the several States by including a typical Federal-State clause in a reservation to the treaty. As an example, I have referred to the Senate reservation to the Charter of the Organization of American States approved by the Senate in 1951, which has been referred to on the floor of the Senate today. That reservation reads as follows:

> None of its provisions shall be considered as enlarging the powers of the Federal Government of the United States or limiting the powers of the several States of the Federal Union with respect to any matters recognized under the Constitution as being within the reserved powers of the several States.

Yesterday the senior Senator from Wisconsin referred to the same treaty and to the Senate's reservation in an effort to show that the Senate was capable of protecting States rights in advising and consenting to treaties. Obviously, the senior Senator from Wisconsin and I cannot both be right on this point. One of us must be wrong. Such a reservation either protects the reserved powers of the States or it does not. In my judgment, it does not. My amendment to the committee text will make such a reservation effective.

This is a point on which lawyers both for and against any treaty-control amendment are in substantial agreement. Mr. Carl B. Rix, past president of the American Bar Association, believes that a treaty-control amendment is necessary. In his appearance before the Senate Judiciary Committee, he pointed out—as shown on pages 1029 to 1031 of the hearings—that the reservation attached to the Charter of the Organization of American States is totally ineffective for the accomplishment of its intended purpose.

Mr. President, yesterday the Senator from Michigan [Mr. FERGUSON] said he wanted the rights of the States protected. In the amendment I have submitted, provision is made for protecting all the States, so far as it is in the control of the Senate to do so; under the provisions of the amendment, the Senate will be able to make effective, as internal law, any treaty.

The reason why such a reservation is ineffective is that the Senate cannot, by way of reservation to a treaty, deny to the whole Congress its constitutional power, under the rule of Missouri against Holland, to implement a treaty, the reserved powers of the States to the contrary notwithstanding. There is no rhyme or reason why the Senate of the United States should be incapable of protecting the reserved powers of the States from the impact of treaty law, if that is its desire.

A report of the New York State Bar Association opposing any treaty-control amendment was signed on June 6, 1952, by William D. Mitchell, John W. Davis, Lewis R. Gulick, John J. Mackrell, and Harrison Tweed. This report appears on pages 618–625 of the hearings. The report shows very definitely that that is the opinion of the attorneys who were making the investigation for the New York State Bar Association.

The signers of the report are leading opponents of any limitation on the treatymaking power. But on page 621 they admit that a Federal-State clause may not be effective to protect the reserved powers of the States. They point out that under the rule of Missouri against Holland Congress would probably have full power to implement all provisions of the Human Rights Covenants, notwithstanding any attempted limitation on the power of the Congress by the Senate.

It has also been brought out in the debate that the American Bar Association's section on international and comparative law does not agree with the position of the American Bar Association itself. The American Bar Association has consistently following the recommendations of its committee on peace and law through the United Nations, and has consistently rejected the recommendations of its section on international and comparative law. It is significant, therefore, that the committee on peace and law and the section on international law were able to agree on the point that a Federal-State clause could not protect the reserved powers of the States. This conclusion appears in the September 1, 1951, report of the committee on peace and law of the American Bar Association, at page 36. That committee and the American Bar Association section on international law reached agreement on the following conclusion:

> An international treaty cannot be safeguarded by a clause in the treaty or by reservation or understanding against the expansion of the limited power of the Federal Congress in the United States to such extent as necessary to fulfill the obligation under the treaty if Congress determines to exercise such power.

Mr. President, several inaccurate statements made yesterday by the senior Senator from Wisconsin should be corrected. He said the Board of Governors of the American Bar Association approved the Bricker amendment by a vote of 113 to 33, but that 77 refused to vote. Actually, the vote was in the house of delegates of the American Bar Association, which is the association's official spokesman. I am reliably informed that all members of the house of delegates who attended the meeting in Boston last year voted on the issue. The 77 members of the house of delegates who did not vote were unable, for one reason or another, to be in Boston at the time of the meeting of the house of delegates.

The senior Senator from Wisconsin also said that as various State bar associations examine the subject "they are going on record against the Bricker amendment." Mr. President, to the best of my knowledge, the New Jersey Bar Association is the only State bar association opposed to this amendment. On the other hand, the amendment has been approved by the National Association of Attorneys General, and by the following State bar associations: Arizona, Arkansas, Colorado, Florida, Indiana, Iowa, Louisiana, Maine, Mississippi, Montana, North Dakota, Ohio, Pennsylvania, South Dakota, Tennessee, Texas,

Washington, West Virginia, Wisconsin, and several others, since I made the tabulation.

Furthermore, Mr. President, the pending amendment is in substance, if not actually in words and form, the amendment which has been approved three times by the American Bar Association, by the American Medical Association, by the Farm Bureau of the United States, by the Grange of the United States, by the Association of Attorneys General—which has twice approved the amendment at the association's national sessions, and by other national organizations, as set forth in the 3-page list which will be found in the RECORD.

Mr. President, it is my hope that for the protection of the liberties of the people of the United States, the Senate will go on record to the extent of providing that treaties shall be confined to the powers given under the Constitution, and that the unalienable rights of the American people shall be protected from invasion by treaties or by executive agreements.

If we do that, we shall have responded not only to the requests and, in fact, the demands of the various organizations I have mentioned, but, I am confident, to the wish and will of 75 percent of the people of the United States.

Mr. KNOWLAND. Mr. President, in view of certain statements made a little earlier today, to the effect that the majority leader's remarks have taken up a certain number of columns in the CONGRESSIONAL RECORD, I wish to assure the minority leader that I had not intended to speak again on the pending subject.

I rise to speak now only because of the point which has been raised regarding my inquiry of the Attorney General as to whether it would be permissible, so far as he was concerned—and since at least one Senator had made such a request—to make his memorandum available.

I wish to say that I am prepared to make it available but not for the purpose of prolonging debate in the Senate.

Mr. HENNINGS. Mr. President, if the distinguished majority leader will yield to me, let me say that I did not understand him to say the memorandum is being released only because I requested its release.

Mr. KNOWLAND. No; but the Senator from Missouri has called the memorandum to my attention. Frankly, because of the many problems I have had, the matter had slipped my mind.

Mr. HENNINGS. Does not the Senator from California believe the memorandum may illuminate the subject, as well as enlighten us regarding some of the doubt which may have surrounded the entire, broad question?

Mr. KNOWLAND. Frankly, Mr. President, I think most of the points covered in the memorandum have already been covered amply in the debate. However, I am prepared to read the memorandum.

Mr. HENNINGS. Then, Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. JENNER in the chair). The Secretary will call the roll.

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

Aiken	Goldwater	Mansfield
Anderson	Gore	Martin
Barrett	Green	Maybank
Beall	Griswold	McCarthy
Bennett	Hayden	McClellan
Bricker	Hendrickson	Millikin
Burke	Hennings	Morse
Bush	Hickenlooper	Mundt
Butler, Md.	Hill	Murray
Butler, Nebr.	Hoey	Neely
Byrd	Holland	Pastore
Capehart	Humphrey	Payne
Carlson	Hunt	Potter
Case	Ives	Purtell
Chavez	Jackson	Robertson
Clements	Jenner	Russell
Cooper	Johnson, Colo.	Saltonstall
Cordon	Johnson, Tex.	Schoeppel
Daniel	Johnston, S. C.	Smathers
Dirksen	Kefauver	Smith, Maine
Douglas	Kennedy	Smith, N. J.
Duff	Kerr	Sparkman
Dworshak	Kilgore	Stennis
Eastland	Knowland	Thye
Ellender	Kuchel	Upton
Ferguson	Langer	Watkins
Flanders	Lehman	Welker
Frear	Lennon	Wiley
Fulbright	Long	Williams
George	Magnuson	Young
Gillette	Malone	

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent by leave of the Senate on official business of the Senate.

Mr. CLEMENTS. I announce that the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Nevada [Mr. McCARRAN] are absent on official business.

The Senator from Missouri [Mr. SYMINGTON] is absent by leave of the Senate on official business of the Senate.

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER].

Mr. KNOWLAND. Mr. President, the memorandum which has been referred to reads as follows:

MEMORANDUM

It is now suggested that the George amendment to the Constitution should be modified so as to take the following form:

"SECTION 1. A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.

"SEC. 2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of Congress—"

This was the additional language which was then under discussion, which I do not believe—at least up to the present time—has been included in the amendment of the Senator from Georgia—

"but this section shall not be construed to affect the power of the President as Commander in Chief of the Army and Navy of the United States as provided in article II, section 2, of the Constitution, or the power of the President to receive ambassadors and other public ministers as provided in article II, section 3, of the Constitution. The enumeration of certain powers of the President in this section shall not be construed to deny or disparage other powers vested in him by the Constitution."

It is assumed that the enactment of section 1 would be for the sole purpose of making it clear that no treaty or other international agreement could override or contravene the Constitution.

Section 2 in its now proposed form appears to have the purpose of preserving the constitutional balance of power between the Executive and Congress in accordance with the views expressed by the President. This is accomplished by excluding from the sweep of the section agreements made by the President within the scope of his constitutional powers as Commander in Chief and to receive ambassadors, and by then providing that the enumeration of these powers shall not be construed to deny or disparage the President's other powers under the Constitution.

To eliminate possible misconstruction and the contention that while presidential powers are not to be curtailed, they are nevertheless within the limitations of the section, it is suggested that it be modified so that the meaning may be perfectly clear. The section would thus read as follows:

"SEC. 2. An international agreement other than a treaty shall become effective as internal law in the United States only by an act of Congress, but this section shall not apply to any agreement made under the power of the President as Commander in Chief of the Army and Navy of the United States as provided in article II, section 2, of the Constitution, or under his power to receive ambassadors and other public ministers as provided in article II, section 3, of the Constitution, or under any other powers vested in him by the Constitution."

Your attention is called to a possible effect of section 2 both in its original and revised form. It might be contended that this section could be used to elevate executive agreements implemented by majority action of the Congress to a level where it might be possible to substitute them for treaties.

The memorandum directed to the pending Bricker amendment reads as follows:

MEMORANDUM

Substitute amendment, Calendar No. 408, to Senate Joint Resolution 1 of 2-4-54-A, is as follows:

"SEC. 3. A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress."

This proposal in the first portion would take section 2 of the substitute amendment of Senator GEORGE and add to it the words "a treaty or other" so as to cause a limitation on the effectiveness of treaties within the United States similar to that provided for executive agreements in the George draft. It would radically change the treaty process. An act of the Congress would be required to make a treaty as well as an international agreement effective within the United States and by so doing there would be transferred to the House a substantial portion of the participation in foreign affairs which has been the exclusive domain of the Senate since the Constitution was adopted.

This provision would require two separate procedures for any treaty to have domestic effect. First, it would have to be ratified by two-thirds of the Senate and thereafter legislation by a majority of the Congress would give it effect within the United States.

This proposal uses the term "internal law" which is not found in the Constiution or any of its amendments. Since this phrase is not what is known as words of art and lawyers who have worked in this field have generally commented that it is impossible to know what it means, enactment of the section would place in the Constitution an expression as to the meaning of which we can only speculate.

The latter part of the section merely gives expression to the power the Senate now has

and would cause the treaty to become effective within the United States without any action by the Congress. If it is intended merely to deal with the question as to whether a treaty shall be self-executing, that could be handled much more satisfactorily by not amending the Constitution and merely have the treaty recite when it should become effective.

Concerning international agreements the section would transfer presidential powers in the field of foreign affairs and as Commander in Chief to the Congress and thus materially disturb the historic division of powers between the executive and legislative branches of the Government. There might be serious consequences to limiting the President's power as Commander in Chief concerning his ability to provide for the protection of the United States. Insofar as it is necessary or desirable for executive agreements to have effect within the United States, the hands of the Executive would be tied during such time as Congress is not in session. The President would not be allowed to make effective within the country the same kind of agreements that were made in Europe during the last war should there be an attack on the Western Hemisphere or the United States.

This proposal would also limit the power of the President under the Constitution to receive Ambassadors and Foreign Ministers and to conduct foreign relations. An act of Congress would be required to give legal effect to the President's agreements in this area. Authority of the President would be so seriously curtailed that it could not be expected that responsible governments would deal with him on the basis of equality.

Regard should be had for numerous day-by-day agreements that have to be executed by the President or on his behalf in the handling of the ordinary business between the United States and foreign countries. If Congress had to act on each of these agreements, delay in itself might make the action of little, if any, value. If Congress happened to be in recess the situation could not be handled if it involved any application within the United States.

The amendment does not indicate whether the Congress would have any power to authorize action in advance. In fact, it is quite clear as to treaties that Congress could only act if the Senate consents to ratification. The courts might decide that in view of such language Congress can act as to executive agreements only when they have been negotiated and it is known just what legislation is required by the Congress. It could be fairly assumed that the adoption of such a section will involve the United States in many years of litigation to determine just how little power the Government had in trying to handle a particular emergency situation involving its foreign relations.

Mr. HENNINGS. Mr. President, will the Senator from California yield for a question?

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

Mr. KNOWLAND. I yield.

Mr. HENNINGS. May I ask the distinguished majority leader whether the memorandum from the Attorney General in opposition to both the so-called Bricker amendment and the George substitute is expressive as well of the views of the President of the United States, as the majority leader understands them to be?

Mr. KNOWLAND. No; this only purports to be a memorandum from the Attorney General of the United States. I do not want the Senator from Missouri to bring the President into it. I have already stated to him what my judgment was on that point. So far as I know, the President has not read the memorandum. I do not think it was submitted to him. I assume that the Attorney General of the United States is a member of the President's official family.

Mr. HENNINGS. I certainly do not want, necessarily, to attach to the expressions of the Attorney General the imprimatur of the President of the United States, except that I should like to elicit from the majority leader whether it is his understanding that the President of the United States does concur with the conclusions in the memorandum.

Mr. KNOWLAND. No; and I will say to the Senator from Missouri that I do not wish him to press me on that point. So far as I know, the memorandum is known to the Attorney General, his office, and the persons who drafted it. I have no knowledge that the memorandum was submitted to the President, that he read it, or approved it. I do not want any inference drawn, other than that it came as a memorandum from the Attorney General in response to my request.

Mr. HENNINGS. I should like to make it clear to the distinguished majority leader that it is not my purpose to draw anything from him by inference which is unsupported or not justified by the facts. Of course, it has been the common understanding, and has been verified by the majority leader, as he stated on the floor of the Senate, that the President is opposed to all pending amendments and substitutes.

Now, Mr. President, at the 11th hour, before we vote, we have read into the RECORD the opinion of the Attorney General of the United States. I assume that the Attorney General is speaking in his capacity as the chief legal officer of the Government and of the administration and in his capacity as the legal officer of the President. That is a fair assumption, I assume.

Mr. KNOWLAND. The Attorney General is not the official legal adviser to the Senator from California. I submitted an inquiry to him. He returned to me a memorandum which is not in the form of a formal opinion. I do not know just how formal the Attorney General is when he is asked for an opinion by the President. I assume he gives the President an opinion in the nature of a legal brief. In my opinion the memorandum I have before me is not in that category. It is rather short in itself. It is only what it purports to be, namely, a memorandum from the office of the Attorney General to the Senator from California in response to an inquiry made by the Senator from California.

I believe we should let it rest there, because I do not know, and I have no knowledge, that it was ever submitted to the President of the United States.

Mr. HENNINGS. I thank the majority leader.

SEVERAL SENATORS. Vote! Vote!

Mr. FULBRIGHT. Mr. President, will the Senator from California yield for a question?

Mr. KNOWLAND. I yield.

Mr. FULBRIGHT. Is this the memorandum which I requested of the majority leader about a week or 10 days ago?

Mr. KNOWLAND. I believe so.

Mr. FULBRIGHT. Does the Senator from California believe I have ample time and that other Members of the Senate have ample time to consider it, approximately 2 minutes before we vote?

Mr. KNOWLAND. I believe the memorandum to which the Senator from Arkansas had reference the other day pertained to the George amendment, which is one of the two memorandums I have read today.

Mr. HENNINGS. Mr. President, will the Senator from California yield for one more question?

Mr. KNOWLAND. I am glad to yield.

Mr. HENNINGS. I have only one more question. As a lawyer, I understand that the terms "memorandum," "legal opinion," and "brief" are often used interchangeably. We have short memorandums, and we have many lengthy ones. We have short briefs and other types of briefs. The distinguished majority leader does not suggest, I assume, by way of any disparagement or other implication relating to the stature of the memorandum, that it is not the Attorney General's best opinion on the subject.

Mr. KNOWLAND. No; the Senator knows I did not have that in mind. I have not attempted to disparage it. However, I did not want to have read into it some implication that should not be read into it.

Mr. HENNINGS. I stated my question in the affirmative, because I am sure the Senator from California does not intend to disparage it.

Mr. GEORGE. Mr. President, before I proceed I should like to inquire of the distinguished majority leader by whom the memorandum was signed actually.

Mr. KNOWLAND. The memorandum itself is not signed.

Mr. GEORGE. So far as my amendment is concerned, that is.

Mr. KNOWLAND. The memorandum itself, I may say to the Senator from Georgia, is not signed. Neither memorandum is signed. The memorandums came to me under a letter of transmittal from Mr. J. Lee Rankin, Assistant Attorney General. My information is that it was written at a time when Mr. Brownell was out of town, but he was consulted by telephone and was familiar with the general facts in the case. It was actually sent to me by Mr. J. Lee Rankin, Assistant Attorney General.

Mr. GEORGE. Mr. President, I wish to make a very brief statement.

The power to amend the Constitution of the United States, by a two-thirds vote of the Senate and the House of Representatives, forgetting for the moment the power of the States themselves to pass upon the amendment, is a power which is not given to the Attorney General or to any other officer of the Government. It is given to the House of Representatives and to the Senate of the United States. The President does not have to approve a constitutional amendment. Why should he? The President acts under the Constitution of the United States. Constitutional amendments go to the people themselves

who are sovereign in the Nation. The President is not called upon to approve or disapprove. I would not be critical of the President if he expressed his opinion as a citizen or as an officer of the United States, but we are now dealing with fundamentals.

I hope the distinguished Senator from Missouri [Mr. HENNINGS] will not forget that if we are to be governed by what the Attorney General says or by what the President says, then we may as well go home and let the President and the Attorney General operate the entire Government, even on so vital a question as a proposed constitutional amendment, which must go to the people of the States and in order to become a part of the Constitution must be approved by three-fourths of the States. They have the final right.

I would resign my seat, Mr. President, before I would be governed by such an odd Attorney General as is the present Attorney General on the subject of a constitutional amendment. I would think I was occupying a position of which I was entirely and utterly unworthy.

The Attorney General of the United States has stated that he does not like the Bricker amendment. I have said I do not agree with it in one respect, which is a vital respect, to my mind, but I appreciate the attitude of the distinguished Senator from Ohio and the great service which he has rendered in this contest.

We are asked to take an amendment not of the Attorney General himself, though he is a rather curious kind of an Attorney General, but we are asked to take the memorandum of one of his assistants. Next year we will be asked to take the recommendation of one of the clerks in the Department of Justice and to abdicate the high responsibility we have—of doing what? Of formulating a constitutional amendment to be submitted to the States for their consideration.

The Constitution places no responsibility upon the executive branch and it places no power in the executive branch in that regard.

I am speaking plainly, Mr. President, because this is more important than is any immediate constitutional amendment. If the President, whoever he may be—and I have disclaimed any purpose of questioning any acts of the present President, and I have said that no particular order of the present President was a matter of concern to the people of the United States in the sense that they should be apprehensive of what may or may not happen—if the President of the United States, or his Attorney General, or an assistant to the Attorney General—and, next year, a clerk in the office of the Attorney General—can tell the Congress of the United States what constitutes a proper amendment to the Constitution of the United States, which must be referred to the very source of power in this Republic, namely, the sovereign people themselves, then we have come to a pitiable state.

I know very well that the President has not sent any message to the Senate on this question. I can assure the Senator from Missouri that he has not, because he would not do that.

I am not surprised that even the Attorney General has not; but he has an assistant who would send up a memorandum. So far as the merits of his memorandum are concerned, they are entitled to respectful consideration, just as the comments of anyone else would receive respectful consideration. I assume that the Attorney General appeared before the Judiciary Committee and made his statement and presented his case. I am sure he was discharging a duty which he owed to the Judiciary Committee. He may have been speaking the sentiments of the President, or he may not have been. But what I am trying to say, Mr. President, is that everything has gone when men in this body do not have the courage to decide what constitutional amendment they will submit to the people of the States.

I cannot make it any plainer. The President does not have anything to do with it. He does not approve or disapprove the amendment if it be passed by the Congress. He may be concerned about it as a citizen, a well-informed citizen, and a citizen of proper motive and purpose, all of which I accord to the President. That may be true, also, of the Attorney General. But that is not their function. Not at all.

Mr. President, a few days ago we heard read Washington's Farewell Address. He appealed to all his successors and to all the American people who would come after him not to disregard or evade or destroy the Constitution by usurpation, but if, from experience, there should be any needed changes, to submit such changes in the way provided in the Constitution, to the people themselves or their representatives.

That is all that is suggested by the distinguished Senator from Ohio. Is he wrong in that, whether we agree or disagree with his total proposal?

That is all I am suggesting. Is there anything wrong about that? If two-thirds of the Members of this body do not wish to submit a constitutional amendment, all well and good. But I abjure Senators not to go back home and say that they based their action upon the written memorandum of an assistant to the Attorney General of the United States. Find a better basis on which to put it.

Mr. President, there are some Members of this body who think no constitutional amendment should be submitted. All good and well. Any Senator who honestly so believes that can vote that way. He is all right and is on safe ground.

I have tried to show by what I have said, and other Senators have tried to show, that there was a reason for some constitutional amendment. I have tried to trim one down to the very minimum that would reach what I believe to be an evil which has developed under our present system.

The distinguished Senator from Ohio is proposing almost the same amendment, except that he wishes to make treaties also the rule in local courts, so far as their jurisdiction extends, only when the provisions of a treaty, affecting internal law, have been approved by Congress, or by congressional legislation, which I believe is the phrase the Senator from Ohio uses, and means the same thing, in my opinion.

Mr. President, I have said repeatedly that I myself do not wish to disturb the relationship between the States and the Federal Government in the field of treatymaking, or the relationship between the executive branch and the Congress, or the Senate, in the field of treatymaking. I believe that when a treaty is submitted, and two-thirds of the Senate consent to it and vote for it, that is sufficient, and that we either know or should know the meaning of the treaty before we vote upon it; and when we vote to ratify it, nothing further should be required to make the treaty the law of the land, or domestic law. I have heretofore so stated.

I have also said that I think the 10th amendment answered itself in this contest. I am a profound believer in the rights of the States. I believe in local self-government as strongly as does any other Member of the Senate, but I know very well that under the 10th amendment, and under the Constitution, the States themselves surrendered the power of treatymaking, and expressly denied it to themselves in another section of the Constitution. I know very well that the 10th amendment itself is not a limitation upon the power of treatymaking, under every decision of the Supreme Court of the United States, from the earliest days down to the Curtiss-Wright case in very recent years.

I know very well that it has been the rule, ever since the debates in the Virginia Convention, when the two leading members, advocating the Constitution or criticizing, as the case might be, themselves stood on the floor of that convention and said that treatymaking was not limited, even by the 10th amendment. It was limited, it was said subsequently by the Court; and the Court in almost every case has been at pains to point out that the treatymaking power was not an unlimited power. But it never having been decided that any particular treaty went beyond the Constitution itself, no authoritative ruling ever has been made by the Supreme Court of the United States as to just where the limitation is to be found, save the general statement in the Constitution.

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

Mr. GEORGE. I yield.

Mr. KNOWLAND. So that the record may be kept clear, and for the benefit of Senators who may have entered the Chamber subsequent to the reading of the memorandum, I wish to say that I do not think it is quite fair to the Office of the Attorney General to say either that they are interposing themselves in this discussion, or have, in fact, as the Senator may have implied, sought to instruct Members of the legislative branch of the Government as to how they should vote.

The fact is that the memorandum was prepared at my request, in order to get such facts as the Department of Justice might have from the legal viewpoint, as to what the effect would be of certain

proposals which had been made in two amendments before the Senate. I thought it was entirely proper to make such a request.

Mr. GEORGE. I do not question that.

Mr. KNOWLAND. It so happens that with respect to the language which the Department indicated might be satisfactory to them, I fully agree with the Senator from Georgia that the language went so far as to nullify the amendment. I may say to the Senator from Georgia that I feel there are other factors which would cause me to vote against the amendment. I outlined some of them yesterday, because they are serious ones, as the Senator understands.

Mr. GEORGE. I am not critical of the Senator from California.

Mr. KNOWLAND. The factor most disturbing to me is that I am fearful that, while the Senator from Georgia desires to solve the problem relative to executive agreements, we may inadvertently be putting into the Constitution a way of bypassing the normal treatymaking power of the Senate of the United States, by making it much easier for future Presidents to handle such questions through the method of merely getting a bare majority in the Senate and the House to approve, which would be a much different situation from getting a two-thirds vote of ratification in the Senate.

I make this statement for the RECORD merely because I do not think the Attorney General, in fairness to him, should be placed in the other light.

Secondly, this memorandum, is not from some minor clerk. I do not think that is the issue. The memorandum happens to have come from an Assistant Attorney General, a man who has been familiar with the situation and with the discussions that have been in progress. The request I made was to the Attorney General of the United States, but during his absence a letter was sent to me, signed by Mr. Rankin. That is the whole story.

Mr. GEORGE. Mr. President, I am not critical of the Senator from California. I am not critical of any Senator who seeks the opinion of anyone, whether he be the Attorney General, an Assistant Attorney General, a lawyer, or someone else in whom the Senator has confidence. I am not at all critical.

What I am saying is that with respect to the submission of a constitutional amendment to the people of the States, neither the President nor his executive officers, whether the Attorney General or someone else, have anything to do with its consideration, unless Senators desire to avail themselves of the information or knowledge of such persons.

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

Mr. GEORGE. I yield.

Mr. KNOWLAND. I think we all agree on that. It is a very sound principle, and the Founding Fathers provided that only ratification by the two Houses of Congress and three-fourths of the States should be involved in the adoption of constitutional amendments. But I think it is perfectly legitimate, and the American public might have an interest, if there were to be an upset of the balance of power between the executive, legislative, and judicial branches of the Government, for the President to make known his views, should he decide to do so, or to have them made known by someone else, who is a citizen of the United States and a responsible officer of the Government. Senators are not required to be bound by such views, any more than the Senator from Georgia would subscribe to a certain point of view simply because it had been expressed by a member of the executive branch of the Government.

I simply thought the RECORD ought to be clear that the memorandum was not furnished as a voluntary act on the part of the executive branch, but only at my request.

Mr. GEORGE. I am certain the President has not said anything about this amendment specifically. If so, I do not know about it. I feel the same way so far as the Attorney General is concerned.

But I wish to emphasize again that there has become apparent too much of a disposition—and I say this with utter kindliness—for Senators to rely upon bureaucratic advice. Do Senators think I am overstating the case? How many times have Senators had hurled into their faces the statement that so and so, in a department, has written a memorandum, has made a statement, is opposed to certain legislation, or favors some other legislation?

The United States Senate will become utterly worthless to the people of America in the making of proposed constitutional amendments if it is to take the advice of all the bureaucracy which has been built up, which flourishes in Washington, and which has such a hold upon many Members of the Senate, until individual Senators insist upon a memorandum being written, such as has been transmitted by someone in the Department of Justice.

I must repeat that in the submission of constitutional amendments to the people and to the States, the executive department as such has no responsibility whatever. As a citizen, yes, they have such a responsibility; but the primary responsibility rests in the Senate of the United States, and in the House of Representatives, at the other end of the Capitol.

George Washington adjured us to approach the question of a change in the Constitution only by the regular methods provided in that document itself; but there are some who are too afraid even to allow the people of the States, whom we represent here, to pass upon a constitutional proposal. I am not afraid of the action the people of my State, or the people of three-fourths of the States of the Union, may take on a proposed amendment to the Constitution. It is easy enough to find an excuse to dodge behind, but finally, and at last, no man worthy of his salt in this body will dodge behind the opinion of an executive officer who has no responsibility, no authority, and who is under no obligation even to express an opinion before this body.

Mr. President, my proposal differs from the proposed amendment of the distinguished Senator from Ohio only in one respect. I have emphasized it before, but I repeat it. I do not think it necessary to involve the treatymaking power in the amendment. I think the present procedure is sufficient, because my interpretation is—and I think no one will challenge it—that the Senate itself is competent, that it has the power and the authority, yea, the obligation and the duty, if it believes it to be its duty, to do one thing with respect to every treaty which is submitted to it for consideration, and that is to make sure that such a treaty affecting internal law will become effective only when implemented by an act of the Congress, or upon the happening of a certain event, if the Senate wishes to make such a reservation. Therefore, I believe we are fully protected, so far as treaties are concerned.

However, when it comes to the wide range of executive agreements, which may not be known to the Members of the Senate until long after they have been concluded, I think the Senate should be able to say, "Mr. President, your executive agreement becomes effective as international law from the moment that you put your signature upon it; but it does not become effective as internal law, which can be enforced by the courts of this country against our citizens, until the provisions of the agreement have been approved by an act of the Congress."

That is what the distinguished Senator from Ohio is proposing. In one respect that is all I have proposed, though I have gone somewhat further. I have said that my proposed substitute did not interfere with and could not be construed as limiting or affecting the powers of the President of the United States as Commander in Chief of the Army and Navy, as provided in article II, section 2, of the Constitution as it now exists, or the power of the President to receive Ambassadors and Ministers of foreign countries, as provided in the third section, because the amendment proposed by me and the amendment proposed by the distinguished Senator from Ohio do not undertake to amend those sections of the Constitution. They do not touch them.

However, since later in our history we might possibly have a President who would attempt to use his powers as Commander in Chief to fasten upon the American people internal law which would affect otherwise valid State laws and State constitutional provisions, I wish to say now that no such colorable arrangement as that ought to be allowed to stand, unless the Congress of the United States has an opportunity to say "Yes" or "No" to such a proposal.

Mr. President, that is all there is to this whole fight, so far as I am concerned. All I desire to have provided is that treaties and executive agreements must conform to the Constitution or they shall be of no force or effect; and, secondly, that international arrangements or agreements other than treaties shall not become the internal law of the United States until they have been approved or passed upon by the Congress

of the United States in the ordinary and normal processes of legislation.

Mr. President, that is all I have said, and I have said it as one who ordinarily has as strong an attachment for the rights of States as any man living, and as one who would like to see States' rights respected. However, States' rights will not be respected under the broad powers given the President to make treaties, with two-thirds of the Senate consenting, unless the President himself respects them, and unless the Senate of the United States, in passing upon them, is able to state, "We will not go as far as this treaty demands that we go."

If the rights of the States are ever to be preserved, if local self government is to survive in America, it will be because of the vision of the men who make up the Senate and the House of Representatives.

I cannot conceive that any President, and I certainly do not for a moment believe that the present President, would desire to abrogate any provision of a State constitution or a State law without bringing it to the special attention of the Senate and saying, "This is a matter for your final decision and determination."

Mr. President, I rose to say what I have said because I profoundly believe that if, in our capacity as representatives of the people, we are to be bound by the bureaucrats in any department of the Government, if we are to hear only the voice of bureaucracy which comes to us from all the buildings up and down Pennsylvania and Constitution Avenues, and elsewhere—if that is to be true of the Congress of the United States, or of the Senate as one of the Houses of Congress, then we are very nearly through.

But, Mr. President, to my utter amazement, some Senators wish to hear what the Attorney General has had to say or what someone else in an executive department has had to say on the simple but basic and fundamental question of whether the people of the United States are to be given the right to consider and to approve or disapprove a proposed amendment to the Constitution of the United States.

Mr. CASE. Mr. President, I expect to vote for the amendment of the Senator from Ohio to the so-called Bricker amendment. Should it fail to receive a majority vote, I expect to vote for the amendment of the Senator from Georgia [Mr. GEORGE], who has just made a very eloquent and moving speech.

I am not at all in doubt as to the basis on which I shall explain my vote to the people of my State. I shall say to them that I am unwilling to have the treaty-making officer or officers of a foreign government, acting in conjunction with the President of the United States, write internal law which the Congress of the United States itself did not write. Likewise, I am unwilling to say that the treatymaking group of a foreign power can modify State law which has been made under the powers reserved to the States by the Constitution.

Having said that, I should like to raise a question which I think is pertinent, in view of what the Senator from Georgia has said. In the case of an ordinary constitutional amendment which does not relate to the powers of the President, I would concur heartily in everything the Senator from Georgia has said. But it seems to me in the present instance, inasmuch as the proposed amendment seeks to place a bridle on the power of the President, we should recognize that the executive branch might be pardoned if it thought it might speak in behalf of the powers the executive branch heretofore has exercised.

Mr. BRICKER. Mr. President, will the Senator from South Dakota yield to me?

Mr. CASE. I yield.

Mr. BRICKER. The Senator from South Dakota realizes, does he not, that no part of either my amendment or the amendment of the Senator from Georgia would in any way interfere with the President's powers in the field of foreign relations, but either of the amendments would only prevent treaties from making internal law or prevent executive agreements from making internal law.

Mr. CASE. Yes; and I heartily subscribe to that purpose.

Mr. BRICKER. I thank the Senator from South Dakota.

Mr. CASE. It seems to me that this general amendment deals with the powers of the executive branch of the Government.

If the amendment were one modifying the powers of the President as Commander in Chief or the appointive powers of the President—all of which are embraced in article II, section 2, of the Constitution—does the Senator from Georgia think the executive branch, as the custodian of the powers granted the executive branch by the Constitution, should be entirely silent?

It seems to me that when there is proposed in the Senate an amendment which relates to the powers of the President or the powers of the executive branch, the executive branch might be expected to endeavor to uphold its dignity and the powers accorded it by the Constitution.

Mr. President, if my memory serves me correctly, when the question of repeal of the 18th amendment was under consideration, the Executive at that time spoke rather strongly. Perhaps it might be said he should have kept his mouth shut in such a situation, because the proposed amendment did not relate to the powers of the President.

The pending amendment does bear upon the powers of the executive branch. If a representative of the executive branch wishes to say something about preserving the balance of power between the three branches of our Government, it seems to me, at least, that he should be given a respectful audience.

I have not asked any part of the executive branch of the Government—either the Attorney General or his deputy or any clerk or anyone in the White House—about how I should vote on this question. I shall vote my convictions in this matter; and my vote will be in favor of the amendments which have been proposed.

But I do not think the RECORD should indicate that the executive branch should be forbidden to defend its traditional powers under the Constitution.

Mr. LEHMAN. Mr. President, as one of those to whom the distinguished Senator from Georgia [Mr. GEORGE] referred as the group of Senators who oppose any constitutional amendment which would curtail or restrict the treatymaking powers of the Executive, let me say that I have not been greatly impressed by the memorandum of the Attorney General, although I wish to give consideration to it.

As my colleagues know, ever since the debates began, and even before then, I have been opposed to any constitutional amendment of this character.

For 5 weeks I have listened to the debate on the proposed constitutional amendment. I am not a constitutional lawyer, and I did not feel qualified to participate in the debate concerning the highly technical phases of the proposed constitutional amendment or regarding the weight which would be given by the Supreme Court to the language of an amendment which might be adopted. However, I have had very considerable experience in both the executive branch of government and in the legislative branch, and I am not certain that the lay approach to this important matter may not be fully as sound as that of highly expert men who are well grounded in constitutional law.

After listening to the debate for 5 weeks, it is clear to me that we have tortured both the law and the language, in order to draw up a synthetic constitutional amendment, when no amendment of any character is necessary.

After all, Mr. President, our Republic has lasted for 165 years. It has gone through great crises. It has been confronted with tremendous problems. Administrations have come and gone. The control of Congress has frequently changed. New States have been admitted to the Union. But there has never been a time when any State or any citizen of a State has been injured by any treaty or been discriminated against in any way because of the lack of a constitutional amendment such as any of those now proposed.

There is no reason now for us to endeavor to torture into existence a constitutional amendment, when none is even remotely needed.

A few days ago I listened to the debate on an amendment offered by Senator FERGUSON which lasted for many hours. There was a difference of opinion as to what was meant by the phrase "in pursuance of," by the phrase "not in conflict with," and by the phrase "not repugnant to." No Member of the Senate was able to define those terms; and the sponsor of the amendment said, "We cannot depend upon the dictionary for a definition." Mr. President, at that time I heard the debate regarding what was meant by the terms "which," "what," or "that." Amendments which have been brought before the Senate have been such that no Member of the Senate could adequately explain their meaning.

Last week, after hours of debate, the Senate adopted one amendment by a vote of 44 to 43. I can tell Senators that in the majority vote of 44, there was a

great difference of opinion as to the reason for the support of the amendment; and in the opposition of 43, there was by no means a unity of viewpoint. There was a great difference as to what was meant by that amendment, or whether support should be given for one reason or another. Yet that is the kind of amendment which we now have before us, an amendment of which we do not know the meaning. I doubt very much whether the Supreme Court will understand either the reason for the amendment or the meaning of the amendment.

In conclusion, let me say that the main excuse for a proposed constitutional amendment is, as I understand it, to limit alleged arbitrary powers of the President, powers which might cause embarrassment to our Nation, and also to safeguard States rights.

There is no Member of the Senate for whom I have a greater respect and regard than I have for the distinguished senior Senator from Georgia [Mr. GEORGE]. However, it seems to me that in the case of both the Bricker amendment and the George amendment the President would be given greater arbitrary powers than exist today, because he could choose whether to submit a treaty or an executive agreement. A treaty would require a two-thirds vote of the Senate. An executive agreement would require only a majority vote in the two Houses.

So far as State's rights are concerned, it is obvious that they would be reduced by reason of the fact that, today, a two-thirds vote is required to approve a treaty affecting a State and its citizens. Under the proposed amendment, which will soon come to a vote in this body, a two-thirds vote could impose any executive agreement on the States and on the citizens of the States. So I strongly urge my colleagues not to vote for any constitutional amendment at this time which would limit the treatymaking powers of the President. It would be bad policy. Inevitably it would lessen the authority and the power of the President to deal with other countries. It would cause embarrassment. It would serve no purpose. It would cause confusion.

To all intents and purposes, all these amendments have been written on the floor of the Senate, without adequate thought, without adequate consideration, and without adequate study of the effect they might have on the policy of this country and on the decisions of the Supreme Court. I think we would be making a monumental mistake if we were to approve any constitutional amendment which would lessen or limit the treatymaking powers of the President of the United States.

Mr. FULBRIGHT obtained the floor.

SEVERAL SENATORS. Vote! Vote!

Mr. FULBRIGHT. Mr. President, I shall speak for only 2 or 3 minutes.

I wish to make only two observations. First, my decision to vote against this amendment is in no way influenced by the Attorney General or any bureaucrat. Long before this memorandum was made public I said that I was opposed to such amendments.

I have been very much astonished and amazed at the position of the senior Senator from Georgia [Mr. GEORGE]. I have participated with him and other Members from the South in an effort to preserve the two-thirds rule of the Senate. I participated as a junior member of that group. I felt then, and I feel very deeply today, that the two-thirds rule of the Senate is one of the most important and distinguishing characteristics of this body. I cannot understand how the most distinguished constitutional scholar in this body—and I so regard the senior Senator from Georgia—has come to propose to the Senate and to the country a measure which, in my opinion, would largely destroy the power of the Senate to prevent an improvident or unwise treaty from going into effect. By that I mean the two-thirds rule.

As I read the amendment which has been proposed, it is an invitation to the Executive from now on to submit international agreements in the form of executive agreements to be confirmed by a majority vote of both Houses. Everyone knows that, generally speaking, a majority vote of both Houses is much easier to obtain than a two-thirds vote in this body.

I think this amendment is an extremely serious attack upon the integrity of this body and upon our power to resist improvident agreements. It seems to me that it would cut down the States' rights to a very great extent.

We all know why the Senate was constituted as it was, under the compromises in the Constitutional Convention, to protect States rights. Small States similar to my State and many other States were afraid of being imposed upon by the larger States. That is why the two-thirds rule was instituted. That is why each State insists upon equal representation in this body.

In my judgment this amendment would be an open invitation to submit all international agreements in the form of executive agreements. No one has undertaken to say that there is any way, other than the judgment of the Executive, by which to distinguish between an executive agreement and a treaty. If the President chooses from now on to call all agreements executive agreements, there will be nothing in the Constitution and no basis that I can see upon which his judgment can be attacked. If he says an agreement is an executive agreement, it will be submitted to us in that form and we shall pass upon it by a majority vote. We have seen the time when a strong executive could obtain a majority vote in this body when he could by no means obtain a two-thirds vote.

I think this proposal has an important bearing on the two-thirds rule in the Senate with respect to limitation of debate. I make no apology now, and shall not apologize at any other time, with regard to my defense of the two-thirds rule with regard to limitation of debate. Certain Senators who some time ago thought it was a bad rule are beginning to think it is a little better rule, when they observe the differences and the changes which have come about in this body.

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

Mr. FULBRIGHT. I yield.

Mr. KNOWLAND. The Senator is making a very persuasive argument on the proposition that the amendment would cut down the treatymaking power of the Senate, which requires a two-thirds vote. Certainly we who serve in this body know that it is much easier to obtain a majority vote than a two-thirds vote.

The Senator has raised the point regarding the rights of the States. Does he not believe there is an additional factor? While there have been a few times in history when the Members of one party have constituted more than two-thirds of the Senate, over the long run normally neither party dominates this body by a very large majority. So by having the two-thirds requirement we at least have a bipartisan approach to any constitutional amendment, whereas otherwise there might be domination by a single political party.

Mr. FULBRIGHT. I appreciate the Senator's observation. He is entirely correct. I welcome the support of the Senator from California in opposition to the amendment, which provides for the ratification of executive agreements by a majority of both Houses of Congress. That is what it provides.

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

Mr. FULBRIGHT. I yield.

Mr. HENNINGS. I am very much interested, of course, in the persuasive and cogent argument of the learned Senator from Arkansas. The suggestion has been made this afternoon that to seek an opinion from a qualified lawyer, or even a young lawyer, or a clerk, is improper, or might be beneath the dignity of this body, or might in some way be a surrender or an indication of an abdication of its responsibilities.

I believe that many of us have learned much from some of the most unexpected sources. If the Attorney General, who has been criticized as being an odd and peculiar fellow—and, of course, I am not saying that he is, and he may or may not be——

Mr. FULBRIGHT. The Senator from Missouri is not saying that the Attorney General is not.

Mr. HENNINGS. I do not know him very well, may I say to my friend from Arkansas. Be that as it may, while we as a Senate—and, I hope, without heat of blood or intensive feeling of rancor against any individual Senator or group of Senators because of the principles they may hold—are improving upon the work of the Founding Fathers of 165 years ago, and while we are addressing ourselves to the facts in this case and to the law, as suggested by the memorandum, whether it be from a clerk or a lowly Assistant Attorney General of the United States, or anyone who may not in his own esteem or in the esteem of others rise to the top and lofty height and dignified place occupied by a United States Senator, there are attorneys in the Department of Justice, there are lawyers in the law offices of the country, including John W. Davis, and those of

lesser eminence who may not agree with the views expressed by the Attorney General——

Mr. FULBRIGHT. Mr. President, is the Senator from Missouri asking me a question? I have yielded only for a question.

Mr. HENNINGS. I was just about to ask the Senator a question. I appreciate the Senator's indulgence, as the distinguished majority leader indulged the Senator from Georgia for some 30 or 40 minutes. I assure the Senator that I will not press this upon his good nature or his time, but I should like to ask him, as one who understands the thesis and the principles and the effect of States' rights, as a Senator from the State of Arkansas, and as a Senator of the United States, whether he feels that in leaving the matter to the States or to the people of the States, as it has been put, he is failing to exercise or is abdicating his authority and responsibility as a United States Senator?

Mr. FULBRIGHT. I will say to the Senator, certainly not. I do not distrust the people of my State or of any other State. However, I believe it is our duty to make a recommendation which we believe to be wise, and not to accept simply what is submitted to us.

That leads me to the next point I wish to make. As I stated, I have no long speech on the subject. The second source of amazement, second to hearing the senior Senator from Georgia recommend a measure which would, in my opinion, seriously diminish the power of the States in the National Government and certainly the power of ourselves as representatives of the States, is that neither amendment, the one under consideration, offered by the Senator from Ohio [Mr. BRICKER], or the one offered by the Senator from Georgia [Mr. GEORGE], has ever been submitted to a committee. It has not been exposed to the study which we expect all measures to have before we pass upon them in the Senate. How many times have we seen a Senator rise on the floor of the Senate and object to an amendment to a bill on the ground that the amendment had not been submitted to a committee and that it was a very complicated amendment, and should receive study? We hear that all the time.

Certainly in the case of an amendment to the fundamental law of the land a committee ought to hold hearings for some time and then consider, deliberatively and at leisure, its significance and the significance of amendments proposed to it.

To some extent that may be the reason why the Members on the other side of the aisle solicited an opinion from the Attorney General, or anyone else, because they felt the need for some expert opinion as to what the proposed amendments meant.

I did not ask anyone's opinion. I did not ask the Attorney General's advice. Having heard that the majority leader had requested his views and had received them, and suspecting in my own mind that the Attorney General disapproved of these amendments, I of course asked the majority leader if he would make the memorandum available to the Senate. That was the reason I asked for it.

I do not want to leave the impression at all, which I believe was created by some of the remarks made by the senior Senator from Georgia, that I am simply following the advice of the Attorney General of the United States, because it has nothing whatever to do with my opinion. Long before his opinion was given to the Senator from California, I had made up my mind with regard to the necessity of the amendments which are now under consideration.

I certainly hope that the Senate will have sufficient interest in the Constitution to reject the amendments. If they are to be considered at all, they ought to be considered first by a committee, where some of the other Members of the Senate, who are just as much interested as I am in the preservation of the two-thirds rule, both as to the rule of the Senate, about which we have had some discussion, and also as to the two-thirds rule with regard to treaties, may have something to say about the subject.

SEVERAL SENATORS. Vote! Vote!

Mr. GEORGE. Mr. President, I merely wish to say to the Senator from Arkansas that he is quite willing to leave to the President of the United States the making of executive agreements which affect the internal affairs of States, but he is not willing to let Congress say that they shall become effective as such. In other words, the Senator is quite willing to risk the judgment of one man, rather than a majority of both Houses of Congress.

Mr. FULBRIGHT. If I may be permitted to do so, I shall be very glad to comment on that statement. I believe that during the course of 165 years Presidents have submitted the most important and serious political agreements in the form of treaties.

Mr. GEORGE. A President does not present executive agreements to the Senate, may I say to the Senator from Arkansas. The Senator is a member of the Committee on Foreign Relations. How many executive areements has he seen in that committee?

Mr. FULBRIGHT. The reciprocal trade agreements are executive agreements, which are made in pursuance of our authorization.

Mr. GEORGE. Certainly; they are made in accordance with the majority vote of the two Houses of Congress.

Mr. FULBRIGHT. That is correct.

Mr. GEORGE. Certainly they are. So were the lend-lease agreements and operations.

Mr. FULBRIGHT. In the 165 years of our experience, can the Senator from Georgia point out an executive agreement which has been harmful to this country, which would have been prevented by his amendment?

Mr. GEORGE. Oh, yes. That was pointed out this morning, and heretofore, but the Senator was too busy to worry about it. I merely wish to suggest to the Senator from Arkansas that if he is not willing to trust the majority vote of the two Houses, but is willing to trust the decision of the State Department or of the President, I do not see how he is a very strong advocate of States' rights.

Mr. FULBRIGHT. I am willing, and I hope to continue, to require two-thirds of the membership of this body to vote on all treaties.

Mr. GEORGE. So do I. I am not touching treaties at all.

Mr. FULBRIGHT. The major agreements between this country and other countries are in the form of treaties. There is no authority in the Constitution, excluding the President's power as the Commander in Chief and the power of recognition, for executive agreements.

Mr. GEORGE. I beg the Senator's pardon. There certainly is.

I merely wish to call the Senator's attention to the fact that if he is quite willing to trust one man rather than a majority of the Senate and of the House, he has a different concept of States' rights than I have.

Mr. FULBRIGHT. I wish to correct the implication of the Senator's remark that I was not interested enough to be here. I happen to be a member of the Joint Committee on the Economic Report, and the committee held a meeting to vote on its report. That is where I have been this afternoon, while the Senator has been giving these examples.

The Senator has been asked, as I asked the Senator from Ohio, to give examples of agreements which he regarded as being harmful to the welfare of this country and whose harmful effects would be prevented by the proposed amendments. As yet, I have not heard of a single one.

Mr. HENNINGS. Mr. President, will the Senator from Arkansas yield?

Mr. FULBRIGHT. I yield.

Mr. HENNINGS. Does the Senator from Arkansas understand that under the proposed substitute amendment of the distinguished Senator from Georgia the President is to determine and can determine whether to use the executive agreement route or the treaty route?

Mr. FULBRIGHT. I think that is very clear.

Mr. HENNINGS. There is no way, in other words, to control the Executive as to whether he shall use the treaty route or the so-called executive agreement route.

Mr. FULBRIGHT. That is correct.

Mr. HENNINGS. Then, if certain executive agreements having an effect upon domestic law should be made, who would, then, determine which one of the many thousands should be sent to the Congress for the approval of the Congress?

Mr. FULBRIGHT. The Executive would determine it.

Mr. HENNINGS. So, we would wind up, under the terms of the amendment, with the Executive determining, first, whether he would use an agreement or a treaty, and he would have the sole power to determine which of the executive agreements should be submitted to the Congress?

Mr. FULBRIGHT. The Senator is correct.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the amendment proposed by the Senator from Ohio [Mr. BRICKER] to insert on page 3

of the committee amendment, after line 9, a new section.

Mr. FERGUSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Goldwater	Mansfield
Anderson	Gore	Martin
Barrett	Green	Maybank
Beall	Griswold	McCarthy
Bennett	Hayden	McClellan
Bricker	Hendrickson	Millikin
Burke	Hennings	Morse
Bush	Hickenlooper	Mundt
Butler, Md.	Hill	Murray
Butler, Nebr.	Hoey	Neely
Byrd	Holland	Pastore
Capehart	Humphrey	Payne
Carlson	Hunt	Potter
Case	Ives	Purtell
Chavez	Jackson	Robertson
Clements	Jenner	Russell
Cooper	Johnson, Colo.	Saltonstall
Cordon	Johnson, Tex.	Schoeppel
Daniel	Johnston, S. C.	Smathers
Dirksen	Kefauver	Smith, Maine
Douglas	Kennedy	Smith, N. J.
Duff	Kerr	Sparkman
Dworshak	Kilgore	Stennis
Eastland	Knowland	Thye
Ellender	Kuchel	Upton
Ferguson	Langer	Watkins
Flanders	Lehman	Welker
Frear	Lennon	Wiley
Fulbright	Long	Williams
George	Magnuson	Young
Gillette	Malone	

The PRESIDING OFFICER. A quorum is present. The question is on agreeing to the amendment of the Senator from Ohio [Mr. BRICKER], which will be stated.

The CHIEF CLERK. On page 3, after line 9, of the committee amendment, it is proposed to insert a new section, as follows:

SEC. 3. A treaty or other international agreement shall become effective as internal law in the United States only through legislation by the Congress unless in advising and consenting to a treaty the Senate, by a vote of two-thirds of the Senators present and voting, shall provide that such treaty may become effective as internal law without legislation by the Congress.

The PRESIDING OFFICER. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent by leave of the Senate on official business of the Senate.

Mr. CLEMENTS. I announce that the Senator from Nevada [Mr. MCCARRAN] and the Senator from Oklahoma [Mr. MONRONEY], both of whom are absent on official business, are paired on this vote. If present and voting, the Senator from Nevada would vote "yea," and the Senator from Oklahoma would vote "nay."

The Senator from Missouri [Mr. SYMINGTON] is absent by leave of the Senate on official business of the Senate.

The result was announced—yeas 42, nays 50, as follows:

YEAS—42

Barrett	Capehart	Eastland
Beall	Case	Ellender
Bennett	Chavez	Goldwater
Bricker	Cordon	Griswold
Butler, Md.	Daniel	Hickenlooper
Butler, Nebr.	Dirksen	Hunt
Byrd	Dworshak	Jenner
Johnson, Colo.	Maybank	Smathers
Johnston, S. C.	McCarthy	Smith, Maine
Kuchel	Mundt	Stennis
Langer	Payne	Watkins
Long	Potter	Welker
Malone	Russell	Williams
Martin	Schoeppel	Young

NAYS—50

Aiken	Hayden	Magnuson
Anderson	Hendrickson	Mansfield
Burke	Hennings	McClellan
Bush	Hill	Millikin
Carlson	Hoey	Morse
Clements	Holland	Murray
Cooper	Humphrey	Neely
Douglas	Ives	Pastore
Duff	Jackson	Purtell
Ferguson	Johnson, Tex.	Robertson
Flanders	Kefauver	Saltonstall
Frear	Kennedy	Smith, N. J.
Fulbright	Kerr	Sparkman
George	Kilgore	Thye
Gillette	Knowland	Upton
Gore	Lehman	Wiley
Green	Lennon	

NOT VOTING—4

Bridges	Monroney	Symington
McCarran		

So Mr. BRICKER's amendment to the amendment was rejected.

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

Mr. FERGUSON. Mr. President, I call up the amendment designated "2-23-54-A," and ask that it be stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, it is proposed to strike out all in lines 10 to 15 inclusive.

Mr. FERGUSON. This is an amendment to strike out from Senate Joint Resolution 1, as it was reported by the Committee on the Judiciary, on page 3, lines 10 to 15, inclusive. It is a perfecting amendment. I should like to refer to a reprint of the amendment, so that Senators may have a statement of the way the amendment would read after the language in lines 10 to 15, inclusive, on page 3, is stricken out.

I think it is clear that, as amendments go, it would be, in form, a proper amendment to the Constitution. Because the last amendment considered was rejected, I do not think any debate is required on this amendment to indicate why the language on page 3, lines 10 to 15, inclusive, should be stricken out, since that language is no longer applicable, having related to what was sought to be done heretofore.

So far as Senate Joint Resolution 1 is now concerned, it would provide:

A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.

The next amendment is known on the new print as section 2, page 3, and is as follows:

Clause 2 of Article VI of the Constitution of the United States is hereby amended by adding at the end thereof the following: "Notwithstanding the foregoing provisions of this clause, no treaty made after the establishment of this Constitution shall be the supreme law of the land unless made in pursuance of this Constitution."

The next section reads:

On the question of advising and consenting to the ratification of a treaty the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate.

The last section would be:

This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within 7 years from the date of its submission.

I do not believe any further debate is necessary on this particular question.

SEVERAL SENATORS. Vote! Vote!

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

The amendment was agreed to.

Mr. FERGUSON. I ask that the numbers be placed in the order in which they now appear.

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

Mr. MAGNUSON. Mr. President, will the Senator from Michigan yield for a question?

Mr. FERGUSON. I yield.

Mr. MAGNUSON. Several days ago I proposed an amendment which would also apply to executive agreements. The amendment is not designated by number. Would it be proper to call up that amendment now, or should it be called up later?

Mr. FERGUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. I desire to have the Chair answer the question propounded by the Senator from Washington.

The PRESIDING OFFICER. The Chair advises the Senator from Washington that the amendment would be in order now.

Mr. MAGNUSON. Before calling up the amendment, I wish to ask the Senator from Georgia a question. His proposal reads:

Section 2: An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.

The only difference between my proposal and that of the Senator from Georgia is that Congress would act, under its regular rules, and the yeas and nays would not be required. Is that the Senator's interpretation?

Mr. GEORGE. No; I think action might be taken without the yeas and nays, or it might be taken with the yeas and nays.

Mr. MAGNUSON. But if the yeas and nays were called for, in connection with a vote on an executive agreement, they would be ordered?

Mr. GEORGE. They would be ordered if they were called for by any Member.

Mr. MAGNUSON. Mr. President, with that explanation of section 2 of the George amendment, it would probably take care of what I had in mind, the only difference being that I would order the yeas and nays, whereas the George amendment would provide for an act of Congress, under the regular rules. After second thought and reflection, I think that might be better procedure, and I

ask unanimous consent to withdraw my amendment.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the amendment is withdrawn.

Mr. GEORGE. Mr. President, I now offer the substitute which I offered some days ago, at the beginning of the debate.

I should like to modify the substitute in one respect, at least. My substitute provided that, in lieu of the language proposed to be inserted by the committee on page 3, lines 5 to 19, inclusive, certain language be inserted. I do not know the number of the section, but I have no desire to strike out the section which requires the States to act upon the amendment within 7 years after its submission. I would not include that requirement in my substitute. I wish to modify the substitute to that extent.

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

Mr. GEORGE. I yield to the Senator from Florida.

Mr. HOLLAND. Does the Senator have any objection to including in his amendment the provision which requires the compulsory yea-and-nay vote?

Mr. GEORGE. I have no objection, but there are some who think such a provision should not be included in a constitutional amendment. I thought if the Senate were to adopt an amendment which would require a two-thirds vote and then have it go to the House of Representatives, it would be sufficient. I certainly have no objection to such a provision. I would vote for it.

Mr. McCLELLAN. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. McCLELLAN. After the Senator's substitute was agreed to, would an amendment inserting a provision requiring a two-thirds vote be in order?

The PRESIDING OFFICER. The Chair is informed that if the substitute is adopted, it would not be subject to further amendment.

Mr. McCLELLAN. Mr. President, a further parliamentary inquiry. Is the George substitute, in the manner in which it is now presented, open to amendment, and could an amendment to it be offered which would incorporate in it the requirement of a two-thirds vote?

The PRESIDING OFFICER. No; that would be an amendment in the third degree, and would not be in order.

Mr. McCLELLAN. If I may make an inquiry of the distinguished Senator from Georgia, as I understand the parliamentary situation, if the substitute is offered without a modification which would include a provision requiring a two-thirds vote, there would be no way by which it could be amended, either before adoption or after.

Mr. GEORGE. I think the statement of the Senator is correct. I am perfectly willing to modify my substitute further by including such a provision, which has already been agreed to by the Senate. I do not know which line it is, but my amendment should strike out all after a certain line down to a certain line. I think it might be well to understand I am not opposing an amendment which would require a yea-and-nay vote, about which the Senator from Florida [Mr. HOLLAND] and the Senator from Arkansas [Mr. McCLELLAN] have inquired. I am willing to include it.

I think some objection can be raised to it, but, since we already have the pattern of a yea-and-nay vote in the Constitution regarding the question of overriding a veto, I see no particular objection to it.

Mr. McCLELLAN. I understand that the Senator has now modified his proposed substitute to incorporate the amendment to the original Bricker amendment which was adopted, and which requires a yea-and-nay vote.

Mr. GEORGE. Exactly. Mr. President, I hope that is understood.

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

Mr. GEORGE. I yield.

Mr. HOLLAND. I am not quite clear on what the Senator has excepted from his substitute. Am I to understand that he is excepting from his substitute, and leaving in the Bricker amendment as it now is, as amended, section 5, requiring the compulsory yea-and-nay vote, and section 6, requiring that the amendment, if submitted, be acted upon within 7 years from the date of its submission?

Mr. GEORGE. The Senator is correct. I am adding nothing to my own substitute but those two independent sections, one of which relates to the period in which ratification must take place, that is, within 7 years after an amendment is submitted, and the other of which relates to the recording of the yea-and-nay vote on treaties.

Mr. HOLLAND. I thank the Senator.

Mr. GEORGE. Mr. President, I have no desire to discuss the substitute further. It has been discussed many times by many Members of this body.

I do wish to emphasize one point, namely, that it is not a new proposal. The Committee on the Judiciary of the Senate took testimony on all the proposed amendments. At least the substance of every proposed amendment, with one possible exception, which I am not embracing in my substitute, has been discussed in 1,266 pages of printed testimony. Every single phase of the issue which has been debated on the floor of the Senate was gone into in the hearings before the Committee on the Judiciary.

I wish to make just one more statement. I said, in the beginning of these debates, that the issue involved in the proposal to amend the Constitution was a divisive issue. I think it is. I regret that it is, because this is a time when our people should be united. I should like to see the issue settled, and that is why I have offered the substitute.

I could not fully agree with certain provisions of the committee amendment as reported. I did not think two provisions in particular were wise. I offered the substitute in the hope that we might be able to submit this matter at least to the House of Representatives, and, if the House concurred by a two-thirds vote, then the amendment could be submitted to the people of the States or the States themselves.

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

Mr. GEORGE. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Let me state what seems to me to be the principal difference between the present Bricker amendment as amended by the proposal of the Senator from Michigan [Mr. FERGUSON], in behalf of himself and other Senators, and the substitute proposed by the Senator from Georgia. The Bricker amendment, as amended by the amendment offered by the Senator from Michigan, adds the words, "treaty or international agreement that is in conflict with the Constitution."

Mr. GEORGE. Which is the same as my first section.

Mr. SALTONSTALL. There is no difference there?

Mr. GEORGE. There is no difference at all.

Mr. SALTONSTALL. The Senator from Michigan submits a proposal which amends article VI, clause 2, to add the words "in pursuance of the Constitution" to that clause; does he not?

Mr. GEORGE. He does. He proposes an amendment to the supremacy clause of the Constitution.

Mr. SALTONSTALL. Is not the principal difference between the proposal of the Senator from Georgia and the proposal, as now amended, of the Senator from Michigan as follows: Both the Senator from Georgia and the Senator from Michigan would provide that neither a treaty nor an international agreement shall be in conflict with the Constitution—on that point, there is no difference between the two Senators—and that a treaty shall be in pursuance of the Constitution——

Mr. GEORGE. I did not vote for that.

Mr. SALTONSTALL. The Senator from Georgia did not?

Mr. GEORGE. No.

Mr. SALTONSTALL. I understand that the Senator from Georgia proposes that in the case of an international agreement, Congress must act upon it affirmatively; as I understand, he would provide that an international agreement must be in conformity with the Constitution, and that Congress must act affirmatively in case internal law is concerned.

Mr. GEORGE. That is true.

Mr. SALTONSTALL. As I understand, the proposal of the Senator from Michigan is a negative one, namely, that such a treaty or international agreement shall not be in conflict with the Constitution, whereas the Senator from Georgia has advanced the affirmative proposal that action on such a matter would be required by Congress.

Mr. GEORGE. That is true, insofar as the internal law effect of such an international agreement is concerned—but not its external effect.

Mr. SALTONSTALL. Have I not thus stated the difference between the George substitute and the Bricker amendment, as proposed to be amended?

Mr. GEORGE. I think that is substantially correct.

Mr. CORDON. Mr. President, will the Senator from Georgia yield to me?

The PRESIDING OFFICER (Mr. BUSH in the chair). Does the Senator from Georgia yield to the Senator from Oregon?

Mr. GEORGE. I yield.

Mr. CORDON. Mr. President, my seat is behind that of the Senator from Georgia, and thus I could not clearly understand the modifications he has made in his amendment.

I should like to ask whether there is any modification in his amendment identified as "1-27-54-C," as he now offers it, as compared with the printed version. If so, what are the modifications? Will the Senator from Georgia state them in a few words?

Mr. GEORGE. No modifications have been made in the substitute as I originally submitted it; it remains in precisely the same language. However, I have added to my substitute—out of respect for the Members of the Senate, who could not amend my substitute, because such an amendment would be in the third degree—a provision for a yea-and-nay vote, a recorded vote.

Mr. CORDON. Nothing else has been added to the amendment?

Mr. GEORGE. There has also been added the other provision—in the original Bricker amendment—that the amendment must be ratified by the States within 7 years. But I have not changed anything whatever in the proposal I have made, except to add those two sections.

Mr. CORDON. And the amendment is now offered as a substitute for the entire Bricker amendment, as perfected; is that correct?

Mr. GEORGE. Yes; for the whole of the Bricker amendment.

Mr. CORDON. I thank the Senator from Georgia.

Mr. DANIEL. Mr. President, will the Senator from Georgia yield to me?

Mr. GEORGE. I yield.

Mr. DANIEL. Does the distinguished Senator from Georgia interpret section 1 of his substitute as, in effect, requiring that treaties and international agreements shall be made pursuant to the Constitution?

Mr. GEORGE. I do. Therefore I did not vote for the amendment offered by the Senator from California, the Senator from Michigan, and other Senators, which would have amended the supremacy clause of the Constitution; that is to say, that was one of the reasons why I did not vote for that amendment. There were other reasons why I could not bring myself to support it. I feared what might be said under it.

One thing which certainly would happen under it would be that it would open up for determination the validity of every treaty made from the time of the establishment of the Constitution to the present time, if any litigant in any court were to raise that issue.

However, I construe section 1 of the substitute, which relates to a provision of a treaty or other international agreement which conflicts with the Constitution, to be the same as saying, "which is not in confromity with this Constitution" or "which is not in pursuance of this Constitution." That would be my interpretation, although I do not know what the courts might hold.

Mr. DANIEL. I agree with the Senator from Georgia. I merely wished to be sure the RECORD showed that was his interpretation and his opinion of this section.

Mr. GEORGE. That is my intention, and that is my belief.

Mr. President, I wish to call the attention of the Senate to the fact that I am not proposing that a treaty or an international agreement which conflicts with the Constitution shall be of no force or effect. On the contrary, I am proposing that a provision of a treaty or international agreement which conflicts with or is not in conformity with or is not made in pursuance of the Constitution shall be of no force or effect. The other portions of such a treaty or international agreement might be perfectly valid. Under my amendment, only the bad parts of such a treaty or international agreement would be ineffective. That is all I have in mind.

Mr. DANIEL. I thank the Senator from Georgia.

Mr. GEORGE. I do not wish to go beyond that, and I do not think any other course would be safe.

Mr. President, my amendment has been discussed in full and I have no desire to discuss longer except to state that if anything is to be done in this field, now is the time to do it, because following the 44-43 vote on the amendment which relates to the supremacy clause, it is perfectly obvious that a two-thirds vote cannot be had in favor of the so-called Knowland-Ferguson amendment.

Mr. President, I am willing to submit the matter without further argument.

Mr. MORSE. Mr. President, I wish to make a brief statement in support of a motion to recommit which I shall make at the conclusion of my remarks.

In the first place, the record made by the Senate on the Bricker joint resolution and the George amendment is the best exhibit I can offer in support of my motion to recommit. That is true because the totality of that record is at least so confused that the people of the United States are entitled to have the joint resolution and all amendments to it returned to the committee for consideration by the constitutional experts who would be called before the committee to testify as to the legal meaning and consequences of some of the terms which now have crept into the proposed constitutional amendment, as it has been drafted on the floor of the Senate during the debate. The Senate owes that much to the judicial branch of the Government. We have the duty of returning this proposal to the Judiciary Committee, so that the experts can testify at hearings of the committee as to the legal effects of the proposed amendment in its present status of draftsmanship.

As I said in my argument the other day, Mr. President, the present proposal includes the phrase "internal law." That phrase has yet to be interpreted and adjudicated in any decision by the Supreme Court of the United States.

In reply to my statement on that point, it was said that in the majority report and in the minority views the phrase "internal law" is used a number of times. So it is, Mr. President, but it is not used there definitely. Other Senators told the Senate that on the basis of the assumption that the members of the committee knew what the legal consequences and implications would be if that phrase became a part of the Constitution of the United States, the proposal should be adopted.

Mr. President, that is not the way we should amend the Constitution. In a constitutional amendment we should not use for the first time a legal concept which has yet to be passed upon by the courts of the Nation without at least calling in expert witnesses to testify as to its legal meanings and effects. We should not incorporate such a concept into the Constitution until, at least, we have heard from experts superior to ourselves. In the United States there are many who should be called, as constitutional experts, to testify before the Judiciary Committee as to the effects and implications of the phrase "internal law."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD an analysis of the majority report and the minority views of the Judiciary Committee, showing the number of times the phrase "internal law" is used in them—but used nondefinitively. A record has not been made to date on the term "internal law" which is definitive in nature or which will help the courts in determining what the intent of Congress really was if the amendment is passed without further hearings.

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

FEBRUARY 16, 1954.

An examination of Senate Report No. 412 on Senate Joint Resolution 1 discloses that the words "internal law" appear the number of times indicated on the following pages of the report:

MAJORITY REPORT

Page 8: 3 times. (No definition or discussion of possible meaning.)

Page 11: 3 times. (No definition or discussion of possible meaning.)

Page 12: 1 time. (No definition or discussion of possible meaning.)

Page 13: 1 time. (No definition or discussion of possible meaning.)

Page 16: 1 time. Very general. No discussion of the kinds of State law or the nature of the effect of treaties and international agreements upon it.

Page 20: 1 time. Extradition treaties as internal law.

Page 23: 1 time. No definition or discussion of meaning of "internal law."

Page 30: 3 times. Reciprocal trade agreements as "internal law."

Page 33: 1 time. Reiterates provision of Senate Joint Resolution 1 as reported.

MINORITY VIEWS

Page 36: 3 times. Quotes from various versions of joint resolution. No definition or discussion of possible meaning.

Page 41: 3 times. Quotes from various versions of joint resolution. No definition or discussion of possible meaning.

Page 49: 1 time. Specifies types of laws subject to being overriden. All examples concern military and emergency international agreements by President as Commander in Chief.

Page 52: 1 time. Specifies civil aviation and communications. These subjects are already subject to congressional control under the commerce clause of the Constitution.

Page 57: 2 times. No specification. Quotes from joint resolution.

Page 58: 1 time. Examples of international agreements as internal law re extradition, narcotics, and alien rights.

Mr. MORSE. Mr. President, the argument is made that if we are to do anything about this problem this is the time to do it by passing some amendment developed out of the confused record of this long debate. I do not accept that premise either. Nor do I accept the argument that to recommit the joint resolution at this time is but a parliamentary device to kill it. I deny any such intention or motivation, because I believe that the recommittal of the joint resolution could result in bringing it forth again within 6 weeks if the Judiciary Committee does its job properly. This motion is not a device to kill it, but it is a sound, orderly proposal for bringing to bear upon the draftsmanship of the proposed constitutional amendment, as it has come to be drafted during the debate on the floor of the Senate, the judgment of outstanding constitutional experts as to what the effect of our debate really has been in terms of legal meanings and consequences.

If the Judiciary Committee does the job which I think it should do, by proceeding at once with hearings on the subject, it can certainly bring the joint resolution back within 6 weeks or 2 months at the most. That would still give us adequate time to pass in the Senate—if we decide to pass it—an amendment which really would have the benefit of careful analysis and a careful hearing before the Judiciary Committee, as well as a report based upon such consideration. I repeat that I think we owe it to the courts of the country to follow that course of action.

The last point I wish to make is by way of an answer to the argument that, politically speaking, this is the way to get the subject off our backs. It is not going to be done that way. In my judgment the chances are greater that no amendment will be passed than that one will be passed. I think we are pretty well agreed among ourselves that the only amendment which has a chance at the present moment is the George amendment, but I seriously doubt if it would come anywhere near receiving a two-thirds vote.

So we shall not solve the problem, so far as the political issue is concerned, by adopting the George amendment or by defeating the George amendment. I think the best way to solve it is to recommit the joint resolution to the committee, so that we may have an expert report on the legal meaning of the George amendment, and then take the results of that report to the American people and let them judge the public-policy question on the basis of such a hearing.

I close by saying that we owe it not only to the courts but to the people of the country, to give them the benefit of a Judiciary Committee hearing and a report on the implications, consequences, and legal effects of the George amendment as it has been drafted on the floor of the Senate.

Therefore, I most respectfully move that Senate Joint Resolution 1, with all the amendments attached thereto, including the substitute amendment, be recommitted to the Committee on the Judiciary.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE].

Mr. KNOWLAND. Mr. President, on the motion of the Senator from Oregon to recommit, I ask that the yeas and nays be ordered.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

Aiken	Goldwater	Mansfield
Anderson	Gore	Martin
Barrett	Green	Maybank
Beall	Griswold	McCarthy
Bennett	Hayden	McClellan
Bricker	Hendrickson	Millikin
Burke	Hennings	Morse
Bush	Hickenlooper	Mundt
Butler, Md.	Hill	Murray
Butler, Nebr.	Hoey	Neely
Byrd	Holland	Pastore
Capehart	Humphrey	Payne
Carlson	Hunt	Potter
Case	Ives	Purtell
Chavez	Jackson	Robertson
Clements	Jenner	Russell
Cooper	Johnson, Colo.	Saltonstall
Cordon	Johnson, Tex.	Schoeppel
Daniel	Johnston, S. C.	Smathers
Dirksen	Kefauver	Smith, Maine
Douglas	Kennedy	Smith, N. J.
Duff	Kerr	Sparkman
Dworshak	Kilgore	Stennis
Eastland	Knowland	Thye
Ellender	Kuchel	Upton
Ferguson	Langer	Watkins
Flanders	Lehman	Welker
Frear	Lennon	Wiley
Fulbright	Long	Williams
George	Magnuson	Young
Gillette	Malone	

The PRESIDING OFFICER. A quorum is present.

Mr. McCLELLAN. Mr. President, I shall not delay the vote on the motion to recommit but for a very few minutes. I oppose the motion to recommit. I do not ascribe to the author of the motion any dilatory tactics or the use of it as a device to delay final action on the pending resolution. There are those who may contend seriously and sincerely that the pending substitute should be recommitted to the Committee on the Judiciary for further study.

In my opinion it can hardly be said that the Committee on the Judiciary has not considered all of the implications and effects the substitute proposal would have on our organic law. I note from the printed hearings that the Committee on the Judiciary has had the original proposal under consideration since it began hearings on February 18, 1953. I observe, too, that the record of the hearings contains in excess of 1,200 pages. It contains evidence submitted before that committee on every aspect and viewpoint of the issue. Certainly the provisions of the substitute are in no sense more complicated, drastic, or far reaching in effect and implication than were the provisions of the original Senate Joint Resolution 1, which the committee has had under consideration and under study for more than 1 year.

The question resolves itself into a determination, a decision, as to whether we shall submit to the several States any constitutional amendment on this issue. Senators who want no constitutional amendment at all, Senators who feel that there is no evil that should be eliminated or corrected, Senators who are opposed to providing any further restraint over executive power, in my opinion, should vote to recommit. Senators who believe in trying to do what the distinguished Senator from Georgia has indicated he proposes to do, Senators who believe that at least a very minimum of restraint should be imposed, should vote against the motion to recommit, and should support the pending proposed substitute.

Mr. President, the substitute contains very simple language. It is language which is clear and understandable and is appropriate and suitable as fundamental law of the land. There is certainly nothing complicated about it. Let me read the first section. It says:

> A provision of a treaty or other international agreement which conflicts with this Constitution shall not be of any force or effect.

If I were to ask for a raising of hands of Senators present who believe that a treaty should be permitted to violate the Constitution of the United States, I wonder how many hands would be raised? I can hardly conceive any Senator would take that position.

Senators who believe that the treaty-making power should supersede the Constitution, that a new section of the Constitution might be written by the negotiation of a treaty, and by submitting that treaty to the Senate for a two-thirds vote, of course, will not vote for a proposal that will prevent changing the Constitution, as this proposal will prohibit it.

However, if Senators vote to recommit the substitute proposal offered by the senior Senator from Georgia, they will, in effect, by their vote take the untenable position that they are opposed to limiting a treaty to conform to the Constitution of the United States. The only other implication that could follow is that they favor the process of vesting a power in the President of the United States to negotiate a treaty and a power in two-thirds of the Senate alone to ratify a treaty that would supersede the Constitution, or to negotiate and adopt a treaty which would conflict with it. I oppose any such power. If any such power, by any strained interpretation now exists, I want by my vote to offer to the people of this country and to the several States of this Nation for adoption a constitutional provision which will remove and prohibit it.

I go to the second section of the George substitute. Certainly it is a very plain and understandable proposal. It contains no ambiguity. It reads:

> An international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress.

The Supreme Court has held, I believe unfortunately so, that an executive agreement made under the authority of the United States, as is the Constitution at present, is akin to, and has the same force and effect and is as binding upon this Government and on the several States, as is a treaty.

What is an executive agreement? It is said it cannot be defined. It is any agreement made by our President with a foreign government which is not submitted to the Senate as a treaty, or any agreement which is made under the authority of the presently existing Constitution, or any internal agreement or compact which is made by the Executive and is not submitted to the Senate in the form of a treaty for ratification. That is what an executive agreement is, and that is what this section in the George substitute is undertaking to reach.

There are many executive agreements or international agreements which have been entered into, which are binding upon our country and upon this Government and upon the several States of this Nation which have never been submitted to the Senate for ratification, and never submitted for legislative action. Under the holdings of the Supreme Court those international agreements are today the supreme law of the land.

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

Mr. McCLELLAN. I yield to the Senator from Missouri.

Mr. HENNINGS I do not wish to interrupt the Senator from Arkansas frequently, and I know we are all interested in saving time and in coming to a vote. However, I should like to ask the Senator a question, if he will indulge me.

The Senator has suggested, as I understand him, that presently an executive agreement is anything that is not a treaty and, consequently, not submitted to the Senate.

Mr. McCLELLAN. I do not know of any other way to differentiate between the two.

Mr. HENNINGS. That is what I am getting at. I am seeking enlightenment, and I am certain other Senators are also, and I wonder whether the Senator can furnish it. Can the Senator, if he knows not the distinction between an executive agreement and a treaty, save that a treaty is something that comes to the Senate to be ratified an executive agreement does not come to the Senate to be ratified, what the distinction will be, in the event of the adoption of the George substitute, between a treaty and an executive agreement, other than to suggest the distinction in the mind, determination, and purpose of the Executive in employing either an executive agreement or a treaty.

Mr. McCLELLAN. Mr. President, I do not think the proposed substitute will change the present situation with respect to the difference between a treaty and an executive agreement. But I will tell the Senator what it will do. That is what concerns me, and that is why I support the substitute. There will be no future executive agreements or international compacts that are secret, about which we know nothing, which nullify the Constitution or change the law of any State of the Union, until and unless they are submitted to the Congress and legislation is enacted to implement and enforce them. That is the difference.

Mr. HENNINGS. Mr. President, will the Senator from Arkansas yield further?

Mr. McCLELLAN. I yield.

Mr. HENNINGS. I do not wish to go into it any further. This is the last time I shall interrupt the Senator.

Does the Senator suggest that so-called secret agreements and secret understandings which take the form of executive agreements do not affect internal law until they are published, assuming we know what the phrase "internal law" means, which John W. Davis says he does not?

Mr. McCLELLAN. When such an agreement is published it may then be discovered that the act of a citizen may be a violation of it, or his rights may not have been protected.

Mr. HENNINGS. Does the Senator suggest that any citizen would be prosecutable in such an instance?

Mr. McCLELLAN. He might very well lose his property rights.

Mr. HENNINGS. Before the publication of the agreement?

Mr. McCLELLAN. No; I did not say that. But he may very well lose his property rights.

Mr. HENNINGS. I cannot agree with my friend, but I shall not take his time any further.

Mr. McCLELLAN. I point out, Mr. President, that international agreements are being entered into all over the world, committing this Government to construct many large military installations. They are made upon certain conditions, concessions, and agreements, and all that the Congress of the United States knows about them, in most instances, is that we are supposed to make appropriations and spend the taxpayers' money in carrying out their terms. We do not know what are the terms, conditions, and obligations involved.

Mr. President, I feel that in the protection of America in this day of multitudinous foreign entanglements, the people have a right to know what is in them. And this Congress has the right to pass, by legislative processes, upon any international agreement or compact which reaches beyond international boundaries and into the sovereignty of States or which have the effect of repealing or nullifying the laws of the States of this Union.

Mr. HENNINGS. Mr. President, will the Senator from Arkansas yield for a further question?

Mr. McCLELLAN. I yield.

Mr. HENNINGS. The Senator is aware, is he not, that there are thousands, literally tens of thousands, of executive agreements which have been made within recent years? They probably run into thousands a year, do they not?

Mr. McCLELLAN. I am sure the making of such agreements has been greatly accelerated and increased in the past few years; and thus the danger inherent in them is greater than ever before during our national existence.

Mr. HENNINGS. Most of them are made, presumably, in furtherance of a bargain between the United States of America and nations abroad.

Mr. McCLELLAN. That is correct.

Mr. HENNINGS. We give something and we get something.

Mr. McCLELLAN. Yes; but we do not always know what we are getting.

Mr. HENNINGS. We should know.

Mr. McCLELLAN. Certainly we should. I agree with the Senator.

Mr. HENNINGS. If the Senator will bear with me for a moment, does the Senator recall any international agreement which he thinks was particularly hurtful or injurious?

Mr. McCLELLAN. There are many which have been proposed which would be very detrimental.

Mr. HENNINGS. But the Senator knows of none which have been made which are detrimental?

Mr. McCLELLAN. I will say this to the Senator, that at the time the Constitution was adopted we were living in a philosophy of beware of foreign entanglements. Today we are living in a philosophy of assuming a large measure of world responsibility in accordance with our position in the family of nations which our economic power and our position would require us to assume. But, Mr. President, at the same time, I do not want a loose power reposed in the President of the United States that will permit him to make an international agreement that will have the effect of amending the Constitution of the United States or any provision of the constitution of any State, or nullifies internal law or affects it in any way, without that agreement being openly presented and being implemented by the Congress through legislation.

That is the only principle that the substitute before us undertakes to establish and to safeguard. That principle is sound. With the world situation what it is, and with the great number of agreements that are being made today, as referred to by the distinguished Senator from Missouri, it strengthens the position of those of us who are apprehensive. We know that such agreements have been made and are being made. We can provide a great measure of protection by adopting this provision in the Constitution, at least by submitting it to the several States for their judicious determination and approval.

Mr. HENNINGS. May I ask the distinguished Senator one further question?

Mr. McCLELLAN. Certainly.

Mr. HENNINGS. Of course, through a so-called entangling alliance with France, we won our independence. I do not want to argue with my friend, whose legal qualifications and statesmanlike qualities no one knows better than I. He knows how I feel about him.

Mr. McCLELLAN. I thank the distinguished Senator for his compliments.

Mr. HENNINGS. But what disturbs me is this: The Senator has indicated that because of a proliferation, because of the vast number of executive agreements being made, we should adopt the substitute which is now before us, which might, or might not, inhibit the number of such agreements. But the Senator

has conceded that the President can still act either by the treaty method or the agreement method to achieve an end. We have no definition or line of distinction or demarcation as to what may be a treaty and what may be an agreement. If the document comes to the Senate it is a treaty, and if it does not, it is an executive agreement.

Mr. McCLELLAN. May I interrupt the distinguished Senator at that point, to point out that if this proposal is adopted, then an executive agreement must be submitted. The Senator agrees to that, does he not?

Mr. HENNINGS. That is exactly the point I am trying to reach.

Mr. McCLELLAN. The President makes the first decision. If it is submitted to the Senate or to the Congress as an executive agreement and this body then concludes that the President is wrong, and it should be submitted in the form of a treaty, the Senate by a majority vote can require it to be submitted as a treaty.

Mr. HENNINGS. Granted that the President may use an executive agreement or a treaty; granted that a treaty comes to the Senate for ratification and an executive agreement does not; granted that the President may execute it, if the amendment of the distinguished Senator from Georgia be adopted, the President can still conduct our international relations by executive agreement, can he not?

Mr. McCLELLAN. He certainly can. That is he can still make agreements.

Mr. HENNINGS. Then, when we speak about that which may affect internal law, or, to use another phrase, domestic law, according to the amendment of the learned Senator from Georgia, in determining whether an executive agreement shall be submitted to Congress for action by the Senate and House, would it not be the President who would determine whether there was contained in the executive agreement anything which would have an impact upon domestic or internal law? Would it not, after all, essentially be the President himself who would determine, first, whether he wished to use the form of a treaty or of an executive agreement; and second, if he used one or the other, would he not decide whether it affected internal law?

Mr. McCLELLAN. The President might make the initial determination. But if, in fact, the treaty or agreement affect internal law, then the President's decision would be a mistake of judgment, which could be corrected. The courts then could provide a remedy, and a citizen's rights would be protected, despite the President's erroneous decision. That is what I want accomplished.

Mr. President, I do not wish to take up more time. I simply desired to state my position. I believe there is great need for a constitutional amendment in this field. Therefore, I do not believe the argument that the question should be restudied is at all persuasive, in view of the very simplicity of the language of the amendment and its clear import.

The whole subject matter, including every phase and angle of it, has had meticulous consideration over a long period, beginning with the time when the original proposal was before the Committee on the Judiciary, and I do not find it is necessary to resubmit it for further study. I believe the proposal in its present form is understood by every Member of the Senate. All Senators know what its effect would be. They have every reason to understand how the courts would interpret it, or how they would be compelled to interpret it.

I think the Senate should reject the motion to recommit, adopt the substitute, and proceed to final passage of the resolution as amended.

SEVERAL SENATORS. Vote! Vote!

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Oregon [Mr. MORSE] to recommit. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES] is absent by leave of the Senate on official business of the Senate.

Mr. CLEMENTS. I announce that the Senator from Nevada [Mr. McCARRAN], and the Senator from Oklahoma [Mr. MONRONEY], both of whom are absent on official business, are paired on this vote. If present and voting, the Senator from Oklahoma would vote "yea," and the Senator from Nevada would vote "nay."

The Senator from Missouri [Mr. SYMINGTON] is absent by leave of the Senate on official business of the Senate.

The result was announced—yeas 18, nays 74, as follows:

YEAS—18

Douglas	Humphrey	Morse
Fulbright	Jackson	Murray
Gillette	Kennedy	Neely
Hayden	Kilgore	Pastore
Hennings	Lehman	Sparkman
Hill	Magnuson	Wiley

NAYS—74

Aiken	Flanders	Mansfield
Anderson	Frear	Martin
Barrett	George	Maybank
Beall	Goldwater	McCarthy
Bennett	Gore	McClellan
Bricker	Green	Millikin
Burke	Griswold	Mundt
Bush	Hendrickson	Payne
Butler, Md.	Hickenlooper	Potter
Butler, Nebr.	Hoey	Purtell
Byrd	Holland	Robertson
Capehart	Hunt	Russell
Carlson	Ives	Saltonstall
Case	Jenner	Schoeppel
Chavez	Johnson, Colo.	Smathers
Clements	Johnson, Tex.	Smith, Maine
Cooper	Johnston, S. C.	Smith, N. J.
Cordon	Kefauver	Stennis
Daniel	Kerr	Thye
Dirksen	Knowland	Upton
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Eastland	Lennon	Williams
Ellender	Long	Young
Ferguson	Malone	

NOT VOTING—4

Bridges	Monroney	Symington
McCarran		

So Mr. MORSE's motion to recommit was rejected.

PROGRAM FOR TOMORROW

Mr. KNOWLAND. Mr. President, for the information of the Senate, it is not expected that additional votes on the Bricker amendment will be taken tonight, but I wish to ask unanimous consent that the amendment presented by the distinguished Senator from Michigan, in its final form, may be printed and be available to Senators tomorrow and that the amendment, in its perfected form, presented by the distinguished Senator from Georgia, may be printed in its final form, so that both amendments will be on the desks of the Senators tomorrow when the Senate acts on the pending joint resolution.

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

Mr. KNOWLAND. I am very hopeful that the Senate may be in a position to complete action on the joint resolution tomorrow at a reasonable hour. If so, I would not expect to recommend to the Senate that there be a Saturday session. However, I would wish to reserve judgment on my recommendation in the event the Senate does not complete action on the proposed constitutional amendment tomorrow.

I should also like to have the Senate advised of the fact that it will have for consideration tomorrow a conference report, which is a privileged matter, relating to the retirement benefits of legislative officers and employees and members of Congress. I call attention to the fact that it may be called up tomorrow, so Senators may have ample notice.

COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. KNOWLAND. Mr. President, I have discussed with the distinguished minority leader, the Senator from Texas, a bill which passed the House today. It is very short, and I ask unanimous consent that it be considered this evening. First I ask that the clerk read it, for the information of the Senate.

The bill (H. R. 8069) to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations, was read the first time by title and the second time at length, as follows:

Be it enacted, etc., That subsection (c) of section 3 of the act of July 10, 1953, entitled "An act to establish a Commission on Intergovernmental Relations," is hereby amended to read as follows:

"(c) The Commission, not later than March 1, 1955, shall submit to the President for transmittal to the Congress its final report, including recommendations for legislative action; and the Commission may also from time to time make to the President such earlier reports as the President may request or as the Commission deems appropriate."

SEC. 2. Section 6 of such act of July 10, 1953, is hereby amended to read as follows:

"TERMINATION OF THE COMMISSION

"SEC. 6. The Commission shall cease to exist at the close of business on March 1, 1955."

The PRESIDING OFFICER. Is there objection to the request of the Senator from California?

Mr. JOHNSON of Texas. Mr. President, will the Senator yield for a question?

Mr. KNOWLAND. I yield to the distinguished minority leader.

Mr. JOHNSON of Texas. I have discussed the proposed legislation with the

Democratic Members of the Commission, and we have no objection to the passage of the bill.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill? The Chair hears none.

Mr. FERGUSON. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from Michigan.

Mr. FERGUSON. The bill would extend the authority of the Commission on Intergovernmental Relations to complete its work and to make its report from March 1 of this year to March 1 of next year, when it will expire. As one of the co-sponsors of the original legislation, I had hoped the Senate might pass the bill today, in order that the Commission might not pass out of existence. I hope it will pass in its present form, because the House of Representatives, which passed it today, is not in session.

Mr. ELLENDER. Mr. President, will the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from Louisiana.

Mr. ELLENDER. Will the Senator from Michigan give us his assurance that the Commission will end its work in another year?

Mr. FERGUSON. The Senator from Michigan feels certain that the Senate will not be asked to extend the life of the Commission beyond another year. It is the hope and the desire of the administration that the work of the Commission will be completed at an early date. I know every effort will be exerted to that end.

Mr. ELLENDER. I hope the Senate will not be asked to extend it any longer.

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

Mr. KNOWLAND. I yield to the Senator from Indiana.

Mr. CAPEHART. Is the Senator referring to the Manion Commission?

Mr. FERGUSON. The Senator is correct.

Mr. CAPEHART. Who is going to be the Chairman of the Commission?

Mr. FERGUSON. That will depend on the appointing power.

Mr. CAPEHART. Mr. President, I object to considering the bill tonight, because I wish to go into it to some extent. I do not like the way a fellow Hoosier has been treated. No one had informed me that the bill would be considered tonight.

The PRESIDING OFFICER. The Senator from Indiana is advised that his objection is too late, and that no objection was offered to the present consideration of the bill.

Mr. CAPEHART. Mr. President, that cannot possibly be true.

The PRESIDING OFFICER. The Chair asked if there was any objection to the present consideration of the bill, and the Chair thought he heard none. Therefore, the bill is under consideration.

Mr. CAPEHART. I object.

The PRESIDING OFFICER. The Chair did not hear the objection until this moment.

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

Mr. CAPEHART. I do not think I have the floor, but I am glad to yield.

Mr. FERGUSON. I hope the Senator will not object to present consideration of the bill. The question involved is merely whether the Commission shall continue its work.

Mr. CAPEHART. Why is it so important to act on the bill presently?

Mr. FERGUSON. Unless the bill is passed, the power of the Commission to make its report, will expire on the first day of March, 1954. The fact that there is no chairman of the Commission should not stop the Commission from doing its work.

Mr. CAPEHART. Does the Senator mean the life of the Commission will expire on March 1st?

Mr. FERGUSON. The power of the Commission to make its report and complete its work will expire on March 1, 1954.

Mr. CAPEHART. That is provided by law?

Mr. KNOWLAND. That is provided by law.

Mr. CAPEHART. Then my good friend from Indiana could have remained as Chairman of the Commission until March 1, and the Commission would have expired at that time. Did Mr. Adams or the President know the life of the Commission was going to be renewed? Did they go completely out of their way to slap down a great American for a matter of 6 or 7 or 10 days?

Mr. FERGUSON. I would say they must have considered that the Commission would complete its work.

Mr. CAPEHART. The life of the Commission is to expire automatically on March 1; is it not?

The PRESIDING OFFICER. The Chair wishes to state that if the Senator from Indiana insists that he did object at the time his objection should have been heard, the Chair will sustain the objection.

Mr. CAPEHART. I did object. I reserved the right. I should like to discuss this matter a little bit. Then perhaps I shall not object. The situation is that the Commission is to expire, as I understand, on March 1.

Mr. FERGUSON. The power of the Commission to make its report will cease then.

Mr. CAPEHART. A citizen of Indiana was Chairman of the Commission which, as I understand, would have expired on March 1, and within about 10 days of that date he was deliberately fired, when those who fired him knew that the life of the Commission was to expire on March 1. They did not know at the White House that the life of the Commission was to be extended for another year.

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

Mr. CAPEHART. Yes, I am glad to yield.

Mr. CORDON. Mr. President, as a member of the Commission, I can say to the Senator that the White House knew the Commission could not get its work done within the time prescribed in the act. That was known months ago. The Chairman, Dr. Manion, was one of those who joined with others of us in the thought that we should make application—as is done in the bill—for an extension of time, in order that the Commission might have a fair chance to explore at least the areas into which it had commenced investigation. It was for that reason that the bill was introduced. But the facts were known at the White House and were known to the Commission; and the proposed action is that requested by Dr. Manion.

Mr. CAPEHART. If they knew it was going to be necessary, why did they wait until the last minute to request the renewal—at a time when no one of us has a chance to debate or argue the matter?

Mr. CORDON. I cannot answer that question.

Mr. KNOWLAND. Mr. President——

Mr. CAPEHART. I yield.

Mr. KNOWLAND. Mr. President, I thought I yielded to the Senator from Indiana, but I shall not press the point.

I wish to ask the Senator from Oregon if it is correct, as I understand, that the request for a 1-year extension was made as a result of the unanimous vote of the Commission.

Mr. CORDON. That is my impression. In the Commission there was unanimity of opinion. As to whether the vote was unanimous, I cannot say; but I am under the impression that was the case.

Mr. CAPEHART. Mr. President, I was away when this matter came up, but I want the world to know that I think this is a most unfortunate situation. It seems that if a Member of the Senate wishes to have anything done for his State, either by the Senate or the administration, he must begin to object and to obstruct. I do not like the way some things are happening.

I want the world to know that; I want the majority leader to know it; I want the President to know it; I want Mr. Adams to know it; and I want others to know it. Frankly, I, for one, am getting a little bit tired of being kicked around. I think that is true of other Members of the Senate who are just being kicked around. Unless we walk right up and put our heads in the noose and say, "Boys, do whatever you want to do," it seems that we get pushed around and kicked around. I am not in favor of that. I wanted the world to know it, and I wanted the President and Mr. Adams and the Independent Party, if you please, and the Democratic Party, and the Republican Party to know it.

Mr. MORSE. I already know it. [Laughter.]

Mr. CAPEHART. Mr. President, I am not angry about it. I am in good humor about it, but I want them to know that I do not like it.

With that explanation, I withdraw my objection.

The PRESIDING OFFICER. Is there objection?

Mr. WELKER. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. WELKER. How much time is to be allowed?

Mr. KNOWLAND. One year.

Mr. WELKER. When does the time expire?

Mr. KNOWLAND. On March 1, 1955.

Mr. WELKER. Then we have some little time to deliberate the matter.

Mr. KNOWLAND. No. The present law expires on March 1, 1954. This bill proposed that the time be extended 1 year.

The House passed the bill today. The House is now in recess, and the present law will expire if the Senate does not act.

Mr. WELKER. Mr. President, reserving the right to object, let me ask why we cannot postpone this bill until tomorrow.

Mr. KNOWLAND. Only for the reason that on tomorrow we shall have a fairly heavy program. We shall have the Bricker amendment, the conference report on retirement, and an appropriation bill. I hope we shall not have to have a night session tomorrow night. I do not wish to request a Saturday session.

I had consulted with Senators on the other side of the aisle, after the distinguished chairman had brought this matter to my attention.

Under all the circumstances, I was very hopeful that we could dispose of the bill tonight, so we would not unduly delay the proceedings tomorrow.

No Senator would be foreclosed from discussing the case of Dr. Manion or anything else he might wish to discuss, as the able Senator from Idaho knows. So I plead with him to let this bill be passed.

Mr. WELKER. Mr. President, I am always willing to cooperate with my distinguished friend, the majority leader. But here we find ourselves in a position where none of us has heard about this matter, which comes before us at the late hour of 6:15 p. m. Perhaps some of us would like to study the matter a little. Like the distinguished senior Senator from Indiana [Mr. CAPEHART], I am not too happy about this situation.

Mr. JOHNSON of Texas. Mr. President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. I appreciate so very much the excellent cooperation of the majority leader, so far as a night session this evening is concerned, that I wish to reciprocate as much as I can.

When he presented the bill, I had the Members on this side of the aisle analyze it and evaluate it. We were somewhat disappointed, because we understood that last year was a study year, but we thought this year we would have a chance to study the studies. [Laughter.]

But under the bill, an additional year is requested, in order to permit the study to be continued. While we regret to see a report postponed that long, we are willing to go along, because of the unusual circumstances in which the Administration finds itself.

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

Mr. MAYBANK. I object.

The PRESIDING OFFICER. Objection is heard.

Mr. WELKER. Mr. President, who objected?

Mr. MAYBANK. I objected.

The PRESIDING OFFICER. Objection being heard, the bill will lie on the table.

RECESS

Mr. KNOWLAND. I move that the Senate stand in recess until tomorrow at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 20 minutes p. m.) the Senate took a recess until tomorrow, Friday, February 26, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate February 25, 1954:

UNITED STATES ATTORNEY

Theodore F. Stevens, of Alaska, to be United States attorney for division No. 4, district of Alaska, vice Everett W. Hepp, resigned.

UNITED STATES MARSHALS

Charles Peyton McKnight, Jr., of Texas, to be United States marshal for the eastern district of Texas, vice Stanford C. Stiles, whose term expires February 28, 1954.

William Raab, of Nebraska, to be United States marshal for the district of Nebraska, vice Frank Golden, resigned.

Hobart Kelliston McDowell, of Texas, to be United States marshal for the northern district of Texas, vice James R. Wright, resigned.

PROMOTIONS IN THE REGULAR ARMY

The following-named officers for promotion in the Regular Army of the United States under the provisions of sections 502 and 510 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

TO BE COLONEL

Leland Francis Adair, O41473.
Frank Adams, O51189.
Daniel Wayne Allison, O29071.
Robert Marshall Bacher, O51045.
×Richard Lee Baldwin, O29113.
Aaron Bank, O28959.
Cletos Otho Bennett, O28966.
Curtis Hargrave Bennett, O41821.
George Walter Frank Biles, O39590.
Charles Henry Blumenfeld, O29763.
Lewis Alexander Bonifay, O29040.
John William Bowen, O18904.
Fred Brasted, O41854.
Gilbert Guion Brinckerhoff, Jr., O41686.
Henry Chesnutt Britt, O18891.
Kirk Patrick Brock, O41650.
Clarence O. Brunner, O29456.
Roy Thomas Bucy, O51188.
R. Beverly Caldwell, O51185.
Ross Rowland Caldwell, O51111.
×Peter Duryea Calyer, O17116.
×Hugh Thomas Cary, O18845.
William Turner Cathcart, O41521.
Arthur Clark Cheyne, O29512.
Carl Francis Chirico, O29506.
James Madison Churchill, Jr., O18907.
Robert Anthony Cliffe, O29515.
Theodore Philip Coates, O41480.
×Loris Ray Cochran, O18889.
Howard Coleman, O29457.
James Walker Connor, O29479.
Jewell Howard Cook, O39595.
John Garnett Coughlin, O18898.
Thomas Joseph Counihan, O17183.
James Winfield Coutts, O18875.
John Francis Cox, O41534.
Ronald Bryce Currens, O41816.
James Chase Damron, O41793.
Charles Salvatore D'Orsa, O18866.
George Thigpen Duncan, O18878.
×Kenneth Alfred Eddy, O29014.
Frederic Nelson Eichorn, O39636.
Marvin Columbus Ellison, O41494.
×Herbert Fred Farmer, O39704.
Louis Joseph Ferony, O50979.
William Floyd Foster, O51016.
Edwin George Fritz, O51063.
Russell Dwight Funk, O42067.
×Arville Ward Gillette, O18883.
Dan Gilmer, O18876.
Joe Edwin Golden, O18872.
×Ira Wellington Grande, O29503.
Clebert Leon Hail, O17779.
Robert Guy Haines, O29460.
Thomas Robertson Hannah, O18899.
Kenneth Kalmar Hansen, O29481.
William Virgil Harber, O39578.
Harley Douglas Harpold, O41831.
Marvin Hays, O41826.
Edward Blackburn Hempstead, O17649.
Charles Gates Herman, O18885.
Gerald Joseph Higgins, O19530.
Alton Arrington Hill, O29384.
Francis Hill, O19058.
Samuel Thomas Hill, O41680.
×Frederick Milton Hinshaw, O18867.
Harry Ernest Hornecker, O29082.
Frank Musser Hosterman, O38631.
William Hand Browne Howard, O39613.
Jerome Hubbard, O41814.
Roscoe Constantine Huggins, O18851.
Sydney Frank Hyde, O29035.
Rupert Ingram, O51103.
Edward Bedell James, O41549.
×Maximiano Saqui Janairo, O18098.
Clarence Melvin Jennings, O41643.
William Elton Kaley, O41818.
×O'Neill Keren Kane, O18150.
John William Keating, O18897.
Henry Alexander Keller, O39637.
Theodore Douglas Kern, O51209.
Stanley Adolph Kretlow, O39708.
John Christopher Lackas, O29366.
×Lawrence Donald Lally, O41674.
Charles Pirie Law, O41684.
Benjamin Albert Lentz, O29401.
Berkley Read Lewis, O29065.
Clarence Shirley Lewis, O29039.
John Cook Light, O39611.
Julian Broster Lindsey, O17772.
Harold Matheson Lindstrom, O28932.
Winton Henry Loveless, O39643.
John Joseph MacFarland, O18100.
Thomas Henry Magness, Jr., O51199.
Walter Danley McCahan, O28936.
Gerald Patrick McCarthy, O41617.
Joseph Maney McCarthy, O29043.
×Charles John McCormick, O51083.
Thomas Randall McDonald, O18892.
Robert Joseph McDuff, O28976.
Upton Albert McGill, O41659.
Alton Oscar McLane, O38658.
William Anderson McNulty, O18871.
Harry Theodore Meyers, O41608.
Edward Gibson Miller, O41633.
×Harold William Miner, O51102.
Roy Edwin Moore, O18880.
Montescue Theodore Moree, O41834.
Sam Francis Muffie, O51201.
Clarence Joseph Murphy, O39647.
Ruel Raymond Neiger, O39576.
Vardell Edwards Nesmith, O39669.
×Stephen Laird Nichols, O28844.
Charles Mason O'Donnell, O29010.
×James Dupree Ogletree, O29492.
Edward Julian Ormiston, O29015.
Wayland Henry Parr, O17565.
Ralph Emerson Pearson, O51077.
Maurice Anthony Peerenboom, O39684.
Wendell Woody Perham, O28999.
×Herbert Lloyd Phyfe, O29390.
Lunsford Clay Pittman, O39586.
Alfred Prahinski, O41620.
×William Clemens Pritchard, O29455.
Raymond Russell Ramsey, O29470.
Clarence Edward Read, O39602.
Frederick Wells Reese, O39600.
×Harry Brownwell Reubel, O29050.
William Pitt Ring, Jr., O29467.
Willis George Robbins, O51081.
×William Ray Robinette, O29539.
×John Edward Rogers, O41505.
Harold Carlos Rowe, O29413.
Charles Frederick Russe, O50967.

Ernest Allen Sallee, O41523.
Thomas Eason Sams, O28989.
×William Otto Schlotter, O41495.
Howard Ignatius Schmitt, O50987.
David Peter Schorr, Jr., O18861.
Arthur Lloyd Selby, O38669.
Leland Claypool Shannon, O29346.
William Summers Shoemaker, O39694.
Ernest Entler Smith, O29418.
George Waite Smith, O29013.
Lon Harley Smith, O18854.
Morton Solomon, O51002.
John Melvin Stark, O39622.
Ernest La Verne Stockton, O39560.
Frank Rockwell Swoger, O29429.
Kenneth Hensley Tando, O39695.
Homer Downing Thomas, O41621.
Hundley Thompson, O41663.
Millard Thompson, O28951.
John Day Tolman, O51191.
Admiral Brinkley Trammell, O41501.
Joseph Henry Twyman, Jr., O18116.
Hugh Anderson Vest, O39692.
Luster Azil Vickrey, O17592.
Homer Reamer Wallar, O51196.
Leon Wendell Walton, O29062.
×Frederick Reginia Weber, O18148.
George Winship Weego, O41484.
John Clinton Welborn, O18863.
Edmund David White, O29077.
Howard Raymond Whittaker, O29408.
Homer Widmann, O29032.
Harry Elsworth Wilbert, O41539.
Basil Emerson Williams, O51025.
×Zack Maroney Williams, O50966.
William Edward Williamson, O50970.
John Lea Wilson, Jr., O39587.
×Minor Keith Wilson, O41626.
Raymond Carlyle Woodes, O29067.
George Edward Woods, Jr., O41840.
Herbert William Wurtzler, O39596.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of sections 502 and 509 of the Officer Personnel Act of 1947. All officers are subject to physical examination required by law.

TO BE CAPTAIN, JUDGE ADVOCATE GENERAL'S CORPS

×Edwin Forrest Ammerman, O63841.
×Paul Eugene Beckman, O66135.
×Eugene Julian Bell, Jr., O63676.
×William Alfred Cameron, O68331.
×Lawrence Woolf Caruthers, O67554.
×Joseph Carroll Chandler, O66142.
×Vernon Mercer Culpepper, O66145.
×Robert Nelson DuRant, O63803.
×Dan Henry Farr, O65554.
×John Edmond Flick, O64988.
×Milton Pritchett Garner, O68187.
×Morris Goldschlager, O65593.
×James Andrew Hagan, O66003.
×Guy Andrews Hamlin, O63740.
×Ralph Brock Hammack, O66004.
×James Reed Harrington, O66158.
×Roland DeWitt Hartshorn, O66010.
×James Victor Harvey, O68012.
×Bueford Gilbert Herbert, O64986.
×Morris Douglas Hodges, O65549.
×William Allison Horger, O63844.
×James Cornelius Hughes, O66024.
×Heyward George Jeffers, Jr., O66166.
×Reid William Kennedy, Jr., O68366.
×Malcolm Lee McCain, O64989.
×Shelton Ross Nelson, O65687.
×John Irving Nevin, O63804.
×Thomas Calvin Oldham, O66188.
×George Van Wyck Pope, Jr., O63485.
×Charles Mathew Powell, Jr., O65475.
×John Coleman Powell, Jr., O68395.
×Bernard Antony Ramundo, O65586.
×Richard Leo Rice, O65690.
×Francis Kost Richwine, O66084.
×Harry Earle Robbins, Jr., O66197.
×Wayne Guthrie Roberts, O63486.
×Edwin Morgan Schmidt, O63677.
×Donald Lyle Shaneyfelt, O64987.
×Billy Joe Shuman, O66098.
×Arthur Roland Slade, Jr., O63741.
×John Andy Smith, Jr., O63843.
×James Elsworth Stodgel, O67963.
×Charles Holland Taylor, O66641.
×Henry Russell Thomas, O65548.
×Robert Parrish Tomlinson, O65545.
×Jack Gorman Van Deventer, O65701.
×Hugh Tabor Verano, O64992.
×Howard Vincent, O65703.
×William Alexander Watt, O63742.
×Luther Charles West, O65704.
×John William Whelan, O64990.
×Edwin Hardy White, O66120.
×Wayne Graham Williams, O65550.
×Dennis Alexander York, O66212.
×Charles Arthur Zuccardy, O64991.

TO BE CAPTAIN, CHAPLAINS

×Kenneth Glenn Irwin, O66165.
×Edwin Allen Jones, O66168.
×Paul Ernst Klett, O67588.
×William Edward Paul, Jr., O67603.
×Lewis Burleigh Sheen, O67615.

TO BE CAPTAIN, MEDICAL CORPS

×Robert Vincent Anderson, O67548.
×Silas Michael Babin, Jr., O67549.
×Grover Cleveland Bolin, Jr., O65683.
×Glenn Brigham Burt, Jr., O66614.
×Harry Alvin Claypool, O67907.
×Jerald Rhodes Cureton, O67807.
×Vincent Keet Cutshall, O67562.
×Vincent Louis de Ciutiis, O65976.
×Thomas Sinclair Evilsizer, Jr., O69917.
×Robert Eugene Feighny, O67568.
×George Paul Foley, O67572.
×William Richard Howard, O67828.
×Clifford Clayton Lardinois, Sr., O67590.
×Philip Jhune Whan Lee, O67592.
×Bert Grover Leigh, O67593.
×Robert Vincent Locke, O67594.
×Thomas Ernest Mattingly, Jr., O67596.
×Foster Collins McCaleb, Jr., O67842.
×Christopher Ludwig Mengis, O69529.
×Clarence Paul Nay, O65537.
×Charles Offie Onstead, Jr., O67600.
×Merle Charles Page, O67601.
×Maurice Glenn Patton, O70012.
×James Philip Richardson, O67608.
×Mervin Herbert Schwartz, O67866.
×James Allen Shafer, O65464.
×Thomas William Sheehy, O67614.
×Frederick Jolley Sheffield, O67616.
×Victor Joseph Slominski, Jr., O67868.
×Vincent Charles Sweeney, O67875.
×William John Toland, O67626.
×Henry Thomas Uhrig, O67878.
×Nicholas William Van Leeuwen, O67630.
×Jack Frederick Wisman, O67886.
×Charles Joseph Zerzan, Jr., O68065.

TO BE CAPTAIN, DENTAL CORPS

×Joseph Stanley Churan, O68794.
×Cecil Franklin Clement, Jr., O67800.
×Roy Edwin Daniel, O69476.
×Robert Edward Dudley, O66616.
×Howard McKnight Duffield, O63847.
×Robert James Everhart, O68002.
×Robert Eugene Farrand, O65988.
×Walter Howard Fox, O66619.
×Joe Frisch, O61193.
×John Price Hathaway, Jr., O66624.
×William Clarence Hurt, O67831.
×Robert Duane Jeronimus, O67585.
×Fredrick Adam Karlson, Jr., O66627.
×Milton Junior Knapp, O67589.
×Donald Owen Lundquist, O65685.
×Billie Delmar McGrew, O67941.
×Ernest Beckwith Mingledorff, O64985.
×Samuel Craig Mooney, O63842.
×Edmund Casimir Pacocha, O65697.
×William Charles Pasternak, O70019.
×John William Plummer, O66071.
×Roland Courtney Sheridan, Jr., O65686.
×Thomas Joseph Smith, O68050.
×Charles William Summers, O70048.
×James Allen Turner, O69567.
×Charles William Vandas, O65590.
×Alfred Carson Waldrep, O70057.
×Billie Gene West, O63180.
×Louis Zislis, O68066.

TO BE CAPTAIN, VETERINARY CORPS

×Edward Ernest Dean, O65547.
×Garland Ray Farmer, O68342.
×Leslie Edwin Meckstroth, O65538.
×Erich Charles Mehnert, O68385.
×Richard Barton Morgan, O65540.
×William Everette Riley, O65553.
×William Eugene Rothe, O70031.
×Francis Lovell Thomas, O67624.
×Roy Walter Upham, O65551.
×Donald Harold Yost, O66129.

TO BE CAPTAIN, MEDICAL SERVICE CORPS

×George Franklin Harding 3d, O68354.
×Robert Donald Hart, O66009.
×Ernest Robert Kolovos, O68022.
×Russell Ellsworth Mason, O68382.

The following-named officers for promotion in the Regluar Army of the United States, under the provisions of sections 502 and 508 of the Officer Personnel Act of 1947. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

TO BE FIRST LIEUTENANT

*James Harrison Aarestad, O69576.
*George Howard Adams, O69450.
×John Talmage Adams, Jr., O69451.
×*Paul Garfield Adams, O68067.
×Franklin Wray Aldenderfer, Jr., O69581.
*George William Aldridge, O69582.
×Hubert Franklin Alexander, Jr., O68068.
×William Arden Alfonte, Jr., O63765.
×Shelby Glenn Alfred, O64722.
×John Charles Allen, O69583.
*Skinner Edward Anderson, O69453.
×Charles Edward Anthony, Jr., O64238.
×Raymond Edward Arnold, O64226.
×Harold Thomas Babb, O63758.
*Olin Justus Baird, Jr., O68075.
×Harold Lee Baker, O64244.
×Frank Philip Kendrick Barker, Jr., O64243.
×Edward Samuel Basanez, O69585.
×Samuel John Bateman, Jr., O63761.
×*James Daniel Bates, O63607.
*Alfred Kenneth Baum, O69587.
×*Adolph E. Baumann, O63554.
×*David Judson Baumgardner, O63594.
×David Allen Bell, O69459.
×Daniel Joel Benefiel, O69588.
×Ralph Olivett Benefield, O67788.
×Frederick Warden Best, Jr., O64245.
×John Julius Bilon, O69591.
×*Louis Robert Birkmeyer, O63576.
×John Ray Black, O64253.
×Robert Edward Blackwell, O64250.
×Robert Milton Bond, O69596.
×James Clare Bowden, Jr., O66136.
*Paul Francis Braim, O69598.
*John Francis Brandenburg, O69599.
*Edwin Ray Breed, O69462.
×James Philip Broady, O64237.
×Vincent Ignatius Brosky, O64232.
×*Albert Byrd Brown, Jr., O63625.
×*Dewey Everett Brown, O63597.
×William Robert Brown, O69603.
×*Russell Eldridge Brubaker, O63652.
×Baird Patterson Bryson, O69604.
×Bruce Fay Buck, O69465.
×Allan Arthur Buergin, O65331.
×*John Philip Burke, O63563.
×Robert Byron Burke, Jr., O65327.
×Joseph William Burkett, O69608.
*Lowell Eugene Burkholder, O69609.
×*Jack William Burns, O63631.
*James Robert Burns, O69610.
×John Taylor Busbee, O64259.
*John William Campbell, O69613.
*Ralph Julian Canine, Jr., O69466.
×Morris Clinton Cannon, O66140.
×Archie Eldon Carpenter, O65621.
×Joseph Rae Carvajal, O63756.
×William Russell Cashman, Jr., O64224.
×Ralph Gordon Chadbourne, O69617.
*Carlyle Hyatt Charles O69618.
×James Clark, O69468.
×Philip Lloyd Clark, O69469.
×Jack Richard Clawson, O63689.
×Carrell A. Clem, Jr., O69470.
×*Junie L. Clough, O63525.
*Walter Emerson Coleman, O70081.
×Harry Henderson Collier, O63691.
×James Hubert Cook, O69471.
×George Edward Craft, O64254.

×*Max A. Craig, O63654.
×George Dunmore Cram, Jr., O69475.
×Theodore Harrison Crane, O65335.
×Raymond Benson Cromwell, Jr., O63858.
*Edward Earnest Crow, O69627.
George William Curran 2d, O68091.
×*Louis Aaron Daigneau, Jr., O63565.
×*Earl Edward Daly, Jr., O63630.
×*William Edward Davis, O63608.
*Alan DeYoung, O69478.
×Bernard Wayne Dibbert, O64231.
×*John F. Dickson, Jr., O63633.
×*Thomas Jacob Dilbeck, O63685.
*Robert Roy Dobson, O69631.
×George Herman Doerman, O68095.
×Earl Dean Downing, O63698.
×John Joseph Doyle, Jr., O64255.
*William Thomas Duba, O69636.
×Christian Frank Dubia, O69637.
×*Ernest Mobley Eberhardt, Jr., O63583.
×Robert Carl Ebersberger, O63690.
×Robert Craig Effinger, Jr., O63696.
×Richard Lambert Ehni, O63864.
×*Robert Harvey Erdrich, O63657.
×*Donald Esper, O63581.
×*Randall George Eubanks, O63524.
×Norman Eva, Jr., O69641.
*Bill George Evans, O69642.
×Harry Feinstein, O63767.
×Curtis Dudley Fish, O69485.
*Stanton Entine Fisher, O69645.
*Frederick Felix Flemming, O69647.
*Harley Chalmers Fox, O69648.
*Albert Austin Fuerst, O69650.
*James Arnold Fyock, O69652.
×Gerald Owen Galvan, O64247.
×Dennis Verlin Gentry, Jr., O69490.
×Edwin Bernard Gentry, O64362.
*Raymond Gilchrist, Jr., O69491.
×Angelo Giambusso, O63687.
×Elijah Henry Girven, Jr., O66000.
×Rudolph Michael Goffredo, O69657.
*John Donald Gordon, O69659.
*Charles Stewart Graves, O69494.
×Sammie Lee Greene, O68349.
×Robert Lee Greer, O65326.
*Bob Leroy Gregory, O69663.
×Alton White Griffeth, O68106.
Warren Grile Hale, O64257.
Floyd Harold Hall, O63818.
×Francis Gail Hall, O68108.
×*James Arthur Hammond, O63664.
*Robert Blair Hankins, O69498.
*David Eugene Hardy, Jr., O69665.
*James Marion Harlan, O69667.
×Robert Luther Harper, O63699.
×Audley Chandler Harris, O69669.
×*Gerald Edwin Harris, O63606.
×*Edward Abram Hart, Jr., O63634.
*William Hart, O69502.
×Bernard Thomas Hassett, O63857.
×*Gene Lee Haupert, O63536.
×*John Edward Hazelwood, O68110.
*Howard Bennett Helm, O69673.
*John Thomas Henderson, O69675.
×Gustav Heningburg, O65622.
*Jack Alton Henson, O69677.
*William Frank Henson, O69678.
×*Clarence Thomas Hewgley, Jr., O63550.
×*Peter Eugen Hexner, O68113.
×William Wesley Higgins, O69681.
×*Irving Allyn Hill, O63590.
×William Joseph Hoar, O63694.
×Ernest Palmer Hoff, Jr., O63686.
×Herbert Sidney Holland, Jr., O69505.
*Joe Rice Hooker, O69684.
×Raymond Arthur Hopkins, O69506.
×Ralph Robert Hoppe, O68685.
×Cleo Noel Howard, Jr., O69507.
×Henry Coggeshall Howells, Jr., O69686.
×Johnson Hubbell, O64241.
*William Augustus Hudson, O69687.
*Lonnie Ray Huff, O69508.
*William Richard Huggins, O69689.
*Harold William Humphrey, O69691.
×*Robert Lee Hurd, O63580.
×Clarence Clifton Igo, O69692.
×Kenneth Ross Ingold, O63764.
*Jack John Isler, O69694.
*Walter Newit Israel, O69695.
*Arthur J. Jackson, O69509.
*George Thomas James, O69696.
×Herman Henry James, Jr., O69697.
×Daniel Franklin Johnson, O69700.
*Samuel Haigh Jopling, Jr., O69513.
*James Eugene Karo, O69515.
×Edward Arthur Kelley, Jr., O69516.
*Edwin Coit Kelton, Jr., O69707.
*Keith Reginald Keister, O69706.
*Marvin Emmett Kemp, O69708.
×*George Roger Kennedy, O63520.
×Edward Beckham Kenney, O63700.
×Otto Kerr, Jr., O63861.
×Roy Edward Kimble, O66174.
*Edward Lavoise King, O69711.
×*John Powell King, O63623.
×James Elmore Kingman, O63773.
×George Richard Kirmse, O64233.
Emory Winton Kline, Jr., O69713.
*Emil Eldon Kluever, O69714.
×Richard Hill Koenig, O69716.
*Carl Albert Koffler, O69519.
×Richard Dawes Kolter, O63692.
×Laurence Henry Krause, O69521.
*Wilbur Keith Kreigh, O69718.
*Kenneth Arthur Lagoni, O63567.
×*Clem Russell Lakin, O63560.
×*Marshall Austin Lanter, O63558.
×Keith Edward Larsen, O63688.
*John Robert Lauderdale, O69721.
*William Henry Lawler, O69722.
*Carl Allen Lee, O69724.
×Norman Joseph Le Mere, O69725.
×Samuel Shrewsbury Lewis, Jr., O64625.
×Gerald Aubrey Liebert, O68127.
×Frederick Donald Limmer, O63866.
×*Delmas Valgene Lippard, O63636.
×*Carroll Dean Logan, O63561.
×Domenic Fred Longo, O68131.
×Brutus Augustus Lowery, Jr., O68377.
×Lon Ulysses Lutz, O65324.
×Francis Joseph Lynch, O68379.
×*Donald Peter Malloch, Jr., O63553.
×Dick Robert Markwell, O65758.
×Paul Grey Martin, O63757.
*Bruce Douglas Mather, O68135.
×*Frank Albert Matthews, O63609.
×*Wallace Merle Maurer, O63592.
×*Warren Melvin Maurer, O63593.
×Leon McCall, Jr., O68136.
×*James Robert McClure, O63637.
×*Joseph Albert McDade, O68137.
×*Everette Glenn McGhee, O63627.
*Norman Francis McGinnis, Jr., O69738.
*John Edward McGlothlin, O69739.
*Leslie Gerald McNair, O69742.
×*Arlen Austin McNeil, O63647.
*Thomas Jackson McQuade, Jr., O63632.
×Samuel Littler Mecalfe, Jr., O64225.
×Jules Raymond Meyer, Jr., O69745.
*Woodburn Johnson Mickel, Jr., O69747.
×Myles Herbert Mierswa, O64240.
×*George Ellis Mills, O63599.
×John Chester Moon, O68140.
*Harry Lee Moore, O69750.
×*John Thomas Moore, O63661.
*Joseph Edward Moore, O69751.
×Arthur Dupré Moreland, O69531.
×Marcus Duncan Moreman, O69532.
Raymond Kenneth Mortensen, O69993.
×Harold Edward Mortimore, O64229.
×John James Mott, O66058.
*Harold Philip Mueller, O69754.
*Robert William Muller, O63648.
×Forrest Cooke Murphy, Jr., O63812.
×Joseph Bernard Murphy, O63816.
×*Razeal Nash, O63545.
×William Richard Needham, O65329.
*Paul Duane Nefstead, O69756.
×Charles Kendall Nichols, O68390.
×Leo Martin O'Brien, Jr., O69535.
×Lowell Elon Oder, O68203.
×Ralph Bartlett Osgood, Jr., O69760.
*Joe Maurice Palmer, O69764.
*John Worth Park, Jr., O69765.
×Theodore Graham Parkman, Jr., O63860.
×Rodney Gustavel Parrish, O69767.
*John Hale Pearson, O70014.
×John Albert Pedigo, O64239.
×James Cloy Pennington, O69768.
×Will Harrison Perry, Jr., O63755.
×Louis Peterka, O69769.
×*William Clell Petty, O63532.
×Y. Y. Phillips, Jr., O69540.
×John Wise Pick, Jr., O69542.
×Billie Ray Pierce, O68149.
×Bobbie Joe Pinkerton, O69543.
*William Isaac Pippin, O69771.
×*Donald Nuss Plants, O63552.
×Robert Lewis Plavnick, O64258.
×*Joseph Harrison Poole, O63853.
×Robert David Porter, O63769.
×*Jack Beckwith Porterfield, O63659.
×John Francis Prendiville, Jr., O63695.
×Herbert Howard Ray, O69549.
×Joseph Edward Reger, O61883.
×*Ralph Emerson Renken, O63653.
×Raymond George Rennebaum, O64235.
*Carl Reno, O69775.
×*John Henry Richardson, O63642.
×Albert Edward Riley, O63693.
*Donald Lorne Roberts, O69778.
×John Curtis Roberts, Jr., O64251.
*Antonio Rodriguez-Balinas, O68154.
*Richard Arlen Rooth, O69780.
*Peter Wayne Rose, O69781.
×Robert Richard Rudy, O69782.
*Johnnie Leotis Runnels, O69551.
×*Clifford Thomas Rutledge, O63538.
×Robert Brenner Rutledge, O64256.
×Gordon Curtis Russell, O64236.
*Robert Edgar Ryan, O68159.
×*Frank Wesley Sample, O63535.
×*Horace Murdock Sanders, Jr., O63598.
×Neal Wesley Sanders, Jr., O67978.
×Jack Edward Sappenfield, O64270.
×Robert James Saxton, O69784.
*William Emerson Schiller, O69785.
×*Robert Max Schlemmer, O63546.
*James Scudder, O69787.
*Eldred Steed Sessions, O69789.
×Joseph Phillip Seymoe, O57342.
*Wilbur Christian Shepard, O69792.
×*Joseph Andrew Shewski, O63595.
×*John Morris Shipley, O63582.
×George Pierce Short, Jr., O65328.
×*George Breckenridge Skinner, O63575.
×Ivan Lewis Slavich, Jr., O64223.
×*Kulman Bussey Smith, O63568.
×Hansel Young Smith, Jr., O63697.
×Joseph Winford Smith, O69797.
×*William Holden Smith, O63660.
*Joseph Lester Somers, O69561.
×John Ferdinand Spaid, O68171.
×Archie Lee Stamper, O64222.
×Thomas Eustace Steimer, O64228.
×Lewis Irwin Stein, O69801.
×*John Addison Stevenson, O63854.
×*Jerry Hyde Stilson, O63638.
×Robert George Martin Storey, O69808.
*Ernest Ervin Street, O63537.
×William Benedict Strong, Jr., O64252.
×Robert Bowater Sumner, O63859.
×Thomas Haruo Takano, O69564.
*Darwin Daine Talafuse, O63564.
×John Henry Talbot, O69810.
×*Albert Prince Taylor, Jr., O63663.
*David Colbert Thomas, O69815.
×Raymond Robert Thomson, O63820.
×Charles Joseph Treat, O67627.
×Ray Earle Tucker, O65330.
×Billy Gene Walker, O64248.
×Charles Francis Ward, Jr., O66117.
*James Weaver, O69572.
×Jonathan Mechem Weaver, Jr., O68174.
×Obel Hershel Wells, O69827.
×Marion Equiller White, O69830.
×*Nelson Lord Whitmire, O63588.
×Don Alvan Wilkinson, O63819.
×Lawrence Harvey Dean Williams, O69573.
×*Walton Springfield Williams, O63521.
×Donald Morton Wood, O64234.
×*Glenn Hudson Woods, Jr., O63544.
×*Donald Arthur Yoder, O63570.
×*Fletcher Robert Young, Jr., O63577.
*James Otis Youngblood, O69841.
×Richard Edward Zastrow, O69842.
×*Richard Gerhard Zeller, O63640.

To be first lieutenant, Medical Service Corps

×Charles Robert Angel., O69848.
*Robert Edward Bolger, O69863.
×Duke Constantine Bradford, Jr., O69864.
×Francis Joseph Carmody, Jr., O69876.
*Claudius Darlington Chewning, O69881.
*John Pershing Crawford, O69891.

×*Hugh Francis Daly, Jr., O69896.
×Stephen Peter Dittman, O69904.
×Kenneth Dane Garis, O69929.
×*Henry Vieth Griffith, O69938.
×Charles Robert Hamm, O69941.
×Robert Arvin Hedeen, O68111.
×Dan Heyward Horton, O69951.
*Joseph Irvin Hungate, Jr., O69953.
×Robert John MacLennan, O69975.
*Joseph Priestly Madrano, O69976.
John Dean Marshall, Jr., O69978.
×Gust Henry Mastricola, O69980.
×Robert Warren McKinney, O69986.
*Roy Lee Mundy, O69997.
*Herman Carter Needles, O70002.
*Emil Gilbert Shaw, O68163.
×*Robert Dudley Short, O63621.
*Jack Cunningham Smith, O70041.
×William Gail Storms, O70047.
*John Phillip Valentine, O70054.
*John Raymond Wagner, O70056.
×Paul Brown Welch, Jr., O70062.
*Robert Olin Whitmore, O70065.
×Vernon Halstein Wold, O63814.

The following-named officers for promotion in the Regular Army of the United States, under the provisions of section 107 of the Army-Navy Nurses Act of 1947, as amended by section 3, Public Law 514, Eighty-first Congress, approved May 16, 1950. Those officers whose names are preceded by the symbol (×) are subject to physical examination required by law. All others have been examined and found physically qualified for promotion.

TO BE CAPTAIN, ARMY NURSE CORPS

Sara Cecelia Mooney, N1752.
×Margaret Patricia Phillips, N1758.
Marian Agnes Tierney, N1750.

TO BE FIRST LIEUTENANTS, ARMY NURSE CORPS

×Doris Sue Frazier, N2348.
Ellen Frances Gubics, N2611.
×Kathryn Alice Koenig, N2521.
*Phyllis Mae Loucks, N2606.
×Mary Elizabeth Mack, N2522.
×Ruth Anna Wilson, N2347.

TO BE CAPTAIN, WOMEN'S MEDICAL SPECIALIST CORPS

Lottie Vera Blanton, J57.
×Francine B. Bundt, M10018.
×Barbara May Knickerbocker, J33.
×Bertha May Schrack, J26.
×Winnifred Eudora Soady, J65.

TO BE FIRST LIEUTENANT, WOMEN'S MEDICAL SPECIALIST CORPS

×Florence Madeleine Bearden, J70.
Sarah Joan Dempster, M10150.
×Ruth Anna Emilia Rickers, J71.
×Margaret Elnora Waple, J72.

NOTE.—The officers whose names are preceded by the symbol (*) were promoted during the recess of the Senate.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Marion C. Sparks, Alabaster, Ala. Office established November 1, 1951.
James T. Easterling, Clio, Ala., in place of H. M. Snell, resigned.
Marjorie C. Joyner, Garland, Ala., in place of N. P. McCaskill, retired.
Robert M. Fike, Marbury, Ala., in place of W. R. Warrick, retired.
Frances J. Davis, Repton, Ala., in place of J. E. Nettles, Jr., transferred.
William F. Gregory, Rutledge, Ala., in place of A. G. Rushton, deceased.
Frank J. Leutner, Jr., Summerdale, Ala., in place of R. G. Underwood, transferred.

ARIZONA

David J. C. McKinsey, Elfrida, Ariz., in place of T. B. Patterson, transferred.
Mary G. Ferguson, Winslow, Ariz., in place of G. T. Stevens, retired.

CALIFORNIA

Catherine E. Warden, Carlotta, Calif., in place of Julia Mantova resigned.
Elmer J. Chadwick, Cotati, Calif., in place of R. A. Clothier, retired.
Elmer A. Glanzer, Dinuba, Calif., in place of S. E. Burum, retired.
Lois C. Doss, Forestville, Calif., in place of G. O. Athey, resigned.
Germaine A. Rock, Glen Ellen, Calif., in place of C. W. Marsh, declined.
Floyd Erdman, Herndon, Calif., in place of E. A. Erdman, resigned.
Walter E. Parke, Laguna Beach, Calif., in place of B. B. Coffin, resigned.
Dorothy K. Haines, Lake Hughes, Calif., in place of J. B. Hurd, retired.
John T. Boyd, Jr., Newport Beach, Calif., in place of W. H. Adams, deceased.
Ruth H. Hutchins, North Highlands, Calif. Office established July 1, 1951.
William J. Kelly, Penngrove, Calif., in place of Christine Bones, retired.
Ada V. Keener, Rockport, Calif., in place of M. H. Williams, resigned.
John F. Phillips, San Clemente, Calif., in place of B. M. Ayer, removed.
Leon P. Scammon, Saugus, Calif., in place of C. W. Ray, resigned.
William H. Wolf, Sharp Park, Calif., in place of J. Z. Silva, resigned.
Harry E. Van Cleve, Sunnyvale, Calif., in place of J. H. Fahey, retired.
Elizabeth S. Sobrero, Taylorsville, Calif., in place of M. B. Herring, deceased.

COLORADO

Charles E. Robison, Crowley, Colo., in place of G. W. Swift, resigned.
Thomas T. MacLiver, Trinidad, Colo., in place of B. B. Beshoar, retired.

CONNECTICUT

Helen C. Evangelist, Candlewood Isle, Conn., in place of J. L. Jone, resigned.
Lester P. Olson, Collinsville, Conn., in place of G. B. Moroney, retired.
Margaret M. Turner, East Windsor Hill, Conn., in place of M. B. Thornton, deceased.
Edward C. Butler, Southington, Conn., in place of J. J. O'Keefe, retired.

FLORIDA

Ira W. McCollum, Brooksville, Fla., in place of C. S. Ashbrook, retired.
Forrest S. Smith, Lake Wales, Fla., in place of M. M. Coates, retired.
John W. Harrison, Laurel Hill, Fla., in place of F. A. Labors, retired.
Frances D. Taylor, Malone, Fla., in place of O. L. Ward, resigned.
Louise A. Echols, Pelican Lake, Fla., in place of E. T. Jones, resigned.
Paul E. Albury, Tavernier, Fla., in place of R. H. Albury, resigned.

GEORGIA

Pierce E. Cody, Marietta, Ga., in place of W. E. Schilling, retired.

IDAHO

Thornton S. Lambert, Burley, Idaho, in place of H. W. Daven, deceased.
Frederick D. Shaw, Spirit Lake, Idaho, in place of R. J. Hamacher, retired.

ILLINOIS

Vernon F. Otto, Alhambra, Ill., in place of M. W. Pearce, resigned.
George E. Gillett, Avon, Ill., in place of G. A. McFarland, retired.
August J. Mier, Batavia, Ill., in place of Jacob Feldman, retired.
John H. Scattergood, Buffalo, Ill., in place of J. E. Robertson, retired.
Charles Smith, Calumet City, Ill., in place of J. E. Muckian, deceased.
T. Floyd Hughey, Dewey, Ill., in place of R. L. Drennan, deceased.
Merrill W. Volle, Golconda, Ill., in place of W. L. Smith, resigned.
Franklin A. Canaday, Homer, Ill., in place of R. M. Shoaf, transferred.
Fred H. Lancaster, Macon, Ill., in place of M. R. Beckett, transferred.
Fergus G. Anderson, Ohio, Ill., in place of C. W. Knuth, transferred.
Duane R. Jacobson, Pontiac, Ill., in place of C. E. Myers, deceased.
Leo C. Franklin, Prairie du Rocher, Ill., in place of W. C. Dufrenne, transferred.
Elmer F. Carter, Jr., Rosiclare, Ill., in place of O. M. Lamar, retired.
Robert A. Bachand, St. Anne, Ill., in place of C. J. Hanen, removed.
Harry E. Bigler, Urbana, Ill., in place of C. F. Loeb, retired.
Marcellus E. Senne, Woodstock, Ill., in place of W. W. Desmond, retired.

INDIANA

Fred L. Scarce, Fountain City, Ind., in place of Gene Harris, retired.
Chelcie J. Bebout, Freetown, Ind., in place of W. W. Goble, removed.
Earl R. Reid, Lakeville, Ind., in place of F. P. Rensberger, transferred.
Eldora L. Weigle, Otterbein, Ind., in place of W. N. Burns, deceased.

IOWA

George W. Hepworth, Chelsea, Iowa, in place of R. C. Formanek, transferred.
Donald E. Rollins, Chester, Iowa, in place of C. J. Murphy, deceased.
Arthur R. Kroppach, Davenport, Iowa, in place of E. J. Halligan, deceased.
France R. Wanberg, Galva, Iowa, in place of William Molloy, retired.
Merle J. McMahon, Hampton, Iowa, in place of R. A. Fox, resigned.
Wayne R. Bauerle, Harlan, Iowa, in place of H. W. Campbell, retired.
William E. Boyd, Liscomb, Iowa, in place of N. L. Meyers, resigned.
Bertie C. Ramus, Lu Verne, Iowa, in place of J. L. Lichty, retired.
Hazel F. Lawless, Macksburg, Iowa, in place of L. S. Lawless, deceased.
Fred E. Smith, Marble Rock, Iowa, in place of E. S. Jenison, resigned.
Merland J. Wackerbarth, Melvin, Iowa, in place of E. V. Pohlman, transferred.
Ronald R. Thompson, Merrill, Iowa, in place of I. W. Machamer, retired.
Ronald Metzger, Olds, Iowa, in place of C. L. Chrissinger, deceased.

KANSAS

Hallene T. Utter, Cherryvale, Kans., in place of J. A. Rogers, retired.
Louis B. Perkins, Elkhart, Kans., in place of J. L. Ketchum, transferred.
George H. Niesley, Ellis, Kans., in place of Fred Sessin, retired.
Walter W. Beggs, Ensign, Kans., in place of E. J. Reed, resigned.
Quentin L. Ault, Esbon, Kans., in place of Edward Grauerholz, retired.
Bernard A. Bieber, Kinsley, Kans., in place of P. P. Voran, transferred.
Raymond E. Brannan, Meade, Kans., in place of P. W. Smith, retired.
Warren R. Jones, Mulberry, Kans., in place of J. F. Buche, transferred.
Donald E. Burgardt, Park, Kans., in place of F. R. Kaiser, transferred.
Virgil E. Schreiber, Ransom, Kans., in place of Caroline Doerschlag, retired.
Clare S. Knerr, Talmage, Kans., in place of L. A. Fields, resigned.
Louis Henry Moritz, Tipton, Kans., in place of M. A. Arnoldy, retired.
George N. Fisher, Zenda, Kans., in place of I. F. Bridgess, resigned.

KENTUCKY

Chester Patton, David, Ky., in place of Russell Harman, resigned.

MAINE

Norman F. Townsend, Calais, Maine, in place of E. J. Doyle, retired.
Gilbert E. Michaud, Eagle Lake, Maine, in place of W. J. Furlong, deceased.
Ellwood H. Stowell, Freeport, Maine, in place of G. C. Bean, retired.
Donald D. Willis, Gardiner, Maine, in place of D. F. Kelley, deceased.
Charles R. Hubbard, Jr., North Berwick, Maine, in place of C. M. Staples, transferred.
Leon P. Spinney, Topsham, Maine, in place of L. E. Goud, retired.

Emerson R. Laing, Westfield, Maine, in place of T. F. Bean, resigned.

MASSACHUSETTS

Catherine M. Schepp, Hatfield, Mass., in place of M. E. Sheehan, deceased.

Edith R. Caldwell, South Byfield, Mass., in place of D. S. Caldwell, deceased.

Benjamin Elliot Norton, Vineyard Haven, Mass., in place of A. A. Mayhew, deceased.

MICHIGAN

Albert E. Holmes, Bruce Crossing, Mich., in place of B. A. Jurmu, retired.

Norma L. Chesley, Ceresco, Mich., in place of Mina Cato, retired.

Mary M. Mitchell, East Leroy, Mich., in place of A. B. Jacobson, resigned.

William M. Duff, Gaastra, Mich., in place of O. A. Olson, retired.

Lawrence J. Brautigan, Grosse Ile, Mich., in place of G. W. Penglase, resigned.

Martin N. Hoppe, Hesperia, Mich., in place of M. L. McCallum, deceased.

Harvey W. Wilson, Nashville, Mich., in place of E. C. Kraft, retired.

Marjorie E. Watson, Novi, Mich., in place of M. A. Renwick, deceased.

Reino W. Hendrickson, Republic, Mich., in place of W. M. Zeitler, retired.

George O. Sheply, Rose City, Mich., in place of V. S. Nye, retired.

Calvin E. Sands, Three Rivers, Mich., in place of J. F. Cross, deceased.

John A. Dickey, Whittemore, Mich., in place of H. A. Graham, removed.

MINNESOTA

Vernon J. Larson, Bena, Minn., in place of R. C. McFarland, retired.

Dorin W. Anderson, Cosmos, Minn., in place of C. J. Larson, retired.

Raymond W. Schaper, Darfur, Minn., in place of A. T. Jaeger, retired.

Charles V. Miller, Jr., Darwin, Minn., in place of L. F. Jensen, removed.

Norman B. Gregerson, Dennison, Minn., in place of, E. E. Trench, retired.

John H. Drenth, Hollandale, Minn., in place of F. P. Tostenson, retired.

Richard A. Heald, Ogilvie, Minn., in place of J. D. Folsom, transferred.

Bertha S. Bosin, Rapidan, Minn., in place of L. M. Just, resigned.

Luverne W. Lyons, Sabin, Minn., in place of A. M. Suedel, transferred.

Earl E. Watson, St. Charles, Minn., in place of M. N. Chisholm, retired.

Philip Milton Lindbloom, Stillwater, Minn., in place of J. P. McGillin, deceased.

Frederick G. Casper, Wahkon, Minn., in place of T. A. Garvey, retired.

Hilbert B. Anderson, Winthrop, Minn., in place of D. I. Bjorklund, transferred.

MISSOURI

Kathryn L. Rubottom, Cantwell, Mo., in place of E. V. Van Sickle, retired.

John C. Smith, Conway, Mo., in place of H. R. Porter, retired.

Jesse M. Long, Drexel, Mo., in place of W. S. Miller, retired.

Joseph L. Snyder, Holden, Mo., in place of J. T. Glass, transferred.

Joseph M. Dischino, Imperial, Mo. Office established November 1, 1951.

Kenneth R. McLain, Linneus, Mo., in place of J. N. Carter, deceased.

Dorothy Grace Hunt, Lonejack, Mo., in place of A. B. Leach, removed.

John B. Chipp, New Hampton, Mo., in place of G. E. Scott, retired.

Aaron Coleman Johnson, Verona, Mo., in place of W. J. Paschal, transferred.

Herbert W. Wipperman, Wellington, Mo., in place of E. L. Lauderdale, deceased.

MONTANA

Olive M. Coughlin, Brady, Mont., in place of J. L. Rose, resigned.

Edith G. Daniels, Dixon, Mont., in place of W. J. Brown, deceased.

Charles F. Walton, Harlowton, Mont., in place of G. C. Moore, retired.

Myrtle E. Erickson, Saco, Mont., in place of M. A. Fetterman, retired.

NEBRASKA

William C. Schleusener, Bancroft, Nebr., in place of A. E. Rumsey, resigned.

Leigh F. Coffin, Beatrice, Nebr., in place of J. C. Douthitt, retired.

Nellie I. Uerkvitz, Nebraska City, Nebr., in place of A. H. Barstler, retired.

Howard A. Toay, Norfolk, Nebr., in place of Marie Weekes, deceased.

Maurice C. Swanson, Pender, Nebr., in place of B. A. Freed, retired.

Carl E. Baldwin, Salem, Nebr., in place of M. M. Mason, retired.

Robert C. Briggs, Stella, Nebr., in place of T. H. Winfrey, retired.

Myron A. Gordon, Trenton, Nebr., in place of C. E. Major, transferred.

NEW HAMPSHIRE

Charles Francis Leahy, Keene, N. H., in place of C. D. Roche, deceased.

NEW JERSEY

Edward C. Becht, Basking Ridge, N. J., in place of W. L. Scheuerman, retired.

Albert Pavao, Gillette, N. J., in place of L. E. Nelson, deceased.

George H. McCullough, Glassboro, N. J., in place of L. L. Ware, resigned.

Harold S. Maxwell, New Vernon, N. J., in place of Elsa Maxwell, retired.

William L. Kessler, Normandy Beach, N. J., in place of C. R. Neary, resigned.

William Russell Lindabery, Pottersville, N. J., in place of G. C. Lindabery, retired.

NEW MEXICO-TEXAS

Albert W. Mulloy, Anthony, N. Mex.-Tex., in place of P. E. Darbyshire, resigned.

NEW YORK

George H. Walter, Annandale-on-Hudson, N. Y., in place of William McMichael, retired.

Alonzo Winslow Valentine, Bayville, N. Y., in place of O. J. West, retired.

James W. Trimmingham, Branchport, N. Y., in place of M. G. Carpenter, removed.

Stanley C. Shaw, Ithaca, N. Y., in place of E. S. Sloughter, retired.

Leon E. Youngs, Johnson City, N. Y., in place of P. J. Perrault, resigned.

Alton D. Wiggins, Mannsville, N. Y., in place of C. H. Root, deceased.

Lola M. Dauch, Mongaup Valley, N. Y., in place of William Murtagh, resigned.

Alta M. De Silva, Mount Tremper, N. Y., in place of N. S. Wilber, removed.

Ralph P. Sinsabaugh, New Hamburg, N. Y., in place of J. V. Camely, resigned.

Anthoy J. Rivers, New Rochelle, N. Y., in place of J. C. Walter, deceased.

Earl E. Casey, Ontario, N. Y., in place of G. H. Doyle, transferred.

Ralph Britton, Rensselaerville, N. Y., in place of W. G. Britton, deceased.

Doris J. Barclay, Salisbury Center, N. Y., in place of L. E. Fairchild, deceased.

Thomas M. Powers, Scipio Center, N. Y., in place of G. J. McDonald, retired.

Urban C. Everling, Stony Brook, N. Y., in place of C. Q. Archdeacon, retired.

NORTH CAROLINA

Harold D. Anderson, Hot Springs, N. C., in place of J. K. Reeves, resigned.

Archie C. Holland, Kenansville, N. C., in place of J. L. Williams, retired.

Daniel C. Cox, Sr., Raeford, N. C., in place of L. F. Clark, deceased.

Herbert C. Rountree, Rocky Mount, N. C., in place of W. H. Smith, deceased.

Jack L. Leatherman, Vale, N. C., in place of D. F. Mosteller, transferred.

Charles T. Burke, Wilmington, N. C., in place of W. R. Dosher, retired.

OHIO

Elizabeth S. Donnett, Bidwell, Ohio, in place of E. N. Tarrier, resigned.

Edwin W. Kerr, Big Prairie, Ohio, in place of J. M. Hudson, retired.

Albert F. Bilek, Brecksville, Ohio, in place of W. E. Boyle, declined.

James W. Overholt, Bucyrus, Ohio, in place of R. C. Young, retired.

John E. Singleman, New Weston, Ohio, in place of C. O. Bell, retired.

Albert Russell, Pomeroy, Ohio, in place of C. H. Mullen, deceased.

Dorsel C. Riebel, Reedsville, Ohio, in place of K. L. Kibble, retired.

Edwin S. Naus, Upper Sandusky, Ohio, in place of C. U. Read, retired.

William H. Maxwell, West Lafayette, Ohio, in place of H. E. Hall, transferred.

Robert E. Hensel, West Manchester, Ohio, in place of A. E. Baker, transferred.

OREGON

Bill G. Crowther, Banks, Oreg., in place of K. V. Parmley, resigned.

William G. Thompson, Brookings, Oreg., in place of G. V. Smith, retired.

Louis E. Walker, Jr., Brownsville, Oreg., in place of J. E. Ferrell, transferred.

George L. Evans, Central Point, Oreg., in place of E. F. McDonald, resigned.

Walter J. Beumer, Depoe Bay, Oreg., in place of A. R. Kerr, resigned.

Harry A. Cool, Jr., Drain, Oreg., in place of C. M. Sawyer, retired.

Floyd F. Volkel, Gates, Oreg., in place of R. L. Brisbin, retired.

Anita B. Banister, Paisley, Oreg., in place of D. E. O'Connor, retired.

George D. Wilcox, Prineville, Oreg., in place of R. W. Zevely, retired.

Daniel W. Macy, Warm Springs, Oreg., in place of C. F. See, resigned.

PENNSYLVANIA

Francis J. Yanes, Brockton, Pa., in place of S. C. Bassler, resigned.

Glenn L. Rohrbaugh, Codorus, Pa., in place of A. W. Kessler, deceased.

Albert M. Lind, Equinunk, Pa., in place of Roberta Canfield, resigned.

Frank B. Davenport, Fallsington, Pa., in place of C. E. Ottolini, resigned.

James A. Murrin, Franklin, Pa., in place of J. D. Plumer, retired.

Mildred M. Falter, Glassmere, Pa., in place of F. E. Tillard, transferred.

Edwin J. Carr, Hartsville, Pa., in place of S. M. Slight, resigned.

Charles J. Zuerl, Jr., Irvine, Pa., in place of J. J. Myers, retired.

Dean R. Wilt, Landisburg, Pa., in place of L. I. Wertz, transferred.

Wayne H. Anthony, Manor, Pa., in place of H. C. Kifer, retired.

Richard M. Dodson, Marion Center, Pa., in place of C. J. Cleland, transferred.

Edward W. Mathews, Media, Pa., in place of M. C. Fox, Jr., retired.

Nellie F. Higinbotham, Merrittstown, Pa., in place of Anna Fleming, retired.

William Edward Anderson, Morrisville, Pa., in place of G. W. Burgner, resigned.

Herbert M. Dissinger, Mount Gretna, Pa., in place of Roy Peiffer, resigned.

Dorothy J. Biresch, Ottsville, Pa., in place of A. V. Eichlin, resigned.

Mary Agnes Spence, Peach Bottom, Pa., in place of P. C. Shank, Jr., deceased.

Harry L. Schaefer, Ralston, Pa., in place of K. W. Hoag, resigned.

Robert E. Wilson, Sabinsville, Pa., in place of G. D. Wilson, deceased.

Raymond L. Rupert, Sykesville, Pa., in place of B. W. Weber, transferred.

Mary S. Byrd, Toughkenamon, Pa., in place of C. E. Reese, retired.

Emerson C. Gower, Trout Run, Pa. Office became presidential July 1, 1943.

Kenneth C. DeReiter, Trumbauersville, Pa., in place of Charles Gretzinger, deceased.

SOUTH CAROLINA

Floyd C. Hammond, Myrtle Beach, S. C., in place of G. S. Beard, retired.

SOUTH DAKOTA

Orvis M. Gantvoort, Castlewood, S. Dak., in place of Violet Ellefson, resigned.

TENNESSEE

James B. Garner, Alcoa, Tenn., in place of B. H. Kinser, retired.

Betty L. Milton, Duff, Tenn., in place of E. A. Thornton, removed.

TEXAS

Edgar W. Cowling, Bridgeport, Tex., in place of E. E. Frost, removed.

John H. Reinicke, Crockett, Tex., in place of R. N. Allbright, retired.

Billy N. Fine, Petrolia, Tex., in place of M. A. Price, removed.

James W. Hampton, Smithville, Tex., in place of G. W. Kunath, Jr., resigned.

Dallas V. Farmer, Valley Mills, Tex., in place of J. G. Simms, retired.

Paul P. Berthelot, Victoria, Tex., in place of Leopold Morris, deceased.

UTAH

Frances P. Russell, Wendover, Utah, in place of R. M. Birdzell, resigned.

VERMONT

Frank D. Eggleston, East Dorset, Vt., in place of S. R. Sheedy, resigned.

Ralph B. Norton, North Bennington, Vt., in place of James McGovern, retired.

VIRGINIA

Theodocia C. Grant, Catawba, Va., in place of Jerry Morgan, retired.

WASHINGTON

Leland H. Jensen, La Conner, Wash., in place of J. M. Hurley, deceased.

James T. Roberts, Pullman, Wash., in place of J. O. Patterson, retired.

Peter P. Perry, Raymond, Wash., in place of Ralph Nelson, deceased.

Keith S. Marney, Waterville, Wash., in place of B. B. Schmitz, deceased.

WEST VIRGINIA

Bernard R. Osborne, Griffithsville, W. Va., in place of Opal Plott, resigned.

WISCONSIN

Robert W. Edwards, Beaver Dam, Wis., in place of J. L. Cunningham, deceased.

William H. Behrens, Brodhead, Wis., in place of C. H. Pandow, transferred.

Norman Losby, Eau Claire, Wis., in place of T. H. Murphy, retired.

William L. Chesley, Oconto, Wis., in place of F. J. Horak, transferred.

Ernest M. Strom, Ogdensburg, Wis., in place of Bertha Peterson, transferred.

Levern V. Newman, Platteville, Wis., in place of H. M. Harms, transferred.

Willie A. Johnson, Whitehall, Wis., in place of D. M. Warner, transferred.

WYOMING

Edith E. Carr, Midwest, Wyo., in place of L. M. Richard, retired.

HOUSE OF REPRESENTATIVES

THURSDAY, FEBRUARY 25, 1954

The House met at 12 o'clock noon.

Rev. James I. Logan, Jr., First Presbyterian Church, Chickasha, Okla., offered the following prayer:

Almighty God, Thou who art the sovereign ruler of the hearts of men, as we bow in reverence before Thee, may Thy spirit fill us with a vibrant awareness of Thy abiding presence and eternal vigilance over Thy creation and creatures.

The peoples of this Nation rejoice that it is theirs to be so represented in the national and international affairs of their democracy, and that by Thy ordering it is theirs to be so governed. As these men labor under such responsibility with which they are entrusted, and in these chaotic times of tension, turmoil, and confusion, impart to them the wisdom and ability to perceive that which is true, righteous, and just, and subsequently the courage to act in the light of their knowledge and faith.

Ours is a great heritage as a nation and people. God, grant that by our clear thinking and right acting it may be preserved in accordance with Thy will.

We seek Thy special providence in the life, thought, and deed of our Chief Executive and those of the executive staff: that through the efforts of these, our leaders, our Nation may continue to be a nation under Thee, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of Tuesday, February 23, 1954, was read and approved.

APPROPRIATIONS FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND THE UNITED STATES INFORMATION AGENCY, 1955

Mr. CLEVENGER, from the Committee on Appropriations, reported the bill (H. R. 8067) making appropriations for the Departments of State, Justice, and Commerce, and the United States Information Agency, for the fiscal year ending June 30, 1955, and for other purposes (Rept. No. 1242), which was read a first and second time, and, with the accompanying papers, referred to the Committee of the Whole House on the State of the Union and ordered to be printed.

Mr. ROONEY reserved all points of order on the bill.

REPUBLICAN BUDGET BALANCING

Mr. ROONEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ROONEY. Mr. Speaker, the mountain of alleged Republican economy has labored, and in the form of the savings in the State, Justice and Commerce Departments appropriation bill just now reported to the House has brought forth not an elephant, but a mouse. In considering the budget estimates in the amount of $1,313,920,960 for these departments, the actual savings would come to no more than $31,282,960 or 2⅓ percent of the budget request.

Of the total amount of the budget requests, $1,313,920,960, the committee according to its report allowed $1,147,638,000. But there must be added to this latter amount the sum of $135 million for 3 items which are definitely not savings at all, merely deferments of payment. These are $50 million for payments to air carriers, the subsidy dough, $30 million for the operating-differential subsidies in the Maritime Administration and $55 million for the Bureau of Public Roads Federal aid to highways program. The majority committee members will, I am sure, admit that these deductions which they made in the bill are not really savings to the taxpayer at all. The law presently requires that they be paid.

We now have the balance of $31,282,960. Or do we? Do we really have a 2⅓ percent deduction in the budget estimates? Because there is now pending in House Document No. 330 a request for supplemental appropriations in which President Eisenhower under date of the 16th of this month asks for $94,500,000 additional for two of these items, to wit, $29,500,000 for operating-differential subsidies, Maritime activities, Department of Commerce, and $65 million for the Bureau of Public Roads, Federal-aid highways, Department of Commerce, And you great Republican advocates of economy will vote for these two supplemental requests, as I think you should. You put off payment of this bill last year, and it has now caught up with you.

The American people must wonder what sort of budget balancing this is.

The SPEAKER. The time of the gentleman from New York has expired.

ANNUAL MARDI GRAS BALL OF THE LOUISIANA STATE SOCIETY

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks to include a list of the names of the queens and the industries which they represent and the names of a number of prominent citizens from the Sugar Belt in Louisiana.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, in the grand ballroom of the Mayflower Hotel, at 9:30 o'clock tomorrow evening, will take place the annual Mardi Gras ball of the Louisiana State Society.

Fifteen beautiful and charming queens will represent as many industries in the great State of Louisiana. Some of them are with us even now.

This year the theme of the ball will be the sugar industry. This is fit and proper because Louisiana is the cane-sugar bowl of the United States, which I have the great honor to represent in this body.

By custom, the name of the queen of this gala and spectacular occasion, as distinguished from the queens of industries, cannot be revealed until tomorrow night.

The king of the ball will be a fine gentleman, an outstanding businessman, and a very prominent sugar planter, Mr. Lawrence Levert, Jr., of Thibodaux, La., whose ancestors for a century before him made great contributions to the development of the sugar industry in my State.

Last year the Vice President of the United States was chosen to present the queen of the ball to his majesty.

Although by custom again, I cannot disclose his counterpart this year, I can say that he is a most prominent, highly beloved, and respected American who holds the highest post in his field of endeavors in another branch of the Government.

The names of the queens and their sponsors are as follows:

Miss Janell Babineaux, dairy queen; Miss Sallie Bateman, rose queen; Miss Irma Jean Bordelon, livestock and pasture festival queen; Miss Vera Boudreaux, shrimp queen; Miss Lynn Brock, queen sweetheart of the American Legion; Miss Julia Ann Burford, dogwood queen; Miss Rita Fay Coco, sugar queen; Miss Carol Curet, queen New Orleans spirit of Mardi Gras; Miss Betty David, international rice queen; Miss Audrey Fruge, queen of Jefferson Davis Junior Livestock Show; Miss Sydney Mae Maraist, Acadian queen; Miss Alice Safford, camellia queen; Miss Betty Strader, paper queen; Miss Tappy Tracey, forest queen; and Miss Elizabeth Hayes Wilder, peach queen.

The Louisiana State Society will be honored to be the host of prominent and outstanding citizens from the sugarcane-producing area, among whom are the following:

Mr. and Mrs. Lawrence C. Levert, Jr., Thibodaux; Mr. and Mrs. V. L. Caldwell, Thibodaux; Mr. and Mrs. Irving Legendre, Thibodaux; Mr. and Mrs. John M. Dupont, Thibodaux; Mr. and Mrs. Edward Hébert, Thibodaux; Mr. and Mrs. Arthur Coplon, Thibodaux; Mr. and Mrs. Ray Mullins, New Iberia; Mr. and Mrs. Leon Minvielle, New Iberia; Mr. Tom Bulliard, St. Martinsville; Mrs. John Abdalla, New Iberia; Mrs. Lucille Amacker, Bogalusa; Miss Lianne LeRay, DeRidder; Miss Louisette Breaux, Carencro; Mr. Robert E. Wall, New Orleans; Mr. Roy Angelle, Breaux Bridge; Mr. and Mrs. Elmer D. Conner, Jennings; Mrs. Fred Wilder, Ruston; Mr. and Mrs. Joe Elder Opelousas.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts asked and was given permission to address the House today for 5 minutes, following the legislative business of the day and any other special orders heretofore entered.

ADDITIONAL IMPORT FEES ON WOOL

Mr. HUNTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HUNTER. Mr. Speaker, when this Congress voted supports for American agriculture, we did not contemplate that we would support the world prices of commodities produced in competition with ours. For that reason we passed section 22 of the Agricultural Act which said that when foreign imports were coming in at such a rate that they were damaging the support program for American agriculture, additional duties or quotas could be imposed. The Department of Agriculture in both the previous administration and this administration, has requested the imposition of additional import fees on wool coming into the United States from foreign countries. The decision of the Tariff Commission in this regard, on the request made by Secretary Benson last July, is now in the hands of the President. It is to be hoped that the President will take prompt action and eliminate the American taxpayers supporting the world price of wool through our attempts to assist our domestic growers in the production of an essential and critical material.

PUBLIC FUND RAISING BY CHARITABLE ORGANIZATIONS — TWO BILLS INTRODUCED

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JAVITS. Mr. Speaker, I have today introduced two bills to carry out the Federal Government's responsibility in respect of organizations raising money from the public for charitable purposes and enjoying tax exemption. One bill empowers the Postmaster General to stop use of the mails by such organizations whilch are resorting to any scheme or device of fraud or misrepresentation or utilizing names of sponsors without authority or not obeying State or local laws regulating such operations where they are seeking to solicit contributions. The other bill tightens the requirements for annual filing of information by charitable organizations which raise their money from the public to require (a) a complete disclosure as to income and expenditure for the purposes of the particular charity, cost of the raising of funds and other overhead; (b) the compensation of any professional fund raiser or professional solicitor and the arrangements made with such professional fund raiser or solicitor; (c) the salaries of all officials receiving over $5,000 per year as well as the names of contributors who are contributing over $500 a year; and (d) the way in which the trustees or other managers are designated.

The introduction of these bills is intended to coordinate with the report of the Joint Legislative Committee on Charitable and Philanthropic Agencies and Organizations of the New York State Legislature of which State Senator Tompkins, Republican of Queens, and Assemblyman Samuel Rabin, Republican of Queens, are respectively chairman and vice chairman. This committee's report after a detailed investigation in New York points out the evils which have occurred in the field of soliciting charitable contributions and recommends legislation. Their proposals have been supported in a special message from Gov. Thomas E. Dewey to the New York State Legislature on February 16, 1954. The legislation which I have submitted will also insure that this type of State regulation will be enforced with the cooperation of the Federal Government.

The Federal Government's intercession is required as there is a great deal of interstate solicitation of charitable contributions. A number of specific cases were cited by the Tompkins-Rabin legislative investigation as showing exorbitant costs for fund raising originating interstate, and gives as examples solicitations which originated in Michigan, Ohio, and California showing costs of fund raising up to 69 percent of the contributions collected.

The problem is a very appreciable one as it is reliably estimated that the amount of contributions secured in the United States from the public for charitable organizations exceeds $4 billion yearly. The New York report also points out that a major expense of most charitable fund-raising campaigns is in mailing costs. The types of misrepresentation unearthed relate also to the use to which the charitable contributions will be put and to unauthorized use as sponsors of the names of prominent people, including the President of the United States, the Director of the Veterans' Administration, and Senators and Representatives.

The impact of the investigation by the Tompkins-Rabin committee of the New York State Legislature has been great throughout the country. It is my desire that the public should with confidence support generously deserving fund-raising activities for charitable purposes which give material benefits for the purposes for which the money is collected. The overwhelming majority of some 40,000 tax-exempt organizations of this character in the United States are doing an honest and high-minded job of public service. The Federal Government has a responsibility to these organizations and to the people of the country to see that tax-exempt funds are used for the purposes for which they are stated to be collected without fraud, misrepresentation, artifice, or undue costs.

The bills I have introduced do not apply to religious or educational organizations or to fraternal, patriotic, or social organizations in respect of solicitations confined to their membership.

CONVICTION FOR CERTAIN CRIMES SHOULD PRECLUDE PENSION

Mr. POFF. 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 Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, I have introduced in the House, and Senator WILLIAMS, of Delaware, has introduced in the other body a bill to prohibit the payment of Government retirement benefits to persons convicted of certain offenses. It has long been recognized as a gross anomaly in the law that a Federal official or employee who has been convicted of subversive activities and other criminal acts still is able to partake of the bounties of the same Government which he has scorned, reviled, and betrayed by claiming pensions and annuities under a governmental retirement plan. It is unthinkable to me that a

felon, who has abused and misused the trust of his fellowmen, forsaken his fealty to the Constitution and disgraced his own name, should be able to demand and obtain a bonus for his infidelity.

This bill provides that whenever any official or employee of the legislative, executive, or judicial branch of the Government or of the Armed Forces of the United States, is convicted in a court of law of the offenses relating to espionage, treason, sedition, subversive activities, bribery, graft, and several other crimes involving the improper use of authority, influence, power or privilege, he shall be deprived of any annuities, pension, or retired pay to which he might otherwise be entitled on account of his service in the Government.

The bill would apply not only to those convicted of the crime itself, but to those convicted of perjury in falsely denying the commission of such a crime. This provision is designed to encompass such people as Alger Hiss, who was convicted of perjury in denying complicity in the perpetration of a criminal act.

Because of the law pertaining to legislation of this nature, it must be provided, and the bill does so provide, that the premiums paid into the retirement or annuity fund by such convicted person shall be returned to him with interest at the rates provided by law, and if the convicted person has died prior to the making of this refund, such refund shall be paid to the survivor according to the regulations applicable to the particular retirement fund. I think it is important to reemphasize the fact that the bill applies not only to officials and employees in the executive department but also to those in the legislative and judicial departments. That is to say, it included judges and other judicial officials and employees and Members of Congress who thus violate the public trust.

It seems to me that this is a matter of equity which should appeal to all fairminded men, and I earnestly trust that the committee will find time in its busy schedule this session to hold hearings and report the bill to the floor for early debate and favorable action.

JOINT COMMITTEE ON THE ECONOMIC REPORT

Mr. WOLCOTT. Mr. Speaker, I ask unanimous consent that the Joint Committee on the Economic Report may have until midnight Saturday to file the report required by the Employment Act of 1946, as amended.

The SPEAKER. Is there objection of the request of the gentleman from Michigan?

There was no objection.

MEXICAN MIGRANT LABOR

Mr. ALLEN of Illinois, from the Committee on Rules, reported the following privileged resolution (H. Res. 450, Rept. No. 1243), which was referred to the House Calendar and ordered to be printed:

Resolved, That 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 House Joint Resolution 355, amending the act approved July 12, 1951 (65 Stat. 119, 7 U. S. C. 1461–1468), as amended, relating to the supplying of agricultural workers from the Republic of Mexico. After general debate, which shall be confined to the joint resolution, and shall continue not to exceed 2 hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Agriculture, the joint resolution shall be read for amendment under the 5-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. ALLEN of Illinois. Mr. Speaker, I ask unanimous consent that the committee may have until midnight tonight to file any report on this resolution.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

SPECIAL ORDER GRANTED

Mr. TOLLEFSON asked and was given permission to address the House for 1 hour on Tuesday, March 2, following the legislative program of the day and any special orders heretofore entered.

THE WILKES-BARRE DISASTER

Mr. BONIN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BONIN. Mr. Speaker, last Sunday afternoon I was an unhappy witness to a disaster striking the city of Wilkes-Barre, Pa. I saw pavements pushed up and sidewalks and homes cracked, gas and water mains completely shattered. Since that time I have been informed that additional quakes have caused damage to that fair city.

I have been in touch with the White House, with the Civil Defense Department, the Department of the Interior, and with the FHA. They have given me splendid cooperation and will continue to stand by to give Wilkes-Barre aid that may be necessary.

Investigations are underway at this time to determine the cause of this earth movement which has caused losses estimated at several hundreds of thousands of dollars to homes, buildings, streets, sidewalks, and public-utility lines in an 8-block area.

Within a matter of minutes, heavy damage crept through 900 homes and business places of this beautiful residential district of the city.

Gas fumes were noticeable throughout the stricken area and water escaped from numerous breaks in the waterlines.

I have been informed that the shock was so great that it was recorded on the seismograph of Fordham University in New York City.

The city officials are to be commended for the splendid manner in which they handled the situation. Fire trucks, civil-defense agents, special and regular policemen were on duty in the area immediately after the shock became known. This is a tribute to the people of my district in the time of emergency. I shall continue to help them in their difficult times. I know that the Federal agencies are ready to be of assistance in this tragic moment.

IMPORT FEES ON WOOL

Mr. FISHER. 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 Texas?

There was no objection.

Mr. FISHER. Mr. Speaker, I associate myself with the views presented a few minutes ago by the gentleman from California [Mr. HUNTER] and express the hope that the President's concern over the wool industry, as expressed in his message to the Congress on January 11, means that he will take prompt action on the Tariff Commission's report to him which has just been filed at the White House. For more than 2 years the Department of Agriculture, under both the Democratic and Republican administrations, has been urging the Tariff Commission to recommend import fees on imported wool in order to protect the Government's wool loan program. In the meantime, a stockpile has been accumulating, sheep numbers have been decreasing, and the effectiveness of the loan program has been jeopardized. Certainly the need for the imposition of fees is more urgent now than at the time it was last requested, a year ago, by the Department of Agriculture.

GOVERNMENT EMPLOYEES

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, it has been my observation since becoming a Member of the Congress that you can get much publicity and much credit in the press and otherwise if you merely issue a news release from time to time, pointing out the total number of employees of the Government and complain about the total cost of running the Government. Certain benefits will come, too, politically and otherwise, through much of the press if from time to time you set out to do more and more in the way of paying higher and higher salaries though this will come from another segment of our population.

I have followed a course which does not have those benefits but which cause me to be taken to task in the press from time to time because the legislation of

which I was the author, section 1310, of the Supplemental Appropriation Act of 1952, commonly called the Whitten rider, does control and limit Government employment. This provision does save money. In fact it is estimated by members of staff of the Appropriations Committee this provision saves half a billion dollars a year judged by what happened during World War II when we had no such controls.

This provision was written because in World War II we had no such controls. Agencies would offer a two or more grade jump to employees to get them from another agency or department. Then other departments would offer still additional jumps to get people in their agency. Different branches of the Government were competing for the same people. The result as shown by studies of the Treasury and Commerce Departments, was that the average grade of employees went up more than two grades. This was not spread among all employees, but the favored got many jumps, others none. This throughout the Government cost then and now hundreds of millions of dollars annually. In the absence of the Whitten rider in the Civil Service we were gradually working toward having many generals and few privates. Not only that but emergency agencies were taking employees with low classification and jumping them over employees with much longer service and much better training. Persons called into the military service were having their jobs filled permanently behind them. There were many other ills existing.

I hope the membership will read this Whitten rider. It does limit the total number of Federal employees to the total existing September 1, 1950. It does limit promotions to one a year unless examinations are taken or meritorious conditions are shown. It does require the various departments to report annually to the Congress each year the average grade and salary of employees in such department. But, Mr. Chairman, while it does regulate and set out a system of orderly operations with the course charted and does regulate promotions for employees, and prevent employees from jumping two or more grades, without an examination or without a finding of meritorious circumstances, it protects such regular employees from having someone who knows someone from jumping ahead of him. Because of what I considered to be erroneous interpretations by the Commission, I have amended the provisions from time to time to prevent such actions. The law today is as follows:

SECTION 1310 OF THE SUPPLEMENTAL APPROPRIATION ACT, 1952, APPROVED NOVEMBER 1, 1951 (PUBLIC LAW 253, 82D CONG), WHITTEN AMENDMENT, AS AMENDED BY SECTION 1302 OF PUBLIC LAW 375, 82D CONGRESS, APPROVED JUNE 5, 1952

SEC. 1310. Immediately upon the enactment of this act and until termination of the national emergency proclaimed by the President on December 16, 1950:

(a) The Civil Service Commission and the heads of the executive departments, agencies, and corporations shall make full use of their authority to require that initial appointments to positions in and outside the competitive civil service shall be made on a temporary or indefinite basis in order to prevent increases in the number of permanent personnel of the Federal Government above the total number of permanent employees existing on September 1, 1950: *Provided*, That any position vacated by a permanent employee called to military service or transferred to a national defense agency shall not be filled except on a temporary or indefinite basis. All reinstatements and promotions in the Federal civil service shall be made on a temporary or indefinite basis, and all permanent employees who are transferred from one agency to another shall retain their status as permanent employees in the agency to which transferred at the grade or basic pay level of their permanent positions in the agency from which transferred. All appointments, reinstatements, transfers, and promotions to positions subject to the Classification Act of 1949 shall be made with the condition and notice to each individual appointed, reinstated, transferred, or promoted that the classification grade of the position is subject to postaudit and correction by the appropriate departmental or agency personnel office or the Civil Service Commission. All transfers of permanent employees made on a temporary or indefinite basis since September 1, 1950, shall be changed to a permanent basis as of the effective date of this act: *Provided*, That such employees shall retain their status as permanent employees in the agency to which transferred at the grade or basic pay level of their permanent positions in the agency from which transferred: *Provided further*, That any agency may promote any employee permanently to a position if such promotion will not increase the number of employees holding permanent positions in the grade of such position in such agency above the number in such grade in such agency prior to September 1, 1950: *Provided further*, That permanent promotions may be made to any position in a category for which the Civil Service Commission authorizes permanent appointments under the terms hereof.[1]

(b) The Civil Service Commission shall facilitate the transfer of Federal employees from nondefense to defense activities and encourage the retention of employees in defense activities, and shall provide reemployment rights for permanent employees in the activities from which such employees are transferred.

(c) The Civil Service Commission shall make full use of its authority to prevent excessively rapid promotions in the competitive civil service and to require correction of improper allocations to higher grades of positions subject to the Classification Act of 1949, as amended. No person in any executive department or agency whose position is subject to the Classification Act of 1949, as amended, shall be promoted or transferred to a higher grade subject to such act without having served at least 1 year in the next lower grade: *Provided*, That the Civil Service Commission for positions in the competitive service and the head of the employing agency for position outside the competitive service may by regulation provide for promotions of 2 grades in 1 year (1) to positions not higher than GS-5; (2) to positions not higher than GS-11 which are in a line of work properly classified under the Classification Act of 1949 at 2-grade intervals; (3) to positions in the same line of work when the employee has completed a training period under a training program approved by the Civil Service Commission for positions in the competitive service, or approved by the head of the employing agency for positions outside the competitive service; and (4) of an employee of the agency concerned when there is no position in the normal line of promotion in the grade immediately below that of the position to be filled: *Provided further*, That this subsection shall not apply to any case involving an employee who is within reach for appointment to a higher grade position on a competitive civil service register, or is eligible for appointment, in accordance with a regular appointment system or procedure established prior to September 1, 1950, to a higher grade position outside the competitive civil service,[1] or being advanced up to a grade level from which he had been demoted or separated because of reduction in force, or being advanced to a grade level not exceeding that for which he had previously established eligibility as required by the terms hereof: *Provided further*, That, notwithstanding the provisions hereof, and in order to avoid undue hardship or inequity, the Civil Service Commission, when requested by the head of the agency involved, may authorize promotions in individual cases of meritorious nature.[1]

(d) From time to time, but at least annually, each executive department and agency shall (1) review all positions which since September 1, 1950, have been created or placed in a higher grade or level of difficulty and responsibility of work or in a higher basic pay level, (2) abolish all such positions which are found to be unnecessary, (3) with respect to such positions which are found to be necessary, make such adjustments as may be appropriate in the classification grades of those positions which are subject to the Classification Act of 1949, as amended, or in the basic pay levels of those positions which are subject to other pay-fixing authority. Not later than July 31 of each year each department and agency shall submit a report to the Post Office and Civil Service Committees and Appropriations Committees of the Senate and House of Representatives concerning the action taken under this paragraph, together with information comparing the total number of employees on the payroll on June 30 and their average grade and salary with similar information for the previous June 30, and each annual and supplemental budget estimate shall include a statement comparing the average grade and salary provided for in each item of appropriation or fund allowance therein with similar figures reported for the two previous periods.

Now Mr. Speaker, notwithstanding the fact that I had the help of the best experts in preparing this provision, including people from the Civil Service Commission; notwithstanding the fact that Republican and Democratic leaders of the Civil Service and Post Office Committee approved the provision, and notwithstanding the fact that all members of every conference to which it has gone approved it, shortly after the first provision I wrote became law, the Civil Service Commission prepared and the President issued Executive Order EO 10181, which continues in full force and effect as the order of the President, a copy of which I shall submit.

You will note that where in my provision I limited the total number of permanent employees to that of September 1, 1950, this Executive order says no permanent appointments shall be made except postmasters and Presidential appointments. Today we are 265,000 below the ceiling set out in my provision.

Where I provided for the use of temporary appointments to stay under the September 1, 1950, ceiling—and we are

[1] As method by sec. 1302 of Public Law 375, 82d Cong., approved June 5, 1952.

[1] As method by sec. 1302 of Public Law 375, 82d Cong., approved June 5, 1952.

265,000 under that ceiling now—the Civil Service Commission, under the order it prepared, set up the indefinite status for all employees after that date, with the resulting problems under the retention system.

Mr. Speaker, one candidate for Presidential nomination ran in the Washington area promising repeal of the Whitten rider. Now, apparently it is thought to be popular again by others to throw off all controls.

If the administration wants to spend more money, if it wishes to throw off all controls, if it wishes to go back to the conditions which prevailed when the Whitten rider was written, of course it can repeal it.

On the other hand, if it merely wishes to give permanent status to present employees, it can give that to 265,000 of them now.

If it wishes to get rid of the indefinite status it can do so by merely modifying the Executive order of the President—for no such indefinite status is called for by the Whitten rider.

I submit a copy of the Executive order now in force.

EXECUTIVE ORDER ESTABLISHING SPECIAL PERSONNEL PROCEDURES IN THE INTEREST OF THE NATIONAL DEFENSE

By virtue of the authority vested in me by section 2 of the Civil Service Act (22 Stat. 403), by section 3 of the Civil Service Retirement Act of May 29, 1930, as amended by section 3 of the act of January 24, 1942, 56 Stat. 15, by section 1753 of the Revised Statutes (5 U. S. C. 631), and in effectuation of the purposes of section 1302 of the Supplemental Appropriation Act, 1951 (Public Law 843, 81st Cong.), it is hereby ordered as follows:

SECTION 1. (a) On and after December 1, 1950, and until such time as the President may find it no longer necessary in the interest of the national defense, all appointments in the executive branch of the Government shall be made on a nonpermanent basis except those of Presidential appointees and postmasters in all classes of post offices: *Provided,* That permanent appointments are authorized whenever, in unusual circumstances, the Civil Service Commission for positions in the competitive service, or the head of the agency concerned for positions outside the competitive service, determines that permanent appointments are in the interest of the Government: And *provided further,* That agencies may appoint on a permanent basis persons selected for permanent appointment prior to December 1, 1950.

(b) On and after September 1, 1950, and until such time as the President may find it no longer necessary in the interest of the national defense, all promotions, transfers of personnel from one agency to another, and, except as provided by section 2 (b) hereof, reemployment of former Federal employees shall be on a nonpermanent basis; and on and after December 1, 1950, any reassignment may, in the discretion of the head of the agency concerned, be on either a permanent or nonpermanent basis.

(c) To the extent not inconsistent with this order, appointments and position changes in the competitive service shall be made in accordance with civil service laws, rules, and regulations, and appointments and position changes outside the competitive service, shall be made in accordance with such regulations and practices as the head of the agency concerned shall find necessary.

(d) In making appointments under this order in the competitive service the recruiting facilities of the Commission and its boards and committees of examiners shall be used to the fullest extent.

SEC. 2. (a) The Civil Service Commission, whenever it determines it to be necessary in the interest of the national defense, shall prescribe regulations governing the release of employees (both within and outside the competitive service) by any agency in the executive branch of the Government for employment in any other agency, and governing the establishment, granting, and exercise of rights to reemployment in the agencies from which employees are released.

(b) In carrying out the provisions of section 9 of the Selective Service Act of 1948, as amended, or any other legal authority granting the right to reemployment in the Federal service, the Commission shall prescribe regulations limiting the right to reemployment of an individual to employment in the last position he occupied on a permanent basis or in one of equal seniority, status, and pay: *Provided,* That in such cases the Commission may by regulation provide for nonpermanent reemployment in a position of higher grade or salary.

SEC. 3. Persons given nonpermanent appointments pursuant to section 1 of this order are hereby excluded from the operation of the Civil Service Retirement Act of May 29, 1930, as amended, unless eligible for retirement benefits by continuity of service or by reinstatement, or otherwise.

SEC. 4. The Civil Service Commission is authorized to prescribe regulations and procedures, in addition to those otherwise authorized herein, for carrying out its functions and duties under this order.

HARRY S. TRUMAN.

THE WHITE HOUSE, *November 13, 1950.*

SPECIAL ORDER GRANTED

Mr. POAGE asked and was given permission to address the House for 30 minutes on Tuesday next, following the legislative program and any special orders heretofore entered.

VETERANS' BENEFITS, EDUCATION, JOB PREFERENCE, AND UNEMPLOYMENT

Mr. SHELLEY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and 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. SHELLEY. Mr. Speaker, I received in my mail today a letter which I wish to read to the House and about which I wish to make a few comments. This letter is typical and representative of the tone of many letters that are coming to my office and, I assume, similar to letters being received by other Members at this time.

The letter reads as follows:

SAN FRANCISCO, CALIF.

DEAR CONGRESSMAN SHELLEY: I am writing you this letter to protest the proposed cuts in veterans' benefits, education, and job preference. These special interests who propose and endorse these so-called economic measures would undoubtedly scream their heads off if legislation was directed against their interests.

Veterans with service-connected disabilities and veterans who desire to avail themselves of the opportunity of free schooling should be given that chance and any money appropriated for that use is certainly not going to waste. After all these veterans are our boys and any help and education they receive will help the United States. I hope you will do all in your power to prevent these cuts but, more important, I hope you will convince other Congressmen to follow suit.

Another thing that I would like to inform you about in more detail is the unemployment here in San Francisco. There are a great many unemployed at the present time and no prospect of jobs opening up, but more serious than that is there are going to be more layoffs in the months ahead. The American Can Co. machine shop where I am employed is going to lay off about 25 men in the next few weeks. This is in addition to the 15 or 20 that have already been laid off. There is very little work to be finished and they say there is nothing in sight coming in. Something should be done now because the business upturn the administration expects in the spring is not going to come, and when that happens, that is, when business sees that the trend is going down they will cut back more yet and it may develop into quite a severe depression, or in any case severe enough to really hurt people with families and paying on a house, furniture, etc., and raising 2 or 3 children at the same time.

Thank you for reading this letter, I am

Sincerely yours,

JOHN SLAVEIRO.

Mr. Speaker, I do not believe in preaching or spreading a fear doctrine. Much has been said recently about recessions, depressions, business declines, and such. Strong, and in some cases vicious, epithets have been aimed at those who have used such terminology. Mr. Speaker, I am not a sadist, nor am I tainted with treason—I do not care by what name you call the present situation—the condition exists and gets worse daily. The men, like the author of the above letter, who are being laid off daily and are unable to find work do not care whether it is a recession or a depression, deflation or a slump, inflation or a leveling off. To them it is hunger and problems for themselves and wives and kids. Those who are feeling it directly are looking to their Government for understanding—for recognition of an immediate and growing condition which is not healthy.

In the late twenties and early thirties Government closed its eyes to a similar situation, attempts were made to allay the worries of the people by peddling the pap that "prosperity is just around the corner." We found out, Mr. Speaker, that the corner was miles and years away; in fact, might never have been reached if a succeeding administration under Franklin Roosevelt had not recognized the situation and taken bold and courageous steps to meet it. Some of us went through those days the hard way and will not forget the lessons we learned. It is because of those experiences that I take this brief time to say—let us recognize the tone and meaning of the growing number of letters such as Mr. Slaviero's. The burden is on the present administration to present a program now which will prevent a sad repetition of history.

Unemployment is growing—call it what you will.

THE ST. LOUIS NATIONAL LEAGUE BASEBALL CLUB

Mr. PRICE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include telegrams.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. PRICE. Mr. Speaker, legislation has been suggested which would prohibit the ownership of major league baseball teams by brewery interests. It has been further indicated that this prohibition was more or less directed against Anheuser-Busch, Inc., which last year purchased the St. Louis National League Baseball Club, familiarly known to millions of American baseball fans as the Cardinals.

I would like to point out to my colleagues in the House that there was great concern in the St. Louis area last year when it was reported that the Cardinals were to be sold. It was feared that the purchaser might be outside interests, who eventually might decide to move the baseball club to another city. It was with great enthusiasm then that all Cardinal fans and all civic-minded individuals in the St. Louis area welcomed the purchase of the Cardinals by Anheuser-Busch, Inc. This act gave assurance that the Cardinals would remain, as they should always be, a St. Louis institution.

In this connnection, I ask unanimous consent to include with my remarks a statement made today by Col. August A. Busch, Jr., president of Anheuser-Busch, Inc., and the St. Louis National League Baseball Club; a statement made by the Honorable Raymond R. Tucker, mayor of the city of St. Louis; and a statement from the Honorable Aloys Kaufmann, former mayor of the city of St. Louis, and now president of the Chamber of Commerce of Metropolitan St. Louis.

These telegrams express not only the sentiment of the signers but of the millions of Cardinal fans in the St. Louis area. Colonel Busch himself has been an outstanding leader in the promotion of worthwhile civic affairs, and I am confident that the purchase by his organization of the Cardinals reflected his desire to perform another public service. The Cardinals are a very definite asset to the St. Louis metropolitan area and their loss to that area would definitely have been a serious economic blow. I feel that St. Louis is now guaranteed that the threat of such a loss is removed, and that this great baseball organization, which has brought so much fame to the community, will always remain a part of its life.

Civic leaders in St. Louis firmly support the new ownership of the Cardinals, and as the statements of Mayor Tucker and former Mayor Kaufmann indicate, all are united in the belief that Anheuser-Busch's purchase of the Cardinals was a forward step devoted to building a better St. Louis. They have complete confidence that Colonel Busch and his associates had public service paramount in their minds when they acceded to requests of certain civic leaders that they consider the purchase of the Cardinals ball club.

Colonel Busch's statement and the telegrams from Mayor Tucker and Mr. Kaufmann follow:

ST. LOUIS, MO., *February 24, 1954.*

Hon. MELVIN PRICE,
House Office Building,
Washington, D. C.:

Statement by August A. Busch, Jr., president of the St. Louis Cardinals and Anheuser-Busch, Inc.:

"We respect the right of a United States Senator to make any comment or introduce any legislation, though we hardly believe it proper legislation to be aimed at an individual or single company.

"We do not want to enter into any controversy with Senator JOHNSON, but we believe the 100-year record of Anheuser-Busch, Inc., and our record since we have been in organized baseball speak for themselves.

"1. Anheuser-Busch, Inc., was a leader in its field before any baseball broadcasts—and even before organized baseball itself made an appearance on the American scene. To accuse us of using baseball to achieve a position in the industry we long have enjoyed is self answering.

"2. Our record for the year we have been in organized baseball has been recorded.

"In the first place we bought the Cardinals only when we were certain that no other group could keep them in St. Louis. Then we proceeded to improve our stadium with one objective—to make the park more comfortable and baseball more enjoyable.

"Baseball broadcasting under brewery sponsorships is certainly not new. More than half of the major league broadcasts are under such sponsorship. Were it not for this sponsorship millions of fans would have been unable to enjoy baseball.

"I can assure fans that Anheuser-Busch, as owner of the Cardinals, will continue to serve the best interests of baseball and the public."

ST. LOUIS CARDINALS.

ST. LOUIS, MO., *February 24, 1954.*

Hon. MELVIN PRICE,
House Office Building,
Washington, D. C.:

As mayor of St. Louis, I want to call your attention to my opinion regarding Mr. Busch and the motives of his company in purchasing and operating the St. Louis Cardinals. The fact is that St. Louis was in great danger of losing the Cardinals to another city when Anheuser-Busch, Inc. came forward with the capital required to keep them here and to build a championship team.

The St. Louis Cardinals are more than a St. Louis institution, and more than a midwest institution. They are the home team of more Americans than any other major league baseball club. Mr. Busch respects that tradition and will continue it. He is an outstanding leader in St. Louis affairs and chairman of Civic Progress, Inc., our organizations devoted to building a better St. Louis.

The people of St. Louis do not think the Cardinals are being run for business purposes. They see much evidence that their owners are interested only in giving St. Louis the kind of national league baseball to which it is accustomed—winning baseball.

Speaking for the people of St. Louis, I want to assure you that we have complete confidence that Mr. Busch will do everything he can to give the fans of this vast section of America a Cardinal team that they will be proud to root to a world championship.

RAYMOND R. TUCKER, *Mayor.*

ST. LOUIS, MO., *February 24, 1954.*

Hon. MELVIN PRICE,
House Office Building:

We are certain that Anheuser-Busch or Col. August A. Busch, Jr., president of Anheuser-Busch and the Cardinals, needs no defense by us. This telegram is simply to inform you that this 100-year-old company and its president have brought great credit to this community and this area through their business practices, civic spirit, and community participation.

It was through the personal efforts of Colonel Busch and the expenditure of millions of dollars by the company he heads that kept the colorful Cardinals, one of our great civic assets, in St. Louis. Our citizens are grateful and Mr. Busch's subsequent conduct of the Cardinals has made them very happy.

We are jealous of the reputation of our community and of its leading citizens and organizations and we are sure you would want to know how we feel.

This telegram bespeaks the sentiments of the overwhelming majority of our citizens and the business community as well. We respectfully call it to your attention in the interests of fair play.

ALOYS KAUFMANN,
President, Chamber of Commerce of Metropolitan St. Louis.

UNEMPLOYMENT

Mr. HAYS of Ohio. 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 Ohio?

There was no objection.

Mr. HAYS of Ohio. Mr. Speaker, I want to read a very timely press release. It says:

> All the evidence indicates that the worst effects of the unemployment will have passed during the next 60 days.

Now, who do you suppose issued that press release? Not Secretary Mitchell, not Secretary Weeks, not the President's press secretary; this is a press release dated March 7, 1930, by the Honorable Herbert Hoover, that self-appointed prophet of depression. He did not know a depression when it was draped around his shoulders.

MEETING THE CHALLENGE

Mr. TRIMBLE. 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 Arkansas?

There was no objection.

Mr. TRIMBLE. Mr. Speaker, at this season when we celebrate Washington's Birthday, all of us in the Congress should be reminded to seek at least two things: First, a just and a lasting peace for all humanity. Second, prosperity and tranquillity here at home. These two objectives are so closely entwined that reason does not try to separate them. These, then, are our historic challenges as public servants. They are also challenges to the people back home whom we represent.

We can successfully meet these challenges in the days ahead by hard work, prudence, and faith—faith in God, faith in our country, and faith in each other.

In this time of charges, smears, distrust, and confusion, let each of us adopt as his own this prayer offered for our country by George Washington, our first President, a great public leader. I quote:

A PRAYER FOR OUR COUNTRY

Almighty God, who has given us this good land for our heritage, we humbly beseech Thee that we may always prove ourselves as a people mindful of Thy favor and glad to do Thy will. Bless our land with honorable industry, sound learning, and pure manners. Save us from violence, discord, and confusion; from pride and arrogancy, and from every evil way. Defend our liberties; and fashion into one united people the multitudes brought out of many kindreds and tongues. Endue with the spirit of wisdom those to whom in Thy name we entrust the authority of Government, that there may be peace and justice at home, and that through obedience to Thy law we may show forth Thy praise among the nations of the earth. In the time of prosperity fill our hearts with thankfulness, and in the day of trouble suffer not our trust in Thee to fail. All of which we ask through Jesus Christ our Lord. Amen.

My colleagues, the road ahead will not be easy for us. The road traveled was not an easy one for those who served in these hallowed Halls before us. Out of the crucible of the years, they have handed us a great heritage. We must not fail them. May I have the courage and common sense to do my part and more as we struggle toward a just and lasting peace, and a sound economy and prosperity at home.

TAX SUPERMEN

Mr. EBERHARTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. EBERHARTER. Mr. Speaker, your Committee on Ways and Means has been in executive sessions for about 6 weeks considering a so-called technical revision of the Internal Revenue Code.

The staff of the Joint Committee on Internal Revenue Taxation and a staff from the Treasury Department have spent something over 2 years preparing for this revision.

All of us know that tax lawyers spend their entire lives trying to become experts in just one phase of our tax code. To even understand the major changes which are now being made in the tax laws by the Committee on Ways and Means would require at least a year's intensive study by the committee.

We must indeed be supermen to accomplish this work in 6 weeks.

The resulting complexities will match the fondest dream of any tax lawyer.

DAN CLEARY

Mr. O'HARA of Illinois. 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 Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, it is distasteful to me to assume a role of ungallantry.

I would sooner make excuses for the lady recently become a member of the War Claims Commission. She was new to Washington. All she had to guide her was the counsel and example of some of the Republican menfolks who had gone all out for name calling. It is understandable how the lady got the idea that as part of the upper echelon of the administration it was her official duty to smear Democrats.

If she could have kept herself in emotional check until the President had spoken on the subject of scandalmongering, she could have saved herself and the administration from what must be a real embarrassment to the man in the White House.

The gravity of the offense of Pearl Carter Pace does not permit an easy excusing thereof on the grounds that she is a lady. There is another lady I am thinking about—the young widow of Dan Cleary.

Dan Cleary was my friend. If ever a man walked with God, Dan Cleary so walked. He was the chairman of the War Claims Commission. No man ever worked harder, with more fidelity and integrity, or did a better job in the public service of these United States. He gave himself to his public duty even to the last beat of a brave and overworked heart. He died at the post of duty in the flower of his young manhood.

I stood in Arlington Cemetery a few weeks ago when they laid Dan Cleary to rest. He left behind a young widow and a family of young children. I think of that young widow as the finest flower of the ladyhood of Illinois. Hers now the job of carrying on alone, both mother and father, supporter and comforter, a job she will acomplish with courage and with glory as many women before her have done.

I returned from that scene of parting at Arlington, when Dan Cleary was left to sleep with the many other heroes of our Republic, shortly thereafter to read in the Washington Post that Pearl Carter Pace had gone to the Statler Hotel to address a gathering of 50 Republican national committeewomen. The Post quotes her as saying that her Democratic predecessors—that meant Dan Cleary—"had to be dragged, screaming and kicking, from their good sound berths."

That, of course, was entirely untrue in any sense, as the law we passed creating the Commission provided that the term of office of the Commissioners should be the life of the Commission, that is, until March 31, 1955.

Pearl Carter Pace, however, did not stop there. The Post quotes her as saying "apparently there is in Washington a bad odor connected with the War Claims Commission."

It should be remembered, Mr. Speaker, that the words ascribed by the Washington Post to Commissioner Pace were spoken within a few weeks after the burial of Dan Cleary, that there was not in the statement one iota of truth, that the administration of the War Claims Commission under Dan Cleary had been a pattern of efficiency and scrupulous honesty, and even at the time the false and smearing remarks were being made to the 50 Republican national committeewomen there were those at the Office of the Custodian of Alien Property—from which comes the funds for the War Claims Commission—who were saying that Dan Cleary killed himself by overwork.

To the credit of Estelle Jackson, writer of the article in the Washington Post, it should be recorded that after reporting the remarks of Pearl Carter Pace she added, "Other speakers at the session confined themselves to ladylike remarks on GOP accomplishments."

I venture the suggestion, Mr. Speaker, that Republican men and women, like Democratic men and women, always will listen to arguments based on accomplishments, and will find disgust and distrust in false slander and the smearing of the dead.

DEPRESSION PSYCHOLOGY

Mr. CURTIS of Nebraska. 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 Nebraska?

There was no objection.

Mr. CURTIS of Nebraska. Mr. Speaker, as one citizen I resent the organized drive to promote a depression psychology in the country. No doubt there are some people being misled by this talk, but a great many people who are making those claims are in a position to gain by them either politically or are in a position to advance certain causes which they think they can advance if the country is thrown into a depression. They are attempting to throw this country into a depression. Now the facts are that since World War II ended on several occasions there has been more unemployment than there is right now. The Republicans have a program that is going to remedy that and is remedying it now. These calamity speeches constitute a political conspiracy to throw the country into a depression.

THE REPUBLICAN PLATFORM—WHEN?

Mr. RAYBURN. 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 Texas?

There was no objection.

Mr. RAYBURN. Mr. Speaker, the gentleman from Nebraska announced that the Republican Party has a program. My question is, When are we going to start working on that program?

PERSONAL TAX EXEMPTIONS

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks and to include a short table.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, Democrats, in this and the other body, are trampling over one another in their eagerness to propose bigger and better increased personal exemptions for our taxpayers. Where have they been during the past 20 years when their party controlled every Congress but one?

During the period Democrats were in power, here is what happened to personal exemptions. For a married couple or head of family, they fell from $3,500 to $1,000. For a single individual, they fell from $1,500 to $500.

The only increase in personal exemptions which has been made in the last 20 years was during the 80th Congress, controlled by the Republican Party.

It is quite clear that Democrats are uniformly in favor of increasing personal exemptions—except when they have the responsibility of governing.

Let me make this clear: If an increase in personal exemptions is possible, a Republican Congress will make it, and if personal exemptions are increased it will be because a Republican Congress has cut Federal spending to a point where tax relief is finally possible.

I include as part of my remarks the history of personal tax exemptions during the past 30 years:

Personal exemptions, 1925–54

Revenue act	Income year	Personal exemptions		Party controlling Congress when revenue act passed
		Married couple	Single	
1926–28	1925–31	$3,500	$1,500	Republican.
1932	1932–33	2,500	1,000	Democrat.
1934	1934–35	2,500	1,000	Do.
1936–38	1936–39	2,500	2,500	Do.
1940	1940	2,000	800	Do.
1941	1941	1,500	750	Do.
1942	1942–43	1,200	500	Do.
1944	1944–45	1,000	500	Do.
1945	1946–47	1,000	500	Do.
1948	1948–53 [1]	1,200	600	Republican.

[1] Plus an additional $600 exemption to persons over 65 and to blind.

ECONOMIC CONDITIONS—ACTION VERSUS TALK

Mr. MULTER. 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 New York?

There was no objection.

Mr. MULTER. Mr. Speaker, the only calamity about talking about economic conditions that face our country is the calamity that may occur if we do nothing about them. As indicated by our distinguished former Speaker and now distinguished minority leader, we, on the Democratic side, are ready to do something about it. There is a condition facing this country that may get worse unless we do act. We are ready to act on our side. Are you ready to act on your side? Stop talking, start doing.

SPECIAL ORDER GRANTED

Mr. HOFFMAN of Michigan asked and was given permission to address the House for 10 minutes today, following the legislative program and the conclusion of special orders heretofore granted.

CLEANING UP THE MESS

Mr. HOFFMAN of Michigan. Mr. Speaker, our delightful colleague, the gentleman from Texas [Mr. RAYBURN], abandoning for the moment his program of calling to our attention the very descriptive names that some people have thought to apply—and I do not refer to any of those bad ones—to the actions of his party and of those on the other side, and the gentleman who followed him inquired as to when are we going to begin doing something about cleaning up the "mess." I cannot speak for the Republican leadership—I am just out of favor over here in that respect all the way through. For myself, let me say this. I did start to clean up the "mess" as chairman of the Committee on Government Operations. We were getting along pretty well doing that job until the Democratic members on that committee, I would not say seduced, but anyway persuaded the Republicans to go along with them and cut off my authority. Oh, we were doing a good job and we were beginning to clean things up, and then your party stepped in over there and with the aid of some Republicans cut off that cleaning up job which was well on its way.

UNITED STATES v. WARREN L. STEPHENSON

The SPEAKER laid before the House the following communication from the Clerk of the House:

FEBRUARY 25, 1954.

The honorable the SPEAKER,
House of Representatives.

SIR: From the District Court of the United States for the District of Columbia, I have received subpenas duces tecum, directed to me as Clerk of the House of Representatives, to appear before said court as a witness in the case of the *United States* v. *Warren L. Stephenson* (No. 1838–53, docket), and to bring with me certain and sundry papers therein described in the files of the House of Representatives.

The rules and practice of the House of Representatives indicates that the Clerk may not, either voluntarily or in obedience to a subpena duces tecum, produce such papers without the consent of the House being first obtained. It is further indicated that he may not supply copies of certain of the documents and papers requested without such consent.

The subpenas in question are herewith attached, and the matter is presented for such action as the House in its wisdom may see fit to take.

Respectfully yours,

LYLE O. SNADER,
Clerk of the House of Representatives.

The SPEAKER. The Clerk will read the subpenas referred to.

The Clerk read the subpenas, as follows:

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* WARREN L. STEPHENSON, NO. 1838–53

To CLERK, HOUSE OF REPRESENTATIVES (LYLE O. SNADER), *Washington, D. C.*

You are hereby commanded to appear in the United States District Court for the District of Columbia at Third and Constitution Avenue NW., fourth floor, courtroom 8, on the 1st day of March, 1954, at 9:30 o'clock a. m., and bring with you to the court of Hon. Charles McLaughlin, judge, the minute book of the Committee on Armed Services and the minute book of the Subcommittee on Defense Activities of the Committee on Armed Services, each for the year 1953.

This subpena is issued upon application of the defendant.

Nicholas J. Chase, attorney for defendant, 400 Wyatt Building, Washington, D. C.

[SEAL] HARRY M. HULL, *Clerk.*
By MABEL R. HOUSTON,
Deputy Clerk.

FEBRUARY 23, 1954.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA—UNITED STATES OF AMERICA *v.* WARREN L. STEPHENSON, CRIMINAL CASE No. 1838–53

Spa ad test: Court of Chief Judge Laws.

THE PRESIDENT OF THE UNITED STATES TO THE HONORABLE LYLE SNADER,
Clerk, House of Representatives, room P–42, Statuary Hall, Capitol Building

Bring all records of the Subcommittee on Defense Activities, House Committee on Armed Services, House of Representatives, relating to H. R. 125, including all resolutions and precepts on the committee and subcommittee pursuant to the said H. R. 125.

You are hereby commanded to attend the said court on Monday, March 15, 1954, at 9 o'clock a. m., to testify on behalf of the United States, and not depart the court without leave of the court or the district attorney.

Witness the Honorable Bolitha H. Laws, chief judge of said court, this — day of — A. D. 19—.

HARRY M. HULL, *Clerk.*
By HAROLD G. DODD, *Deputy Clerk.*

[SEAL]

NOTE.—Report to New Courthouse, between Third Street and John Marshall Place on Constitution Avenue NW., courtroom No. 8.

Mr. HALLECK. Mr. Speaker, I offer a resolution (H. Res. 451) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Whereas in the case of the United States against Warren L. Stephenson (No. 1838–1853, docket) pending in the District Court of the United States for the District of Columbia, subpenas duces tecum were issued by the said court and addressed to Lyle O. Snader, Clerk of the House of Representatives, directing him to appear as a witness before the said court on the 1st day of March 1954 at 9:30 o'clock antemeridian, and on the 15th day of March 1954, at 9 o'clock antemeridian, and to bring with him certain and sundry papers in the possession and under the control of the House of Representatives: Therefore be it

Resolved, That by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession but by its permission; be it further

Resolved, That when it appears by the order of the court or of the judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such order thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That Lyle O. Snader, Clerk of the House, be authorized to appear at the place and before the court named in the subpenas duces tecum before-mentioned, but shall not take with him any papers or documents on file in his office or under his control or in his possession as Clerk of the House; be it further

Resolved, That when said court determines upon the materiality and the relevancy of the papers and documents called for in the subpenas duces tecum, then the said court, through any of its officers or agents, have full permission to attend with all proper parties to the proceeding and then always at any place under the orders and control of this House and take copies of any documents or papers and the Clerk is authorized to supply certified copies of such documents and papers in possession or control of said Clerk that the court has found to be material and relevant, except minutes and transcripts of executive sessions, and any evidence of witnesses in respect thereto which the court or other proper officer thereof shall desire, so as, however, the possession of said documents and papers by the said Clerk shall not be disturbed, or the same shall not be removed from their place of file or custody under said Clerk; and be it further

Resolved, That a copy of these resolutions be transmitted to the said court as a respectful answer to the subpenas aforementioned.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

INVESTIGATIONS BY COMMITTEE ON UN-AMERICAN ACTIVITIES

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration I call up for consideration at this time House Resolution 400.

The Clerk read as follows:

Resolved, That the further expenses of conducting the investigations authorized by section 17 of rule 11, as enacted by the passage of House Resolution 5 of the 83d Congress, 1st session, incurred by the Committee on Un-American Activities, acting as a whole or by subcommittee, not to exceed $300,000, including expenditures for employment of such experts, special counsel, investigators, 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, if not otherwise officially engaged.

SEC. 3. That the funds granted shall remain available for the expenses of the Committee on Un-American Activities until expended.

With the following committee amendment:

Page 1, line 6 strike out the sum and insert "$275,000."

Mr. LECOMPTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LECOMPTE. Do I understand this is a privileged resolution?

The SPEAKER. It is. The gentleman is calling it up as a matter of privilege.

Mr. LECOMPTE. Under the rules the Chairman has control of the time.

The SPEAKER. The gentleman has 1 hour to yield to whomsoever he desires.

Mr. LECOMPTE. And he has control of the matter of offering amendments.

The SPEAKER. A committee amendment is now pending. No other amendment can be offered unless the gentleman yields the floor for that purpose.

Mr. LECOMPTE. A motion to recommit, of course, belongs to some member of the minority opposed to the resolution. Would any motion except a motion to recommit be in order except by the gentleman in charge of the bill?

The SPEAKER. Not unless the gentleman yields for that purpose.

The gentleman from Iowa is recognized for 1 hour.

Mr. LECOMPTE. Mr. Speaker, I know that all Members of the House are interested in this legislation. This is the annual appropriation for investigations by the Committee on Un-American Activities. The committee has already had in this Congress $300,000, and is now asking $300,000 for this year or the balance of the 83d Congress. The House Administration Committee has considered and has felt that some kind of an economy effort is in order and has voted a committee amendment reducing the amount from $300,000 to $275,000.

I think it will not be said that the House of Representatives is soft toward communism. The Committee on Un-American Activities convinced the subcommittee that there are detailed and elaborate plans in the making for prosecuting, investigating, and uncovering communism wherever it can be found in the United States.

The Members may be interested to know that the House of Representatives has already expended down through the years from 1938 to the present time, but not including this year, the total sum of $2,527,500 by the Committee on Un-American Activities, largely for investigating the presence of communism at some place wherever it may have been found within the United States. The committee, of course, was formerly known as the Dies committee, and was headed by the gentleman from Texas [Mr. DIES], now a Member of the House. He had charge of the investigations of the Dies committee for 6½ or 7 years, and during that time his committee performed a splendid service and spent $652,500.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. LECOMPTE. I yield to the gentleman from Massachusetts for a question.

Mr. McCORMACK. I am not in any way vain, but just to keep the history correct, it happened that I was chairman of a committee investigating communism, fascism, and bigotry in 1934. Out of that committee came what is now the Smith Act. My committee recommended that act. For several years, though, I introduced bills and could not get a hearing on them. The gentleman from Virginia [Mr. SMITH] was fortunately in a position where he could include it in a bill, which passed a Democratic House and Senate and was signed by a Democratic President. The Foreign Registration Act was recommended by me. So, while I say it is not from vanity on my part, I do wish my friend from Iowa would keep the RECORD correct and at least say for the RECORD that I was chairman of a special committee that investigated communism. Prior to me, the gentleman from New York, Mr. Fish, was chairman of an investigating committee that investigated communism. Out of my investigation at least came recommendations for certain bills which were enacted into law, all by Democratic Congresses and signed by a Democratic President.

Mr. LECOMPTE. I may say to the gentleman from Massachusetts that he is reciting some history I did not know about. I thought the Un-American Activities Committee originated with a resolution offered by the gentleman from Texas [Mr. DIES]. The gentleman is going back long before my time. I am admitting the truth and accuracy of his statement, but I will say that I had not heard of it.

Mr. McCORMACK. I can understand that because the gentleman from Massachusetts was very much alone in those years in fighting communism. I did not have many Members of the House supporting me, I did not have many Americans throughout the country supporting me because they thought it was just headlines when I warned them of the potential danger of communism, not only to our country but to the world. So, I am not amazed because I was a very lonely figure in those years. However, we did get the legislation through that we recommended.

Mr. LECOMPTE. For that reason, then, the gentleman will join with me in saying that we are not going to be soft on communism and the gentleman will join with me in helping to get this appropriation through?

Mr. McCORMACK. I am for it; yes.

Mr. LECOMPTE. The gentleman is in favor of the resolution.

Mr. McCORMACK. I am only glad to refresh my dear friend's memory. It is only natural because there are very few who can remember back to 1934. There were so few at that time who were alarmed about communism. I was alarmed and I warned the country, but very few recognized the situation of that time.

Mr. LECOMPTE. Some of us had not come to Congress at that time.

Mr. McCORMACK. You were old enough to read the newspapers.

Mr. LECOMPTE. The gentleman agrees, then, there must be no backward step taken, that communism must be stamped out wherever it shows its ugly head?

Mr. McCORMACK. We all agree with the last statement of the gentleman and I join with him. There is no one more firmly entrenched in his strenuous opposition to communism than is

my friend from Iowa. I was just ahead of the gentleman 20 years ago.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. LECOMPTE. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I think it would be appropriate at this moment to call the attention of the House to the fact that the Smith Act, which the gentleman from Massachusetts is largely responsible for, has brought about the conviction, since its enactment, of the leading Communists in the United States. These convictions were appealed to the court of last resort and the act was found by that Court to be constitutional. It is our hope that through the continued efforts of this committee we will be able to find other people who have been gnawing at the vitals of our beloved Republic to the end that they, too, may discover the effectiveness of the Smith Act.

Mr. LECOMPTE. I thank the gentleman for that contribution.

Mrs. ST. GEORGE. Mr. Speaker, will the gentleman yield?

Mr. LECOMPTE. I yield to the gentlewoman from New York.

Mrs. ST. GEORGE. I just wanted to say that I was fully cognizant, although I hate to admit it, of the very fine work that was done so many years ago by the gentleman from Massachusetts [Mr. McCORMACK]. I also am very happy that he mentioned another gentleman who goes back even further and who was the first member of that committee, and that was Mr. Hamilton Fish in 1930. For his work there, he suffered a good many smears and grievous wrongs, and I am certainly glad to see that the RECORD will show that he was the very first man who put up this fight against communism, as he came from my own district.

Mr. LECOMPTE. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. JAVITS].

Mr. JAVITS. Mr. Speaker, the House will undoubtedly today vote this appropriation for the Un-American Activities Committee as it has before on many occasions with an overwhelming vote. I voted for it myself on the last occasion, and when I voted for it I said I was doing that because I realized, and I think we all realize, that because you vote for an appropriation does not mean that you have to accept everything that the committee does with uncritical appraisal.

Now, there is a great stir in the country about this type of investigation, and the fact that Members vie with each other here in protestations about how they abhor communism is not going to cure that stir and is not going to reassure the American people.

I think we all have a very grave responsibility. The prestige of the whole Congress is at stake. This is not a situation where we can equip a committee with money and let them go ahead with a job and forget about it. It is a question as to our accountability with respect to the methods pursued in the investigation of communism in this country.

On two points, I know, we are, without any question, together. One is that we want to root out communism, and the other is that we are devoted to Congressional power of investigation which is one of the most stalwart bastions of the freedom of our society and which is so thoroughly entrenched in the spirit of the Constitution.

But, we cannot take lightly what has occurred in these investigations. When the Presbyterian Church, the National Council of Churches of Christ, the Episcopal Bishops, the Women's Division of the Christian Service of the Methodist Church—these are conservative groups—oppose the methods of investigation by committees in this field, the Congress must listen. When it is alleged that the free market in ideas is being inhibited and that treason is being confused with dissent we must listen. Regardless of what our opinions may be, the actions of congressional committees in this field, particularly the committee in the other body which is so much in the headlines today, not only affect finding out Communists and subversives, it affects the morale of Government employees, discipline in the Army, it affects United States relations with its allies, the research program of the United States Army in highly delicate subjects like radar at the Fort Monmouth Signal Corps Laboratories. When we read that scientists are thinking twice about going into or staying out of the service, I think it all comes down to this: I think the facts show, and I am going to give a few facts, that we have to have the whole Congress take the responsibility for these committees by legislating rules of fair procedure. Many distinguished people in the country have urged it. I respectfully say, and I do not say this invidiously, but I think we would be derelict in our duty if we did not at the least enact rules of fair procedure for Congressional investigating committees as recommended by leading bar associations and other authorities.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. JAVITS. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I should like to call the attention of the gentleman from New York to the fact that the Committee on Un-American Activities has adopted a set of rules, and that every attempt possible is made to adhere to the provisions of those rules.

Mr. JAVITS. May I deal with that in a moment, because you know I have studied this subject very carefully. I am sponsoring in the House the rules offered by the Association of the Bar of New York and I would not speak without knowledge of the rules of the committee and what has been done under them.

Let us see what has been done with them. In the first place, many in the country have been deeply disturbed about the release of testimony given by a former Communist Party official, Benjamin Gitlow, associating two very distinguished rabbis, Rabbis Wise and Magnes, who were outstanding and revered leaders of their people and whom I knew personally, and associating Dr. John Haynes Holmes, one of the most distinguished Protestant ministers in New York, as having collaborated with the Communist Party. These are men who had widespread reputation for devotion to liberty and abhorrence of any totalitarian doctrine of practice.

As far as I can see this information was unscreened; nobody was permitted to testify against it; nothing of support was in hand with respect to it except that of having the testimony of an admitted former Communist; yet it was released to the public. I say rules that permit such methods and procedure are a real danger to the prestige of the Congress. You have to have some screening, some sort of substantiation, some opportunity to talk back, especially since Rabbis Wise and Magnes were deceased at the time of the report.

Second, there was a 10-hour hearing in connection with the complaint of Bishop Oxnam. What was he complaining about? I do not speak about his other complaints, but what he legitimately complained about was that the committee did not call him in and give him an opportunity in executive session to say, "Yes, I was a member of this; no, I was not a member of that," before releasing a file on him to the public. He had to do it in public session. Why? Because he had been pilloried publicly.

Third, the issuance of the subpena against Harry Truman, a former President of the United States. The rules of procedure of the committee state, and I quote:

> No major investigation shall be initiated without approval by a majority of the committee.

Nevertheless, the chairman issued a subpena against a former President of the United States. Even if you did not object to his issuance of that subpena—and I think there is a grave question as to whether there is any right in an ex-President to expect that the Congress is not going to subpena him, but certainly only after considered action and not on the motion of a committee chairman acting alone—what I say is bad about it is that when he did not honor the subpena, the whole committee accepted its not being honored, the Congress accepted it, and the country accepted it because they felt the whole matter had been handled wrongly. That is certainly a dangerous state in which to leave the prestige of the House of Representatives. I say it is very clear that Congress has to act on rules of procedure for congressional investigating committees and only that kind of impact will have any real effect.

It is fatuous to stand here and oppose this appropriation when it is going through, and going through overwhelmingly, but that does not stop any of us from standing up here and saying it is the conscience of Congress, the whole Congress, every one of us, that has to operate now. There is no excuse for its not operating, and we have the power in our hands to manifest it.

Mr. LECOMPTE. Mr. Speaker, I yield 10 minutes to the Chairman of the House Committee on Un-American Activities, the gentleman from Illinois [Mr. VELDE].

Mr. VELDE. Mr. Speaker, in your consideration of the requested appropriation for the House Committee on Un-American Activities, I should like to say

a few words concerning the work and accomplishments of this committee during this Congress.

In 1953, the Committee on Un-American Activities held hearings in Washington, D. C.; Los Angeles, Calif.; New York City; Albany, N. Y.; Columbus, Ohio; Lansing, Mich.; Philadelphia, Pa.; and San Francisco, Calif. In the course of these hearings, the committee heard more than 280 witnesses, many of whom added greatly to the knowledge that the Congress has instructed this committee to acquire relating to subversive activities. All of these witnesses who appeared before the committee in response to subpenas were so called by the committee because we were aware that they possessed information which would be of value. I might say that it was not only Communists that we called; we called other witnesses, too, who had information about subversive activities.

I am pleased that a number of these witnesses did testify as to their experiences and associations in subversive activities, and regret that a number of the witnesses chose to refuse to furnish the committee with the information they possessed on the basis that to do so might tend to incriminate them. I believe the Congress should know that there was no instance in which a witness was questioned concerning Communist Party membership that the committee did not have proof of such membership. To further elaborate on this point, there was only one witness who was so questioned who denied Communist Party membership out of the sum total I have referred to. This denial was made in the face of testimony from four witnesses, and the matter is presently under consideration by the Department of Justice for possible perjury prosecution.

The Congress will certainly recognize that it has given a very broad mandate to the committee to investigate subversive propaganda and activities. I can say with pride that the committee has confined itself well within the limits of this mandate. The committee has investigated individuals and not groups. It has found that these individuals have been in many varied groups and occupations within the United States. The committee has, however, made no study of the various groups which these individuals have infiltrated. There has been no investigation of education, religion, labor, or any other field, but there were individuals named by witnesses before the committee who are associated with these fields.

Even though the Communist Party in the United States has to a great extent gone underground, the House Committee on Un-American Activities, during the past year, received from witnesses the identification of more than a thousand individuals who had been members of the Communist Party, and again I should like to point out that these identifications have been made public and, with but one exception, none have come forward and denied that they have been members of the Communist Party.

The attacks upon the committee and its members are certainly no less today than they have been during the history of the committee's existence. False charges are still being made as to the committee's purpose and intentions. I wish to assure you today that the committee is investigating subversion, and finding subversion.

There are those who claim that the work of investigation in the field of subversion should be left to the Federal Bureau of Investigation. I believe that I can answer this with authority, having myself been a member of the FBI. The FBI, of course, is a fact-finding agency and the information it secures is of a nature that is made public only in the event of Federal prosecution. It is regrettable that in many instances in past years, the valuable information secured by the FBI has not been made public due to a lack of Federal prosecution. During the past year, there was at least one incident which points out the necessity of congressional investigations. After the FBI had conducted a thorough and exhaustive investigation and had reported to another executive agency the fact that an employee had been a member of the Communist Party, no action had been taken by that agency. Through the course of hearings conducted by this committee, positive identifications were made in public testimony identifying this Government employee as having been a member of the Communist Party. When confronted with this testimony, the witness admitted that he had at one time been a member of the Communist Party.

The instances are too numerous to mention where the FBI has secured valuable information concerning subversive activities that have never been made public, which would be of valuable assistance to Congress in its study for necessary legislation. The investigation to secure information for legislation on subversive activities can only be done by congressional committees.

There are charges of abuse of innocent people by the investigations conducted by congressional investigating committees. There has been only one instance in 1953, I repeat, where any individual who has been identified as a Communist before this committee has denied it, or if he has denied it, has subsequently retracted his denial, or action has been taken to prosecute the individual for perjury.

The committee recognizes that its primary responsibility, as designated by the Congress, is legislative. I should like to point out that over the 15 years that this committee has been in existence as a special and permanent committee, there have been 47 recommendations made by the committee. These recommendations have been for legislation or action that should be taken by the executive branch of the Government in order to strengthen the security of this country against subversion. Of these 47 recommendations, there has been action either by legislation or amendment, or some positive steps taken by the executive branch of Government in all but eight cases. In addition, you will recall that the Internal Security Act of 1950 came about chiefly from the work that was performed by the House Committee on Un-American Activities.

The work of the committee during the past year, as reflected in its printed hearings and reports, shows that there have been approximately 4,000 pages of such hearings and reports printed during the past year. It might be of interest to you that this number is over twice that for any committee during a complete Congress in previous years.

The committee has continued its policy of furnishing reports from its files to Members of Congress, congressional committees, and authorized executive agencies. During the year, there were more than 6,000 such requests made of the committee and complied with. It has become standard procedure for most Government agencies operating in the field of security to have employees designated on a full-time basis to refer to the files of this committee.

In all, the year 1953 was one of the busiest and most profitable for the committee in securing information relating to subversive activities. The members of the committee had to devote an ever-increasing amount of time to the work of the committee.

During the year, there were 154 sessions of the committee, and that excludes the necessary business meetings which were held.

I assure you that the Congress and the people of the United States received full value for every dollar that was appropriated for the use of this committee, and I assure you that during this session of Congress, the committee will intensify its efforts to inform the Congress on subversive activities.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. VELDE. I yield.

Mr. McCORMACK. The gentleman said a moment ago that the FBI was a fact-finding agency. I had the idea that it was a fact-ascertaining agency, and then the agency to which the information obtained as a result of the investigation was forwarded made the findings on the facts.

Mr. VELDE. I think the gentleman is probably correct in his use of the word.

Mr. McCORMACK. I do not mean to interrupt the gentleman except if the gentleman's impression is the same as mine, I knew that he would want the RECORD to be correct.

Mr. VELDE. I certainly agree with the gentleman from Massachusetts.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. VELDE. I yield.

Mr. HOFFMAN of Michigan. I have listened with considerable interest to the comment of the gentleman from Massachusetts [Mr. McCORMACK]. Will the gentleman who has the floor explain now the difference between a fact-finding and a fact-ascertaining committee?

Mr. VELDE. Well, it is just a matter of your choice of words, I think, and the gentleman from Michigan knows that. One word would probably be a little bit clearer in this particular case than the other. I think the gentleman from Massachusetts has chosen the correct word.

Mr. McCORMACK. Mr. Speaker, if the gentleman will yield, I made no observations of the gentleman's committee, of which the gentleman is chairman.

My observation is confined to what the gentleman said about the FBI being a fact-finding agency, and I said nothing about the committee. The gentleman from Michigan did not hear me correctly.

Mr. VELDE. Of course, I think the gentleman knows that the House Committee on Un-American Activities is a fact-finding body also.

Mr. McCORMACK. Yes; that is correct.

Mr. VELDE. That is the distinction that I made between it and the FBI. The work of the two is in no way comparable. The chief point of difference is the fact that the FBI cannot because of the secret nature of its work make any of the information relative to subversion public unless it is in a criminal case, whereas our Committee on Un-American Activities can make public the information that it obtains.

Mr. WALTER. Mr. Speaker, will the gentleman yield?

Mr. VELDE. I yield to the gentleman from Pennsylvania.

Mr. WALTER. I think the gentleman is overlooking one very important fact, namely, that the Committee on Un-American Activities has a very large library, and it furnishes to various Government agencies information that those agencies have not obtained. That is true even of the FBI. So that a large part of the money appropriated to the Committee on Un-American Activities is expended for filing clerks who are engaged in the preparation of this very large library.

Mr. VELDE. I thank the gentleman for calling my attention to that. The gentleman is correct.

I should like to answer the gentleman from New York [Mr. JAVITS] relative to the Bishop Oxnam hearings which were held. I want the Members of this House to know, I think you already know, but may I repeat that Bishop Oxnam came before the Un-American Activities Committee at his own request. He was given a choice as to whether the hearing should be an open hearing or in executive session. He is the one who asked for it to be in open session. I think this appropriation of $275,000 will be sufficient for the work of the committee this year.

Mr. WALTER. Mr. Speaker, will the gentleman yield further?

Mr. VELDE. I yield to the gentleman.

Mr. WALTER. In view of the fact that the Bishop Oxnam matter has been discussed, I think the membership of this body would be interested in knowing that not only was the hearing held at the request of Bishop Oxnam, but it was a public hearing at his request. The atmosphere which he has complained about publicly in many speeches—he has talked about a Roman holiday—if there was anything that resembled that—and I deny that there was—it was of his own making, because the audience was packed with a number that he brought there, and the session lasted away into the night, another thing that he complained about, due to the fact that his attorney had engaged passage to Europe, and at the request of the bishop, and at the inconvenience of many people, particularly myself, we sat there until late into the night and permitted the bishop to go on with his story.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. LECOMPTE. Mr. Speaker, I yield 5 minutes to the gentleman from California [Mr. DOYLE], a member of the Committee on Un-American Activities.

Mr. JAVITS. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield briefly.

Mr. JAVITS. I just want to reply that all this matter had all been made public before the Bishop asked to testify. I hope the gentleman will develop that.

Mr. DOYLE. Being a member of the House Un-American Activities Committee, as I am again this session, as well as being on the Armed Services Committee also, I look on the Un-American Activities Committee as a committee that ought to function, as nearly as possible, absolutely nonpartisan. This is a must. I think we are making definite progress in that area. I hope so. I think we are.

I may be the only member of the committee who says so today, but I think we ought to have the full $300,000. I have told the gentleman from Iowa [Mr. LECOMPTE] of that fact; so it is no surprise to him that I take this position now. This is no time to economize—not a nickel's worth—in the field of exposing subversive activities wherever they are in my judgement. I think it is a step backwards; if it is thought of as economy to cut $25,000. In view of the strategic importance of the work before this committee; this work must be adequately performed every day. I am disappointed that the administration now in power in Washington including leadership in this House, takes the position that it is wise or timely to claim "economy" in this field of the work of the Un-Amercian Activities Committee.

We expend literally hundreds of millions of dollars throughout the world on the theory that our national security necessitates it because of the threat of aggressive or subversive or military communism. And yet, with John Edgar Hoover and other authorities in the premises advocating a continuous, vigorous, and vigilant effort against infiltration of subversive communism, not only in Government departments, but in all strategic organizations, I am dumbfounded that the House Committee on Government Operations insists that their claim to "economize" must also apply to making it less possible for the House Un-American Activities Committee to do fully the job which must be done. I know we have a little cash balance in the committee's treasury which was unused. But, my information is that this does not nearly amount to $25,000 at this date. Therefore it amounts to a real cut and reduction in the amount we ask for in the sum of $300,000. Certainly this House should compliment the committee for living within its budget, and in not expending funds which we felt could not be most efficiently expended right at the time. In other words, in the nature of our committee work, there are times we need to apply every ounce of effort to the problem. Then, there are times when we do not have to apply our full money allowances to investigations. So, this balance on our books is in itself evidence of a desire to efficiently and economically administer the money you give us.

The committee record shows, I think, that I have been about as regular in attendance as any member of the committee and have diligently done my full share of all responsibilities.

Mr. VELDE. Mr. Speaker, will the gentleman yield?

Mr. DOYLE. I yield to the chairman of my committee, the gentleman from Illinois [Mr. VELDE].

Mr. VELDE. I wish to say to the gentleman from California as well as to the other members of the committee that I appreciate wholeheartedly the support the gentleman from California has given his chairman; that I am sure each one of us realizes the importance of his effort to keep this very important committee nonpartisan; and I am sure each member of the committee has done his utmost to fulfill that obligation.

Mr. DOYLE. I thank the gentleman from Illinois, my chairman.

The gentleman from New York [Mr. JAVITS] made some remarks about the set of rules and indicating inferentially that we have done nothing too much about following them. I wish to say very frankly that I, too, recognize that some of the rules have not been followed 100 percent; but, I think the record will also show that this is the first time any committee of Congress, so far as I can learn, has had any printed, published, and freely distributed set of rules to govern it. I have seen no record of this Congress showing that any of our predecessors have done anything about the printing, distributing, and circulating for the information of witnesses and lawyers before such committee a set of rules to govern the conduct of hearings before the committee. Nor do I find any place in the records of Congress, either body of Congress, where anything like rule 10 was ever promulgated. I especially call your attention to said rule 10, because it clearly sets forth available ways and means whereby any person named before our committee the first time shall be entitled to promptly receive all important information affecting him. I will incorporate the full set of rules of our committee at the close of my speech today. I, too, agree that we should be very careful and not even unintentionally hurt any person's reputation or employment. The committee knows that I strenuously oppose releasing testimony until it has been adequately screened. I strenuously have and do now oppose releasing the names of people who are going to be called before the committee as witnesses before they have testified, because sometimes we find that the first information we get even after a person is subpenaed cannot be promptly or at all verified. Also I think it is well recognized that the mere subpenaing of a person before our committee in many parts of our great Nation is equivalent of that person being irreparably injured. All the people remember about such person is that he was called

before our committee. They do not later read or learn that the fact may be that such person was not actually identified as a subversive person. Sometimes we call people before our committee in what we call exploratory hearings.

The Truman subpena has been mentioned. The record shows that I opposed that subpena. But I did not know about it until after it was issued. I immediately criticized my distinguished chairman for issuing it. I told him to his face that I felt it was a violation of rule 1, which provides that—

No major investigation shall be initiated without approval of the majority of the committee.

I am sure that the record in this untimely instance stands that a majority of the committee was not polled in the premises.

In the matter of the Bishop Oxnam hearing, I do know that the bishop had asked for it publicly. He got it publicly. He had also asked several times before, and a long time before, that the record in the committee files as to him be corrected to show what he claimed the truth to be. But prior to the hearing that he finally did have at his request he had not been granted a previous hearing for which he also made request. This is as I recall the facts to be. And then, of course, the record of the hearing clearly shows that at the conclusion of the committee hearing the committee voted unanimously that in substance there was no evidence of any Communist membership or affiliation on the bishop's part. If rule 10 of our set of rules adopted July 1, 1953, had been in effect, Bishop Oxnam would have been notified by registered mail that he had been named in testimony before the committee. This rule 10 then would have given him an immediate opportunity to protect the record if he desired so to do.

I feel that our committee is steadfastly seeking to improve our conduct so as to represent the real intent and purposes of Public Law 601.

The rules under which we now operate, in my judgment, are not entirely sufficient. But they are a sincere attempt to correct the procedures so as to establish reasonable procedures for legal council and so as to protect all of the rights of every witness. Since the question of rules has been brought up, I should frankly state that because I had the heavy responsibility—although a minority member—of being named by the chairman of the full committee to take the chairmanship of a subcommittee to suggest rules to the full committee, therefore, I think I am well aware of the fact that some rules I hoped for were not adopted. But I say we made distinct progress and I think we will make more progress in the field of rules.

I might say that at adjournment time last August I filed with the Special Rules Committee of the House of Representatives additional rules. Many of these applied especially to the Un-American Activities Committee, and which that committee did not feel then willing to accept. But some of the rules I filed with said committee applied to all congressional committees generally and specifically. This House should know that no witness, against his will, is required to testify under oath before our committee. It was not always that way but it has been for the last few years—ever since I have been on the committee. A witness is promptly informed that at all times he has the right to confer privately with his legal counsel. I hope the committee may soon adopt a rule granting the right of an attorney for a witness not to exceed say 5 minutes in time to examine his client before the committee so that if the witness has overlooked any fact or evidence he desired the committee to have, his worthy counsel then has an opportunity to bring out that evidence before the committee. Also I earnestly wish that some rule of procedure could be adopted whereby when by the actual presence of witnesses and legal counsel in the committee room there could be reasonable opportunity for examination of adverse witnesses—call it cross-examination if you will. But, of course, gentlemen, if the committee permitted anything like the usual cross-examination as conducted in the courtroom, or if the committee permitted lawyers to argue before the committee, then practically no progress would be made by the committee in the field of actual investigation of subversive persons or subversive conduct. In saying this I do not criticize the members of the bar for I am a lawyer and a member of the California State Bar Association at this time. I am also past president of my local bar association. I mention this so that you will understand I cordially respect the important province and functioning of the bar. But the ordinary procedure of evidence cannot possibly be made to apply to the prompt and thorough functioning of our committee.

Mr. Speaker, I know that under the parliamentary situation I may not offer an amendment to increase the amount back to $300,000; but if I could I would; because I feel that this is no time to make a cut on the theory of economy. For, Mr. Speaker, it can never be economy in the interest of our national security against subversives to do less than a 100 percent job in the field in which our committee is charged with responsibility under Public Law 601. There is no time to lose. Furthermore, there is no time like the immediate present to help uncover and expose to the daylight or patriotic American citizens those who continue directly or indirectly as active members or participate in the Communist conspiracy to eventually overthrow the constitutional form of government of our beloved Nation by force and violence. Instead of reducing our staff we should increase it I believe to such proportions as to be efficiently managed and administered. We should not, of course, go beyond that point. But anything less than arriving at that point through adequate appropriations of money from this great body will not be economy.

Mr. Speaker, I now wish to make just a brief closing statement. May I make it clear that I do not countenance, tolerate, or approve any congressional committee, or any member of any congressional committee, taking advantage of any witnesses before a committee. Our committee is not a court. Our committee is not empowered to find guilt or innocence. It is an information-gathering committee for the purpose of reporting the facts and information gained from our hearings to the Congress. And we report to Congress with recommendations in the field of legislation which we recommend as result of our hearings and study in the field of subversive activities. There is no question in my mind that the Communist conspiracy originated and continues to be directed from the confines of a foreign nation. I think our committee records show ample evidence and testimony of this fact. I believe the hard core of communism in the United States either takes their directions and orders directly from a Communist Party in another nation, or that they themselves have originally come from foreign nations—and have brought their subversive aggressive Communist conspiracy and ambition and activities with them.

But, Mr. Speaker, our Un-American Activities Committee—yes, all congressional committees—in my judgment should be tolerant of other men's opinions. We must cherish and respect and fight for the right of other patriotic Americans to differ with us. We must continue to vigorously protect the rights of citizens who differ with us within the four corners of the Constitution to so differ with us. We must respect the other man's right to be considered wrong in our judgment. For, if we do not do so, he likewise has the right to disregard our right to be wrong in his considered opinion. To weaken or to destroy the other man's right of opinion so long as it is within the four corners of our American Constitution, in my humble judgment, is to destroy the very foundation of our constitutional form of government. For, Mr. Speaker, and my colleagues, this does not give any American citizen or any person residing within the United States of America the right, the privilege, or the opportunity, either directly or indirectly, to participate in anything which is part or parcel of the existing Communist conspiracy determined to overthrow all semblance of our democratic way of life by setting up a Communist dictatorship in the United States and to do that by force or violence if needs be when the time comes. I have said to our committee—I say it here—the committee should also investigate subversive propaganda and activities in the field of fascism and hatemongers. There are not less without the four corners of the Constitution. A dictatorship in any form is totally incompatible with our republic form of constitutional government. The radicals far to the right—the radicals far to the left who are so far either way that they advocate a dictatorship—these could also well be subversives in the sense of being willing to have our constitutional form of government subversively overthrown. I hope this appropriation of $275,000 will be this day unanimously approved. I hope it does not become a precedent for us later again giving to this important committee less than it asks for.

And now, Mr. Speaker, let me file with this short speech of mine a set of the rules of the committee adopted July 1,

1953. I considered it not only a great responsibility but an honor to be designated as chairman of the subcommittee of our full committee to submit rules of procedure for consideration of the full committee.

The following is the result thereof. It is these rules which are in force and effect presently.

RULES OF PROCEDURE, COMMITTEE ON UN-AMERICAN ACTIVITIES

I. INITIATION OF INVESTIGATIONS

No major investigation shall be initiated without approval of a majority of the committee. Preliminary inquiries, however, may be initiated by the committee's staff with the approval of the chairman of the committee.

II. SUBJECTS OF INVESTIGATION

The subject of any investigation in connection with which witnesses are summoned or shall otherwise appear shall be announced in an opening statement to the committee before the commencement of any hearings and the information sought to be elicited at the hearings shall be relevant and germane to the subject as so stated.

III. SUBPENAING OF WITNESSES

A. Subpenas shall be signed and issued by the chairman of the committee, or any member of the committee designated by said chairman.

B. Witnesses shall be subpenaed at a reasonably sufficient time in advance of any hearing, said time to be determined by the committee, in order to give the witness an opportunity to prepare for the hearing and to employ counsel, should he so desire.

IV. EXECUTIVE AND PUBLIC HEARINGS

A. Executive:

(1) If a majority of the committee or subcommittee, duly appointed as provided by the rules of the House of Representatives, believes that the interrogation of a witness in a public hearing might endanger national security or unjustly injure his reputation, or the reputation of other individuals, the committee shall interrogate such witness in an executive session for the purpose of determining the necessity or advisability of conducting such interrogation thereafter in a public hearing.

(2) Attendance at Executive Sessions shall be limited to members of the committee, its staff, and other persons whose presence is requested, or consented to by the committee.

(3) All testimony taken in Executive Sessions shall be kept secret and shall not be released or used in public sessions without the approval of a majority of the committee.

B. Public hearings: (1) all other hearings shall be public.

V. TESTIMONY UNDER OATH

All witnesses at public or executive hearings who testify as to matters of fact shall give all testimony under oath or affirmation. Only the chairman or a member of the committee shall be empowered to administer said oath or affirmation.

VI. TRANSCRIPT OF TESTIMONY

A complete and accurate record shall be kept of all testimony and proceedings at hearings, both in public and in executive session.

Any witness or his counsel, at the expense of the witness, may obtain a transcript of any public testimony of the witness from the clerk of the committee.

Any witness or his counsel may also obtain a transcript of any executive testimony of the witness:

(1) When a special release of said testimony prior to public release is authorized by the chairman of the committee or the chairman of any subcommittee; or

(2) After said testimony has been made public by the committee.

VII. ADVICE OF COUNSEL

At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

B. The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the committee, but shall confine his activity to the area of legal advice to his client.

VIII. CONDUCT OF COUNSEL

Counsel for a witness shall conduct himself in a professional, ethical, and proper manner. His failure to do so shall, upon a finding to that effect by a majority of the committee or subcommittee before which the witness is appearing, subject such counsel to disciplinary action which may include warning, censure, removing from the hearing room of counsel, or a recommendation of contempt proceedings.[1]

In case of such removal of counsel, the witness shall have a reasonable time to obtain other counsel, said time to be determined by the committee. Should the witness deliberately or capriciously fail or refuse to obtain the services of other counsel within such reasonable time, the hearing shall continue and the testimony of such witness shall be heard without benefit of counsel.

IX. STATEMENT BY WITNESS

A. Any witness desiring to make a prepared or written statement[2] for the record of the proceedings in executive or public sessions shall file a copy of such statement with the counsel of the committee within a reasonable period of time in advance of the hearing at which the statement is to be presented.

B. All such statements so received which are relevant and germane to the subject of the investigation may, upon approval, at the conclusion of the testimony of the witness, by a majority vote of the committee or subcommittee members present, be inserted in the official transcript of the proceedings.

X. RIGHTS OF PERSONS AFFECTED BY A HEARING

A. Where practicable, any person named in a public hearing before the committee or any subcommittee as subversive, Fascist, Communist, or affiliated with one or more subversive-front organization, who has not been previously so named, shall, within a reasonable time thereafter, be notified by registered letter, to the address last known to the committee, of such fact, including:

(1) A statement that he has been so named,

(2) The date and place of said hearing,

(3) The name of the person who so testified,

(4) The name of the subversive, Fascist, Communist, or front organization with which he has been identified, and

(5) A copy of the printed rules of procedure of the committee.

B. Any person, so notified, who believes that his character or reputation has been adversely affected or to whom has been imputed subversive activity, may within 15 days after receipt of said notice:

(1) communicate with the counsel of the committee,[3] and/or

(2) Request to appear at his own expense in person before the committee or any subcommittee thereof in public session and give testimony, in denial or affirmation, relevant and germane to the subject of the investigation.

C. Any such person testifying under the provisions of B (2) above shall be accorded the same privileges as any other witness appearing before the committee, and may be questioned concerning any matter relevant and germane to the subject of the investigation.

XI. ADMISSIBILITY OF TESTIMONY

A witness shall be limited to giving information relevant and germane to the subject under investigation. The committee shall rule upon the admissibility of all testimony or information presented by the witness.[4]

XII. RELATIONSHIP OF HUSBAND AND WIFE

The confidential relationship between husband and wife shall be respected, and for reasons of public policy, one spouse shall not be questioned concerning the activities of the other, except when a majority of the committee or subcommittee shall determine otherwise.

XIII. TELEVISED HEARINGS

A. If a hearing be televised:

(1) Television facilities in the hearing room shall be restricted to two cameras, the minimum lighting facilities practicable, and the television production shall be available on a pool basis to all established television companies desiring participation.

(2) Telecasts of committee hearings shall be on the basis of a public service only, and this fact shall be publicly announced on television in the beginning and at the close of each telecast. No commercial announcements shall be permitted from the hearing room or in connection therewith, and no actual or intimated sponsorship of the hearings shall be permitted in any instance.

B. Upon the request of a witness that no telecast be made of him during the course of his testimony, the chairman shall direct that television cameras refrain from photographing the witness during the taking of his testimony.

XIV. COMMITTEE REPORTS

A. No committee reports or publications shall be made or released to the public without the approval of the majority of the committee.

B. No summary of any committee report or publication and no statement of the contents of such report or publication shall be released by any member of the committee or its staff, prior to the official issuance of the report.

XV. WITNESS FEES AND TRAVEL ALLOWANCE

Each witness who has been subpenaed, upon the completion of his testimony before the committee, may report to the office of the clerk of the committee, room 227, Old House Office Building, Washington, D. C., and there sign appropriate vouchers for travel allowances and attendance fees upon the committee. If hearings are held in cities

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[1] The committee seeks factual testimony within the personal knowledge of the witness and such testimony and answers must be given by the witness himself and not suggested to witness by counsel.

[2] Statements which take the form of personal attacks by the witness upon the motives of the committee, the personal characters of any Members of the Congress or of the committee staff, and statements clearly in the nature of accusation are not deemed to be either relevant or germane.

[3] All witnesses are invited at any time to confer with committee counsel or investigators for the committee prior to hearings.

[4] The House Committee on Un-American Activities is a congressional committee, not a court (see pp. IV and V). Moreover, the committee has neither the authority nor the vast powers of a court of law.

A congressional committee conducts a search for information, not a trial.

The requirements of time, the nature of the fact-finding hearing, the complications of travel, the realities of expense, and the voluminous duties of Members of Congress all add together to make it impractical for courtroom procedure to be followed.

The committee has given frequent and diligent consideration to this subject, and has determined that in order to carry out its responsibilities imposed by law, the rules of evidence, including cross-examination, are not applicable.

other than Washington, D. C., the witness may contact the clerk of the committee or his representative, prior to leaving the hearing room.

XVI. CONTEMPT OF CONGRESS

No recommendation that a witness be cited for contempt of Congress shall be forwarded to the House of Representatives unless and until the committee has, upon notice to all its members, met and considered the alleged contempt, and by a majority of those present voted that such recommendation be made.

XVII. DISTRIBUTION OF RULES

All witnesses appearing before the House Committee on Un-American Activities shall be furnished a printed copy of the Rules of Procedure of the committee.

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* * * *

"PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

"*Rule X*

"Sec. 121. Standing Committees

* * * * *

"17. Committee on Un-American Activities, to consist of nine members.

"*Rule XI*

"Powers and Duties of Committees

* * * * *

"(q) (1) Committee on Un-American Activities.

"(A) Un-American Activities.

"(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

"The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

"For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member."

RULES ADOPTED BY THE 83D CONGRESS (H. RES. 5, JAN. 3, 1953)

* * * * *

RULE X

Standing committees

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine Members.

* * * * *

RULE XI

Powers and duties of committees

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such time and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member. Rules and Manual, House of Representatives, 83d Cong., sec. 720).

* * * * *

25. (a) The rules of the House are hereby made the rules of its standing committees so far as applicable * * *. (Rules and Manual, House of Representatives, 83d Cong., sec. 735.)

"A committee may adopt rules under which it will exercise its functions (I, 707; III 1841, 1842; VIII, 2214) and may appoint subcommittees (VI, 532) which should include majority and minority representation (IV, 4551), and confer on them powers delegated to the committee itself (VI, 532)."

Mr. LECOMPTE. Mr. Speaker, I yield to the gentleman from Michigan [Mr. BENTLEY] for the purpose of making an announcement.

Mr. BENTLEY. Mr. Speaker, I appreciate the gentleman from Iowa giving me this time to make an announcement which I believe will be of considerable interest to the Members of the House. The senior Senator from Michigan, HOMER FERGUSON, and I have just returned from the State Department where we were handed copy of a note which has just been delivered to the Polish Ambassador reading as follows:

The Secretary of State presents his compliments to His Excellency the Ambassador of the Polish People's Republic and has the honor to inform the Ambassador that the Department of State has reviewed the activities of the Polish consulates general in the United States. After careful consideration the Department has reached the conclusion that these consular establishments serve no useful purpose in the conduct of relations between the United States and Poland at the present time. The United States Government consequently requests that the Polish Government close its consulates general at New York, Chicago, and Detroit, and withdraw the personnel of those offices within a reasonable period of liquidating their affairs.

DEPARTMENT OF STATE.

WASHINGTON.

Mr. LECOMPTE. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois [Mr. BUSBEY].

Mr. BUSBEY. Mr. Speaker, inasmuch as my good friend, the gentleman from Massachusetts [Mr. MCCORMACK], for whom I have the greatest respect and admiration, has turned this into a self-praise and admiration society, may I say that I was a member of the old Dies committee; but instead of going back only to 1934, like Mr. MCCORMACK, in connection with activities against communism, I made my first public speech against communism in 1921. I have been speaking on the public lecture platform against communism ever since that time.

As a matter of interest to the Members of the House, Mr. Speaker, I will release in a few days a list of 300 individuals who invoked the fifth amendment before congressional committees during the calendar year 1953. It will be catalogued so that you will know their names; you will know the department of Government they work in; or where they are employed outside of the Government, if they happen to be in private business. You will know the page numbers in the hearings where you can find the references to their refusal to answer questions.

I trust this will be a valuable document not only for the Congress but for the entire country.

While I realize there must be a good reason for reducing the amount for the work of the Committee on Un-American Activities from $300,000 to $275,000, I wonder if someone would explain it for my benefit.

Mr. LECOMPTE. Mr. Speaker, I yield to the gentleman from Texas [Mr. BURLESON] to answer that question.

Mr. BURLESON. Mr. Speaker, I was going to say to the gentleman from Illinois that the reason the Committee on House Administration did reduce it by $25,000 was because the committee has that sum on hand, and they thought that $300,000 would be sufficient.

Mr. LECOMPTE. I was just going to make the same remarks to the House. There was $25,000 left over from last year's appropriation. Actually this Congress is appropriating for the Committee on Un-American Activities, I would say to the gentleman from Illinois, more than any other previous Congress.

Mr. Speaker, I yield 2 minutes to the gentleman from Minnesota [Mr. WIER].

Mr. WIER. Mr. Speaker, I wanted to ask the gentleman from Illinois [Mr. VELDE], chairman of the committee, one or two questions about the operations of this committee. I know what it has been in the past, and I would like to have some enlightenment for the future. Your committee is not unlike many committees; it likes headlines. In the past your committee has used television and radio in your public hearings when you held meetings up in Michigan, up in New York, out in California, out in Illinois, Chicago, Philadelphia, and elsewhere. Who sets the policy in the use of

this television and radio? I know what it means politically.

Mr. VELDE. Does the gentleman have a question?

Mr. WIER. Yes. I am asking who sets the policy on the use of television and radio at these hearings outside of Washington.

Mr. VELDE. The committee has set the policy on the use of television and it is contained in our rules of procedure which I trust the gentleman is familiar with.

Mr. WIER. Are you still using television?

Mr. VELDE. Let me read the rule to the gentleman:

XIII. TELEVISED HEARINGS

A. If a hearing be televised:

(1) Television facilities in the hearing room shall be restricted to two cameras, the minimum lighting facilities practicable, and the television production shall be available on a pool basis to all established television companies desiring participation.

(2) Telecasts of committee hearings shall be on the basis of a public service only, and this fact shall be publicly announced on television in the beginning and at the close of each telecast. No commercial announcements shall be permitted from the hearing room or in connection therewith, and no actual or intimated sponsorship of the hearings shall be permitted in any instance.

B. Upon the request of a witness that no telecast be made of him during the course of his testimony, the chairman shall direct that television cameras refrain from photographing the witness during the taking of his testimony.

I know of no instance in which that particular rule on television has been violated by me or any member of the committee.

Mr. WIER. It has been a very good instrument politically.

Mr. LECOMPTE. Mr. Speaker, I yield 5 minutes to the gentleman from Massachusetts [Mr. McCORMACK], and then I am going to yield 10 minutes to the gentleman from California [Mr. JACKSON] to close the debate.

Mr. McCORMACK. Mr. Speaker, I have in my hand a copy of the report that my special committee made to this House. It is dated February 15, 1935:

Mr. McCORMACK, from the committee appointed pursuant to House Resolution 198, 73d Congress, 2d session, submits the following report.

That report of the committee made reference to the investigation made previously by our former colleague, Hamilton Fish, of New York. In the report we said:

This committee confined its investigation to that period of time following the thorough inquiry made by the special committee, of which our colleague, Mr. Fish, of New York, was chairman.

You will find that we at that time obtained evidence satisfying us, and we so stated in our report, that communism was an international conspiracy not only against the United States, but against all free peoples of the world, dedicated to the overthrow by force and violence of our form of government.

We also investigated nazism in this country, and we forced them to disband.

We also discovered a Fascist bloc, which I referred to briefly the other day on the floor, where a certain group of wealthy persons in New York who bought and sold their bonds through a prominent New York brokerage house hated Franklin D. Roosevelt so much, and they were afraid he was going to tax all their wealth away, that they actually planned and plotted and conspired to overthrow our Government and to establish a dictatorship of the right, provided he was their dictator. At that time they approached Smedley Butler.

We also uncovered Pelley, the bigot, and his activities later were followed up by the gentleman from Texas [Mr. DIES]. We also uncovered other bigot organizations that existed at that time. I am glad to note that the Committee on Un-American Activities is going not only into the field of bigotry in the United States but also any other subversive movement in addition to communism such as fascism. There are many Fascist-minded individuals in the United States today who would like to have our country diverted and subverted into a dictatorship of the so-called right provided the dictator is their dictator.

The recommendations of my committee are contained in the report. There is a recommendation out of which arose the Foreign Agent Registration Act. There is a recommendation that Congress enact legislation conferring upon the Secretary of Labor authority to shorten or terminate the stay in this country of any visitor admitted here under temporary visa, whenever in the judgment of the Secretary such visitor shall engage in the promotion or dissemination of propaganda or engage in political activity in the United States.

There is the recommendation giving the Army and the Navy the power to control Communist activities and subversive activities in any Army camp or a Navy yard. We found that in peacetime the Communists could and did go into Navy yards or Army camps and distribute their propaganda, and there was no authority to stop it. We recommended a bill which became law against great opposition giving the Secretary of the Army and the Secretary of the Navy the power to control that condition by regulation.

We also found that when a committee was outside the District of Columbia and a witness refused to answer the United States Attorney could not take any proceedings under the law. The only time he could do so was if the special committee was sitting in the District of Columbia. We recommended an amendment to the law giving special committees the power wherever they might go throughout the Continental United States or in any of our possessions to refer matters to the United States Attorney, and that became law. Then the Smith law, which my friend the gentleman from Virginia so ably carried through under his leadership was recommended by my committee as follows:

That Congress should make it an unlawful act for any person to advocate changes in a manner that incites to the overthrow or destruction by force and violence of the Government of the United States, or of the form of government guaranteed to the several States by article IV, section 4, of the Constitution of the United States.

Might I say to my colleagues that that has a very interesting history. I introduced a bill carrying out that recommendation. It was referred to the Committee on the Judiciary. For 3 or 4 years, I could not even get a hearing before the Committee on the Judiciary on that bill which I introduced, which is substantially the same as the Smith law because some members of the Committee on the Judiciary at that time took the position that the bill I introduced carrying out this recommendation violated States' rights. So we had our difficulty in those days. I know what the committee comes up against and I am very tolerant in my criticism of any committee investigating un-American activities. My friend, the gentleman from Ohio [Mr. JENKINS] was a member of my committee and he and I and our former colleague, Mr. Dickstein of New York, are the only three Members living today; and there was Charles Kramer, of California, J. Will Taylor, and U. S. Guyer, all grand men. No three finer men ever lived. We worked together in harmony on that committee. We had no trouble and we had no difficulty working together but we operated under extreme difficulty because the fellow travellers were attacking us, and they were powerful in those days, as my friend, the gentleman from Ohio [Mr. JENKINS] well remembers. But the recommendations made by our committee became the law, and I am very happy to give credit to my good friend, the gentleman from Virginia [Mr. SMITH] because he put through one of the two main recommendations, which is now on the statute books as a law as a result of which the Communist leaders in this country have been indicted and convicted. All of these bills were passed by Democratic-controlled Congresses, and signed by a Democratic President, the late immortal Franklin D. Roosevelt.

Mr. LECOMPTE. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, I do not want to get in on this self-admiration society—I think enough of myself without having to come in here and proclaim my good qualities, if any, to all of you. If you want to know who fought the Communists and who did not in years gone by—it is fashionable now, you know, to give them heck—I suggest that you go back and read the CONGRESSIONAL RECORD and read the record of the votes on the bills and the appropriations for that committe and then while you are reading it, I would say to my colleagues over here, do not forget over on that side, whatever their intentions were, they killed off two of the most effective members who ever served on that Committee on Un-American Activities—John Rankin, of Mississippi, and Mr. HÉBERT, of Louisiana. They put them off the committee. They did not want them on that committee any more. They were too effective. That is the only reason that I can recall. Now, think it over and read the record.

Mr. LECOMPTE. Mr. Speaker, I think it is agreed in this House today that we are not going to be soft on communism. The adoption of this resolution will convince the country, I think, that we are

going to combat communism wherever we can find it by all the methods that we can possibly use through our power of investigation and lawmaking. We are also observing a very important rule of economy when we undertake to save $25,000 of the taxpayers' money, by a committee amendment.

Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD on the resolution now being considered.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SHELLEY. Mr. Speaker, after listening to the debate this afternoon on the appropriation for the Un-American Activities Committee there are a few comments I want to make just to keep the record clear. Since coming to Congress I have voted each year for the appropriation for the Un-American Activities Committee because I believe that it is incumbent on the Government of the United States to ferret out un-American activities and to publicize them, and, particularly, for Congress to be soundly aware of them.

I will vote for the appropriation again today, but there are several of the statements made in the debate today about which I feel strongly constrained to make some comment, and several phases of the whole unhealthy situation which deserve treatment at greater length than has been given to them so far.

For one thing, I think we should recognize that un-American activities are not confined to the sphere of communism. I feel that it is about time we had some report from the committee indicating that they realize their responsibility in these other fields, and that they are going into other types of un-American activities which, in the minds of many people, present a growing threat going unchallenged in this country. We know that the organized world threat today is communism, as controlled and guided from the Kremlin, but there are those who constantly make use of the claim that they are fighting communism to extend their own influence with a desire to control our Government in an equally un-American way.

The average American, in my experience, and particularly the great majority of the working people in this country, are to dedicated to our system of Government and the principles upon which it is founded to be sucked in by the Communist philosophy. My experience comes from having worked in the labor movement and from having literally fought the efforts of the Communist Party and Communists to dominate the labor movement and to dictate its policy. These working people are themselves liberals and progressives in their thinking, and they have a keen appreciation of the Bill of Rights and of the guaranties accorded to them thereunder. They are not Communists and they are willing at every opportunity to fight against communism.

The work of such committees as the Un-American Activities Committee and of other committees of the Congress of the United States, and of other groups in this country can, however, completely lose its effectiveness when they either intentionally or unintentionally use techniques which harm and injure innocent people and leave them with their livelihood destroyed. Such methods create the fear in the minds of many that those who are seeking out communism as members of these committees and groups are willing to sack many of the basic principles of our Constitution. That fear and that impression may be the thing which will, in the end, not only destroy the committees' effectiveness but undo the work which they were set up to do, and leave us without the weapons we need in fighting our enemies, both communistic and those who openly or secretly favor other forms of totalitarianism.

There has been a growing and grave movement lately to attack the basic guaranties of the Bill of Rights and, specifically, the provisions of the fifth amendment to the Constitution. I do not believe that we can strengthen America by breaking down the individual rights and guaranties we are trying to preserve and to build up. In that respect, and so that we may all have a clearer understanding of just what the fifth amendment was intended to do and why we cannot let it be undermined, I wish to include in the RECORD at this point a talk recently made by Justice Jesse W. Carter of the Supreme Court of California. He gives a comprehensive statement of the origin of the amendment and of its purposes. It is good reading for all of us now concerned with this present problem.

ADDRESS DELIVERED BY JUSTICE JESSE W. CARTER, OF THE SUPREME COURT OF CALIFORNIA, BEFORE THE WEST LOS ANGELES UNIVERSITY SYNAGOGUE FORUM AT THE UNIVERSITY HIGH SCHOOL IN LOS ANGELES ON FEBRUARY 16, 1954, ON THE FIFTH AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES

The fifth amendment to the Constitution of the United States provides that "No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia, when in actual service in time of war or public danger; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb; nor shall be compelled in any criminal case to be a witness against himself, nor be deprived of life, liberty, or property without due process of law; nor shall private property be taken for public use, without just compensation." This amendment was adopted in 1791. In California, at the present time, our Constitution provides (art. I, sec. 13) in part, "In criminal prosecutions, in any court whatever, the party accused shall have the right to a speedy and public trial; to have the process of the court to compel the attendance of witnesses in his behalf, and to appear and defend, in person and with counsel. No person shall be twice put in jeopardy for the same offense; nor be compelled, in any criminal case, to be a witness against himself; nor be deprived of life, liberty, or property without due process of law; but in any criminal case, whether the defendant testifies or not, his failure to explain or to deny by his testimony any evidence or facts in the case against him may be commented upon by the court and by counsel, and may be considered by the court or the jury."

You have all no doubt read, and heard, a lot about the privilege against self-incrimination. That privilege is guaranteed to the individual by both the Federal and State Constitutions in the provisions which I have just read to you. As you all have learned, both Constitutions are subject to construction and interpretation by the Federal courts, including the Supreme Court of the United States, and by the courts of California, including the Supreme Court of which I am one of the seven justices. The construction and interpretation placed on both Constitutions by the highest courts of the land—the United States Supreme Court, so far as Federal questions are involved—and the Supreme Court of California, so far as State questions are involved—are binding on all lower courts of both the Federal Government and of the State of California.

Inasmuch as the Federal Constitution was adopted first, I think it well to give you a very brief résumé of the reasons leading to the adoption of the fifth amendment on which the comparable provision of the State Constitution was patterned in order that you may understand why it was felt necessary to safeguard the individual from being compelled to convict himself. Beginning in about 1236 A. D. in England, there were ecclesiastical courts. These courts took upon themselves much of the burden of settling various disputes—not only those relating to church law and custom, but various other types of disputes. It was the practice of these courts at that time to submit both the great and humble to what was called an oath ex officio. The purpose of this inquiry was to discover suspected violations of church law or custom, or to establish the truth of either vague or definite charges not disclosed to the person questioned. If the persons summoned to appear did not do so, they were excommunicated; if they did appear they were forced to give testimony under oath, of not only the private sins of themselves but of others. This practice continued, despite various orders from the reigning kings that the King's courts had exclusive jurisdiction over all except matters of matrimony and testament and that they were expressly prohibited from holding such pleas in their courts. However, in criminal cases before the King's Council during this same period, an accused was required to appear in person, without counsel, and to answer the charges which were most likely not known to him in advance. If the accused did not immediately confess or explain the charges, he was put to the method known as the interrogatory examination. This practice brought such protest from the Commons that a statute was passed which provided that charges must be preferred against an accused by indictment or presentation and that "no man should be put to answers * * * [without] * * * due process and writ original, according to the old law of the land." This statute, however, was not long in effect and again the oath ex officio was the common practice. As each new monarch gained the throne, the measures put into effect by the preceding monarch were undone.

All that can safely be asserted is that the common lawyers both in the second half of the 13th and all of the 14th centuries and under Henry VIII and Elizabeth, resisted the inquisitorial procedure of the spiritual courts, whether Romish or English, and under Elizabeth, began to base their opposition chiefly upon the principle that a person could not be compelled to furnish under oath answers to charges which had not been formally made and disclosed to him, except in causes testamentary and matrimonial. To common lawyers a system which required a person to furnish his own indictment from his own lips under oath was repugnant to the law of the land. About 1640, the accused began to claim, and the judges to concede, that a man on trial could not be compelled to answer questions which would disclose

his guilt. Such compulsion was held to be illegal, most unjust, and against the liberty of the subject, and law of the land, and Magna Carta, and unfit to continue upon record. However, the privilege was not absolute. When a prisoner was arraigned, he was required to identify himself by holding up his right hand or by expressly admitting that he was the person charged. Then he was asked how he would plead—whether guilty or not guilty. If he refused to plead, the penalty depended upon the grade of the offense with which he was charged. If treason or a misdemeanor, he was treated as if he had pleaded guilty; if a felony, he was confined to prison with a meager allowance of bread on one day and water the next.

Later, in addition to the alternate bread-and-water diet, he was subjected to pressure—which meant just that: A sharp stake, or piece of wood, was placed under him, and a heavy weight sometimes as great as 400 pounds put on top of him. This usually killed him, or induced him within a period of an hour or so to plead either guilty or not guilty. Usually, even if the accused pleaded not guilty, the jury found him guilty and sentenced him to hang. This horrible and barbaric practice was not discontinued until 1772. At that time the statute of Twelve George III provided that if a person stood mute on his arraignment of piracy or felony, he should be convicted and the court should award judgment and execution as if he had been convicted by verdict or confession. In 1827, standing mute in any criminal case was by statute (seven and eight George IV) made the equivalent of a plea of not guilty.

From the middle of the 16th century to the middle of the 19th, the accused was subject to a preliminary examination before a committing magistrate and was expected to answer. He was not warned that he need not answer. If he refused to answer, or if he did answer, it was reported and put in evidence at his trial. Up to the middle of the 17th century, torture was used to extort confessions and no one seriously contended that such confessions were not admissible against the accused. In the 18th century, the accused began objecting to the use of coerced confessions, but it is not clear on just what ground the objections were sustained: whether the coercion affected the weight of the evidence, or whether confessions obtained by duress and violence or promises of benefit were considered to be not exactly reliable.

This, then, was the background in brief, which led our forefathers to the firm conviction that no man should be compelled to testify against himself.

If one is accused of something, or is asked questions about something, the logical way of looking at his refusal to answer is that he surely must know something about it or else why would he refuse to answer? In other words, it is said that the refusal to answer gives rise to an inference of guilt of something. In California, our law provides that an inference is a deduction which may be drawn from facts proven. Now, looking at this matter as intelligent men and women, has the fact that our hypothetical person has refused to answer questions proven anything? The only thing that is sure is that our witness has refused to answer. So far as I am concerned, there are no less than three inferences which may be drawn from such a refusal to testify: (1) That the witness is guilty; (2) that he knows something, or some fact, which might tend to incriminate him. Note that this second ground is not the same as the first. And/or (3) that he refuses to answer because he feels that the inquisitor has no right, and/or business, to ask him such questions. If we go back to the common law as it finally developed, we find that standing mute, in legal effect, pleads not guilty. How can standing mute carry any danger to the accused when it is the legal equivalent of a plea of not guilty? A canon of our law is that it is to be interpreted reasonably in view of accepted common law procedure. We have the old common law which says, in effect, that standing mute is in legal effect a plea of not guilty. We have the present day common assumption that if the witness doesn't answer, he must have something to hide. And we have the constitutional provisions which say, positively, that no man shall be compelled to be a witness against himself. If he refuses to answer is he, in effect, pleading guilty to an offense of some sort with the consequent stigma attaching? Or is he merely standing on his constitutional right which has been guaranteed to him, and if so, should he not be relieved of any and all blame for having claimed that right? If an inference of guilt arises, might he not as well answer all questions even though his answers thereto might tend to incriminate him?

The privilege against self-incrimination has been held by the courts to apply in all judicial investigations;[1] to proceedings before a grand jury;[2] and to congressional investigations.[3] The privilege has been characterized by Judge Cardoza (*Matter of Doyle* (257 N. Y. 244; 177 N. E. 489)) as "a barrier interposed between the individual and the power of the Government, a barrier interposed by the sovereign people of the State" which "neither legislators nor judges are free to overleap." In the light of this definition, let us consider a congressional investigation. A person called upon to testify there is only meagerly advised of the subject to be pursued; he is not as a rule represented by counsel and even if he is, since it is not an adversary proceeding, his counsel has no right to object to the proceedings; the lights are bright in the legislative committee room; newspapermen are present as are photographers and television cameramen. There are none of the safeguards of the courtroom—there is no right to confront the witnesses accusing our "person"; there is no judicial calm; our witness has only the fifth amendment with which to protect himself.

Suppose our witness is willing to answer all questions concerning himself, but is not willing to answer questions which might tend to incriminate others whom he knows, or has known. May he answer the questions whose answers are personal to himself and refuse to answer the others? No, he may not. This is because of the rule of waiver. The meaning of this rule is that if a person is willing to testify and does not claim the privilege of silence, he may then be questioned concerning any related matter. That which is related and that which is not related is the subject of much controversy which has been resolved in favor of permitting the widest possible inquiry. It is well known that congressional committees use witnesses as a means of getting information about other people. The witness has three choices in such a situation: (1) He may become an informer; (2) he may testify about himself and refuse to name others and go to jail for contempt; (3) he may claim the privilege in regard to himself although he would have preferred to tell all things personal to himself.

Let us carry our suppositious case one step further: Suppose our witness claims the privilege. What then? To the average mind, he has effectively admitted his guilt of the crime under consideration, whatever that may be. As for penalty, this witness does not yet go to jail, but there are other penalties just as severe. He loses his job, or position; he is subjected to severe criticism; he is subjected to adverse newspaper and radio publicity, commensurate in degree with his prominence in the public eye. He also has placed himself on the list of suspected persons and has guaranteed that more minute investigation will be made concerning him in the future. Suppose he has not claimed the privilege and has freely answered questions concerning his past and present life. If some of his answers do not tally exactly with what other witnesses have said, then he runs the risk of a prosecution for perjury. When one remembers something that occurred perhaps 30 years prior to the time he is recalling it, it is very likely that his recollection might differ from that of another person recalling the same transaction. In a court of law, this would merely create a conflict in the evidence, the resolution of that conflict resting with the trier of fact whether judge or jury. In a congressional investigation, such a conflict may expose one or the other of the witnesses to a prosecution for perjury. Again, remember that at the investigation, our witness has no right to confront his accuser and ask him questions or, at that time, to rebut what his accuser has said. That right of confrontation guaranteed by both the Federal and State Constitutions does not apply at such an investigation but only at a judicial proceeding. At a congressional investigation, a witness is accorded none of the safeguards known to the law and which we refer to as "due process of law." Is there not an analogy between such a proceeding and the situation as it existed in England in the 15th, 16th, and 17th centuries? A witness compelled to answer and to provide his accusers, by reason of his own silence, or testimony, with the case against himself?

In other words, the result is very likely to be that, whichever choice he makes, he stands convicted. In a judicial system in which the accused must answer all questions, the police might be tempted to get the answers they wanted by any available means. The history of our criminal law reveals that there are no shortcuts to justice; a case must be made out against an accused who is innocent until proven guilty. He does not have to prove his innocence; the prosecution must prove his guilt. As Mr. Justice Holmes said: "We have to choose, and for my part I think it a less evil that some criminals should escape than that the Government should play an ignoble part."[4]

Let us again suppose that our witness claims the privilege conferred by the fifth amendment, and let us assume that he is wholly innocent of any crime. He may do so for several reasons: (1) He may have done something, or said something, or joined some organization which was, at the time it was done, said, or joined, devoid of any criminal aspect and may be so even at the time of the investigation, but his answers might be offered as evidence against him in a criminal case; (2) he might be willing to answer questions about himself, but unwilling to answer them about others, and thus afraid to answer the personal questions because of the doctrine of waiver; (3) he might be afraid that truthful answers might not check with answers given by someone else and thus subject him to a prosecution for perjury; or (4) he might simply and honestly disapprove of the entire investigation and the methods by which such proceedings are conducted, feeling that the questioning is not in accord with the principles of democracy laid down by the framers of our great Constitution for this wonderful country known as America. These reasons show that an inference of guilt is not the only inference to be drawn when the privilege is claimed.

In America, by constitutional provision, we have the rule that the Government of this country shall be divided into three

[1] *Smith* v. *United States* (69 S. Ct. 1000).

[2] *Blau* v. *United States* (340 U. S. 159).

[3] *United States* v. *Yukio Abe* (95 Fed. Supp. 991); *United States* v. *Emspak* (95 Fed. Supp. 1012).

[4] *Olmstead* v. *United States* (277 U. S. 438).

parts: The executive, legislative, and judicial branches and that these three branches shall remain separate and apart one from the other. By its congressional investigations, the legislative branch is, theoretically, questioning to aid in its legislative functions. This is the only purpose for which such investigations are permitted. To permit such investigations for any other purpose would be an invalid encroachment upon the judicial branch of the Government. From what we have read and heard of present day congressional investigations, it is difficult to say that the investigations can serve any useful legislative purpose, but it is not difficult to see that they appear to encroach on the exclusive jurisdiction of the courts without the judicial safeguards which there prevail.

How far does the privilege go? Does it extend to papers, writings, and personal effects? The Supreme Court of the United States has held that it does not protect an individual from producing in response to a subpena (a) a writing which is of a public, or a semipublic character or (b) a writing of which he is not entitled to possession in his capacity as an individual. Does it apply to the individual himself? Does it cover personal features, qualities, or conditions which he cannot control? Does it apply to the objective appearance of the individual's body, his measurements, his fingerprints, his footprints, his saliva, his breath, his blood? The answer is "No," that it does not. It has been held that blood taken from an unconscious person may be used in evidence against him;[5] it has been held that an accused may be forced to exhibit himself in the courtroom; try on hats, coats, shoes, and the like; it has been held that a doctor examining an accused for drunkenness may testify as to his findings made after various tests. In California, it was held proper for the contents of a stomach taken forcibly by means of a stomach pump by officers of the law to be used to convict one accused of narcotic addiction. The Supreme Court of the United States, however, reversed a majority of the Supreme Court of California and held that such conduct on the part of law enforcement officers shocked the conscience of mankind and was a denial of due process of law.

There can be no doubt that we are living in an age which, as a great man once said, "are times that try men's souls." We are constantly warned that we are surrounded with subversion from within and without. There can be no doubt that the entire world is in conflict. There can be no doubt but that the world has been in conflict before. Our forebears and we have weathered a Civil War, a Revolutionary War, and two great World Wars, to say nothing of lesser affrays. We must not forget that our great Constitution was written because the framers were firmly convinced that while individual rights must be circumscribed for the public good, those rights should be preserved as fully as was possible to the end that every individual should be accorded freedom of religion, of speech, of press, of peaceable assembly, that the right of privacy should not be violated, and that no person should be deprived of his life, his liberty, or his property without due process of law.

In times such as these in which we are now living, when suspicion and distrust of one's neighbor is the rule, rather than the exception, we must strive for a calm attitude. We must now allow ourselves to become hysterical and we must remember that our forefathers fought a bitter and terrible fight that we might have our Constitution and its safeguards for the individual. We must not permit legislation to be enacted without considering the balance between the object to be achieved and the liberties of the individual; we must study any such proposals with the greatest of care and caution.

There is now proposed a national law which would grant immunity from criminal prosecution to all who will testify concerning not only themselves but others. This law is proposed, primarily, as a means of overcoming the invocation of the fifth amendment by persons subpenaed by congressional committees. It is extremely dubious if the law would have the desired effect. For one thing, the immunity granted would, and could be, only immunity from Federal prosecution. Another reason is that any determined, unrepentant person engaged in subversive activity would still claim the fifth amendment. In an excellent article, written by Dorothy Thompson (Satan Versus Beelzebub, Ladies Home Journal, February 1954), she comments on the proposed law as follows: "The proposed law will not, I think, result in obtaining more evidence from reliable witnesses. Communists determined to keep the party's records secret will still invoke the fifth amendment; Communists wishing to protect themselves and important members of the party at the cost of lesser fry will exploit the law; ex-Communists who hate tattling obviously will not be moved by promises of immunity for themselves.

"It is a law for the protection of informers who are to be elevated into a position of special grace. And if such a law becomes sweet to the taste of the people, we shall be just a little nearer the point of an informer in every factory, apartment house, office and block, of children informing on their parents and teachers; just a little nearer to the end of all mutual trust, all social happiness, all freedom.

"In short, we shall be nearer to every evil that we hate, loathe, and despite in communism. This is certainly not the vision or desire of Mr. Brownell."

I think there has not been a day in the past, nor is there a day in the present, when all of us do not thank God that we live in America where we have freedom, equality, and justice for all—not just for a few. The practices which prevailed in Nazi Germany, and which we hear prevail in Russia and Communist-dominated countries, are abhorrent to all free Americans. If we are to keep our heritage of freedom, we must remember that the freedoms guaranteed to us by our Constitution are freedoms for all—for every person. Those accused of crime must be accorded every safeguard prescribed in order that those unjustly accused may not suffer the penalties which the law provides shall be inflicted on those found guilty after a fair and impartial trial. If we do not remember the fundamental basis on which our Constitution rests and work to preserve its mandates, then we shall be no better off than the peoples of those countries where freedom, equality, and justice for all is not the rule.

To return now to the discussion of the Un-American Activities Committee, it seems to me that the members of the committee, as a means of preserving its integrity and of assuring that it will be able to continue the essential job for which it was created, should be willing to listen to some of the constructive criticism which has been and is being directed at some of its methods and its courses of action. Rather than adopting an injured air and attempting to justify what they have done by attacking the integrity of their critics and attempting to render them suspect, the committee might well examine its collective conscience and put its house in order where such an examination shows that it is needed.

Toward that end, I offer the suggestion that in order to do a decent and effective job, the operations of the committee should be directed through the collective will of the majority of its members, and that it should not permit itself to be used by one man to promote his own personal objectives nor to provide a publicity sounding board by any individual, no matter who he may be or what the circumstances may be. Above all, the existence of the committee in pursuing a task vital to all Americans should not be threatened by allowing it to be used for political purposes in my own State or in any other State. I say that at this time because there is a widespread report in California that the committee is about to come out to the State again with the underlying motive of smearing the Democratic Party and its candidates in the coming campaign by tacking the label of Communists or Communist sympathizers on them. In all friendliness and sincerity, may I give a friendly warning to the committee that such tactics do not work. Neither will they be tolerated for long.

It was my privilege to serve for 8 years in the California State Senate. During that time I consistently voted for the continuation of the work of the un-American activities committee set up by the State Legislature. I did so, that is, until the committee began to be used for just such political purposes as I have mentioned. When that time came I stated on the floor of the State Senate that I was about to vote against appropriations for the committee and that I would continue to vote against them until the chairman of the committee and the personnel of the committee were changed. At that particular time in California the committee had become the tool of one individual, and there was no question but that it was being used by that gentleman for his own purposes and to expose to question and doubt the patriotism and loyalty of sincere and loyal Americans who had differed with him on political issues. As proof that this was the case, at a subsequent session of the legislature a change in the chairmanship and personnel of the committee was forced and since then it has functioned in an orderly manner. I bring that point up at this time because, notwithstanding the fact that the committee reports that it has adopted rules of procedure designed to correct abuses, there is a strong feeling that either the rules are not adequate or they are not being followed.

In subscribing to one of the points made by our distinguished colleague from New York [Mr. JAVITS] in his acute remarks, I want to state for myself here and now that the constant press stories about the activities of congressional investigating committees and their treatment of witnesses, including irresponsible and unsubstantiated statements made to the press by chairmen and members of such committees in which the loyalty of witnesses or prospective witnesses is questioned, can be just as un-American as anything the committees are investigating. That is the pity of great power placed in the hands of little men. The continuation of this situation

[5] *State* v. *Cram* (176 Oreg. 577); *People* v. *Haeussler* (41 A. C. 256).

makes it necessary for Congress to consider writing a uniform, strict, and adequate set of rules for the conduct of committees, governing their procedures so as to give full expression to the rights of individuals accorded to each of us by the Constitution of the United States. No committee member or chairman should be allowed to make a mockery of such orderly procedure by trying individual citizens in the public press.

The prime reason why the Kremlin and its gang of Commie stooges in this country seek to break down and overthrow our form of government here in the United States is the fact that our Constitution recognizes and guarantees the dignity of the individual, and the Bill of Rights written into the Constitution grants him inviolate protection in that regard. Because of that fact we are the roadblock to Communist conquest. Because of these things we have been the hope of persecuted peoples since our beginnings as a free Nation. Because of these things we are the hope of free people today and of the peoples who have lost their freedom to the Communist overlords. But we can kill that hope in the hearts and minds of those who cling to it if we ourselves, through a misguided zeal in the fight against communism, tear down those very guaranties which make us strong and force communism to set us up as its number one enemy—and consequently the last hope of those it threatens or controls.

Mr. Speaker, in spite of these grave doubts and these dangers my bitter opposition to communism and totalitarianism in all its forms impels me to vote for this appropriation today. But I sincerely hope that our committee and all committees of Congress will heed the things which have been said here today and will take what action is necessary to remedy the situation before they destroy themselves.

Mr. RHODES of Pennsylvania. Mr. Speaker, every Member of this House is opposed to Communist tyranny and wants to do everything possible that will be effective in destroying this evil. No Member can honestly claim that any of his colleagues is less concerned about the Communist menace. How could any reasonable, normal human being hold anything but contempt for Communist agents and their dupes who seek to destroy all the human values which make us a civilized people? The long list of Communist crimes against humanity exposes it as a tryanny as brutal and as ruthless as any terror of all the ages past. Add to that the torture and murder of helpless prisoners of war in Korea and you have another bloody chapter of inhuman crimes which must arouse every normal person against the Communist philosophy. I do not think there is any disagreement in the House on how we feel about this matter.

But we do differ, and differ sharply as to how to fight the Communist menace. It is not enough to expose Communist agents and their deceptive propaganda. It is not enough to investigate, to imprison or to execute those who would betray America and the cause of freedom and democracy.

I am one of those who believe that we must also strike at the breeding places where the Communist seed takes root. I speak of unhappy homes, substandard homes that are dark and dreary. I think of widespread unemployment and the suffering that comes with it. I think of the millions of children denied their rightful opportunity for education and happy childhood. I think of needy old folks who in the twilight of life are without proper medical care and adequate diet despite great food surpluses and scientific progress.

It was when the Nation was in the depth of depression and despair that the seeds of communism took root and rapidly grew. It was in this period during the early 1930's that the Communist strength reached its high peak.

What proved to be the most effective weapon against Communist growth was the enactment of a program of social reform inaugurated by President Franklin D. Roosevelt. It lifted the people from shanty towns on the dumps of the big cities to public housing and decent homes. Instead of long lines of jobless men the social reform program made possible full employment and prosperity. From soup kitchens and breadlines we marched forward to social security.

This New Deal program blocked Communist advance. Yet there were those who fought social reform measures as welfare state legislation and as something akin to communism. Powerful and selfish interests in our country have fought social reform ever since Franklin D. Roosevelt was elected President. They have not hesitated to resort to tactics and methods which were similar to those practiced by the Communists, Nazis, and Fascists.

Fear of the people, the fear of democracy cause totalitarians of all varieties to make their appeal to emotions, hate, envy, and ignorance. Both seek to create confusion and disunity and to achieve their objectives by creating hysteria and to take the minds of the people off of the important economic issues.

A time like this calls for vigilance against the forces of totalitarianism of both the right and left as the distinguished minority whip has so well pointed out. I hope that the committee will strike at both extremes of the totalitarian evil.

Several years ago on the floor of the House former Congressman Andrew Jacobs made a statement which I believe is a good warning against a very ugly trend today. Andy was a very capable, sincere, and honorable Member. He always spoke truthfully and with much courage and sincerity.

While we were fighting rightwing totalitarianism in World War II, that is, the Nazis and Fascists, Mr. Jacobs pointed out that the leftwing totalitarians, the Communists, came forth singing hosannas and worked themselves into high places. They set up all kinds of deceptive fronts and innocent clubs.

And now when we are fighting leftwing totalitarianism or communism, Jacobs warned, we need to watch out for the rightwing totalitarians who will do the same thing and seek to get into important high places.

Mr. Jacobs' warning is a matter which deserves a lot of attention these days. Many tons of propaganda is pouring out of well financed reactionary front organizations. It should cause us much concern because of the danger to our free way of life.

I would like to see the appropriation for the House Committee on Un-American Activities doubled and the additional funds earmarked for a probe of some of these fronts which are spreading hate and confusion when unity and reason are most essential to our survival as a free nation.

Mr. LECOMPTE. Mr. Speaker, I move the previous question on the amendment and resolution.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on the resolution.

Mr. JACKSON. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 364, nays 1, answered "present" 4, not voting 65, as follows:

[Roll No. 17]

YEAS—364

Abbitt	Carnahan	Gary
Abernethy	Carrigg	Gathings
Adair	Cederberg	Gavin
Addonizio	Chenoweth	Gentry
Albert	Chiperfield	George
Allen, Calif.	Chudoff	Golden
Allen, Ill.	Church	Goodwin
Andresen, H. Carl	Clevenger	Gordon
Andresen, August H.	Cole, Mo.	Graham
Andrews	Colmer	Grant
Angell	Cooley	Gregory
Arends	Coon	Gross
Aspinall	Cooper	Gubser
Barden	Corbett	Gwinn
Bates	Cretella	Hagen, Calif.
Beamer	Crosser	Hagen, Minn.
Becker	Crumpacker	Hale
Belcher	Cunningham	Haley
Bender	Curtis, Mo.	Halleck
Bennett, Fla.	Curtis, Nebr.	Hand
Bennett, Mich.	Dague	Harden
Bentley	Davis, Ga.	Hardy
Bentsen	Davis, Wis.	Harris
Berry	Dawson, Utah	Harrison, Nebr.
Betts	Deane	Harrison, Va.
Bishop	Delaney	Harrison, Wyo.
Boggs	Dempsey	Hart
Boland	Derounian	Harvey
Bolling	Devereux	Hays, Ohio
Bolton, Frances P.	D'Ewart	Hébert
Bolton, Oliver P.	Dies	Herlong
Bonin	Dodd	Hess
Bonner	Dollinger	Hill
Bosch	Dolliver	Hillelson
Bow	Dondero	Hillings
Bowler	Donohue	Hinshaw
Boykin	Donovan	Hoeven
Bramblett	Dorn, N. Y.	Hoffman, Ill.
Bray	Dorn, S. C.	Hoffman, Mich.
Brooks, La.	Dowdy	Holmes
Brooks, Tex.	Doyle	Holt
Brown, Ga.	Durham	Holtzman
Brown, Ohio	Eberharter	Horan
Brownson	Edmondson	Howell
Broyhill	Elliott	Hunter
Buchanan	Ellsworth	Hyde
Budge	Engle	Ikard
Burdick	Evins	Jackson
Burleson	Fallon	Jarman
Busbey	Feighan	Jenkins
Bush	Fenton	Jensen
Byrd	Fernandez	Johnson, Calif.
Byrne, Pa.	Fino	Johnson, Wis.
Byrnes, Wis.	Fisher	Jonas, Ill.
Camp	Fogarty	Jonas, N. C.
Campbell	Forand	Jones, Ala.
Cannon	Forrester	Jones, Mo.
Carlyle	Fountain	Jones, N. C.
	Frazier	Karsten, Mo.
	Frelinghuysen	Kearns
	Friedel	Keating
	Fulton	Kee

Kelly, N. Y.	Norblad	Shafer
Kersten, Wis.	Norrell	Shelley
Kilburn	Oakman	Sheppard
Kilday	O'Brien, Ill.	Shuford
King, Calif.	O'Brien, Mich.	Sikes
King, Pa.	O'Hara, Minn.	Simpson, Ill.
Kirwan	O'Konski	Simpson, Pa.
Kluczynski	O'Neill	Small
Knox	Osmers	Smith, Kans.
Laird	Ostertag	Smith, Miss.
Lane	Passman	Smith, Va.
Lantaff	Patman	Smith, Wis.
Latham	Patten	Spence
LeCompte	Patterson	Springer
Lesinski	Pelly	Staggers
Lipscomb	Perkins	Stauffer
Long	Pfost	Steed
Lovre	Philbin	Stringfellow
Lucas	Phillips	Sullivan
Lyle	Pilcher	Sutton
McCarthy	Pillion	Taber
McConnell	Poage	Talle
McCormack	Poff	Taylor
McCulloch	Polk	Teague
McDonough	Preston	Thomas
McGregor	Price	Thompson, La.
McIntire	Priest	Thompson, Mich.
McMillan	Rabaut	
McVey	Radwan	Thompson, Tex.
Mack, Ill.	Rains	Trimble
Mack, Wash.	Ray	Tuck
Madden	Rayburn	Van Pelt
Magnuson	Reams	Van Zandt
Mahon	Reece, Tenn.	Velde
Mailliard	Reed, Ill.	Vorys
Marshall	Reed, N. Y.	Vursell
Martin, Iowa	Rees, Kans.	Walter
Mason	Regan	Wampler
Matthews	Rhodes, Ariz.	Warburton
Meader	Rhodes, Pa.	Watts
Merrill	Riley	Westland
Merrow	Roberts	Wharton
Metcalf	Robeson, Va.	Wheeler
Miller, Calif.	Robsion, Ky.	Whitten
Miller, Kans.	Rodino	Wickersham
Miller, Nebr.	Rogers, Colo.	Widnall
Miller, N. Y.	Rogers, Fla.	Wigglesworth
Mills	Rogers, Mass.	Williams, Miss.
Mollohan	Rogers, Tex.	Williams, N. Y.
Morano	Rooney	Willis
Morgan	Roosevelt	Wilson, Calif.
Morrison	Sadlak	Wilson, Ind.
Moss	St. George	Wilson, Tex.
Moulder	Saylor	Winstead
Multer	Schenck	Withrow
Mumma	Scherer	Wolcott
Murray	Scrivner	Wolverton
Natcher	Scudder	Yates
Neal	Secrest	Yorty
Nelson	Seely-Brown	Young
Nicholson	Selden	Younger

NAYS—1

Wier

ANSWERED "PRESENT"—4

Blatnik	O'Hara, Ill.	Powell
Condon		

NOT VOTING—65

Alexander	Ford	Landrum
Ashmore	Gamble	Lanham
Auchincloss	Garmatz	Machrowicz
Ayres	Granahan	Miller, Md.
Bailey	Green	O'Brien, N. Y.
Baker	Hays, Ark.	Prouty
Barrett	Heller	Richards
Battle	Heselton	Riehlman
Buckley	Hiestand	Rivers
Canfield	Holifield	Scott
Celler	Hope	Sheehan
Chatham	Hosmer	Short
Chelf	Hruska	Sieminski
Clardy	James	Thornberry
Cole, N. Y.	Javits	Tollefson
Cotton	Judd	Utt
Coudert	Kean	Vinson
Curtis, Mass.	Kearney	Wainwright
Davis, Tenn.	Kelley, Pa.	Weichel
Dawson, Ill.	Keogh	Williams, N. J.
Dingell	Klein	Zablocki
Fine	Krueger	

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Lanham for, with Mr. Celler against.

Until further notice:

Mr. Canfield with Mr. Hays of Arkansas.
Mr. Hosmer with Mr. Ashmore.
Mr. Kean with Mr. Vinson.
Mr. Auchincloss with Mr. Battle.
Mr. Clardy with Mr. Zablocki.
Mr. Coudert with Mr. Thornberry.
Mr. Scott with Mr. O'Brien of New York.
Mr. Hiestand with Mr. Machrowicz.
Mr. Hope with Mr. Richards.
Mr. Short with Mr. Kelley of Pennsylvania.
Mr. Riehlman with Mr. Sieminski.
Mr. Krueger with Mr. Klein.
Mr. Sheehan with Mr. Holifield.
Mr. Judd with Mr. Barrett.
Mr. Ayres with Mr. Rivers.
Mr. Baker with Mr. Heller.
Mr. Curtis of Massachusetts with Mr. Bailey.
Mr. Kearney with Mr. Keogh.
Mr. Weichel with Mr. Alexander.
Mr. Cole of New York with Mr. Garmatz.
Mr. Miller of Maryland with Mr. Davis of Tennessee.
Mr. Ford with Mr. Buckley.
Mr. Heselton with Mr. Dingell.
Mr. Cotton with Mr. Chatham.
Mr. Utt with Mr. Dawson of Illinois.
Mr. Prouty with Mr. Chelf.
Mr. Gamble with Mr. Fine.
Mr. Wainwright with Mr. Green.
Mr. James with Mr. Granahan.
Mr. Hruska with Mr. Williams of New Jersey.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

PERSONAL EXPLANATION

Mr. RIEHLMAN. Mr. Speaker, I ask unanimous consent to insert a statement in the RECORD following the rollcall on House Resolution 400 referring to Members of the House who were invited to the White House for luncheon and a conference with the President.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RIEHLMAN. Mr. Speaker, the reason the following Members were detained from answering the rollcall was because they were invited by the President to a luncheon and conference at the White House: JAMES C. AUCHINCLOSS; W. STERLING COLE; NORRIS COTTON; GERALD F. FORD, JR.; JOHN W. HESELTON; JACOB K. JAVITS; WALTER JUDD; ROBERT W. KEAN; WINSTON L. PROUTY; R. WALTER RIEHLMAN; HUGH D. SCOTT, JR.; THOR C. TOLLEFSON.

COMMISSION ON INTERGOVERNMENTAL RELATIONS

Mr. HALLECK. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H. R. 8069) to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. RAYBURN. Mr. Speaker, reserving the right to object, I think in the confusion very few Members understand what this bill is about, so I wish the gentleman from Indiana would explain it.

Mr. HALLECK. I should be glad to do that. As the gentleman knows I discussed this matter with him before offering it.

This bill simply extends the time for the operation and reporting of the Commission on Intergovernmental Relations. We enacted the resolution creating the Commission in the first session of this Congress. There have been certain delays that were apparently unavoidable. While the Commission has made very considerable progress it has not been able to complete its work. The expiration date as originally set was March 1, next Monday. It has been deemed desirable, as I understand, by Members on both sides of the aisle, that the time for the work of the Commission be extended, and that is all that is involved here.

Mr. RAYBURN. In order to identify this Commission, it is what was known as the Manion Commission.

Mr. HALLECK. That is correct.

Mr. RAYBURN. I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That subsection (c) of section 3 of the act of July 10, 1953, entitled "An act to establish a Commission on Intergovernmental Relations," is hereby amended to read as follows:

"(C) The Commission, not later than March 1, 1955, shall submit to the President for transmittal to the Congress its final report, including recommendations for legislative action; and the Commission may also from time to time make to the President such earlier reports as the President may request or as the Commission deems appropriate."

SEC. 2. Section 6 of such act of July 10, 1953, is hereby amended to read as follows:

"TERMINATION OF THE COMMISSION

"SEC. 6. The Commission shall cease to exist at the close of business on March 1, 1955."

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

FUNDS FOR SUBCOMMITTEES OF THE COMMITTEE ON GOVERNMENT OPERATIONS

Mr. LECOMPTE. Mr. Speaker, by direction of the Committee on House Administration, I call up for consideration at this time House Resolution 419 with a committee amendment.

The Clerk read as follows:

Resolved, That House Resolution 150, 83d Congress, as amended by House Resolution 339, 83d Congress, is hereby amended (1) by striking out "$355,050" and inserting in lieu thereof "$455,050," and (2) by striking out "$65,000" and inserting in lieu thereof "$165,000."

With the following committee amendment:

Strike out all after the resolving clause and insert:

"That the further expenses of conducting the studies and investigations authorized by clause 8 of rule XI of the Rules of the House and House Resolution 150, as amended by House Resolution 339, 83d Congress, incurred by the Public Accounts Subcommittee of the Committee on Government Operations, not to exceed $100,000 additional, shall be paid out of the contingent fund of the House on vouchers authorized by such subcommittee, signed by the chairman thereof, and approved by the Committee on House Administration."

Mr. LECOMPTE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LECOMPTE. Mr. Speaker, this is a privileged resolution?

The SPEAKER. Yes.

Mr. LECOMPTE. And the same rules apply in this case as in the case of the resolution just agreed to by the House?

The SPEAKER. Yes.

Mr. LECOMPTE. Mr. Speaker, for the benefit of the Members of the House may I say that by the terms of this resolution the sum of $100,000 is provided for an investigation by one of the subcommittees of the Committee on Government Operations, the subcommittee being headed by the gentleman from Ohio [Mr. BENDER].

It will be recalled that last July by adoption of a resolution by this House certain subcommittees of the Committee on Government Operations were empowered to proceed with investigations on their own initiative. The $100,000 provided in this resolution is in addition to $65,000 provided during the 1st session of the 83d Congress, of which there was remaining on February 1, 1954, the sum of $22,619.92.

The chairman of this subcommittee, the gentleman from Ohio [Mr. BENDER], will be able to explain the plans for investigation by his committee much better than I can.

However, I understand he contemplates investigation of rackets that exist in three important areas in the United States, in the areas of Cleveland, Ohio, Chicago, Ill., and Minneapolis-St. Paul, Minn. I am not advised as to whether he is going to investigate all rackets, but I presume that is a fair assumption. This could include numbers rackets, labor rackets, gambling rackets, or other activities.

Mr. HOFFMAN of Michigan. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HOFFMAN of Michigan. Mr. Speaker, I object to consideration of the resolution at this time unless it appears that a quorum was present when the resolution was authorized by the committee or unless the chairman of the committee will so state that a quorum was present. If he does, that will be satisfactory.

The SPEAKER. The gentleman from Michigan [Mr. HOFFMAN], makes the point of order that a quorum was not present in the committee reporting this resolution. Unfortunately for the gentleman from Michigan, he makes his point of order too late. That should have been made at the time the resolution was read.

Mr. HOFFMAN of Michigan. Mr. Speaker, I want to make one correction. I did not make the point of order that a quorum was not present. The point of order was that consideration of the bill is not in order unless the record showed a quorum was present or unless the gentleman so stated.

The SPEAKER. The gentleman should have made that point of order at the time the resolution was read.

Mr. LECOMPTE. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. BENDER].

Mr. BENDER. Mr. Speaker, this resolution provided for funds for the operation of a special function turned over to the Subcommittee on Public Accounts. This is a regular subcommittee of the Committee on Government Operations. At a meeting of the Committee on Government Operations held on January 20, it was determined by resolution to have this special function handled by the Subcommittee on Public Accounts rather than to create special committees to handle matters under this head. At that meeting there were 20 members of our committee present and they voted 19 to 1—and I think 1 person voted "present"—to have this matter turned over to the Subcommittee on Public Accounts of which I happen to be chairman. On both the majority and the minority sides the action was almost unanimous.

In connection with this work, no particular area has been suggested and no particular part of the country has been indicated as to where this activity will be done. A very capable staff has been engaged for the purpose of taking complaints and pursuing them in an orderly and proper manner. There is no disposition on the part of this committee to do anything that is in violation of the rules of the House or of the committee itself, nor is there any disposition on the part of this committee to expose anything but the facts. This committee is not engaging in pillorying anyone, but we propose to do a thoroughly good job.

Mr. BARDEN. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from North Carolina.

Mr. BARDEN. I notice the gentleman says this committee has not been assigned to any particular area. In that connection, does "area" refer to jurisdiction, or is it a geographical term?

Mr. BENDER. It refers to geography.

Mr. BARDEN. In the previous statement reference was made to racketeering. I believe your committee is the Committee on Government Operations.

Mr. BENDER. That is the full committee; yes.

Mr. BARDEN. Just how broad is this term "racketeering"? In other words, what I am trying to get at is a concise statement of what your committee expects to do.

Mr. BENDER. I regret exceedingly I do not have the resolution before me. I think it very clearly stated what was involved.

Mr. HOFFMAN of Michigan. Mr. Speaker, if the gentleman will yield, I will give him a copy of the resolution if he wants it.

Mr. BARDEN. Just a moment. I thought the gentleman was going to explain what he was going to do with the $100,000.

Mr. BENDER. I will be glad to first comply with the request by reading this resolution. The $100,000 will be used for the purpose of engaging a staff to handle the subject. This is the resolution that was passed by an almost unanimous vote:

Whereas matters pertaining to alleged unfair and improper labor practices have been called to the attention of the committee; and

Whereas there is a duly constituted regular subcommittee: to wit, the Public Accounts Subcommittee, which is authorized to study the operations and activities of all Government departments except the State and Defense Departments; and

Whereas the committee is of the opinion that such allegations of unfair and improper labor practices and labor racketeering should be thoroughly and vigorously investigated: Therefore be it

Resolved, That the Public Accounts Subcommittee is hereby authorized and directed to investigate—

(1) Whether present Federal legislation and Federal agencies, officers, and employees adequately and properly protect individuals and business organizations from extortion;

(2) Whether, if such extortionary payments are made, they arise from ineffectiveness or lack of proper interpretation or enforcement of Federal statutes designed to protect civil rights, the free movement of interstate and foreign commerce, the Anti-racketeering Act of 1934, as amended, Federal legislation relating to the collection and distribution of welfare funds created by contributions from employers, and legislation relating to the levying and collection of Federal taxes, and the sufficiency thereof;

(3) Whether Federal agencies, officers, and employees charged with the duty of interpreting and administering the legislation above mentioned are using Federal funds efficiently and economically;

(4) Whether Government activity at all levels, designed to implement such legislation, is effective and economical; and, whether any amendments to the Federal legislation above referred to, or any other Federal legislation should be proposed to correct the existing situation; be it further

Resolved, That the Public Accounts Subcommittee is further authorized and directed to report to the full committee its recommendations, if any, as to what specific action, if any, should be taken by the full committee and by the Congress.

That is the resolution that was adopted by the full Committee on Government Operations giving this subcommittee this authority.

Mr. BARDEN. This is the committee's action here?

Mr. BENDER. That is right.

Mr. BARDEN. I am not concerned with the Committee on Government Operations investigating the Government agencies or Government activities, whether or not funds are being adequately spent, and so on, but the part I am concerned with is that I noticed in the gentleman's reading that the subcommittee was going to investigate labor practices, racketeering, and welfare funds. Somewhere in this Congress we ought to have a little coordination. Just this last week, I think it was, we set up a special committee and authorized it to investigate welfare funds. Now, you investigating committees are going to cripple each other running across the same path if you do not straighten out and stay within your proper fields.

Mr. BENDER. I called the chairman of the Committee on Education and Labor, the gentleman from Pennsylvania [Mr. McCONNELL], when I heard that your committee had taken some action in connection with welfare funds. I

think after our conversation, he will confirm my disposition and the disposition of our committee not to cross wires in any way. There is so much to be done and so little to do it with in this field that if both committees were engaged in this activity exclusive of all other things there would be plenty to do.

Mr. BARDEN. I am very fond of my chairman and I cannot say too loudly that he is a very fine gentleman, and all that, but I do not see how the gentleman from Ohio and the gentleman from Pennsylvania could agree that there will be no conflict, when I read here in plain English, "to the collection and distribution of welfare funds created by contributions from employees, and legislation relating to the levying and collection of Federal taxes, and the sufficiency thereof."

How can it be possible that there is not a conflict there?

Mr. BENDER. We cannot be sure that there will never be conflict. There will always be conflict as long as the world exists.

Mr. McCONNELL. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Pennsylvania.

Mr. McCONNELL. My understanding of our conversation and my understanding of what is planned to be done by the subcommittee under the gentleman's leadership is this, that where there have been derelictions in performance by Government agencies they will be investigated. Where some of those matters enter into such fields as union welfare funds and the way they are administered, it is the gentleman's understanding that the Committee on Education and Labor of the House will have exclusive jurisdiction there. That is our understanding, as I know it from our conversations.

Mr. BENDER. Our disposition is not to conflict at all, in any jurisdiction, and certainly in the field where there is so much area to be covered. There is no disposition on the part of our committee to conflict with the gentleman's committee in any possible way.

Mr. McCONNELL. That is our understanding, and I am glad to hear the gentleman's statement. I can see where the Committee on Government Operations would naturally investigate those types of performances which have not either been efficient or correctly done by various Government bureaus and so on. But, when you come to the actual investigation of labor practices from the outside without the Government Bureaus being involved, that, I feel, should be under the jurisdiction of the Committee on Education and Labor, and particularly the investigations and studies of the union welfare fund activities—I feel that most definitely belongs to the Committee on Education and Labor. I believe that is the gentleman's understanding, is it not?

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield.

Mr. RAYBURN. It appears to me there is a practical way of handling this. When you give two committees jurisdiction over the same subject, there is bound to be controversy regardless of who happens to be chairman on each of the committees. It would appear to me from what has gone on here that the jurisdiction of this matter which has been complained of clearly lies in the Committee on Education and Labor. It appears to me that the only way to get out of this situation is to withdraw this resolution and take the resolution back to committee and have it amended so that we will know specifically whose field of jurisdiction we are legislating on and appropriating for.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. RAYBURN. If the gentleman will pardon me, I thought probably the gentleman from Ohio would want to answer my query.

Mr. BENDER. It is unfortunate that the gentleman from Massachusetts [Mr. McCORMACK] is not here. I beg the gentleman's pardon, I see that he is on the floor. He might answer the question because he understands the purpose of this.

Mr. HALLECK. Mr. Speaker, will the gentleman yield for me to answer the inquiry of the gentleman from Texas?

Mr. BENDER. I yield.

Mr. HALLECK. First of all, may I say to the gentleman from Texas, here again is an illustration of the overlapping of jurisdiction which was created by the Reorganization Act passed by the 79th Congress. The plain fact of the matter is that the Committee on Government Operations, formerly called the Committee on Expenditures in the Executive Department is set up as an overall investigating committee, but its authority to operate is limited by the language of the statute creating the committee, which confines it to the efficiency and economy of the agencies of Government or people in the Government. Of course, under that same Reorganization Act each legislative committee, such as the Committee on Education and Labor is charged itself with determining as we go along how the agency over which it has jurisdiction is operating and how the law under its jurisdiction is operating. Now, then, to get to the specific question, and I am sure this would be agreed to, if in the resolution undertaking to create this subcommittee or to outline its jurisdiction language has been used that goes beyond the underlying language of the statute itself then whatever is included in the resolution would be of no force or effect, and could in no way give this subcommittee authority. Now before the gentleman shakes his head, I would like to complete my statement. As I was saying, then whatever is included in the resolution would be of no force or effect and could in no way give this subcommittee authority to operate outside the authority granted under the statute to the Committee on Government Operations. In other words, the resolution which is here before us and on which we are to vote is simply voting this subcommittee money to be used by it. It does not involve the reaffirmation or affirmation in any way of the resolution which was adopted in the Committee on Government Operations.

The SPEAKER. The time of the gentleman has expired.

Mr. LeCOMPTE. Mr. Speaker, I yield the gentleman from Ohio [Mr. BENDER] 2 additional minutes.

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. BENDER. I yield to the gentleman from Texas.

Mr. RAYBURN. The gentleman from Indiana [Mr. HALLECK] has called attention to a certain matter; that is, the Reorganization Act that we passed a few years ago. There was a great deal in that that I do not like and that I thought was superfluous.

Mr. HALLECK. I agree with the gentleman.

Mr. RAYBURN. There were two matters in it that I tried to look after. One was the matter of the increase in salary. I was for that. Then I followed the committee as far as I could to prevent the taking away from the speakership any more powers. I think those two purposes were accomplished, but, to be frank, they were the only provisions in the reorganization bill about which I was very enthusiastic.

But we get back to the proposition that there is a clear conflict of jurisdiction here brought about by the resolution passed by the Committee on Government Operations.

Mr. HALLECK. Will the gentleman not agree with me that by resolution within the committee no jurisdiction can be created that is broader than the jurisdiction invested in the Committee on Government Operations in the statute that created that committee?

Mr. RAYBURN. What is to prevent their doing it? You cannot put anybody in jail for it.

Mr. HALLECK. That is a practical question, to which I shall be glad to respond. What will prevent them from asserting jurisdiction beyond that conferred in the statute creating the committee is that, as Members of integrity of this branch of the Congress, they recognize the limitations of authority and jurisdiction; and I am quite certain that the gentleman from Ohio [Mr. BENDER] would say to us here and now, as chairman of the subcommittee, that he would not undertake to assert jurisdiction or authority that went beyond the language of the statute under which the committee was created.

Mr. RAYBURN. Why not take the resolution back to the committee and have it amended, and then come in with a resolution authorizing an appropriation of money?

I should like to call the attention of the gentleman to one more thing. In my legislative experience I think this is only the second time I have ever known of the House of Representatives voting money to a subcommittee of a regular committee. I think it is very bad practice.

Mr. HALLECK. That may very well be.

The SPEAKER. The time of the gentleman has again expired.

Mr. LeCOMPTE. Mr. Speaker, I yield 10 minutes to the ranking member of the Committee on House Administra-

tion, the gentleman from Texas [Mr. BURLESON].

Mr. BURLESON. Mr. Speaker, the distinguished minority leader has just mentioned the point which I wished to raise and which the membership of this House should clearly understand. Reference has been made to the Reorganization Act. This is the only committee to which funds are appropriated to its subcommittees. This was done last year at the beginning of the 83d Congress and the action at that time was called to the attention of the House.

I am not arguing against this bill. I supported it in the committee. But I think I am entitled to say that I raised the point in committee. I am not talking about the merits of the proposed investigation for which these funds are to be used, but about the method of appropriating funds directly to a subcommittee instead of the parent committee as is the case of all other committees.

Some time ago the Committee on Government Operations passed a resolution in committee, which came to the Committee on House Administration, which resolution made each of their subcommittees more or less autonomous insofar as the expenditure of funds is concerned. I understand there are practical reasons for that.

But I should like it to be made clear that this does not come through the initiative of the Committee on House Administration, but represents the request of the Committee on Government Operations.

I do not question the legality of it. I do question adherence to the spirit of what we intended in the Reorganization Act. It should be made perfectly clear that the responsibility for so doing is not on the Committee on House Administration.

I think the chairman of the Committee on House Administration made that point at the beginning of the 83d Congress, and reasons for so doing were given. But I think it is appropriate it should be brought to the attention of the membership at this time and that the membership take notice of the modus operandi of this resolution.

Mr. BARDEN. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I yield.

Mr. BARDEN. I want to make this statement in connection with this resolution: The gentleman asked who would determine the scope of this committee. The chairman of the committee, the gentleman from Ohio. And he very promptly told me what his scope was going to be. Now, we start here with the whereas clause:

> Whereas the committee is of the opinion that such allegations of unfair and improper labor practices and labor racketeering should be fully and vigorously investigated—

Now, upon this resolution by the committee rests the $100,000 that we are appropriating.

I do not object to the gentleman from Ohio investigating anything in the world he wants to investigate if it is proper and if it goes through this House properly and the money is properly authorized and appropriated.

But it goes on down here and speaks of "properly protect individuals and business organizations against extortion." Then you go on a little further and you get to the Antiracketeering Act of 1934. I think that was about truck transportation or something.

Mr. HOFFMAN of Michigan. It was the Hobbs amendment.

Mr. BARDEN. Yes. It was the Hobbs amendment.

Then the resolution wants to investigate the activities of the collection and disbursement of welfare funds and so forth.

Mr. Speaker, we just simply must have some orderly chart to go by. The gentleman from Pennsylvania who is chairman of the Committee on Education and Labor, and a very excellent chairman, has set up these subcommittees. He is proceeding cautiously. When we use this as the basis to appropriate $100,000—now the gentleman from Indiana made the most plausible, delightful explanation I have heard; and if ever I miscue and need somebody to explain some of my acts I really want to retain the gentleman. Now, do you not think this resolution lays the basis for the conduct of the committee by the chairman of the committee who will spend the $100,000?

Mr. HALLECK. If the gentleman is asking me——

Mr. BURLESON. I think I have the floor. If I have any time remaining I wish to yield to my colleague the gentleman from Texas [Mr. LUCAS].

Mr. BARDEN. Please, let the gentleman from Indiana [Mr. HALLECK] answer.

Mr. BURLESON. I will yield further as soon as I yield to the gentleman from Texas [Mr. LUCAS].

Mr. LUCAS. Let him have the time.

Mr. BURLESON. Then I shall be glad to yield to the gentleman from Indiana for an answer.

Mr. HALLECK. Mr. Speaker, in response to the inquiry of the gentleman from North Carolina may I say that in the matter of jurisdiction, anything this subcommittee or the Committee on Government Operations undertook to do would have to be limited to the jurisdiction granted in the resolution that created the committee; and I would therefore insist that the areas or limits of operations conferred upon the Committee on Education and Labor should be reserved to them.

Mr. BARDEN. Does the gentleman agree that it should be stricken out?

Mr. HALLECK. No. Let me say to the gentleman that I do not believe here on the floor of the House we can undertake to control the actions of the committee. If the gentleman means to say that the $100,000 figure which has been determined on the basis of jurisdiction that could not be created and hints that the amount is too big then I might say that if that were true that might be a plausible argument; but again I go back to my original contention which is that no committee of the House of Representatives can enlarge its authority by any simple resolution creating any subcommittee within the committee or undertaking to assert an authority that it does not have.

Mr. LUCAS. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I yield to the gentleman from Texas.

Mr. LUCAS. At no time did I hear the gentleman from Ohio [Mr. BENDER], say he would not exercise this authority. Do you remember that he did not answer the question when it was before him? The gentleman now says, too, that it should not be stricken from the resolution. Therefore, when the House acts upon it, the House is giving that authority to the committee by voting these funds. No one can deny that.

Mr. HALLECK. I can deny it because I insist again that this is just simply a matter of supplying money to a subcommittee of the Committee on Government Operations. In order that my position may be clear for whatever future effect it might have in the operations of this committee, if the money is given them to go ahead and operate, may I say that, in my opinion, the language of the resolution is too broad, having regard to the authority vested in the Committee on Government Operations. But I do not believe this is the way or the time to say to that committee: You have to take this resolution back creating that subcommittee and revise it.

Mr. LUCAS. What better way can we help? What attitude will the leadership take when the House Committee on Education and Labor asks for money to investigate welfare funds? There will be those among us who will say that we have already given $100,000 to Mr. BENDER's committee.

Mr. HALLECK. May I say to the gentleman that I have sought creation of a subcommittee of the Committee on Education and Labor to study welfare funds and I have made it abundantly clear, as far as I am concerned, to everybody with whom I have spoken that that is a field in which your committee ought to operate except as the Committee on Government Operations might, if there was a governmental responsibility that involved economy or efficiency or a governmental agency or employee, might check that end of it, but not generally to investigate the large area of welfare funds. If I can make it any plainer than that, I do not know how I could do it.

Mr. LUCAS. The gentleman says they might investigate welfare funds because some Government official might be somewhere related to welfare some place, or the Government should have taken some action, therefore they find reason to go into that field; but the gentleman has not said anything about investigating racketeering. That is also in the resolution.

Mr. HALLECK. The investigation of racketeering is in exactly the same category. If, for instance, Federal statutes are being violated and it could be established that the Justice Department was not diligent in the prosecution of those violations, that would be a matter for investigation by the Committee on Government Operations; but the mere operation of so-called racketeering, except as it would directly affect the operations of the Government or employees of the

Government as it might refer to economy or efficiency, would be in the province of the Committee on Education and Labor and not in the province of the Committee on Government Operations.

The SPEAKER. The time of the gentleman from Texas has expired.

Mr. LECOMPTE. Mr. Speaker, I yield 5 additional minutes to the gentleman from Texas [Mr. BURLESON].

Mr. RAYBURN. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I yield to the gentleman from Texas, the distinguished minority leader.

Mr. RAYBURN. Mr. Speaker, I want to talk for a minute about the orderly way to do things. I think the explanation of my very beloved friend from Indiana [Mr. HALLECK], instead of clearing the atmosphere has befogged it more and more and has shown definitely that this committee, speaking about the Reorganization Act now, is trying to violate—not trying to but is violating—the very provisions of that Reorganization Act when it went out and took jurisdiction of various committees. Everyone says this committee should not have the authority to go into and deal with subjects over which the Committee on Education and Labor has jurisdiction. Yet that is what you are doing when you appropriate this money under the present resolution. This is the second time that I have ever known of money being appropriated for a subcommittee in this House of Representatives in all the years I have been here. It is definite now, in my opinion, that this committee has transgressed the rules of the House of Representatives and that vital part of the rules that goes to jurisdiction of committees.

I say again, Mr. Speaker, loving this House and its rules and its precedents as I do, this resolution, in my opinion, should be withdrawn and the original resolution reconsidered by the Committee on Government Operations and bring it back here so that it will be in accordance with the rules of the House of Representatives.

Mr. BURLESON. Mr. Speaker, I might add further in connection with the matter of appropriating money to subcommittees, that this is more or less, as I understand, an ad hoc committee; there is no reason to believe that there may not be many other subcommittees created under similar conditions. In other words, becoming subcommittees of subcommittees. Again, I am addressing myself to the principle involved and not to the substance or merit of this resolution.

Mr. Speaker, I yield to the gentleman from New York [Mr. POWELL].

Mr. POWELL. I would like to ask the chairman of my committee, the gentleman from Pennsylvania [Mr. MCCONNELL], how much did the Committee on Education and Labor spend for operations in 1953, last year.

Mr. LECOMPTE. I can answer that question.

Mr. MCCONNELL. A very small amount.

Mr. LECOMPTE. The Committee on Education and Labor had, last year, $50,000, of which $15,854.75 was expended; $34,145 remains.

Mr. POWELL. So, last year the committee, covering the field of education and the field of labor for our entire Government, which included labor rackets, Taft-Hartley, and other legislation in the field of education, spent $35,000.

Mr. LECOMPTE. No; spent $15,000.

Mr. POWELL. Fifteen thousand dollars.

Mr. LECOMPTE. You have $34,000 remaining.

Mr. POWELL. They spent $15,000. Now you set up a subcommittee to cover just one little tiny area that our entire committee covered, and you are giving that subcommittee almost seven times what the Committee on Education and Labor spent. I wonder where the economy of the Republican Party begins and ends, that is all.

Mr. LECOMPTE. The facts are that the House of Representatives, by resolution, last July separated the functions of the Committee on Government Operations and set up permanent subcommittees and vested them with authority. That was done last July.

Mr. POWELL. But still I cannot understand.

Mr. LECOMPTE. Well, the gentleman was a Member of the House at that time.

Mr. POWELL. I understand that. What I am trying to get at is this: How can you set up $100,000 for one subcommittee, which is six times the total amount spent by the full Committee on Education and Labor for the entire United States of America?

Mr. LECOMPTE. The Labor Committee got all of the money it asked for for its investigations.

Mr. POWELL. Then I think we should deal the same way with this subcommittee. I do not think a penny over $10,000 is necessary for this unless there is some other purpose behind this committee that is not presented to the House.

Mr. MCCONNELL. Mr. Speaker, will the gentleman yield?

Mr. BURLESON. I yield to the gentleman from Pennsylvania.

Mr. MCCONNELL. I think this ought to be said in fairness to the leadership on this side and also in connection with this appropriation and what was spent in the Committee on Education and Labor. When you investigate the various activities, particularly in the labor field and various types of racketeering, you are going to run into considerable money for a proper staff, and so on. Now, we held no investigations this last year. We held hearings on Taft-Hartley, but no investigation. When we get into the study and investigation of the handling of the union welfare funds, we will spend quite a bit of money compared to what we receive.

I want to say this: The feeling I have on the subject matter we are discussing is this: I can see where the Committee on Government Operations would investigate various activities of the agencies of the Government and where in spots they might be connected with labor activities, but I see no reason why in the resolution which set up this particular subcommittee a mention was made of the union welfare funds and their activities and the handling of them, because I can see no way where the Government agencies are involved with such a subject.

Mr. BURLESON. May I say at this point, Mr. Speaker, that I would not want to leave any impression of disparagement toward the work of the subcommittees on Government Operations or the chairmen of those committees. My observation has been that they have done some excellent work and have saved considerable sums of money, which I compliment very highly. Certainly I would want to make that very, very plain. I repeat that with me it is a matter following the proper method of appropriating money, and nothing more.

Mr. LECOMPTE. Mr. Speaker, in connection with the discussion about the jurisdiction of committees, may I say that the Committee on House Administration does not institute or inaugurate investigations. It is the function of the Committee on House Administration to furnish the money when an investigation has been ordered. While an unfortunate controversy developed in the Committee on Government Operations a year ago, with the result that an unusual resolution was adopted, it is not within the jurisdiction of the Committee on House Administration to pass on that controversy.

Mr. Speaker, I yield 10 minutes to my friend from Michigan, the chairman of the Committee on Government Operations [Mr. HOFFMAN].

Mr. HOFFMAN of Michigan. Mr. Speaker, perhaps, as usual, someone will blame me for this little argument. Take note of what has happened there.

I have known about this racketeering and the misuse and misappropriation of health and welfare funds for a long, long time. Finally the administration came along and caught onto the popularity of the effort to expose it, and in the message on labor-management relations recommended that something be done about it. We had held some hearings. We got what you might call a bandwagon going, and the music sounded good, and some of my fellow colleagues on the committee decided they wanted to get on and ride. That was all right with me, because I had no monopoly of the opposition to the wrongdoing. But some committee members wanted to kick me around and were neither consistent nor careful in doing that job. So here we are in this little family quarrel.

On the question of jurisdiction I solved that problem as chairman of the committee by appointing a special subcommittee of three from the Committee on Government Operations, as had been done in the 80th Congress, and also by requesting the chairman of the Committee on Education and Labor to appoint a similar committee, and then the two special subcommittees acted together. I happen to be on both committees. I was on the two special subcommittees. I am also on the Bender subcommittee. So I am not concerned here personally. I am sitting pretty whichever way it goes here today, because I am on both committees. I just cannot be lost. I will get my share in that pub-

licity so many Congressmen seem to want. I will get my share of that. I hope to do a good job, so do not think I am worried about that end of it nor about what happens to me.

As the gentleman from Texas [Mr. RAYBURN] said, this is the second time the House has been asked to vote funds for regular subcommittees independently of the parent committee.

The Reorganization Act was an attempt to hold down the number of regular House committees to 19, and it did. Then in the 80th Congress I became disturbed because of some of the expense bills that some of the subcommittee chairmen were running up—and I will give you some illustrations of that—and of some of the employees the subcommittees kept on the payrolls. I did not want to sign vouchers for them, not me, not when one is called before a committee of the other body and there takes refuge behind the fifth amendment. I do not want to sign vouchers for a man like that or for a fellow on 2 payrolls, as 1 of the employees with the Bender subcommittee was. He was on the payroll of a private corporation and a committee payroll. He was paid twice for the month of March 1953—once by the private corporation, once by Uncle Sam. When I found it out, he had kicked back the two checks he had received from the private corporation, because he was then serving as a public official and that paycheck was much larger. That is why I did not want to go along with that procedure under which I, as chairman, was signing vouchers for subcommittee employees, relying on the certificate of the subcommittee chairman. I learned from experience that some of the expense accounts were not just what they should be. Then, too, I did not believe subcommittees, while Congress was in adjournment, should travel all around the country holding hearings, when no worthwhile results could be accomplished. I suggested to the subcommittee chairman that they economize a little. That was not—to put it mildly—a popular suggestion.

So what did my committee do? They refer to me as "chairman." I am chairman without any authority—in name only. You have all heard that old one about "a wife in name only." Here it is. That describes my chairmanship—at least so they seem to think.

So what did they do? They went along and voted out their own authority to travel hither and yon. I objected because we were elected on an economy program, elected as well to make at least a pretense of going along with an economy program. So I suggested the committee curtail some of their activities.

The members of the committee not only rejected my economy suggestion, but they went further and they said that the 5 subcommittees—and I have 1 which does not function—should be little independent empires with appropriations of their own to use as the subcommittee chairman saw fit—in not only going when and where he desired, to investigate whatever might occur to him, but to select his own employees and to fix their compensation—a provision contrary to the express terms of the Reorganization Act, which provides that the chairmen of the regular standing committees of the House shall be responsible for the expenditures of the committees.

Of course, it was natural for these gentlemen, even though their service here had not entitled them to it, to want to be chairman of what, in effect, was a regular standing committee of the House. Well, they grabbed that authority, and the House—in my judgment not knowing what it was doing—went along with them. So, with the aid of the House, acting, I am sure, without realizing the import of its action, they grabbed authority equal to that of a regular standing committee of the House. They brought about the situation to which the gentleman from Texas then, I understand, objected—a situation to which he now objects, for whatever may be his reason. Actually that procedure destroys party leadership, destroys House control over the expenditure of funds appropriated for a special purpose, and inevitably will involve the House in hearings which may bring discredit to the House as a whole. That is the situation which we will have if we do not nip that trend. You were warned about it.

Now where are we at today? The House apparently is now aware of the situation. That is what we are trying to do. We are trying to remedy the mistake. Let me give you an illustration of the way the Bender subcommittee, which asks for this $100,000, spends its money. I do not like the way some subcommittees spend their money just as they do not like what I do. In fact, the gentleman from Ohio [Mr. BROWN] the distinguished statesman who sits over here on my left made the observation from the floor that I was getting old and testy. I was—I am. But did he ever compare his actions with mine? You do not doubt it, do you? That, at least you will acknowledge.

The gentleman from Ohio [Mr. BENDER] said—and whatever this may mean—I do not know—he said that I was constitutionally unconstitutional. Now whatever he meant by that, I do not know, care less. But I will tell you what the committee did. You talk about jurisdiction, now. I cannot talk to them over there on my left because the leadership over there once said it would "cut me down to size." They are welcome to try. They are welcome to try.

But, I will tell you what they did on this question of jurisdiction.

By a resolution offered by the gentleman from New Jersey [Mr. OSMERS], who comes from a State where, I understand, the reason for the loss of the Republican governorship in the last election was due, in part at least, to the failure to watch the extortionists and racketeers in the State administration, the committee, by an overwhelming vote of those present—a few were absent—set up these five regular subcommittes, each with its own fund, its own staff, as little independent kingdoms, free of any control by the regular standing committee of the House. Each received its own allotment of the $355,000 which was given to the committee to carry on its investigations and to hold hearings during 1953—and, by the way, the preceding Democratic Congress had received $350,000 to cover similar expenses during 2 years and had turned back some $76,000 or $86,000 of that sum—and then away, under the new power, these regular subcommittees teed off.

But they were not content with grabbing that power for themselves. Under an express grant of authority by the full committee, I had appointed a special subcommittee of three to look into the manner in which Federal agencies were using public funds, interpreting Federal legislation—subjects clearly within the jurisdiction of the Committee on Government Operations. The other members of the committee, so far as I know, never complained about the manner in which I had been doing the job or about the results achieved. Apparently, and with proper humiliation I say this, they were a little envious of the enviable publicity which had been given that special subcommittee because of the worthwhile job it had done. So, enthusiastically, they stripped me of my authority, liquidated the special subcommittee—though, generously, they did later grant it a 60-day reprieve, provided it acted only in Detroit and Kansas City.

However, being the member of a special subcommittee of three which had been appointed by the chairman of the House Committee on Education and Labor, I was privileged to participate in subsequent hearings, beginning on the 23d of November, 1953, in the city of Detroit, under the leadership of the gentleman from Kansas, the Hon. WINT SMITH. General SMITH, who, while he served courteously, acted judiciously, nevertheless, being a real general, permitted little foolishness on the part of individuals who would have sabotaged the hearings.

Now, the question as to how far a subcommittee such as the one which is now requesting this $100,000 will go. It is all very well to say that the jurisdiction of that subcommittee is limited by the Reorganization Act, by the Rules of the House. Unfortunately, experience has shown that when a chairman of a subcommittee, or, sometimes, of a full committee, gets out into the field it is extremely difficult to limit his acts. Permit me to call attention to the limitation on the jurisdiction of the regular Subcommittee on Public Accounts of the Committee on Government Operations. Mr. BENDER is chairman of the Subcommitttee on Public Accounts, and under the rules of the committee, the departments which fall under his jurisdiction are expressly named. The Department of Labor is not one of those executive departments named in the rules of the committee. Note the following:

A resolution adopted by the Committee on Government Operations in executive session on January 20, 1954, recited that—

Whereas there is a duly constituted regular subcommittee; to wit; the Public Accounts Subcommittee, which is authorized to study the operations and activities of all Government departments except the State and Defense Departments; and

The Committee on Government Operations had no authority to adopt that paragraph of said resolution for the reason that the jurisdiction of the Public Accounts Subcommittee of the Committee on Government Operations is limited by House rule XI, section 8 (a) (c) (2).

The rules of the committee defining the jurisdiction of the Public Accounts Subcommittee provide:

This subcommittee is charged with the duty of examining budget and accounting measures, other than appropriations, as well as studying the operations and activities of the Government departments and agencies, including General Services Administration, at all levels.

The area covered by this subcommittee will be the activities of the regular departments in the executive branch, except the State Department. These are: Agriculture, Commerce, Justice, Interior, Post Office, and Treasury.

It will be noted that the jurisdiction of this subcommittee is expressly limited by the rules of the committee itself to certain regular departments in the executive branch, and that excluded from that list is the Department of Labor, the Conciliation Service, and the National Labor Relations Board.

Under the statement that he was going to the Virgin Islands, the chairman of the Subcommittee on Public Accounts—except the accounts of the Labor Department and its agencies—the gentleman from Ohio [Mr. BENDER] around November 15, 1953, took 5 members of his subcommittee and 4 members of his staff on a 5- to 12-day trip to the Virgin Islands.

The Interior Department proposed to sell Bluebeards' Castle Hotel, St. Thomas, Virgin Islands, under section 484 (a) of title 40, United States Code, as amended in 1952 and 1953, and which now reads:

Unless the Administrator shall determine that disposal by advertising will in a given case better protect the public interest, surplus property disposals may be made without regard to any provision of existing law for advertising until 12 o'clock noon, eastern standard time, June 30, 1954: *Provided*, That an explanatory statement shall be prepared and submitted to the appropriate committees of Congress and a copy preserved in the file of all cases where negotiated disposal occurs.

Under that statute the Department is required to notify congressional committees, among them the House Committee on Government Operations, of the intention to sell and the terms on which the property is to be sold. But the statute does not contain any provision which authorizes any committee of Congress to either approve or disapprove of the proposed sale.

Apparently the purpose of Congress was to see to it that Congress would be advised of proposed sales so that if it desired it could, by specific legislation, disapprove of a sale.

On the pretext that it was studying financial conditions in Puerto Rico and the Virgin Islands as they affect the budget and operations of the Department of the Interior, and an interest, "in the situation regarding the Bluebeard's Castle Hotel," the Bender subcommittee, during the period November 14–27, 1953, went to the Virgin Islands, but as of today has made no report to the full committee on either topic.

The expense bill shows items totaling $1,739.10. To this must be added, not yet shown by the vouchers, commercial airline transportation on credit cards, the best estimate of which is something over $1,100; a total of $2,839.10.

To this should also be added the cost of transportation by MATS, which is not required to be given on the expense vouchers. A fair estimated cost to the Government would be around $3,000.

Apparently this trip to the Virgin Islands is illustrative of subcommittee activities which I, as chairman of the full committee, suggested, in my letter of June 29, 1953, be curtailed. That economy suggestion seems to have been one of the reasons for denying HOFFMAN authority to appoint subcommitees to investigate the misuse of union health and welfare funds, racketeering, and extortion generally.

The chairman of the Public Accounts Subcommittee, who took four members of his staff on a job which, apparently, does not merit a report, is now asking the committee for $100,000 to investigate activities which may be punishable under a statute, the Hobbs amendment to the Antiracketeering Act of 1934, which he voted against.

And do not for one moment think that this request for $100,000 is all you will get. Already the gentleman from Indiana [Mr. BROWNSON], chairman of another subcommittee, who was given $66,000 for 1953 and expended $25,237.80 from August 1, 1953, to December 31, 1953, and who had on hand January 1, 1954, $19,776.78, has prepared a request for some $52,000 for his subcommittee. Other subcommittee chairmen will be coming along with similar requests.

Now the gentleman from Ohio [Mr. BENDER], who was making this request for $100,000, and, from his statement on the floor today in answer to the questions of the gentleman from North Carolina [Mr. BARDEN], apparently was not quite sure of what he did intend to do, has made several investigations, held several hearings, but to date he has not, so far as I know, filed a single written report of what he has accomplished.

Apparently he thinks his jursdiction extends to the accounts of every executive department and agency, even though there is nothing allegedly wrong with those accounts. Note this: The Reorganization Plan sent up by the President relating to the Department of Agriculture was put into effect by Secretary Benson the latter part of November 1953, but less than 10 days later the gentleman from Ohio was holding a hearing, presumably to learn whether the accounts under the Reorganization Plan—which had been in effect but 8 days—were correct, covered everything they should. The jurisdiction to determine whether the reorganization plan was functioning economically and efficiently is vested in the subcommittee created for that purpose, not in the Subcommittee on Public Accounts.

Now, if you want to go ahead and give the gentleman $100,000 on this one, and limit the expenditure of that money to activities which the resolution of January 20 authorized that is all right with me and I will vote for it. I will not vote to give the Subcommittee on Public Accounts $100,000 until I know what it proposed to do with it. Just remember that I was doing the same job which he proposes to do with the assistance of the special subcommittee appointed by the chairman of the House Committee on Education and Labor. We were doing the same job for about $30,000 and some 22 individuals were indicted, as a result of our hearings and we would have gone ahead, we have some more information, which I offered, we have some skilled employees, and I offered the services of one of them, but the gentleman did not take them. He has his own.

I know this committee assignment will help him in his campaign for the nomination for Republican candidate for Senator from Ohio. That is all right too, because I wish him luck, but I do not want you to go ahead under any false impression that the expenditure of this $100,000 is solely to expose the abuses mentioned in the resolution of January 20, 1953.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I will yield to the gentleman for a question if he has a question, but not for any attack on me.

Mr. Speaker, the fact of the matter is they tried to cut my throat. They tried to cut my throat over there and they spilled my blood all over the premises. They got themselves in a false position. That is what is the matter with them, and they do not know what to do next. They got themselves into the position where, when we were getting along all right and [we were] exposing the racketeers and extortionists, but we got too close to some politically high influential gentlemen and we were stepping on their toes, they said, "Call that old man, HOFFMAN, off." The committee did just that. Some one apparently said, "The first thing you know we are going to get into this mess ourselves." And they did. They did. And bless their dear hearts, after cutting me off from continuing the special subcommittee's activities, they will hear from me on the floor—occasionally—for I now have plenty of time.

Mr. HALLECK. Mr. Speaker, will the gentleman yield for a question?

Mr. HOFFMAN of Michigan. Yes, sir.

Mr. HALLECK. The issue here seems to be one of jurisdiction. Does the gentleman contend that the resolution that was adopted in his committee, of which he is the chairman, undertaking to create this subcommittee is within the limits of the jurisdiction of his committee?

Mr. HOFFMAN of Michigan. Yes, sir, if you know how to operate it, but the committee members who kicked me around apparently do not. You opposed it all the time. You said we never—pardon me, pardon me—for the "you" business—the Republican leadership and the Republican members of my committee for 8 months said that the committee had no jurisdiction and then

when they learned, because of the investigations we had made and the hearings that we held and the newspaper comments, that it was a wonderfully fine thing to do, the committee crawled on the bandwagon and put George in the driver's seat—let George drive it, furnish the music and go down the road singing "Four Leaf Clover—Four Leaf Clover," on his way to the Republican nomination for Senator from Ohio. I wish George success but from what he failed to say here today, when queried by the gentleman from North Carolina [Mr. BARDEN], I fear he may miss the road.

Mr. HALLECK. Mr. Speaker, will the gentleman yield for one further question?

Mr. HOFFMAN of Michigan. I yield.

Mr. HALLECK. At the time this controversy was on in your committee—and may I say to the gentleman that his troubles are with his own committee and not with the leadership.

Mr. HOFFMAN of Michigan. No, I am the wrong guy.

Mr. HALLECK. The gentleman recalls I discussed with him the matter of jurisdiction which might be within the province of the Committee on Government Operations or a subcommittee, and that he and I talked about it and together we drafted certain language which was much more restrictive than this resolution, and at one time I thought would be adopted in his committee.

Mr. HOFFMAN of Michigan. Yes, you furnished the language and you told me committee members would not take it though it was acceptable to me. That was after the gentleman from Indiana [Mr. BROWNSON] who had his little trip of 42 days around the world had gone running to you for help to cut me down to size. He made the statement, if I may be permitted a personal reference, that they were going to get me before they got through. And that they would go to the top to do it. And they did. But they cannot gag me—not as long as we have free speech from the well of the House.

The members of the committee, as well as the leadership of the House—and I am not referring now to the Speaker of the House, for he has been most kind and helpful—might be well advised if they would consider the question of permitting me to serve as chairman of the Committee on Government Operations, with the same authority and in the same way as the chairmen of other regular standing committees are permitted to serve, rather than to deprive me, insofar as they can, of all authority of a chairman—a position which, through long service, I have earned, and to which I am entitled under the rules of the House.

If I am not to be permitted to serve as other chairmen serve—and truthfully they cannot charge me with being arbitrary, or unreasonable, or dictatorial, or discourteous, in committee proceedings—then I must find something to do, for, even though I am old and testy, even though I am constitutionally unconstitutional, even though the gentleman from Ohio [Mr. BROWN] thinks I am in ill health, trembling on the edge of the grave, and I am sure he would not push me in—I must and I will find something to do.

Would it not be more conducive to harmony—is it not possible that I might accomplish some good work, operating strictly within the jurisdiction of the committee and in the regular way? Or, even though committee members to whom I may be personally objectionable might prefer that I be excluded from all committee activities, would it not be more conducive to an early adjournment after the enactment of a helpful legislative program, to permit me to serve as do other committee chairmen, rather than to have me on the floor day after day, unable to restrain myself from criticism of unsound policies or practices advocated by the present minority, which is a minority only because it lacks 2 or 3 votes? I ask that question in good faith. I hope the leadership of the Republican Party and its Policy Committee will give it a little consideration, remembering that I am but one of the 19 chairmen of the regular standing committees of the House. Remember that the House leadership on both sides of the aisle is watching with a little apprehension, and with the fear that the membership of other regular standing subcommittees may attempt to follow the disruptive practice put over by the members of the Committee on Government Operations.

The gentleman from Ohio [Mr. BENDER], through the committee action on the 20th of January last was in executive session, referred to the vote by which my request for authority to appoint a special subcommittee was denied. Inasmuch as he made that reference, permit me to add that there were but eight Republicans present. I was one. You can guess as to how I voted. You can draw your own conclusions as to how the other 7 Republicans voted, and as to how 1 of the 7 cast 2 proxy votes.

In our committee it takes 16 to make a quorum, so you need no higher mathematics to know who furnished the votes to deny my authority to put a crimp in the doings of the racketeers and extortionists.

Mr. HALLECK. Will the gentleman yield for one further observation?

Mr. HOFFMAN of Michigan. I will yield for a question; not for an observation.

The SPEAKER. The time of the gentleman from Michigan has expired.

Mr. LECOMPTE. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Texas [Mr. RAYBURN].

Mr. RAYBURN. Mr. Speaker, a great many of these things the gentleman from Michigan [Mr. HOFFMAN] has talked about occurred only in the 80th Congress and the 83d Congress. I might say that in order to keep the record straight.

I do not think, since I have been a Member of this House, after a committee, after due consideration, had asked the Committee on House Administration or the old Committee on Accounts for a sum of money to make investigation, that I have ever voted against one of those appropriations in all of the years I have been a Member of this House. But I feel so deeply about this question of jurisdiction that I think my original suggestion should be followed, if we want to preserve the rules and precedents of this House. The present occupant of the Chair and I have, for years, been trying to see that that very thing is done. I am going to vote against this appropriation, because in the years to come I am not going to have somebody accuse me of even inferentially being a disciple of the doctrine that each committee has a right to fix its own jurisdiction. When you have that, you have no rules whatever in the committees of this House.

The SPEAKER. The gentleman has 13 minutes remaining.

Mr. LECOMPTE. Mr. Speaker, I yield 5 minutes to the distinguished majority leader [Mr. HALLECK].

Mr. HALLECK. Mr. Speaker, the gentleman from Texas [Mr. RAYBURN] has correctly said that these same controversies involving the Committee on Government Operations have prevailed only in the 80th and the 83d Congresses. I trust that he and the membership will bear with me, that this certainly has not been my fault.

May I say to the gentleman from Michigan [Mr. HOFFMAN] that I never said anything about cutting anybody down. I do not engage in operations of cutting people down. I have too many other things to do. I have tried as best I could to bring about the efficient functioning of the committees of the House of Representatives in order that our work might be done and done properly, within the limits of the jurisdiction.

The gentleman from Michigan and his difficulties in his own committee, where reference is made to leadership, was no operation of mine. The only participation I ever had in it was to try to work out something when I was called upon that would be generally satisfactory. That such has not been accomplished is evidenced by the situation here today. As I said before, the matter of jurisdiction, created by the Reorganization Act, as between the Committee on Government Operations and legislative committees, has been with us. With respect to many operations it will continue to be with us.

When the gentleman from Michigan [Mr. HOFFMAN] with his subcommittee was engaged in certain hearings and investigations, complaints were made to me about whether proper jurisdiction was involved. And there again, may I say he tried to suggest that I had called somebody off; neither he nor his committee nor anybody else. I deny it, because it is not true. This is a matter of getting along, as to the controversy, within the Committee on Government Operations.

The resolution that has here been adopted was a resolution adopted without any knowledge on my part. So far as I know it was supported by the overwhelming majority of the members of the Committee on Government Operations on both the Democratic and Republican sides.

The question here is this proposition before us of a subcommitee of a regularly created committee asking for money to carry on an investigation. Criticism is made of the resolution

adopted in the committee. The gentleman from Texas asserts that the vote on this matter here is an affirmation of the jurisdiction sought to be created within the committee outside of what I say now without any equivocation goes beyond the jurisdiction of the committee.

For myself I say that the basic law creating the Committee on Government Operations will govern and that the committee itself can create no jurisdiction broader than than conferred upon the committee by this underlying statute. So the vote here today is not to authorize this subcommittee to go outside of the jurisdiction of the committee, because it is a vote only for the money to that subcommittee.

I am going to vote for it. I know if they do not need that much money they will not spend it.

I shall also insist that the matter of jurisdiction be limited to that contained in the statute. When I sought to interrogate the gentleman from Michigan as to what I had undertaken to do with respect to the jurisdiction of the subcommittee he handed to me certain language that he proposed to offer. At that time I said to him very plainly and as fairly as I could that the jurisdiction sought to be there created went beyond what I thought was the jurisdiction of the Committee on Government Operations, and I submitted to him language that was taken from the statutes; and I submitted it after consultation with the proper authorities here in the House.

The committee did not see fit to go that way, but rather to go the way that is here now before us. There again, that was not my determination; I had nothing to do with it. But it simply bears out my good faith, my constant position with respect to the jurisdictional problems here involved. I do not want any more overlapping than is necessary. I have for myself assurances that when this subcommittee is implemented with the money necessary to carry on its work there will be no desire on the subcommittee's part and no occasion to get into the fields that are outside the jurisdiction of the Committee on Government Operations. On that basis, as I say, I am going to support the resolution.

Before I sit down let me add that I have read in the press statements attributed sometimes directly to certain people and then to other people quoting certain unnamed authorities that the Republican leadership or that Members of Congress here generally, or Members of the Committee on Government Operations on both sides of the aisle were seeking to protect labor racketeers. So far as I know, I have never engaged in any such operation as that; and, very frankly, I have resented the implication and some of the direct charges that have been made in that direction. I think this is a field that ought to be gone into; it ought to be done by the proper committees and within the jurisdiction of the underlying statutes creating those committees.

If I voted "no" here I suppose somebody again would accuse me of trying to stop this subcommittee from looking into labor racketeering. I am certainly not going to get myself in that position, for I am going to support this resolution.

I am sorry that the resolution adopted in the committee undertook to create a wider jurisdiction than I think the committee is entitled to. But I did not do that. All I can say is that the underlying law will prevail and that will be the limit of the jurisdiction of the subcommittee.

Mr. LECOMPTE. Mr. Speaker, how does the time stand now?

The SPEAKER. The gentleman from Iowa has 7 minutes remaining.

Mr. LECOMPTE. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS of Ohio. Mr. Speaker, I hesitate to oppose anything that my congenial friend and fellow statesman from Ohio [Mr. BENDER] wants. I am not trying to protect anybody here but myself and I am wondering since I read in the paper that he plans to hold hearings in Cleveland, if that is true. Could he answer that quickly "Yes" or "No"? Does he plan to go on television?

Mr. BENDER. I will answer the gentleman by saying that by resolution of the full committee television is not permitted unless it is authorized by a vote of the entire committee.

Mr. HAYS of Ohio. I hope they do not give you the authority, and I will tell you why. I had last year only one television station near my district and I tried to buy a little time around election and I could not get it because the Republicans had bought up all of the time. Now I have two television stations in my district and I want to be sure you are not going out there and take up all the time so that I cannot get on again.

Mr. Speaker, I happen to be the minority member of the Committee to Investigate Tax Exempt Foundations. We started out last fall with $50,000. That committee has a staff of 16 people. When the gentleman from Tennessee [Mr. REECE] presented the matter to the House he said he wanted to look for Communists. I said then—the gentleman from California [Mr. JACKSON] disagreed—that, "You are overlapping the Un-American Activities Committee." Today he [Mr. JACKSON] admitted there is a conflict of interest. So they set up a staff of 16 people down there. They are about out of money. We have had four or five meetings and up to now I have not been able to find out anything the staff has done except send out some questionnaires. One staff member told me yesterday they are not going to evaluate these; they are going to ask some disinterested party to evaluate them. I spent considerable time here on that committee. I made four or five trips over here during recess. Every time there was a meeting I was here.

I asked one of the men on the staff one day—he had been on the payroll at several thousand a year for about two months—what he had been doing. He said, "I have been thinking." I said, "Well, that is pretty good money for thinking. I have never got paid that well for just thinking." Up to now all they have done is think.

They have sent out questionnaires to the extent of $50,000 worth of money that this Congress gave them. They have a resolution now wanting $120,000 more.

You know, I would like to have lots more time to speak on this. I will get it when that comes up or at some subsequent time. I did not have much to do with hiring the staff. I voted to hire three of them. I recommended they put on a clerk. I recommended a name. Then they brought in a bunch of names one day and said, "We want to hire so-and-so and so-and-so to the extent of about 6 or 7 people. I said, "Let us investigate these people a little bit. I would like to know more about them." So they got mad at me for wanting to investigate, but they hired them anyway.

It turns out one of them was fired from a job on account of moral turpitude and I will tell you more about that when the time comes. I know the gentleman from Tennessee [Mr. REECE] is going to be horrified about another one. He is a Socialist, or was. According to the Republicans, there is not any difference between communism and socialism. We are supposed to investigate them? Why, we have been infiltrated by them.

So I am wondering how much more money in this economy administration we are going to vote for investigations that overlap, which are unnecessary, in which there is a conflict of jurisdiction, and which publicity is the main impelling motive.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. HAYS of Ohio. I yield to the gentleman from Pennsylvania, who opposed the original resolution as did I.

Mr. FULTON. Is the gentleman's committee investigating the same foundations that were adequately investigated by the Cox committee?

Mr. HAYS of Ohio. The gentleman has a good question there and I wish I could give him a good answer. But, you know, I have called up the committee numerous times and I cannot find out who they are investigating.

I will tell you about an interesting thing, which I am going to bring out in the hearings. One of the staff members said to one of the top men in one of the biggest foundations: "I do not know what you people are worrying about. This is only a temporary committee, it is only going to last until the first of the year, and we staff members have to eat after that." Maybe our hearings will get a television bid if some of our own staff members are doing things like that. I guess we are what they call an ad hoc committee. It is difficult for a layman to tell what that means, but I think that is what they did to the gentleman from Michigan [Mr. HOFFMAN]; left him standing on his shin bones.

Mr. LECOMPTE. Mr. Speaker, may I say to the House that this resolution now before us does not go into the matter of jurisdiction of committees. I personally felt that we might find ourselves in trouble a year ago when we adopted a new resolution with respect to the Committee on Government Operations, but that is not before this House now. The question now before the House is the matter of $100,000 for the investigation of rackets. May I say further that

members of Mr. BENDER's committee on both sides of the aisle went before the subcommittee of the Committee on House Administration and presented a budget that justified the expenditure of $100,000, and considerably more, and satisfied the members of that committee that it was going to be money well invested. That is the issue now before this House; not the jurisdiction of one committee or another.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. LECOMPTE. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. I would certainly like to give the House some information that I am well acquainted with on this matter, but I have no time to do it. I just want the House to know what the history back of this is. The very resolution that the full committee adopted to refer the matter to the Bender subcommittee was drafted by the chairman of the full committee. The situation in the committee was not just as Simon pure as the gentleman from Michigan says. There were some extraneous, compelling circumstances there that the House should be advised of. But, I have no time in a minute to tell the House about it.

Mr. HOFFMAN of Michigan. Will the gentleman yield to correct a statement?

Mr. McCORMACK. Yes.

Mr. HOFFMAN of Michigan. The resolution as written was not drafted by me.

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent that all Members may revise and extend their remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SHELLEY. Mr. Speaker, as one sincerely interested in the welfare of the labor movement, and as one whose own personal background in the movement in San Francisco includes some memorable fights, successful fights, to keep gangsters and racketeers out of organized labor, the choice presented to us today as to which committee shall have jurisdiction over a proposed investigation of racketeering which is claimed to exist is a tough one.

Based on what I have heard today and previously, the probability is that no committee which has expressed a claim to jurisdiction would conduct its investigation on a purely objective basis and out of concern for the welfare of organized labor. Every indication is that this investigation is proposed as an attack on labor itself, rather than on the few individuals who may in some instances be misusing a labor group for illegal ends. I make no defense of such individuals. They are betraying the trust of those whom they represent and of the whole labor movement. But the atmosphere in which this debate is taking place, and the attitude which would be taken in any investigation, is, I think, well expressed in what one member stated on the floor today when he commented that their committee would be investigating the labor movement and other forms of racketeering. That sweeping statement certainly indicates at least a possibility that the intention is not to do the labor movement a service, or to find out where the bonafide labor organizations have been imposed on by unscrupulous individuals, but to launch a broad attack on the labor movement itself.

I am just a little skeptical of the results which may be obtained or the conclusions which may be reached by any committee of this House, in its present temper, in an investigation of this kind if the Member's statement correctly indicates the purpose in mind. Therefore, as what might be called the lesser evil, I will vote to recommit the request for an appropriation. I believe that the conflicts of jurisdiction which have been pointed out today provide ample reason for tabling the whole matter until the conflict has been resolved. Let us hope that by that time the question will lie in the hands of those who may be more qualified to do the job in an impartial, fair, and constructive manner if there is such a job to be done.

The SPEAKER. All time has expired.

Mr. RAYBURN. Mr. Speaker, may I propound a unanimous consent request? I know the gentleman from Massachusetts has not had time, and I was wondering if we could extend this time 10 or 15 minutes by unanimous consent.

Mr. LECOMPTE. I would be heartily in favor of it myself.

The SPEAKER. Does the gentleman from Iowa desire to make such a request?

Mr. LECOMPTE. Mr. Speaker, I ask unanimous consent that we extend the time for debate on this resolution 10 minutes.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. SHAFER. I object, Mr. Speaker.

Mr. LECOMPTE. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the resolution.

Mr. BARDEN. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. BARDEN. Yes, Mr. Speaker; definitely.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. BARDEN moves to recommit House Resolution 419 to the Committee on House Administration.

The SPEAKER. Without objection, the previous question on the motion to recommit is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on the division (demanded by Mr. RAYBURN) there were—ayes 123, noes 84.

So the motion to recommit was agreed to.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. RAYBURN. Reserving the right to object, Mr. Speaker, may I inquire of the gentleman for the information of all the Members what we may expect next week?

Mr. HALLECK. The Consent Calendar will be called on Monday, and we hope to call up after that the rule on House Joint Resolution 355, which is the rule on the Mexican labor bill. We hope to dispose of that Monday.

On Tuesday, and for the balance of the week, we shall first call the Private Calendar. That will be followed by the appropriations bill for the State, Justice, and Commerce Departments. Following that will be House Resolution 438, having to do with the continuing operation and expansion of the so-called Kersten committee inquiring into the seizure and subjugation of the Baltic countries behind the Iron Curtain.

Mr. RAYBURN. I assume the gentleman expects to take up the so-called Mexican labor bill on Monday and complete it even though there is a rollcall?

Mr. HALLECK. Yes, that is right.

May I say, Mr. Speaker, that if there are any further rules granted that might be ready for action later in the week I will keep the minority leader informed and give everybody ample notice so that they may be present.

Mr. RAYBURN. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

AUTHORIZATION TO SIGN ENROLLED BILLS

Mr. HALLECK. 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 that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

PERSONAL ANNOUNCEMENT

Mr. CURTIS 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. CURTIS of Massachusetts. Mr. Speaker, I was unavoidably absent during rollcall No. 17 today, with regard to the Committee on Un-American Activities. Had I been present I would have voted "yea."

PERSONAL ANNOUNCEMENT

Mr. AUCHINCLOSS. 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 New Jersey?

There was no objection.

Mr. AUCHINCLOSS. Mr. Speaker, I was detained when the vote was taken on the resolution with regard to the Committee on Un-American Activities. If I had been present I would have voted in favor of the appropriation. I have always supported the work of this committee ever since I have been here. I think it is doing a good job of taking care of our economy as well as our Americanism.

SPECIAL ORDER GRANTED

Mr. SAYLOR asked and was given permission to address the House for 30 minutes on Tuesday next, following the legislative program and any special orders heretofore entered.

CLERK HIRE, POSTAL ALLOWANCE, AND TELEPHONE AND TELEGRAPH SERVICE FOR MEMBERS OF HOUSE

Mr. LANTAFF. 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 Florida?

There was no objection.

Mr. LANTAFF. Mr. Speaker, today I have introduced H. R. 8068 for the purpose of increasing the clerk-hire and postage allowance of, and the telephone and telegraph service for Members of the House of Representatives. It is one part of a threefold plan to help overcome the financial problems confronting most Members of Congress.

The bill which I have introduced establishes House allowances on much the same basis as prevails in the other body. Members whose districts are under 400,000 would receive a 5-percent increase for clerk hire, postage, telephone and telegraph; those whose districts are between 400,000 and 500,000, a 10-percent increase in such allowances; those whose districts are between 500,000 and 600,000, a 15-percent increase, and those with districts over 600,000, a 20-percent increase. The total cost of this proposal would be approximately $450,000.

In connection with the preparation of this legislation, it was interesting to me to find that 204 districts surpass the national district average of 345,000 people. There are 66 districts between 400,000 and 500,000, 10 districts between 500,000 and 600,000, and 10 districts with a population exceeding 600,000.

I think it is generally recognized that in the larger districts, most Congressmen are forced to dig into their own pockets toward the end of the year for additional postage and communications expenses. It is also true that the employees from these districts carry a heavier workload at less pay than that prevailing in other offices. Certainly, the Congress itself constitutes the most glaring example of a violation of the age-old principle—equal pay for equal work.

For the information of the Members, I am including in the RECORD a copy of the bill which I have just discussed.

A second bill which I am having prepared will increase the travel allowance from 1 roundtrip per year to 6, while at the same time, lowering the mileage allowance from 20 cents per mile to 10 cents per mile. In my opinion, the recommendations of the Commission on Congressional Salaries that Members submit expense vouchers for six such trips to and from the district each year would be difficult to administer.

The current statute authorizing mileage for Members of Congress was adopted in 1866. Prior to that time a resolution had been adopted directing a Committee on Mileage to bring in a bill at an early date fixing the rate of mileage so as to equalize the compensation of Senators and Representatives in Congress. At the time when the 20 cents per mile was established the pay of Members of Congress was $3,000 a year and the prevailing mileage rate was 40 cents per mile. The following excerpt from a report prepared for me by the Library of Congress will be of interest to the House:

> Senator John B. Henderson, of Missouri, offered the substitute amendment providing for compensation at $5,000 with mileage at the rate of 20 cents per mile. In support of his measure Mr. Henderson pointed out that too great a difference existed between the pay of Members of Congress. "For instance," stated Mr. Henderson, "we pay to one of the California Members $16,968.80 per Congress; that is $8,482 per year. We pay to another one of the Members $17,124.80. We pay to one of the Oregon Members $17,936, and to another of them $17,936, the same sum. We are paying to each one of those Members $11,936 in the way of mileage alone, their compensation being only $6,000; the mileage being double as much as their regular pay. * * * The Senator from Maryland receives $77.20 (mileage) per Congress; that is, $38.60 for each session of Congress; and he receives $3,000 per year for his services in this body." Mr. Henderson further asserted that the original mileage was adopted before railroads were known in this country, and the idea upon which it was adopted was that it was to be a part of the compensation of Members. "No idea was entertained that it was to be a part of the compensation for traveling expenses, but it was to be compensation for services rendered. In other words, those Members could not get home in order to transact any business, and therefore they ought to be paid a larger compensation.

Congress has ofttimes been criticized for providing itself with fringe benefits. However, what was a fringe benefit in 1866 to the Members of this body is today wholly unrealistic in compensating the Members for trips that they must make of necessity to their districts. In my opinion, an allowance of 10 cents per mile for 6 trips a year would be reasonable and proper.

As most of you know, I am retiring from Congress at the end of this term, primarily for financial reasons. In the CONGRESSIONAL RECORD of January 15, 1954, appears a detailed article stating why I favor an increase in congressional salaries.

I am also including in the RECORD today newspaper articles and editorials from my district supporting increased salaries.

The Congress of the United States is the most fearless legislative body in the world. No task is too great, nor no problem too difficult to deter the Congress from standing up and speaking out in a conscientious and determined effort to resolve the situation at hand—until confronted with the question of increasing our salaries. In approaching this problem, certainty gives away to hesitancy and fear of ballot reprisal supplants the courage of conviction. However, the operating expense of our Congress is a little above 1½ percent of our entire budget. I for one am convinced that it is vitally necessary that the salaries of the Members of Congress and the operating expenses of this body should be increased to a more realistic level. I trust that the committee will give serious consideration to the proposal that I have submitted today, as a reasonable solution to the problem presented by the following findings of the President's Commission on Congressional Salaries:

> 1. The Commission concludes that the present scale of * * * congressional salaries has not been adjusted to keep pace with the growth of the duties and responsibilities of these offices.
>
> 2. The difference between salaries paid to Members * * * of the Congress and those paid in private enterprise to persons of similar ability, for less responsibility, has become too great.
>
> 3. The salaries paid to the Members * * * of the Congress have lagged far behind salary adjustments granted most officials of the Federal Government.
>
> 4. The salaries of Members * * * of the Congress are, and for a long time have been, grossly inadequate.
>
> 5. The present rates of salaries for Members * * * of the Congress tend to confine those positions to persons of independent wealth or outside earnings.
>
> 8. The present methods of payment of official expenses of Members of the Congress are antiquated and unrealistic.

NATIONAL ENGINEERS' WEEK

Mr. WILLIAMS of Mississippi. 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 Mississippi?

There was no objection.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I would like to invite to the attention of my colleagues in Congress the fact that February 21–27 is National Engineers' Week.

This celebration is held every year during the week of George Washington's birthday in honor of our first President's notable engineering achievements.

Local celebrations of National Engineers' Week will be held in hundreds of cities in every State in the Union, and I should like to add my few words of praise for the engineering profession which has done so much for us all.

It is literally true that everything we eat, use, or wear has been touched, not once but many times, by the genius of America's professional engineers. One of the primary reasons we have been successful in maintaining our freedom in the face of the brutal aggression of the Communist nations is that the high

standards of American engineering have kept us ahead in the technological race to design and produce better guns, planes, tanks, and other weapons of defense. If America were to lose out on the engineering front, she would be hard put, indeed, to maintain her independence.

I would like to congratulate the National Society of Professional Engineers, and the hundreds of cooperating State societies and local groups who are sponsoring National Engineers' Week.

PERSONAL ANNOUNCEMENT

Mr. SIEMINSKI. Mr. Speaker, I ask that the RECORD may show that had I been present during rollcall No. 17, I would have voted for it, but I would have voted with reservations citing a specific warning that if we continue to operate against the sacred traditions in America and its people, we are now on the road to fascism. I thought I fought in World War II and in Korea to stay that hand and really defeat oppression, tyranny, confiscation, torture, and murder. I would not vote "yes" for this appropriation on the basis of spiraling us into Hitlerism.

PERSONAL ANNOUNCEMENT

Mr. WILLIAMS of New Jersey. Mr. Speaker, I ask that the RECORD show had I been here on rollcall No. 17, I would have voted "yea."

MISSOURI OZARKS' SASSAFRAS TEA TO BE SERVED IN HOUSE RESTAURANT

Mr. CARNAHAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. CARNAHAN. Mr. Speaker, tomorrow, February 26, sassafras tea will be served in the House restaurant and in the Senate restaurant. You are invited to ask for this most delightful drink during your lunch tomorrow. This beverage you will find is good either iced or as a hot drink. And to get the flavor at its best use both sugar and cream.

The sassafras roots from which the tea tomorrow will be made were sent to me by the citizens of my home county, Carter County, Mo.

I am confident that a cup of Missouri Ozarks' sassafras tea will bring back pleasant memories to many of us and will be a delightful experience for all of us. Ask for sassafras tea with your lunch tomorrow.

COMMUNIST INFLUENCE IN GUATEMALA

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. JACKSON] is recognized for 1 hour.

Mr. JACKSON. Mr. Speaker, on March 1 the 10th Conference of American States will convene in Caracas, Venezuela. This meeting of the American Republics will be a most significant one. In the first place, the OAS is the oldest regional organization of its kind in the world. At Caracas, the 21 member nations of OAS will meet to discuss problems of mutual concern and interest to the member nations, and in addition to perfect plans for the military defense of the Western Hemisphere.

A very difficult problem will have to be met by the conferees at Caracas. One of the member nations, Guatemala, is, in fact and in truth, today a Communist-dominated state in which the chief executive, if he is not a Communist himself, is so much under the influence and control of Moscow agents as to make any discussion of his personal political philosophy a matter of academic interest only. There will be no avoiding the issue of Guatemala at the Caracas conference, and to the extent that the member nations of OAS take definitive action to meet the Red challenge, the conference will be a success irrespective of other actions taken in the political, economic, and military areas. If the representatives of the participating Republics fail to take prompt and effective action in the case of Guatemala, little else that is done will be of any considerable importance.

Guatemala's neighbors, Mexico, Nicaragua, El Salvador, and Honduras have watched with concern the creeping Red tide engulfing their neighbor. Some months ago the Government of Guatemala bolted the newly formed Organization of Central American States when other members proposed a common front against communism. Guatemalan Communists have been beating a path to the Kremlin in recent months, obviously for the purpose of receiving instructions and directives for the future conduct of the struggle in the West.

Historically, Guatemala's relationships with the United States have been good. In times of need and distress among the people of that Republic, the people of the United States have rallied to their assistance with food, medical supplies, clothing, and tentage. Thousands of United States nationals know Guatemala as a beautiful land of mountains, lakes, rivers, and coastal plains, and as a tranquil and picturesque region in which to vacation. Economically, Guatemala has been able to maintain a sound internal economy in recent years, due to the excellent prices paid for coffee in the world market.

The other nations of the hemisphere have watched Guatemala drift, or be steered, as the case may be, into the position in which the country now finds itself without taking effective action on any front to slow the inroads being made by the Communist elements both in and out of the Republic's Government. The United States, aware that any action it might take would be seized upon by ultranationalist and Communist elements in other Latin Republics as a new evidence of "Yankee imperialism," has been reluctant to take the leadership in effective and hemispheric-wide action against the encroachments of the Communist agents. As a result, the situation has deteriorated until today the other Republics of the hemisphere find themselves confronted with a Korea in the West. Unlike Korea, however, Guatemala is surrounded by nations which view the Communists' inroads in that country with grave concern. Mexico to the north, and Nicaragua, El Salvador, and Honduras to the south, all have expressed their concern over the course events have taken, but, as in the instance of the United States, none has taken effective countermeasures to insure that the neighbor Republic does not become the first Soviet satellite in this hemisphere.

President Arbenz, of Guatemala, is by all accounts a captive of communism. It matters little to the free world whether his captivity is an unwilling one or whether he has embraced communism and the Guatemalan agents of the conspiracy of his own free will. The cold fact remains that the Government of the Republic is no longer capable of preserving its own integrity, nor of maintaining internal order against riotous and land-hungry campesinos except by acquiescence to the demands of the well-integrated Communist organizations. Guatemalans, many of whom supported President Arbenz in the 1944 revolutionary movement, are today fleeing their country and seeking political asylum in other Latin American Republics or in Europe.

La Prensa, of Mexico City, reported some days ago an interview with one of the political refugees en route to Switzerland. The news report stated, in essence, that political figures were leaving Guatemala before a "possible crisis." A reporter for the paper interviewed Alfonso Martinez Estevez, said to be a political and military figure of importance in Guatemala, and "an intimate friend of the President of Guatemala, Don Jacobo Arbenz."

According to the La Prensa report, Estevez was en route from Guatemala to Switzerland to take up residence in the latter country because of a threatened mass attack upon his person. Estevez is quoted as saying:

> I am still a close friend of Señor Arbenz, but since I cannot be useful to him, I retire. President Arbenz has lost his power and is practically a captive of the Communist Party and of its principal agents. Actually, there is no use trying to deal with him on questions of maintaining order.

Estevez said further:

> It is no secret now that the Communists have seized power in the direction of the agrarian reforms in Guatemala. In my capacity as head of that department, I have protested to the President without any practical results.
>
> Arbenz, prisoner of the Communists—

The traveler continued—

> was incapable of stopping the invasion of the workers in Esquintla, and those of us who participated in the revolutionary movement of 1944 who are not Communists have quietly withdrawn our support of him.

At this point, Mr. Speaker, I should make it clear to the membership of the House that I have had no discussion of this speech or its content matter with the Department of State. I have no desire to embarrass the Department on the eve of the Caracas conference,

nor to make more difficult the work of those who will be delegates and observers of the United States delegation in Venezuela. The sentiments and observations in these remarks are my own, but I would feel that I had been guilty of a serious dereliction of my considered duty as a member of the House Committee on Foreign Affairs, and chairman of the Subcommittee on Inter-American Affairs of that committee if I did not speak out now on the subject of Guatemala.

Mrs. FRANCES P. BOLTON. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield to the gentlewoman from Ohio.

Mrs. FRANCES P. BOLTON. As a member of the Foreign Affairs Committee I want to thank my distinguished colleague from California for the research he has made and for the way he has presented his material both to the committee and as he is now doing it to the House.

One of the most important things that could happen to this country today would be to know the truth about the intrusion of communism, especially in the Western Hemisphere. We look to the gentleman from California as a specialist on the southern part of the Western Hemisphere.

Mr. JACKSON. I thank the gentlewoman from Ohio, and I might say in reply that the able work that has been done by her in her particular study area, the Middle East, is invaluable to those of us who are more or less specializing in the other areas and who must depend upon her wide knowledge and background.

Mrs. FRANCES P. BOLTON. The gentleman is more than kind. What we have always done in the Foreign Affairs Committee since we had our small committees is to look to those who are chairmen of the subcommittees and ranking members to give us the leads and the truths in their areas. I thank the gentleman so much.

Mr. JACKSON. I would say in general that the system employed in the House Committee on Foreign Affairs of breaking down the full committee into geographical subdivisions not only facilitates the work but I believe is conducive to a better understanding of what is going on in the areas. I thank the gentlewoman.

In the face of considered affronts, in spite of expropriation and nationalization of legal foreign investments in Guatemala, irrespective of surveillance of our diplomatic representatives in that country, this Nation has pursued a course of watchful waiting, hopeful that calm voices would be heard above the clamor of the Communist conspirators, hopeful that the economic realities of life could be brought to the fore in Guatemala and realistically assessed by the government of that nation in the light of practical economic necessity. It now appears that these hopes were fruitless and that nothing short of positive expressions of disapproval will serve to indicate that this hemisphere and the people of the other republics do not propose to stand idly by while the Red tide engulfs Guatemala and its people, and constitutes a threat to the sovereignty of every other republic in the hemisphere. A showdown is imminent, and it remains only to be determined what course of action the republics of the hemisphere propose to follow. Tranquil and apathetic acceptance of the present situation in the Red-ridden nation will simply insure the rise of a full-fledged Communist dictatorship in Guatemala and that within a very few months.

Under the provisions of international agreements and treaties to which the United States is signatory, no economic sanctions can be brought to bear by Government action. Thus, it is impossible to embargo shipments of petroleum products, without which the Guatemalan economy would grind to a stop within a matter of weeks. It is likewise outside treaty agreements to forbid the purchase of Guatemalan coffee, without the dollar returns for which the present Government of Guatemala could not survive for 6 months.

You will note, Mr. Speaker, that I refer to actions which the Government of the United States is presently without power to take. I make this distinction at this time because there are very effective measures which individual United States citizens can take at any time, and which I propose to suggest in proper order during my remarks today.

There are additional measures that the Government can take, and, in my opinion, the time has come to take them. For several years the United States has maintained in Guatemala a military and air mission. This mission has cooperated with the Guatemalan Government in the modernization and standardization of army and air force equipment and in the training of personnel of the two branches of the armed services in that country. The obvious purpose of such training missions in any country is to strengthen the ability of a nation to withstand aggression from without and generally to contribute to the overall defenses of the free world. Obviously, in the instance of Guatemala, there is no further purpose to be served in the training of the armed services to withstand outside aggression, in light of the fact that the principal forces of world slavery and confusion are already at work within the country and in the rear of the military establishment. The army's prompt action in suppressing anti-Communist demonstrations within the country must lead any observer to the conclusion that the military leaders of the nation approve and support the actions of the Red-dominated Government. No contribution to the overall defense of the hemisphere can be expected from the Guatemalan Army and Air Force in light of present political conditions within the nation, and the further retention of United States advisory and training personnel tends only to strengthen the military capacity of what must be considered an unfriendly Government. Guatemala can elect to live under communism if it chooses, but the other nations of the hemisphere are under no compulsion to either approve that choice or subsidize it in any way.

Technical cooperation projects now in effect in Guatemala as the result of agreements concluded between that country and the United States should be terminated when the present contracts expire. This Nation is seeking to assist its friends in making available funds and technicians for improvement in health, agriculture, and education. Again, there is no compulsion upon this country to continue such programs where an unfriendly or hostile government holds the reins of power. Other bilateral agreements, not subject to international control or convention should be terminated at the earliest possible date. These actions are not sanctions, but the exercise of national sovereignty and good judgment on the part of the United States.

Whatever course the Government of the United States follows with reference to the suggestions I have made they will be effective only if implemented by the individual citizen of this country and the business and industrial interests whose present operations insure a steady flow to Guatemala of the lifeblood of an economy—gasoline and oil. There is presently no power to embargo these products at the level of the Federal Government, and by the time action could be taken by all of the governments concerned, Guatemala would likely have to be enrolled on the tragic list of Soviet satellites. What is required at this time is a voluntary "no sale" on the cash registers of United States oil producers and shippers. Today's profits may be reckoned as yesterday's losses tomorrow, and it behooves United States producers to weigh the relative values involved. No one is saying, "You can't ship oil," but many concerned Americans in a dozen Republics are saying, "Why do you ship it to Guatemala?"

Nations today do a considerable business in United States dollars. Those nations with substantial dollar balances are in good shape. Those without them are compelled to manipulate currencies, risk uncontrolled inflation, seek grants and loans abroad, and generally to exist on a basis of day-to-day transactions to meet the basic subsistence needs of their own populations. The United States did not seek to bring about this condition of reliance upon the dollar, but circumstances and the last two great wars combined to bring about that effect.

Dollarwise, Guatemala is in good shape. Her economy, like that of several other republics, is based upon coffee. To the extent that coffee crops are good in Guatemala, times are good. To the extent that times are good, populations are docile and governments tend to perpetuate their tenures. The United States is one of the great coffee-consuming nations in the world. Coffee is not a luxury to the average North American, but a staple article of diet. Coffee prices today have reached an all-time high in this country, so high in fact that the President of the United States has called for an investigation of the situation in an effort to determine whether price rigging, speculation, or cartel operations are in any way responsible for the spectacular increase in the cost of coffee to the United States consumer.

With respect to coffee, I should like to make several points very clear. First, in what I shall say today about coffee, I

should like to have it clearly understood that I refer only to the coffee grown in Guatemala and purchased for consumption in the United States, for I am not concerned in these remarks so much with the price of coffee as I am concerned with the price of human freedom in this hemisphere. I will say, in passing, that the cost of all of the things which our friends and neighbors in South and Central America purchase from us—and Latin America is the best customer for our products in the world—have increased up to 500 percent since the conclusion of World War II. If the legitimate price of coffee is today controlled by available supply and world demand, and if the economies of several of our neighboring countries are stable as a result of that situation, we have a great deal to be thankful for. We profess, as a nation, to seek the stability and the economic independence of our neighbors to the south, yet many appear unwilling to accept the increased price of coffee as the price to be paid for the relative prosperity of several of our friends and neighbors. We should have learned. from bitter postwar experience that we pay more as a receiver in the bankruptcy of a foreign national economy than we do when we buy and sell to nations whose economies are sound and whose treasuries held substantial dollar balances as the result of the sale of their own products in the world marketplace.

No one wants to pay more for coffee or for anything else than its just and fair value. The President's action to determine whether factors other than supply and demand are acting artifically to increase coffee prices will be welcomed by all Americans, including those who grow the coffee in Latin America, and whose profits have not kept pace with the rise in world price.

Guatemala's coffee keeps Guatemala's present Government in power. Although the total production in the country is less than 1 percent of the world supply, it is sufficient to provide basic subsistence and the importation of commodities and supplies, including oil and gasoline, required from abroad. The coffee harvest of Guatemala is purchased in large part by United States coffee buyers, and the coffee is in turn blended with other varieties to create the familiar brands known to United States consumers. As is true with gasoline and oil imports, the economy of Guatemala and the success of the Red-dominated regime are alike dependent upon the sale in the United States of the annual coffee yield. It is not too much to say that every pound of Guatemala coffee consumed in American homes today is added assurance that the dictatorship of the proletariat in Guatemala is brought a step nearer realization.

Again, the Government of the United States is powerless to act in the matter of the coffee purchases. But individuals, and by that I mean the American coffee buyers, blenders, and packagers are under no restraint or compulsion to do business with a Communist dictatorship. It is unfortunate that every pound of coffee containing a grain of Guatemala's product could not be clearly stamped for the benefit of American mothers whose sons died in Korea, and for the vast army of United States housewives who want no part of dictatorship in Guatemala or anywhere else.

Both in and out of Guatemala there are citizens of that beautiful land who are opposing the present regime. They are trying desperately to retrieve freedom before it is lost forever. Several newspapers have had the courage to oppose the coming dictatorship although it is questionable how long their expressions will be permitted. Foreign correspondents, including Sidney Gruson of the New York Times and Marshall Bannell, of NBC, were unceremoniously banished from the country a month ago for unfriendly criticism of the Government. Jules DuBois, the able and conscientious Latin American correspondent for the Chicago Tribune, was beaten seriously some months ago by a gang of Guatemala City Reds.

The Red plague in Guatemala has had its expressions outside of that unfortunate country. Societies of friends of Guatemala have been formed in Mexico. There is little question but that Guatemala is an important station on the Soviet courier route through Latin America. Guatemalan Communists, including Party General Secretary Jose Manuel Fortuny, labor boss Victor Maneul Gutierrez, and agrarian leader Carlos Manuel Pellecer returned from a mission to Moscow to report plans for the invasion of Guatemala by her neighbors and the United States.

The Organization of American States must face the Guatemalan problem squarely at Caracas on March 1, and a course of action must be decided upon which will be positive and effective. Better that Guatemala should walk out of the conference, if indeed that nation is represented, than the presence of a Communist threat to the Americas be brushed aside or an effort made to pretend it does not exist. The failure of the conference to take immediate and firm action within the framework of the OAS will simply mean that at an early date Guatemala's immediate neighbors must decide to follow an alternate and difficult course of independent action. If the Organization of American States is to repel foreign aggression anywhere at any time, the first clear challenge is at hand in Guatemala. The aggression is economic, political, and social and the hand of the Soviet Union is clearly to be seen.

Unwillingness to face the facts of aggression when they are clearly evident; a seeming inability to coordinate the efforts of the peoples in the free areas of the world in a common effort when the clear intent of aggression has been discerned has already cost the liberty of untold millions of human souls and a tragic cost in human life. Caracas can become the Munich of our hemisphere unless the member nations look to the history of our own day to discern the fate of those who misinterpreted Soviet designs or ignored them out of some assumed immunity from aggression.

The Soviet threat in Guatemala is aggression—and as surely so as if it were backed by the bayonets of the Red army. Today there is effective opposition within that nation—tomorrow there will be none. Today, the press is free to speak—tomorrow it will be silent. At the moment, the forces of peaceful persuasion, backed by firm determination can meet and thwart the Soviet design. A month from now—6 months—a year—and that opportunity will have passed.

The Organization of American States has a unique opportunity to meet the challenge of our day, a challenge which was shirked by other diplomats when Hitler was on the march, when Mussolini was rampant and when Hirohito marshalled his army of conquest unrestrained by more than the force of world moral opinion. The OAS can insure its place in history and revivify the faith of a world in collective security by prompt, determined, and effective action. Conversely, it can shatter the last hope of a free and peaceful hemisphere by inaction, inertia, or complacency at Caracas.

The United States has a stake in the outcome of this matter, but its stake is no greater than that of the other Republics who desire to maintain independence of action and freedom of determination in the face of the Communist threat.

The Latin American Republics were quick to mobilize against what was termed "Yankee imperialism" a few years ago. By concerted action they succeeded in changing a foreign policy which they felt, rightly or wrongly, impinged upon their economic sovereignty. Out of that common purpose came the era of the good neighbor and in implementation of that new policy the United States of America has put millions of dollars to work throughout the hemisphere in an effort to raise the standards of living, improve public health, and extend the benefits of public education. A community of interests and a common purpose welded Latin America together at that time, and the same immediate urgency that impelled the republics to concerted action then to insure economic freedom must be born again if political freedom is to survive in our hemisphere.

Mr. HOFFMAN of Michigan. Mr. Speaker, will the gentleman yield?

Mr. JACKSON. I yield.

Mr. HOFFMAN of Michigan. Mr. Speaker, I want to express my appreciation of the statement and the ideas that the gentleman has just expressed. I agree with the statement he has made, but lacking the time, and I might say the ability to put them together in as concise and as clear way as the gentleman has done, I want again to express my deep appreciation.

Mr. JACKSON. Mr. Speaker, if the gentleman lacks the time, he certainly does not lack the ability. I thank the gentleman for his kind statement.

SURVEY OF HEALTH CARE SITUATION IN AMERICA

The SPEAKER pro tempore (Mr. Bow). Under previous order of the House, the gentlewoman from Ohio [Mrs. FRANCES P. BOLTON] is recognized for 30 minutes.

Mrs. FRANCES P. BOLTON. Mr. Speaker, good health—not for just a few, but for all America—is essential to our national well-being and survival today. And to ensure such health,

adequate nursing care is essential both in the hospital and in industry, for home care and for clinic treatment—in short, in every phase of our national life.

What can be done? That question has long concerned all workers in the health field. But their varying beliefs and appraisals of the situation have not hitherto, so far as I know, been brought together in one study so that a synthesis of the best thinking in the field could be made available for study and action.

In an effort to take a forward step in this direction, I have just completed a nationwide survey. The results show a nationwide recognition of a critical and ever-increasing shortage of nurses, both registered and practical, to supply the Nation's overall needs. Unless something can be done immediately to reverse this trend our country will face a truly appalling crisis in health care.

I sent out 10,000 questionnaires to a list of representative nurses, doctors, hospital administrators, nursing schools, educators, laymen, State governors, Federal and State health authorities, and so forth.

The questions, briefly, were:

Do they believe there is a nurse shortage—if so, what are the causes; whether financial aid be needed and if so where; what they felt about Federal aid, State aid, or a combination of both.

The response was amazing both in volume and in the high caliber of thoughtful approach to so confused and many-faceted a problem. Nearly 4,000 replies were received—almost a 40 percent response.

Let me add here that I am deeply grateful to my colleagues in both the Senate and the House and to 35 State governors for replying to my inquiry and for the helpfulness of their suggestions.

In the entire survey, the answers were in many, many cases most detailed. The gist of those responses and what they signify I want to share with you today.

By unanimous consent I am inserting a summary of the survey findings with my remarks in order to put them at your disposal for study and possible further suggestions. The results seem to indicate an urgent need for remedial action, and indicate lines of approach which can guide us all in finding the road to ultimate solution for this very major need in the safeguarding of the Nation's health.

Let me touch briefly on just a few of the survey highlights. There is overwhelming accord that there is indeed a nursing shortage. Many opinions are given as to the different causes: financial, psychological, social. The difficulties attendant on securing sufficient new recruits to take nurse training are particularly emphasized as are low pay, and long and irregular hours. Competition from other fields and within the nursing field itself are emphasized.

The increasing trend toward early marriage is apparently very general, so general, in fact, that some advocated adjustment of nursing schedules to allow for the part-time or odd-hour services of young housewives and mothers who had had nurse training.

Many replies spoke of the seeming decline in altruism which expresses itself in the reluctance of many young women today to consider the role of ministering angel an adequate reward for low wages and poor working conditions.

Strong urging of financial aid carried with it in many replies the warning that money of itself would not solve the problem though it would greatly help. To this I heartily agree.

There were some few replies from those who wanted no aid at all, but the method most approved was Federal-State matching funds administered at the State level. Generally speaking, the greatest need was felt to be for general and private duty nurses.

Over and above the specific replies there was voiced a deep sense of the need for a large scale program of informative education to bring about a dramatic realization of the common problem presented by this short supply of trained nursing personnel to all segments of the nursing profession, to all sectors of the health-care field. Today, as the survey dramatically brings out, there are misunderstandings, misconceptions, antagonisms, and areas of disagreement between the various groups involved which must be lessened in the mutual interest of all dedicated to serving the Nation's health.

Such a program of education must stem from extended factual research which would supplement this survey of attitudes and opinions. As one of my respondents said:

> There is needed an objective study covering different types and sizes of institutions, different size communities and different geographical areas.

Many of those answering my questionnaire recommended that Federal funds be used for such research.

On such a basis of research and educational information there can be constructed, it seems to me, a sound structure which will ultimately meet not only the needs and desires of the profession but, even more importantly, the requirements of the ever-increasing population in America as a whole.

This is but a first step. Consultations are already in progress to see where the second step will lead.

REPORT ON NURSING

At this point, Mr. Speaker, I want to give you an analysis of the replies to the carefully considered questionnaire I sent out in December 1953 to individuals all over the United States who are concerned directly or indirectly with nursing and with health care. The larger part of the questionnaires was sent to nurses and to members of the medical profession, but a representative number of interested laymen was also included as well as State governors, presiding officers of State legislative bodies, and selected Federal Government officials.

Approximately 10,000 questionnaires were sent out. Some 3,850 replies were received. This represents a response of approximately 38.5 percent, a truly amazing total compared with the usual survey response.

Of the total replies, approximately 3,300 were carefully analyzed with results shown on the statistical tables appended hereto.

A representative sampling of the replies not included in the statistical tables revealed that they showed no significant deviation from the general attitude pattern established in the survey proper.

The questions asked in the survey were:

> I. In your opinion is there a nursing shortage? In which field or fields: Teaching, administrative, general and private duty, practical nursing. Is the shortage critical in its effect on patient care?
>
> II. What are the causes in order of importance?
>
> III. Would the nursing shortage be substantially reduced by additional financial aid to schools?
>
> IV. If additional financial assistance in education is necessary, in which field or fields is it most needed: Teaching, administrative, general and private duty, practical nursing?
>
> V. Are you opposed to any form of Federal financial assistance to nursing education?
>
> VI. If not, how do you consider additional financial aid to nursing education should be provided: State administered Federal funds, federally administered Federal funds, State administered Federal-State matching funds, other?

METHOD OF SURVEY ANALYSIS

Replies were separated into the following broad general categories:

Nurses: Registered nurse associations—officials of National, State, or local organizations; registered nurse registries; nurses not officially connected, that is, neither heads of schools of nursing, nor hospital administrators, nor directors of nursing in hospitals, nor association officers; directors schools of nursing; directors nursing services, that is, in hospitals, and so forth; practical nurses; visiting and public health nurses.

Hospital administrators: These were in turn subdivided into five geographical regions:

Eastern: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia.

Southern: North Carolina, South Carolina, Georgia, Alabama, Mississippi, Louisiana, Kentucky, Tennessee, Florida.

Middle Western: Ohio, Michigan, Illinois, Indiana, Iowa, Missouri, Kansas, Nebraska, South Dakota, North Dakota, Minnesota, Wisconsin.

Southwestern: Arkansas, Oklahoma, Texas, New Mexico, Arizona.

Pacific and Rocky Mountain: Colorado, Wyoming, Montana, Idaho, Nevada, Oregon, Utah, California, Washington.

Medical school officers.

Physicians not on State boards and medical editors.

Laymen, including medical writers.

Educators.

Government officials—Federal officers, Congressmen, State legislators, governors.

State boards of health and other State health officers and nurses.

The resultant statistical breakdown is fully set forth in the tabular portion of this survey summary.

WHAT THE SURVEY SHOWS

Question I. Is there a nursing shortage?:

To the first question asking if there is a nursing shortage, the reply was an overwhelming "Yes." In certain cases

this affirmative answer was modified by the reservation, "Not in this area." The "No's" represent less than 2 percent of the answers.

The shortage was considered by the respondents to be most critical in the field of general and private duty nurses, next in the area of teaching, and third in the field of supervision and administration. Its effect on the care of the patients was considered critical or serious by an overwhelming majority of the respondents, though the sum of the "No's" and "In some area" answers is nearly 25 percent of all the replies to this question.

Question II. Causes of nursing shortage: The second question, asking the individual's opinion on the causes of the shortage called forth a variety of answers that fall into four general categories:

A. Recruiting and training;
B. On-the-job factors;
C. New factors in nursing field; and
D. General factors.

A. Recruiting and training: In this category, the competition of other jobs now open to young women directly after graduating from high school, or with short preparation obtained the largest number of counts. Next came high tuition, and finally length of training without stipend.

B. On-the-job factors: Low pay and long and irregular hours were deemed most influential in causing the shortage.

C. New factors: Here, the increased use of hospitals was most frequently mentioned, with resultant increased demand for general duty nurses. Competition of other nursing fields, such as public health nursing, industrial nursing, use of nurses in doctors' offices and the better working conditions, higher pay and ultimate security in the Government-managed nursing services were indicated as contributing to the shortage of general duty nurses.

D. General factors: In this category appear sociological reasons of a general nature not directly connected with nursing. Early marriage interfering with a nursing career, and the decline of altruism, that is, the new attitude toward nursing as a profession, were the most frequently mentioned of this type of shortage cause.

Question III. Additional financial aid to schools? The third question, whether additional financial aid to schools would remedy the shortage, showed this proportion: The answer "Yes" was given by about double the number of those who expressed doubt or negation.

Question IV. What fields need most financial assistance in education? General and private duty nurses received first place mention, with the training of teachers of nursing in second place.

Questions V and VI: Federal aid? The question of Federal aid followed the pattern of question I. The overwhelming majority were in favor of Federal aid, though many expressed reservations as to the control of the funds granted. Those that were categorically opposed represent about 17 percent of the total number of replies. State administered Federal-State matching funds received the greatest approval, with State-administered Federal funds next in order. Of the other methods suggested by the respondents, scholarships to individuals were most favored, with various suggestions about loans and the use of funds for advanced study qualifying the replies.

OPINION AND ATTITUDE TRENDS

In addition to answering the specific question, respondents frequently expressed themselves in detailed and carefully considered letters appended to the questionnaire itself. Insofar as it was possible, these addenda have been incorporated into the breakdown of replies to the specific questions. But there remain certain overall impressions or revelations of trends which should be taken into account.

First. Antagonisms: One is impressed by the existing antagonisms between registered and practical nurses; between trained and untrained practical nurses; between nurses, doctors, and administrators; between nurses on general duty and those in the armed services, veterans' hospitals, public health, and industry. Nor is there much sympathy between the young and the older nurses, and there is much complaining among the latter that there is no longer any devotion to duty.

Second. Negations and reservations re Federal aid: A second interesting fact is that in a great many cases where there was a negative answer to the question on patient care and on Federal aid to nursing education the respondent was equally negative in his attitude toward Federal aid in any form. However, these negations rarely included a "no" to the question on shortage, except in a certain number of cases where the reservation "not in this area" was emphasized. The training schools under religious administration and supervision were generally in favor of Federal aid federally administered.

Likewise, the lack of any recognized overall solution calculated to break through the impasse and the failure to come to grips with the problem of getting an adequate supply of nurses at all levels is apparent in the answers given by a considerable number of those who were in no way opposed to any form of Federal aid. Time and time again, even though no opposition is expressed, reservations as to its effectiveness are expressed, and there is doubt whether this measure, as a mere partial solution, will provide any help. The attitude seems to be, "Yes; do it, but do not expect any miracles from it unless much else is done." Those approving Federal aid were, in the majority of cases, eager to emphasize that the actual governing of the funds should be largely in the hands of the professionals, the boards of nurses' examiners of the States, the boards governing the schools, the educational agencies, the nurses' organizations.

How complicated the whole problem of Federal aid is was shown by some of the responses concerning State administered Federal and State matching aid, where it became clear that the machinery of such aid would be greatly impeded by special State legislation. And yet the summary table plainly shows, as we have pointed out, that this form would be most acceptable to the largest number.

Third. Training:

All kinds of suggestions were offered in the letters accompanying the questionnaires as to the kind of training best calculated to do away with the shortage. Many believed that a basic 2 years' course would be sufficient training for bedside nursing, with funds to be used for longer and advanced courses to fit experienced nurses for teaching and administration.

The general consensus of opinion regarding training was that the whole system of training and classification of nurses needs reconsideration in the light of changed conditions in and out of the hospitals.

Fourth. Practical nurses: The education and status of practical nurses was the subject of much controversial comment. Laymen and educators, as well as some of the hospital administrators, felt that with proper training this group could be most useful in relieving the higher echelons of many pressures in crowded hospitals where hospital insurance and the overaging of the population brings an ever-growing number of patients. From the groups of registered nurses, however, came complaints of the inadequacy and insufficient preparation of the practical nurses as well as recrimination against their salary and their semiprofessional status.

Fifth. Recruitment: The opinions on recruitment are similarly at variance. Some places report that scholarships are going begging; some that girls do not enter training because guidance at the high-school level does not inform them properly. Still others report that loans and scholarships to individuals, rather than grants to schools, would solve the pressing problems of high tuition and long training asked for by the present nursing schools. In this connection the approval of Cadet Corps methods was by no means general, many saying that the quality of these recruits left much to be desired. And some believed that better housing, more facilities for recreation and less restriction of student nurses would be a great inducement to obtain more nursing recruits.

Sixth. Other job opportunities: The feeling seems to be fairly general that competition of other job opportunities for the young women of today, jobs not requiring a lengthy and arduous training period, as well as the decline in altruism as a moving force where the incentive of high earnings is lacking, have much to do with the decline of interest in nursing as a preferred field of feminine activity. The fact that the reduced birthrate during the twenties and thirties makes for less "woman power" of an eligible age for nurses' training today was noted by many thoughtful respondents.

Seventh. Marriage: The fact that marriage is entered upon early in life, sometimes immediately after training, and that no provision is made in the arrangement of shifts and hours to overcome the difficulties of a nurse who has household and maternal duties was given by many as a reason for the attrition

within the profession. Tax relief for expenses incurred for the care of the children of the working nurse-mother as well as better payment for Saturday, Sunday, and night work were suggested.

Eighth. Poor personnel policies: Among those listed were insufficient vacations, lack of retirement funds, poor and unfair administrative policies, no standards of promotions, undemocratic requirements made by doctors and supervisors. Not the least frequently mentioned complaint was the lack of security as compared with other employment, particularly in most nonprofit institutions not under social security.

CONCLUSION

The differences in attitudes and the variation therein found between the different groups and—in the case of hospital administrators—between various regions point to the fact that any remedial measures to improve the situation should be preceded by and include a program of informative education. Such program must aim at creating a deeper understanding of the overall pattern of nursing need both among the public and among professional men and women dealing with nursing.

Such informational education should stem from extended factual research. As one of the respondents has stated:

> There is needed an objective study covering different types and sizes of institutions, different size communities, and different geographical areas.

Many of the respondents to this survey even recommended that Federal funds be used for such research.

STATISTICAL TABLES

Note 1: Since some respondents answered only part of the question and many gave more than one answer to some queries—example: "causes of shortage"—the total of recorded replies to one question has no relation to the total replies to another, even within the same category of respondents.

Note 2: Since the answers to question No. 2—as to the causes of nursing shortage—break down into many more parts than is the case for any other question, the statistical summary for No. 2 has been placed at the end of each of the tables in order to facilitate overall scanning of the survey findings.

TABLE I.—*Overall summary table*

(For details of the various category classifications see tables II, III, and IV.)

Summary	Nurses' groups	Hospital administrators	State boards of health [1] and other State health officers and nurses	Government [2] officials	Related groups	Total
I. Is there a nursing shortage?						
Yes	1,234	1,502	82	53	281	3,152
In some areas	45	14		2	12	73
No	26	32	2		1	61
1. Teaching	1,056	787	75	25	167	2,110
2. Administration	977	736	65	23	129	1,930
3. General and private duty	1,150	1,426	77	37	257	2,947
4. Practical nursing	755	739	59	27	143	1,723
5. Public health nursing	31		7	1	3	42
6. Psychiatric nursing	4			1		5
7. Effect on patient care:						
Yes	1,001	954	64	32	200	2,251
In some areas	111	135	6	3	15	270
No	84	148	2	1	22	257
III. Aid to schools:						
Yes	923	843	44	17	147	1,974
Doubtful	158	217	18	10	35	438
No	226	320	15	13	70	644
1. Teaching	981	565	62	19	113	1,740
2. Administration	755	427	55	13	78	1,328
3. General and private duty	694	1,051	31	17	152	1,945
4. Practical nursing	409	467	36	13	122	1,047
IV. Federal financial aid:						
Yes	1,085	1,188	67	20	213	2,573
No	164	299	7	25	53	548
Doubtful	17	19			2	38
1. State administered Federal funds	445	389	10	18	73	935
2. Federal administered Federal funds	272	203	6	3	44	528
3. State administered Federal and State funds	621	609	6	16	130	1,382
4. Other:						
a. State funds only	68	34			7	109
b. Individual scholarships:						
Federal	115	46			22	183
State	48	4			5	57
c. State aid to medical schools	18	2	1		3	24
d. Local funds	19	27			10	56
e. Voluntary support	15	16			4	35
5. Approve cadet corps method	14	25			2	41
Oppose cadet corps method	19	27	2			48
II. Causes of shortages:						
A. Recruiting and training:						
Poor recruiting	165	161	8	5	49	388
Lack of social esteem	97	51	8	3	22	181
High tuition	261	216	11	7	44	539
Length of training (including lack of stipend)	164	220	6	6	47	443
Training restrictions	72	149	7	6	17	251
Inflexibility of examiners	17	23			2	42
Competition, other jobs for high-school graduates	328	311	28	9	68	744
Lack of funds for advanced study	69	73	4		13	159
Lack of qualified teachers and schools	236	190	22	5	61	514
B. On-the-job factors:						
Low pay	468	395			89	952
Long and irregular hours	219	165	21	12	33	450
Poor personnel policies	169	49	10		7	235
Poor administrators	42	16	7			65
Improper use of training	90	74	11	1	18	194
Nurses' tasks not differentiated	39	60	2		3	104
Attitudes of doctors	21	7	4			32
Dislike of rural areas	60	52	3		1	116
C. New factors in nursing field:						
Increased hospital use	321	262	17	6	45	651
Increased health services	201	78	6	3	14	302
Increased population	67	45	3	1	9	125
Competition of other nursing opportunities:						
a. Government institutions	138	279	8	3	22	450
b. Public health, industry, etc	157	345	21		49	572
Shortened workweek in hospitals	18	61			9	88
Greater demand on time and skill from advanced technics	24	26	6	4	6	66
Hospitals' financial troubles	9					9

[1] Includes State boards of health, health officers, boards of nurse examiners, nurses with State boards.
[2] Includes Federal officers, Congressmen, and State legislators.

TABLE I.—*Overall summary table*—Continued

(For details of the various category classifications see tables II, III, and IV.)

Summary	Nurses' groups	Hospital administrators	State boards of health and other State health officers and nurses	Government officials	Related groups	Total
II. Causes of shortages—Continued						
D. General factors:						
Early marriage trend and motherhood	229	236	12	8	23	508
Effect of low birthrate in 1920's and 1930's on number of recruits available	60	31	3	2	15	111
Decline of altruism	59	125	7	4	13	208
Economic confusion	41	24	2		5	72

TABLE II.—*Detail of nursing group responses*

Nurses	Registered nurses' associations	Registered nurses' registries	Nurses not officially connected	Directors' nursing schools	Directors' nursing services	Practical nurses	Visiting and public health nurses	Total
I. Is there a nursing shortage?								
Yes	202	38	102	326	354	129	83	1,234
Some areas	17		3	6	14	3	2	45
No	5	1	2	7	7	2	2	26
1. Teaching	180	22	73	292	320	106	63	1,056
2. Administration	156	21	66	287	305	86	56	977
3. General and private duty	188	29	95	306	350	107	75	1,150
4. Practical nursing	114	4	47	247	191	110	42	755
5. Public health nursing	15	1	8	5	2			31
6. Psychiatric nursing	3					1		4
7. Effect on patient care:								
Yes	134	32	64	305	300	98	68	1,001
Some areas	12	2	6	32	36	18	5	111
No	17	2	4	20	27	8	6	84
III. Aid to schools:								
Yes	114	19	69	275	300	95	51	923
Doubtful	28	2	7	38	50	15	18	158
No	44	12	24	62	55	14	15	226
1. Teaching	152		62	286	333	92	56	981
2. Administration	128		49	233	242	60	43	755
3. General and private duty	111		53	167	250	68	45	694
4. Practical nursing	58		24	103	101	100	23	409
IV. Federal financial aid:								
Yes	186	25	92	305	293	116	68	1,085
No	33	11	14	33	42	16	15	164
Doubtful	2	1	2	6	2	2	2	17
1. State-administered Federal funds	62	6	42	140	126	43	26	445
2. Federal-administered Federal funds	52	4	14	100	81	16	5	272
3. State-administered Federal and State funds	105	20	48	148	189	69	42	621
4. Other:								
a. State funds only	20		1	37	7	1	2	68
b. Individual scholarship:								
Federal	36	2	7	37	28	1	4	115
State	5	5		18	18	1	1	48
c. State aid to medical schools	2		1	8	5		2	18
d. Local funds	5		2	5	3	1	3	19
e. Voluntary support	5		1	5		2	2	15
5. Approve Cadet Corps method	5	1	4	1		2	1	14
Oppose Cadet Corps method	6		2		10	1		19
II. Causes of shortages:								
A. Recruitment and training:								
Poor recruiting	25	4	11	50	41	13	21	165
Lack of social esteem	10	1	13	31	17	12	13	97
High tuition	41	6	21	60	84	32	17	261
Length of training (including lack of stipend)	23	4	16	38	56	16	11	164
Training restrictions	6		4	31	17	3	11	72
Inflexibility of examiners	8	3	1	4			1	17
Competition of other jobs for high-school graduates	53	3	16	106	98	27	25	328
Lack of funds for advanced study	7		1	43	14		4	69
Lack of qualified teachers and schools	48	3	18	64	66	27	10	236
B. On-the-job factors (in general hospitals):								
Low pay	75	13	42	109	147	52	30	468
Long and irregular hours	34	2	14	68	76	21	4	219
Poor personnel policies	31	2	23	37	49	15	12	169
Poor administrators	10	2	5		12	13		42
Improper use of training	15	1	9	46	14	5		90
Nursing tasks not differentiated			1	21	8	8	1	39
Attitudes of doctors	2		3	16				21
Dislike of rural areas	6		1	21	15	3	14	60
C. New factors in nursing field:								
Increased hospital use	56	8	20	94	97	29	17	321
Increased health services	44	3	6	59	71	11	7	201
Increased population	3	1	3	29	17	9	5	67
Competition of other nursing opportunities:								
a. Government institutions	17	3	10	40	43	12	13	138
b. Public health, industry, etc	36	5	10	27	54	10	15	157
Shortened workweek in hospitals	6				9	3		18
Greater demand on time and skill from advanced techniques	10		2		3	7	2	24
Hospitals' financial troubles		1	4		3	1		9
D. General factors:								
Early marriage trend and motherhood	29	8	12	66	93	11	10	229
Effect of low birth rate in 1920's and 1930's on number of recruits now available	7	1		20	16	12	4	60
Decline of altruism	6	3	1	24	25			59
Economic confusion	2		1	22	12	3	1	41

TABLE III.—*Detail of hospital administrators' responses, also State boards of health and other State health officers and nurses*

Hospital administrators	State groupings						State boards of health and other State health officers and nurses [1]
	Eastern	Southern	Middle Western	South-western	Pacific and Rocky Mountain	Total	
I. Is there a nursing shortage?							
Yes	436	259	474	160	173	1,502	82
In some areas			11	2	1	14	
No	5	4	10	5	8	32	2
1. Teaching	242	130	272	77	66	787	75
2. Administration	210	130	249	75	72	736	65
3. General and private duty	431	246	420	157	172	1,426	77
4. Practical nursing	270	107	231	72	59	739	59
5. Public health nursing							7
6. Psychiatric nursing							
7. Effect on patient care:							
Yes	277	166	290	110	111	954	64
In some areas	79	18	10	11	17	135	6
No	35	41	12	25	35	148	2
III. Aid to schools:							
Yes	266	150	274	73	80	843	44
Doubtful	57	31	78	34	17	217	18
No	77	46	109	42	46	320	15
1. Teaching	185	89	181	50	60	565	62
2. Administration	130	63	146	40	48	427	55
3. General and private duty	315	174	329	114	119	1,051	31
4. Practical nursing	190	67	138	39	33	467	36
IV. Federal financial aid:							
Yes	363	210	372	97	146	1,188	67
No	57	49	91	64	38	299	7
Doubtful	5	5	2	7		19	
1. State-administered Federal funds	133	65	113	36	42	389	10
2. Federal-administered Federal funds	66	32	68	14	23	203	6
3. State administered Federal and State funds	199	119	189	40	62	609	6
4. Other:							
a. State funds only	9	11	7	4	3	34	
b. Individual scholarships:							
Federal	6	7	28	2	3	46	
State		1		1	2	4	
c. State aid to medical schools		2				2	1
d. Local funds	5	6	8	3	5	27	
e. Voluntary support	3	1	10	2		16	
5. Approve Cadet Corps methods	12		6	4	3	25	
Oppose Cade Corps methods		6	17	2	2	27	[2] 2
II. Causes of shortages:							
A. Recruitment and training:							
Poor recruiting	29	41	40	28	23	161	8
Lack of social esteem	18	11	9	7	6	51	8
High tuition	72	37	75	19	13	216	11
Length of training (including lack of stipend)	80	17	85	18	20	220	6
Training restrictions	48	19	47	14	21	149	7
Inflexibility of examiners	23					23	
Competition of other jobs for high-school graduates	93	60	81	35	42	311	28
Lack of funds for advanced study	13	24	14	8	14	73	4
Lack of qualified teachers and schools	31	60	37	33	29	190	22
B. On-the-job factors (in general hospitals):							
Low pay	123	54	104	50	64	395	
Long and irregular hours	52	21	44	15	33	165	21
Poor personnel policies	11	13	11	5	9	49	10
Poor administrators	16					16	7
Improper use of training	23	11	16	8	16	74	11
Nursing tasks not differentiated	24	13	23			60	2
Attitudes of doctors		4		3		7	4
Dislike of rural areas	4	12	16	9	11	52	3
C. New factors in nursing field:							
Increased hospital use	76	46	84	20	36	262	17
Increased health services	41	7	19	7	4	78	6
Increased population	11	4	27		3	45	3
Competition, other nursing opportunities:							
a. Government institutions	90	50	81	19	39	279	8
b. Public health, industry, etc	108	36	159	14	28	345	21
Shortened workweek in hospitals	28		24	6	3	61	
Greater demand on time and skill from advanced techniques	16			5	5	26	6
Hospitals' financial troubles	[3]	[3]	[3]	[3]	[3]	[3]	[3]
D. General factors:							
Early marriage trend and motherhood	64	37	87	20	28	236	12
Effect of low birthrate of 1920's and 1930's on number of recruits now available	9	4	18			31	3
Decline of altruism	34	23	28	25	15	125	7
Economic confusion		9		4	11	24	2

[1] Includes State boards of health, health officers, boards of nurse examiners, nurses with State boards.
[2] Opposed.
[3] Included in other answers.

TABLE IV.—*Detail of responses from: Medical schools, physicians (other than on State boards, etc.), laymen (general), educators, Government officials (Federal, State)*

Related groupings	Officers of medical schools	Physicians not on State boards and medical editors	Laymen (including writers)	Educators	Total	Government officials (Federal officers, Congressmen, and State legislators and governors
I. Is there a nursing shortage?						
Yes	70	68	92	51	281	53
In some areas	3		9		12	2
No	1	(1)	(1)	(1)	1	(2)
1. Teaching	57	27	57	26	167	25
2. Administration	50	20	43	16	129	23
3. General and private duty	67	65	80	45	257	37
4. Practical nursing	57	37		49	143	27
5. Public health nursing			2	1	3	1
6. Psychiatric nursing						1
7. Effect on patient care:						
Yes	55	39	70	36	200	32
In some areas		7	8		15	3
No	−5	10	5	2	22	1
III. Aid to schools:						
Yes	39	29	42	37	147	17
Doubtful	16	5	12	2	35	10
No	11	28	22	9	70	13
1. Teaching	39	17	34	23	113	19
2. Administration	35	10	23	10	78	13
3. General and private duty	39	40	53	20	152	17
4. Practical nursing	32	27	29	34	122	13
IV. Federal financial aid:						
Yes	54	49	66	44	213	20
No	12	19	17	5	53	25
Doubtful	1			1	2	[2] 8
1. State administered Federal funds	25	7	27	14	73	18
2. Federal administered Federal funds	23	9	8	4	44	3
3. State administered State and Federal funds	29	24	39	38	130	16
4. Other:						
a. State funds only	1	1	5		7	
b. Individual scholarships:						
Federal	13	5	2	2	22	
State	4			1	5	
c. State aid to medical schools	2	1			3	
d. Local funds	2	1	5	2	10	
e. Voluntary support		2	2		4	
5. Approve cadet corps method	1		1		2	
Oppose cadet corps method	(1)	(1)	(1)	(1)	(1)	
II. Causes of shortages:						
A. Recruiting and training:						
Poor recruiting	12	3	21	13	49	5
Lack of social esteem	7	6	8	1	22	3
High tuition	11	5	19	9	44	7
Length of training (including lack of stipend)	14	16	14	3	47	6
Training restrictions	5		8	4	17	6
Inflexibility of examiners		2			2	
Competition of other jobs for high school graduates	29	15	14	10	68	9
Lack of funds for advanced study	6		4	3	13	
Lack of qualified teachers and schools	13	13	23	12	61	5
B. On-the-job factors:						
Low pay	26	17	25	21	89	
Long and irregular hours	11	8	9	5	33	12
Poor personnel policies	3		2	2	7	
Poor administrators						
Improper use of training	10	2	6		18	1
Nursing tasks not differentiated	2	1			3	
Attitudes of doctors						
Dislike of rural areas	1				1	
C. New factors in nursing field:						
Increased hospital use	16	6	15	8	45	6
Increased health services		1	8	5	14	3
Increased population	3	3	2	1	9	1
Competition of other nursing opportunities:						
a. Government institutions	4		16	2	22	3
b. Public Health, industry, etc	5	16	27	1	49	
Shortened workweek in hospitals	2	1	5	1	9	
Greater demand on time and skill from advanced medical techniques	1		5		6	4
Hospitals' financial troubles						
D. General factors:						
Early marriage trend and motherhood	8	11		4	23	8
Effect of low birthrate in 1920's and 1930's on number of recruits now available	5	2	6	2	15	2
Decline of altruism	2	5	5	1	13	4
Economic confusion			3	2	5	

[1] No opinion offered.
[2] No opinion.

It is my hope, Mr. Speaker, that my distinguished colleagues in both Houses will find the survey of opinion on the shortage of nursing personnel and possible methods to move constructively to increase it will be of use not only to the membership but also to all who are working to meet the problem head on and do something constructive to solve it.

A FREE PRESS AND ITS VALUE

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from Michigan [Mr. HOFFMAN] is recognized for 10 minutes.

Mr. HOFFMAN of Michigan. Mr. Speaker, I ask unanimous consent to proceed for an additional 10 minutes, to revise and extend my remarks, and to include an article by Clark Mollenhoff.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. HOFFMAN of Michigan. Mr. Speaker, as our distinguished colleague from Ohio [Mr. BOW], who is now presiding in the chair, fully realizes, while the Constitution guarantees a free press, and much is said and written in praise thereof, all too few realize the power of the press when a moral issue confronts the public.

All too often, when a vitally controversial issue arises, the people, inherently honest and desirous of fair play, have no accurate source of information other than the press, which will enable them to make a sound, just decision.

Almost invariably, when a fundamental issue arises and the people realize that a decision affecting their own welfare must be made, they turn to the press. They turn to the reporters, the columnists, and the editors, who, experience convinces them, are—in the case of reporters, factual; in the case of columnists and editors, sound, constructive thinkers and writers—rather than to reporters—and they are few in number—who tend to give a sensational twist to their news stories; rather than to columnists and editors who follow some party or political line—whose effusions almost always, no matter what subject is treated, tend to support their own political philosophy, or perhaps more accurately, opinions.

Those familiar with the facts have long realized that millions upon millions of dollars paid by employers to health and welfare funds, and a large portion of which otherwise would have reached the worker in increased wages, have either through mismanagement or extortion been diverted to the pockets of a comparatively few racketeers and their friends.

For many months I labored earnestly to present the picture to the public and, notwithstanding the determined opposition of a majority of the members of the Committee on Government Operations, did succeed in having a special subcommittee of that committee, which I appointed, join a similar subcommittee of the Committee on Education and Labor, hold hearings at Detroit and Kansas City.

Then the Committee on Government Operations cut off my authority, but a subcommittee of the House Committee on Education and Labor, beginning on the 23d of November, last, held a few days' hearings at Detroit.

Those hearings but gave publicity to facts, many of which were known to reporters who, in behalf of their papers, make a specialty of exposing situations which threaten the welfare of the citizens. The reporters wrote factual statements, the editors called attention to the moral issue involved, and the President in his message on labor-management relations stressed the necessity of hearings similar to those which had been held at my suggestion.

The story of the real impact of labor racketeering is finally being told in a nationally circulated publication and in such a manner that the people will understand what Congress is doing and is not doing on this issue.

Permit me to call your attention to the story, "How Labor Bosses Get Rich," in the current, March 9, issue of Look magazine, written by Clark Mollenhoff, an accurate reporter of current events, whose ability, integrity, and experience justify one's reliance upon his statements and conclusions.

Some of my colleagues may have been too busy to read the hearings or to glance at the reports, but if they are to fulfill their duty, they may well find time to read Mollenhoff's comment on this problem in Look.

Over the opposition of some of my colleagues, I have consistently sought to expose these rackets and have taken the position that it is the union member who is the real loser when crooked labor leaders take over negotiations. That point is effectively made in the article. Clark Mollenhoff's story is so clear, accurate, and instructive as to justify its insertion here. It is as follows:

HOW LABOR BOSSES GET RICH—LOCAL LABOR CZARS ACROSS THE COUNTRY ARE SHAKING DOWN EMPLOYERS AND JUGGLING THEIR UNIONS' FUNDS IN A RACKET FEW PUBLIC OFFICIALS DARE TRY TO STOP

(By Clark Mollenhoff)

Racketeering bosses of local unions are enriching themselves, or at least their relatives and friends, in a rash of shady deals uncovered recently across the country.

They are playing loosely with the millions of dollars in union funds they control. And they are dabbling in a sea of sideline enterprises that overlap their union responsibilities in such a way that the worker is the loser. Musclemen, blackmail, and murder dot the trail of the unscrupulous local labor boss who uses his respectable union as a cynical front for private plunder.

He is so strongly entrenched that national labor leaders either won't or can't get rid of him. Even local and State enforcement officials for the most part have abdicated to him. And neither major political party has dared to undertake a major investigation of him.

The whole story is being muted by labor pressures on Members of Congress. But a shocking insight into the racketeering operations of many local labor bosses has come from two congressional subcommittees.

Fighting against odds, they have laid bare part of the record of extortion, bribery, and ruthless use of union funds for private gain. The investigations of Representative CLARE HOFFMAN, Republican, Michigan, and the late Senator Charles Tobey, Republican, New Hampshire, have revealed the same ugly story in New York, New Orleans, Los Angeles, St. Louis, Kansas City, Minneapolis, Detroit, and Chicago.

THE LABOR SHAKEDOWN SKYROCKETS THE PRICES OF GOODS EVERYBODY NEEDS

The big labor shakedown, they found, soaks employers, swells defense costs and skyrockets the prices of goods and services everybody needs—with the ordinary union member the biggest victim of all.

Take the case of Joseph (Joe the Gent) Giantomasi, a notorious Newark, N. J., racketeer. E. Treverton Clark, the vice president of a stevedoring company, testified that Giantomasi took a $500 bribe from him to avert a threatened dispute. Giantomasi was business agent for two longshoremen's locals and was in a position to tie up the company's operations. Clark also told Senators that Giantomasi later tried to shake him down for $20,000, but that he refused to pay it.

Wages, hours, and working conditions for union members were unimportant in feuds between jukebox owners and William E. Bufalino, head of Local 985 of the Teamsters Union in Detroit. Congressional investigators heard testimony that Bufalino used his power as head of the union to enforce dictatorial control over the lucrative jukebox industry. Some employers said they were even forced to join the union in order to avoid bombings and other terror tactics that beset their "locations."

In Kansas City, Robert D. Sheehan, a pipeline-construction official, testified that he had to make money payments and buy clothing for several union officials to keep labor peace on construction projects. His statement, denied by the accused, was one of many charging union officials with soliciting or accepting bribes.

THE BLUES IN ST. LOUIS

And in St. Louis, Federal grand jury indictments charged 17 labor chiefs in that area with getting several hundred thousand dollars in shakedowns of construction company officials. Union members' earnings dropped as physical violence, work stoppages, and jurisdictional disputes set the stage, it was charged, for shakedowns of as much as $50,000 at a time.

Another way of operating has emerged in New Orleans. There, it was found that a 5-percent cut was being taken out of the take-home pay of every member of Local 1419 of the International Longshoremen's Association for union dues.

The initiation fee for joining Local 1419 is $200—as much as it would cost to join a good golf and country club. But the 5 percent cut the union has taken out of each member's pay is where the really big money has come in. Workingmen have been nicked by the local for a total of more than $1 million in 4 years. The money has poured into a fund that the high-living president of the local, Dave A. Dennis, has been investing in various union enterprises. Local authorities recently started an investigation of the enterprises.

Accountants warned Dennis that the accounting system used was inadequate, but he told congressional investigators that it would take too much time and money to install a better system. The union books showed that the 5 percent dues brought in a total of $335,000 in 1952. Congressional investigators, figuring from employers' payrolls, said the union books should have showed $404,000 in that year. Over a period of 4 years, the investigators reported, the discrepancy between employers' payrolls and the union books indicated that approximately $287,000 in dues was not accounted for. Dennis maintained that the investigators erroneously included in their computations the salaries of many nonunion workers who were not subject to the 5 percent levy.

Dennis was borrowing money for living expenses in 1948 before becoming president of local 1419; but by the time congressional investigators caught up with him, he had acquired real-estate holdings and was dabbling in other side businesses. One enterprise he set up was the Monarch Investigating Agency, which was hired on 1 or 2 occasions to work for his own local 1419.

According to his own testimony, Dennis furthered his personal interests by borrowing thousands of dollars belonging to the union without the knowledge or authorization of the members. Following the congressional investigation, an information was filed against Dennis charging him with misusing union funds.

Abuse of the workingman by labor czars was brought down to a system on the New York-New Jersey waterfront. That system—now barred under rules of the recently established New York-New Jersey Waterfront Commission—was the notorious shapeup under which all-powerful hiring bosses each day chose enough men for the day's work.

RYAN DID NOT OUST GANGSTERS IN THE ILA

Congressional hearings laid bare almost every conceivable type of labor racket on the bi-state waterfront. It was a condition that was choking off commerce in one of the world's greatest harbors, thus reducing the jobs available to union members. Shipping-company owners and stevedoring-company officials made cash deals with ILA officials that left union members with no representation.

The Senate subcommittee that made the investigation blamed much of the trouble on Joseph P. Ryan, who had been president of the ILA since 1927. He is under a multiple-count indictment for misapplication of his union's funds, but his major offense, as far as investigators were concerned, was his resistance to changing the corrupt shapeup and ousting of gangsters from union office.

One of the most notorious hoodlums among Ryan's top aides was Edward J. Florio, who served as an organizer from 1948 until 1952, when he was arrested and convicted on two perjury counts. Now serving a 3-year prison term, Florio got a 10 percent cut in a public loading operation on the docks while he was acting as business agent for the ILA.

The danger of union members being sold out by conspiratorial deals between employers and corrupt labor bosses has been recognized as long as labor unions have been operating. The advent of new fringe benefits, like health and welfare insurance, now has created new problems and what congressional investigators call new scandals.

In Minneapolis, Eugene Williams, a business agent for Local 544 of the Teamsters Union, was made administrator of the Transfer and Warehouse employees' pension fund and got a 7 percent cut of the fund for his troubles. He arranged a $10,000 advance through the union pension fund to finance a night club and bar. He also borrowed $1,800 in cash from the union office safe to help finance his bar. Williams says he repaid these sums to the union.

A classic example of the problem of controlling insurance placement and the resulting huge commissions has been found in the dealings between labor leaders and the Union Casualty & Life Insurance Co., of Mount Vernon, N. Y.

HE KNEW THE RIGHT PEOPLE

Dr. Leo Perlman, executive vice president of the company, was quick to see the advantages of cultivating such powerful labor bosses as James R. Hoffa, the Michigan Teamsters boss; Owen Bert Brennan, his top aide; Paul (Red) Dorfman, head of the Waste Material Handlers, local 20467 in Chicago, and Frank Darling, head of local 1031 of the Brotherhood of Electrical Workers in Chicago.

Dr. Perlman guided Union Casualty & Life to a spectacular rise in a brief 4 year period. Union health and welfare insurance provided the impetus. A House committee investigative report said that the direct premium payments jumped from $1,460,000 in 1948 to an astounding $8,900,000 in 1952 and that nearly 77 percent of the 1952 premiums came from 3 big union insurance coups:

1. Health and welfare insurance covering more than half of the 35,000 to 37,000 workers in Darling's local 1031 in Chicago.

2. The health and welfare insurance of the Central States Conference of Teamsters, of which Hoffa is chairman. Hoffa is also trustee of the central states conference welfare fund, which deals directly with the insurance-placement problem.

3. The health and welfare insurance of the Michigan Conference of Teamsters, of which Hoffa is president.

Perlman, a 56-year-old immigrant, cleaned up more than $400,000 from 1948 through 1951 through Union Casualty & Life and the United Public Service Corp., also of Mount Vernon, N. Y. The latter concern, a general insurance management agency which he also headed, obtained the insurance for the former.

But the huge profits Perlman received were only the beginning. In 1949, the Union Insurance Agency of Illinois, in Chicago, came into being as an agent for Union Casualty & Life. It was a partnership operated by the wife and son of Dorfman, who is a labor chief with influential contacts spread far outside his Waste Handlers Union.

Allen Dorfman, 30, and his mother, Rose Dorfman, were immediately successful. Between 1949 and June 1953, investigators reported, the Union Insurance Agency of Illinois received over a million dollars in commissions, expenses, and allowances from Union Casualty & Life and the United Public Service Corp.

Congressional investigators turned up another fact. During the first 2 policy years, Hoffa's Central States welfare fund received premium refunds of $256,000. No refund was made in the third year. The fund's trustees, it was also found, agreed with Union Casualty & Life to reduce the insurance benefits to employees and their dependents. An unsatisfactory loss experience had created a drain on the insurance company, it was explained.

Meanwhile, the insurance executives wined and dined Teamster Chief Hoffa and even went into a number of joint business ventures with him that proved profitable. Hoffa said he received no money for swinging the insurance to the Dorfmans and Perlman, but he insisted on his right to draw a normal profit from joint business enterprises with these same people.

It wasn't his contacts in the insurance business that first propelled Hoffa into outside business enterprises. In fact, he's had so many little business operations going on that he has had difficulty remembering what precisely some of them were for. Here, however, are some that have come to light:

Hoffa and his aide Brennan became stockholders in the Terminal Realty Co. without putting up a dime. Oren DeMaas, former liquor commissioner of Michigan, put up $25,000 for them, and held their share of the stock as security for the loan, Hoffa has testified.

HE WAS A BUSY MAN

He got into a brewery operation with attorneys George Fitzgerald, former Democratic national committeemen from Michigan, and Carney Matheson, legal representative for large midwestern trucking interests. He testified he lost $20,000 on the venture and invested no more in it.

Hoffa also set up what he called a little syndicate known as P. M. I. to loan money. And a few years ago he had a one-sixteenth or a one thirty-second interest in the Columbus Trotting Association.

Hoffa's wife, too, has been in business. She held a one-third interest in the Theater Trucking Co. in her maiden name. With Brennan's wife, she operated the Test Fleet Corp., a haulaway firm leasing equipment to big commercial-trucking firms. Over a 4-year period, they have collected $65,000 in dividends.

In his insurance activities, Hoffa today has moved his Michigan Conference of Teamsters' welfare fund into a position where it could gain substantial control of the management of the Union Casualty and Life. In June 1951 the fund's trustees put $250,000 in the company's preferred stock. This made the fund the largest holder of preferred stock. With the payment of another $40 a share, the stock can be converted into common stock with voting privileges.

Congressional investigators have pointed out the problem involved when union ownership in an insurance company is such that union officials have an interest in curbing the claim rate of members of other unions insured by the company. But it took an eruption in New York to demonstrate how much of a menace the health and welfare insurance problem could be.

THE RACKETS ARE LUCRATIVE ENOUGH FOR MURDER

A long-time feud over representing workers at Yonkers Raceway, north of New York, ended last August 28 with the murder of Thomas E. Lewis, president of local 32-E, Building Service Employees.

It wasn't clear until after Lewis was murdered just why the presidency of that local union could be such an important piece of property. The investigation showed that the welfare funds of the union were handled through Alcor Agency, Inc. Labor Boss Lewis, his relatives, business associates and friends had used that agency to drain off more than $400,000 of the $1,479,000 contributed in a 5-year period, the investigation showed. Those commissions were more than double the normal administrative costs, and the State insurance department started a broad investigation of insurance firms that handle welfare policies for labor touching off in turn more insurance scandals.

The murder of Lewis and the insurance scandals were not the only labor-racketeering operations on the edge of the multimillion-dollar harness-racing business.

Indictments returned by a Nassau County, N. Y., grand jury have spelled out the basic story of plunder by labor bosses and their associates. William C. DeKoning, Nassau County labor leader, and 12 others were indicted for an alleged extortion of $345,000 in kickbacks from employees at Roosevelt Raceway. It was also disclosed that the labor leader was sharing in 10 percent of the profits of a catering firm operating at the raceway.

It has taken the probing of two congressional committees to prove that labor racketeering is more widespread than the few cases the Nation's prosecutors have had the courage to tackle. The late Senator Tobey, the righteous New Hampshire Republican, was the driving force behind Senate labor-racket investigations on the waterfront in New York, New Jersey, and New Orleans. When Tobey died, Senator JOHN BRICKER (Republican, Ohio) dissolved the subcommittee, and other labor rackets uncovered by Chief Counsel Downey Rice had no airing.

CONGRESSMEN WERE NOT HAPPY

The most tenacious of the labor-racket investigators has been Representative HOFFMAN, the sharp-tongued Michigan Republican. HOFFMAN and Representative WINT SMITH, a Kansas Republican, have been the

mainsprings behind House investigations that have touched labor racketeering in Detroit, Chicago, Los Angeles, and Minneapolis.

Even many House Republicans were fearful of the political consequences of a labor-racket investigation when HOFFMAN put the first congressional spotlight on the plunder of labor bosses. Republicans joined with Democrats to hobble HOFFMAN's investigating, but the aggressive Congressman continued his work. Although they had no power to hold hearings, Chief Counsel William McKenna, Assistant Counsel Clyde Smith and Chief Investigator Les Condon produced enough evidence for HOFFMAN to force hearings.

HOFFMAN's investigators exposed the close tieup between Bufalino, head of Teamsters Local 985 in Detroit, and the jukebox owners association which was dominated by Vincent Meli, Bufalino's brother-in-law.

Following the hearings, Bufalino, Meli, and five others were indicted by a Wayne County grand jury on charges that they used threats of physical violence and bombings to prey on jukebox operators, restaurant, tavern, and bar operators, owners of automobile wash racks and parking-lot operators.

A few days later, five more teamsters officials from the Detroit area were indicted on charges of milking construction firms of hundreds of thousands of dollars.

Frank Fitzsimmons, vice president of Teamsters Local 299, and Daniel J. Keating, president and business agent of local 614, Pontiac, Mich., were among the five indicted.

POWER CAN CORRUPT

Congressional hearings in Kansas City were followed by indictment of Orville L. Ring, president and business agent of Teamsters Local 541, on 2 charges of embezzlement and 2 counts of second-degree robbery. Four others were also indicted in connection with violence, extortion, and misuse of funds in the Kansas City area.

The right to represent labor can mean big money. The wages and working conditions of the ordinary union member are only a handy tool when racketeering labor bosses seek to fatten their purses. The underworld has been quick to see the chance for big profit in the economic and political positions labor czars are able to control.

Some rank-and-file members of local unions tried to break the stranglehold, and were declared ineligible to hold office. Some were summarily ousted from their union and deprived of the right to work in the only trade they know.

Employers find it to their immediate advantage to let the labor boss have his way when he insists that a dishonest employee be retained, or that insurance or pension funds be used in a certain manner.

The Taft-Hartley Act and the rules of the unions themselves were designed to stop some of the sidelines of plunder, but the act is often inadequate or it is improperly enforced by the politicians who fear the labor bosses.

Although there were substantial numbers of indictments in the wake of congressional hearings, prosecutions alone are not the solution. All of the plunder has not been illegal.

It is up to Congress to expose fully what has happened under the present laws, and to draft new laws that preserve the institution of organized labor and provide democratic processes that will protect the interests of labor-union members in the future.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD or to revise and extend remarks was granted to:

Mr. WHARTON.

Mr. FORD.

Mr. DAGUE.

Mr. ROBSION of Kentucky and include an article from the New York Times of September 11, 1953, honoring Lt. Gen. Raymond Robert Wheeler.

Mr. ENGLE.

Mr. LANTAFF and to include a copy of a bill he introduced today and editorials.

Mr. KEATING to extend his remarks in tribute to General Wheeler following the remarks of Mr. ROBSION of Kentucky.

Mrs. FRANCES P. BOLTON.

Mr. JONAS of North Carolina (at the request of Mr. HALLECK).

Mr. O'HARA of Illinois in three instances.

Mr. RODINO.

Mr. METCALF and to include additional matter.

Mr. REES of Kansas and to include additional matter.

Mr. MCMILLAN and to include an item from the Claxton Enterprise, Claxton, Ga.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. KRUEGER, indefinitely, on account of illness.

Mr. THORNBERRY, for 1 day, on account of illness.

ADJOURNMENT

Mrs. FRANCES P. BOLTON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 12 minutes p. m.) the House, pursuant to its previous order, adjourned until Monday, March 1, 1954, 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:

1302. A communication from the President of the United States, transmitting a proposed supplemental appropriation for the fiscal year 1954 in the amount of $15,000 for the legislative branch (H. Doc. No. 336); to the Committee on Appropriations and ordered to be printed.

1303. A letter from the Administrator, Federal Civil Defense Administration, transmitting the 10th Quarterly Report of the Federal Civil Defense Administration on the contributions program for the quarter ending December 31, 1953, pursuant to subsection 201 (i) of the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

1304. A letter from the Acting Secretary of the Interior, transmitting a report pertaining to all reservations made regarding appropriations lands within Indian reservations valuable for power or reservoir sites or necessary for use in connection with irrigation projects, pursuant to section 13 of the act of June 25, 1910 (36 Stat. 858); to the Committee on Interior and Insular Affairs.

1305. A letter from the Chairman, Federal Power Commission, transmitting a copy of its newly issued publication entitled "Federal Power Commission Reports, Volume 10"; to the Committee on Interstate and Foreign Commerce.

1306. A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, relative to requesting advice as to the action taken with respect to certain cases involving a list of names containing names of natives of Mexico and adjacent islands where there is an American citizen or legally resident alien spouse or minor child or children whose cases were rejected by the 2d session of the 82d Congress, pursuant to section 19 (c) of the Immigration Act of 1917, as amended; to the Committee on the Judiciary.

1307. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, United States Army, dated October 14, 1953, submitting a report, together with accompanying papers on a preliminary examination and survey of Cubitt Creek, Va., authorized by the River and Harbor Act approved May 17, 1950; to the Committee on Public Works.

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. BURDICK: Committee on the Judiciary. H. R. 5183. A bill to confer jurisdiction on the Court of Claims to hear, determine, and render judgment upon a certain claim of the Board of County Commissioners of Sedgwick County, Kans.; with an amendment (Rept. No. 1241). Referred to the Committee of the Whole House on the State of the Union.

Mr. CLEVENGER: Committee on Appropriations. H. R. 8067. A bill making appropriations for the Departments of State, Justice, and Commerce, and the United States Information Agency, for the fiscal year ending June 30, 1955, and for other purposes; without amendment (Rept. No. 1242). Referred to the Committee of the Whole House on the State of the Union.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 450. Resolution for consideration of House Joint Resolution 355, a joint resolution amending the act approved July 12, 1951 (65 Stat. 119, 7 U. S. C. 1461–1468), as amended, relating to the supplying of agricultural workers from the Republic of Mexico; without amendment (Rept. No. 1243). Referred to the House Calendar.

Mr. BISHOP: Joint Committee on the Disposition of Executive Papers. House Report No. 1244. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. BISHOP: Joint Committee on the Disposition of Executive Papers. House Report No. 1245. Report on the disposition of certain papers of sundry executive departments. Ordered to be printed.

Mr. LECOMPTE: Committee on House Administration. House Resolution 400. Resolution providing funds for the operation of the Committee on Un-American Activities; with amendment (Rept. No. 1246). Ordered to be printed.

Mr. HYDE: Committee on the Judiciary. S. 2111. An act to permit the flying of the flag of the United States for 24 hours of each

day in Flag House Square, Baltimore, Md.; without amendment (Rept. No. 1247). Referred to the House Calendar.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 4721. A bill to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project; without amendment (Rept. No. 1248). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLER of Nebraska: Committee on Interior and Insular Affairs. H. R. 6154. A bill to authorize payment of salaries and expenses of officials of the Fort Peck Tribe; with amendment (Rept. No. 1249). Referred to the Committee of the Whole House on the State of the Union.

Mr. SMITH of Wisconsin: Committee on Foreign Affairs. Report pursuant to House Resolution 113 pertaining to the Arab refugees and other problems in the Near East; without amendment (Rept. No. 1250). Referred to the Committee of the Whole House on the State of the Union.

Mr. MERROW: Committee on Foreign Affairs. Report pursuant to House Resolution 113 pertaining to the special study mission on international organizations and movements; without amendment (Rept. No. 1251). Referred to the Committee of the Whole House on the State of the Union.

Mr. REES of Kansas: Committee on Post Office and Civil Service. H. R. 6052. A bill to readjust postal rates, and for other purposes; without amendment (Rept. No. 1252). Referred to the Committee of the Whole House on the State of the Union.

Mr. LECOMPTE: Committee on House Administration. House Resolution 419. Resolution to provide additional funds for the expenses of the investigations and studies authorized by clause 8 of rule XI, incurred by the Public Accounts Subcommittee of the Committee on Government Operations; with amendment (Rept. No. 1253). Ordered to be printed.

Mr. ALLEN of Illinois: Committee on Rules. House Resolution 438. Resolution to amend House Resolution 346 so as to provide for an investigation and study of the subversion and destruction of free institutions and human liberties in certain areas controlled, directly or indirectly, by world communism, including the treatment of the peoples in such areas; with amendment (Rept. No. 1255). Referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. JONAS of Illinois: Committee on the Judiciary. S. 827. An act for the relief of Matthew J. Berckman; without amendment (Rept. No. 1227). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 2634. A bill for the relief of Charles T. Douds; with amendment (Rept. No. 1228). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 2636. A bill for the relief of George Japhet; without amendment (Rept. No. 1229). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 2666. A bill for the relief of Martin G. Scott and Hanna von Gusmann; without amendment (Rept. No. 1230). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 4699. A bill for the relief of Robert F. Suczek; without amendment (Rept. No. 1231). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 4735. A bill for the relief of Lt. Col. Richard Orme Flinn, Jr.; without amendment (Rept. No. 1232). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 4996. A bill for the relief of Col. Henry M. Denning, and others; without amendment (Rept. No. 1233). Referred to the Committee of the Whole House.

Mr. JONAS of Illinois: Committee on the Judiciary. H. R. 5765. A bill for the relief of Henry C. Bush and other Foreign Service officers; with amendment (Rept. No. 1234). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6020. A bill for the relief of the estate of James Francis Nicholson; without amendment (Rept. No. 1235). Referred to the Committee of the Whole House.

Mr. LANE: Committee on the Judiciary. H. R. 6477. A bill for the relief of the Columbia Hospital of Richland County, S. C.; without amendment (Rept. No. 1236). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 6594. A bill for the relief of Livio Brianesco; without amendment (Rept. No. 1237). Referred to the Committee of the Whole House.

Mr. FORRESTER: Committee on the Judiciary. H. R. 7407. A bill for the relief of Mrs. Laura Smith Merritt; with amendment (Rept. No. 1238). Referred to the Committee of the Whole House.

Mr. MILLER of New York: Committee on the Judiciary. H. R. 5772. A bill for the relief of Robert E. Leibbrand; without amendment (Rept. No. 1239). Referred to the Committee of the Whole House.

Mr. JONES of Illinois: Committee on the Judiciary. S. 502. An act for the relief of the estate of Mrs. Margareth Weigand; without amendment (Rept. No. 1240). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on the Judiciary. H. R. 1325. A bill for the relief of George L. F. Allen; without amendment (Rept. No. 1254). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CLEVENGER:

H. R. 8067. A bill making appropriations for the Departments of State, Justice, and Commerce, and the United States Information Agency, for the fiscal year ending June 30, 1955, and for other purposes; to the Committee on Appropriations.

By Mr. LANTAFF:

H. R. 8068. A bill relating to clerk hire and postage allowance of, and telephone and telegraph service for, Members of the House of Representatives; to the Committee on House Administration.

By Mr. HALLECK:

H. R. 8069. A bill to amend the act of July 10, 1953, which created the Commission on Intergovernmental Relations. Passed the House of Representatives.

By Mr. BATES:

H. R. 8070. A bill to provide for the payment of uniform allowances to certain Naval Reserve officers; to the Committee on Armed Services.

By Mr. BELCHER:

H. R. 8071. A bill to amend the Internal Revenue Code to allow the taxpayer to deduct from gross income, as a nontrade or nonbusiness expense, the cost of providing care for certain dependents if such care is required because the taxpayer is gainfully employed; to the Committee on Ways and Means.

By Mr. BOGGS:

H. R. 8072. A bill to amend the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. DORN of South Carolina:

H. R. 8073. A bill to amend the Veterans' Preference Act of 1944 to provide that the transfer of an employee from one shift to another shall in certain cases be deemed to be a reduction in his rank or compensation; to the Committee on Post Office and Civil Service.

By Mr. ELLSWORTH:

H. R. 8074. A bill to provide for a preliminary examination and survey of streams emptying into Coos Bay, Oreg., for flood control and allied purposes; to the Committee on Public Works.

By Mr. FINO:

H. R. 8075. A bill granting to persons in the classified (competitive) civil service the right to a hearing before removal or suspension, and the right to a judicial review of a removal or suspension; to the Committee on Post Office and Civil Service.

H. R. 8076. A bill to make available to Korean prisoners of war certain benefits of the War Claims Act of 1948; to the Committee on Interstate and Foreign Commerce.

By Mr. FOGARTY:

H. R. 8077. A bill to provide for the distribution of certain surplus commodities to needy persons in the United States, by use of a stamp plan; to the Committee on Agriculture.

By Mr. FRIEDEL:

H. R. 8078. A bill to amend the Outer Continental Shelf Lands Act in order to provide that revenues under the provisions of such act shall be used as grants-in-aid of primary, secondary, and higher education; to the Committee on the Judiciary.

By Mr. GOLDEN:

H. R. 8079. A bill to amend the Social Security Act to provide old-age insurance benefits for certain permanently and totally disabled individuals under the age of 65, to provide that no deductions from benefits shall be made on account of outside earnings, and to extend coverage on a voluntary basis to certain ministers, teachers, and other professional persons; to the Committee on Ways and Means

By Mr. HILLINGS:

H. R. 8080. A bill to provide for the creation of two additional permanent circuit judgeships and one temporary circuit judgeship for the ninth circuit; to the Committee on the Judiciary.

By Mr. HOLMES:

H. R. 8081. A bill to authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. JAVITS:

H. R. 8082. A bill to provide for exclusion from the mails of mail violating certain State laws dealing with improper solicitations of contributions by charitable organizations and to forbid the payment of money orders therefor; to the Committee on Post Office and Civil Service.

H. R. 8083. A bill to provide for public accountability by tax-exempt organizations, and other purposes; to the Committee on Ways and Means.

By Mr. KING of Pennsylvania:

H. R. 8084. A bill to provide for the reinstatement or reissuance of national service life insurance in cases where certain veterans suffering from service-connected

blindness have allowed their insurance to lapse or expire; to the Committee on Veterans' Affairs.

By Mr. MACK of Illinois:

H. R. 8085. A bill to amend the Railroad Retirement Act, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act; to the Committee on Interstate and Foreign Commerce.

By Mr. MAHON:

H. R. 8086. A bill to provide for the acceptance on behalf of the United States, as a gift from the Republic of Chile, of a memorial to Gen. Bernardo O'Higgins, and for the erection of such memorial; to the Committee on House Administration.

By Mr. MARTIN of Iowa:

H. R. 8087. A bill to eliminate farm tractor fuel and certain other liquids from the manufacturers' excise tax on gasoline; to the Committee on Ways and Means.

By Mr. O'HARA of Illinois:

H. R. 8088. A bill providing relief against certain forms of discrimination in interstate transportation; to the Committee on Interstate and Foreign Commerce.

H. R. 8089. A bill authorizing the creation of a Federal memorial commission to consider and formulate plans for the construction in the city of Washington, D. C., of an appropriate permanent memorial to the memory of the great Italian navigator and discoverer of America, Christopher Columbus; to the Committee on House Administration.

By Mr. PHILLIPS:

H. R. 8090. A bill to promote the agriculture of the United States by acquiring and diffusing useful information regarding agriculture in foreign countries and the marketing of American agricultural commodities, and the products thereof, outside of the United States; to authorize the creation of an Agricultural Foreign Service in the Department of Agriculture; and for other purposes; to the Committee on Agriculture.

By Mr. POFF:

H. R. 8091. A bill to prohibit the payment of Government retirement benefits to persons convicted of certain offenses; to the Committee on Post Office and Civil Service.

By Mr. REED of Illinois:

H. R. 8092. A bill to facilitate the entry of Philippine traders; to the Committee on the Judiciary.

By Mr. REES of Kansas:

H. R. 8093. A bill to amend the Classification Act of 1949, as amended, and the Federal Employees Pay Act of 1945, as amended, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. RHODES of Arizona:

H. R. 8094. A bill providing loans for the cost of improving the distribution system of the Salt River reclamation project, Arizona, for the purpose of conserving water resources and for other purposes; to the Committee on Interior and Insular Affairs.

By Mrs. ROGERS of Massachusetts:

H. R. 8095. A bill to expand and extend to June 30, 1955, the direct home and farmhouse loan authority of the Administrator of Veterans' Affairs under title III of the Servicemen's Readjustment Act of 1944, as amended, to make additional funds available therefor, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SAYLOR:

H. R. 8096. A bill to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Roaches Run, and for other purposes; to the Committee on the District of Columbia.

By Mr. SIMPSON of Illinois:

H. R. 8097. A bill to authorize the financing of a program of public works construction for the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. TALLE:

H. R. 8098. A bill to amend the Agricultural Act of 1949 to provide a limitation on the downward adjustment of price supports for milk and butterfat and the products of milk and butterfat; to the Committee on Agriculture.

By Mr. TOLLEFSON:

H. R. 8099. A bill to amend the Agricultural Act of 1949 to provide a limitation on the downward adjustment of price supports for milk and butterfat and the products of milk and butterfat; to the Committee on Agriculture.

By Mr. WHARTON:

H. R. 8100. A bill to amend the Agricultural Act of 1949 so as to provide for the sale of surplus feed grains to farmers for feeding purposes; to the Committee on Agriculture.

By Mr. WILLIS:

H. R. 8101. A bill to amend the Sugar Act of 1948, as amended; to the Committee on Agriculture.

By Mr. HOWELL:

H. J. Res. 451. Joint resolution authorizing the creation of a Federal memorial commission to formulate plans for construction in the District of Columbia of an appropriate permanent memorial to Christopher Columbus; to the Committee on House Administration.

By Mr. KEATING:

H. J. Res. 452. Joint resolution authorizing the creation of a Federal memorial commission to consider and formulate plans for the construction in the city of Washington, D. C., of an appropriate permanent memorial to the memory of the great Italian navigator and discoverer of America, Christopher Columbus; to the Committee on House Administration.

By Mrs. KELLY of New York:

H. J. Res. 453. Joint resolution authorizing the creation of a Federal memorial commission to consider and formulate plans for the construction in the city of Washington, D. C., of an appropriate permanent memorial to the memory of the great Italian navigator and discoverer of America, Christopher Columbus; to the Committee on House Administration.

By Mr. LYLE:

H. J. Res. 454. Joint resolution authorizing the issuance of a special postage stamp in commemoration of the 100th anniversary of the settlement of Panna Maria, Tex.; to the Committee on Post Office and Civil Service.

By Mr. LANE:

H. Res. 452. Resolution that it is the sense of the Congress that the Chinese Communists are not entitled to and should not be recognized to represent China at the Geneva meeting on April 26, 1954; to the Committee on Foreign Affairs.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By Mr. HESELTON: Resolutions of the General Court of the Commonwealth of Massachusetts, memorializing Congress to continue Federal grants to State relief programs for the aged and to preserve the Federal social-security program; to the Committee on Ways and Means.

By the SPEAKER: Memorial of the Legislature of the State of Maryland, memorializing the President and the Congress of the United States relative to requesting the United States Post Office Department to issue a commemorative stamp on the occasion of the 200th anniversary of the founding of Fort Cumberland; 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. ALLEN of Illinois:

H. R. 8102. A bill for the relief of Clarence Maxwell; to the Committee on the Judiciary.

By Mr. CHIPERFIELD:

H. R. 8103. A bill for the relief of Montgomery Elevator Co.; to the Committee on the Judiciary.

By Mr. DAGUE:

H. R. 8104. A bill for the relief of Lucette Helene Adams; to the Committee on the Judiciary.

By Mr. DAVIS of Georgia:

H. R. 8105. A bill for the relief of John (Jean) C. Athanassiades; to the Committee on the Judiciary.

By Mr. FEIGHAN:

H. R. 8106. A bill for the relief of Vida Kosnik; to the Committee on the Judiciary.

By Mr. HAND:

H. R. 8107. A bill for the relief of Blanka Goldstein; to the Committee on the Judiciary.

By Mr. KEATING:

H. R. 8108. A bill for the relief of Sister Filomina Luigina DiMartino; to the Committee on the Judiciary.

By Mr. LANE:

H. R. 8109. A bill for the relief of Mrs. Helene Kelly; to the Committee on the Judiciary.

By Mr. McINTIRE:

H. R. 8110. A bill for the relief of Orrin J. Bishop; to the Committee on the Judiciary.

By Mr. POWELL:

H. R. 8111. A bill for the relief of Americo Discepolo; to the Committee on the Judiciary.

By Mr. ROBSION of Kentucky:

H. R. 8112. A bill for the relief of Chrisavge Christodoulopoulou; to the Committee on the Judiciary.

By Mr. SCHENCK:

H. R. 8113. A bill for the relief of Maria Koutra Prieto; to the Committee on the Judiciary.

Mr. Mr. STEED:

H. R. 8114. A bill for the relief of Jean Charles Ruf; to the Committee on the Judiciary.

By Mr. WALTER:

H. R. 8115. A bill for the relief of Tannous Estephan; to the Committee on the Judiciary.

By Mr. GRAHAM:

H. J. Res. 455. Joint resolution granting the status of permanent residence to certain aliens; 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:

530. By the SPEAKER: Petition of Robert F. Lavato, Pala Reservation, San Diego County, Calif., submitting comments and revisions to the bills H. R. 7322 and S. 2749; to the Committee on Interior and Insular Affairs.

531. Also, petition of the chairman, Napa Post Office Employees Association, Napa, Calif., relative to H. R. 2344, providing for a salary adjustment for post office employees; to the Committee on Post Office and Civil Service.

532. Also, petition of Melba M. Cline and others, Dunlap, Ill., urging revision of the present 15- and 25-percent rates on Federal excise tax on telephone service; to the Committee on Ways and Means.

533. Also, petition of the chairman, Lithuanian Americans, Maspeth, N. Y., pledging support to the Government of the United States in its efforts to secure peace and stability in the world, etc.; to the Committee on Foreign Affairs.

EXTENSIONS OF REMARKS

The Tragedy of Lithuania

EXTENSION OF REMARKS

OF

HON. ROBERT W. UPTON

OF NEW HAMPSHIRE

IN THE SENATE OF THE UNITED STATES

Thursday, February 25, 1954

Mr. UPTON. Mr. President, this week we commemorate the birth of George Washington, who led the American Colonies in their successful struggle for freedom. In contrast with the freedom which we enjoy is the serfdom of the peoples of central and eastern Europe under Communist rule imposed on them by the Soviet Union.

The fate of the Baltic States is a grim reminder of the perfidy of the Soviet Union. In 1939, these three little republics were forced by the Soviet Union to sign pacts of mutual assistance with the Kremlin. Under the guise of assistance, Soviet troops were lodged in these states, and were used to overthrow the existing free governments. Typical of the tragedy of these three states is that of the Republic of Lithuania. I ask unanimous consent to have printed in the RECORD a brief statement prepared by me concerning the tragic fate of the Lithuanian people under Communist rule.

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

THE TRAGEDY OF LITHUANIA

February 16, 1954, marked the 36th anniversary of the founding of the Republic of Lithuania. Ordinarily, such an event would be an occasion for celebration among Americans of Lithuanian descent and for an expression of friendly greetings from our Republic to the Republic of Lithuania. But such is not the case. The Republic of Lithuania, along with her neighbors, Latvia and Estonia, is dead—a victim of the ruthless Communist regime which crushed Poland, Czechoslovakia, Hungary, Bulgaria, Rumania, Albania, East Germany, and China. Freedom died in these lands with terrible consequences for the people there, and for the civilized world.

Our Government extended diplomatic recognition to Lithuania, Estonia, and Latvia on July 28, 1922. Three years earlier these little nations had declared themselves independent of Russia, an independence which Russia acknowledged in 1920. Although these events marked the beginning of the modern Lithuanian Republic, the history of the Lithuanian nation has been long and full of accomplishment.

The known history of the Lithuanian people extends back a thousand years. Only last year we observed the celebration of 1,000 years of Lithuanian nationality. Here in Washington at the Hotel Statler, a distinguished group of our Nation's leaders were the guests of a large gathering of Americans of Lithuanian extraction. The assembly paid honor to the cultural and political achievements of the Lithuanian people.

Secretary of State John Foster Dulles, in a statement before the Select Committee of the House To Investigate the Seizure and Forced Incorporation of the Baltic Republics by the Soviet Union, summed up the accomplishments of the Republic of Lithuania in this way:

"For two decades the Baltic republics showed the good fruits of freedom. Their creative accomplishments were impressive. Their natural resources were meager. But the peoples were skilled in agriculture and by their hard work they achieved a good measure of economic well-being. National arts and crafts flourished. They established a high standard of social justice and won worldwide respect as exemplary members of the family of nations. Their spiritual and moral strength, their love of liberty, their energy, and their self-discipline showed that they possessed those qualities which, more than mere numbers, area, or wealth, make for national worth."

Modern Lithuania is a small nation, but the contributions to freedom and the sacrifices for freedom which the Lithuanian people have made over the centuries are disproportionally large. Lithuania has been a free, independent state since the 11th century. At crucial times in the history of western civilization they have borne the brunt of invasions from the steppes of Asia. In 1326 the Mongol hordes swept westward from behind the Ural Mountains. They were stopped short of the heart of Europe by the Grand Duke Algirdas of Lithuania. We should also remember that, in our own time, the people of Lithuania were the first to defy Kremlin rule.

The suffering of the Lithuanian people and their Baltic neighbors at the hands of the Communists is a story of unparalleled horror. This story is now being unfolded before a committee of the House of Representatives. It is a true story, told by survivors who witnessed these things and somehow managed to escape. The details of these atrocities should be known to the free, civilized world. Let me list a few:

Proveniskes: Where several hundred peasants were murdered by the Soviet Army in 1940.

Cervene: Where 6,000 political prisoners were machinegunned by the NKVD. After the machinegunning, these martyrs were run over by Red army tanks. Only 20 survived, 6 of whom have testified before the House committee.

Panevezys: Where Lithuanian medical doctors were murdered.

Telsiai: Where the Communist police executed 100 Lithuanian Boy Scouts.

The free world owes a great debt to these Lithuanian heroes, and others like them behind the Iron Curtain. We must do all that we can to give them aid and comfort in their fight for freedom. It is, after all, our fight that they wage against incredible odds. The very least we can do is to make their sacrifices known.

We look forward to a future when free men, everywhere, can once more pursue their individual destines in freedom and dignity. This national administration is not content to silently acquiesce to the enslavement of nations like Lithuania. Secretary Dulles, on November 30, 1953, made this statement of policy:

"The captive peoples should know that they are not forgotten, that we are not reconciled to their fate, and, above all, that we are not prepared to seek illusory safety for ourselves by a bargain with their masters which would confirm their captivity."

The Soviet record in Lithuania is one of treachery, deceit, and brutality. It is a terrible example of Communist depravity. The resistance of the Lithuanians and the other Baltic people, on the other hand, is an inspiring memorial to the vitality of free institutions and to man's desire to live free.

Charlotte, N. C.

EXTENSION OF REMARKS

OF

HON. CHARLES RAPER JONAS

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. JONAS of North Carolina. Mr. Speaker, inasmuch as several Members, interested in having the proposed Air Academy located in their home regions, have called attention in speeches here to the attractions they see in their respective areas, I feel that it is appropriate that I point out the merits of Charlotte, N. C. The record will show that a site near Charlotte was one of the finalists in the list of proposed locations considered by the Air Academy Site Selection Board in 1951.

If Charlotte could qualify as one of the top 7 locations in the country 2 years ago, it should even be higher on the list today, for this area, which I know intimately, continues its amazing growth and progress with each passing year.

What the 1951 Site Selection Board found noteworthy about Charlotte as a prospective site for the Air Academy were two attractions that cannot be duplicated anywhere in the country—an ideal climate which produces the desirable atmospheric conditions for flight training and a location superbly suited for an educational institution.

Charlotte's climate is unparalleled anywhere—not extreme in any season but with enough variety to offer flying experience under changing conditions such as an airman will undoubtedly face in combat. During the past year, the major commercial airline serving Charlotte was obliged to cancel only 18 flights, some on the same day, in or out of the city because of weather conditions.

I shall not quote Charlotte's mean temperature for a year since it is the extremes that bother people. I do wish to point out that in the winter there is little fog and, although it may freeze during the night, the ice seldom lasts until noon. In summer it gets hot—and where does it not get hot during the summer except in the mountains where serious drawbacks to air training exist—but Charlotte is close enough to the hills to be blessed with cooling breezes.

The site Charlotte offers for the Air Academy lies along an inland lake large enough for use by amphibious aircraft. From this location the Charlotte airport, only a few miles away, is easily accessible over excellent highways. But enough acreage is available at the proposed site for the Air Academy to build its own field if desired.

The location is approximately 200 miles from the ocean and about 100 miles from the crest of the Blue Ridge Mountains. While this section of our State is growing rapidly, neither the land nor the air is congested and there are no

nearby major targets to attract an attacking enemy.

The site at Charlotte is one of great natural beauty. The gently rolling, wooded terrain would form a perfect setting for a beautiful campus. Beauty of setting is recognized—ask West Point and Annapolis men—as a strong psychological factor in the education of young men who follow a strict curriculum which emphasizes not merely technical skill but strength of character, esprit de corps, faith and pride in country.

Annapolis, West Point, and Washington are only short flights away from Charlotte by an air route that crosses no mountain chain. Flight time from Washington to Charlotte is little more than 1 hour.

Nearby Davidson College, a renowned Presbyterian college for men, and Queens College for women, give Charlotte an academic atmosphere and will provide an opportunity for the cadets to have social intercourse with college students, both men and women, of their own age.

Charlotte is said to contain a higher percentage of church-going population than any major city in the United States. Whether this is true or not, I can certainly testify that it is unexcelled anywhere in its cultural, civic and religious life.

I believe Charlotte is exceptionally favored in the number of features the Air Force can be expected to specify as most desirable for the Academy. A detailed analysis of these features would be out of place here even if time and space permitted their listing. Some of them will be presented to the Site Selection Board in brochure form.

All I have attempted in this brief statement is simply to call attention to the fact that we who reside in the Charlotte area sincerely believe that we have the best possible location for the Air Academy in the entire country and we urge that our claims be carefully considered before a final selection is made.

Farm Surpluses

EXTENSION OF REMARKS

OF

HON. J. ERNEST WHARTON

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. WHARTON. Mr. Speaker, I am quoting from today's press when I say that the Eisenhower administration's greatest domestic problem is farm surpluses. Even economically sound proposals to increase agricultural production are sheer foolishness under present conditions. Like the weather everyone in recent years has talked about our surpluses but little has been accomplished and many feel that it is high time that Congress take action.

I am today introducing a bill to authorize the Secretary of Agriculture to provide for the sale of surplus feed grains to farmers for feeding purposes. To forestall grain speculation, penalties are provided. The Secretary will have discretionary powers as to the quantity to be disposed of and with the sole provision that the price shall not exceed $1 per bushel.

It is anticipated that such action will particularly and in the first instance benefit the dairy farmers of the entire country whose price support has been recently reduced to 75 percent while his feed grains remain at 90 percent of parity. These farmers use large quantities of wheat, corn, and other surplus grains in their rations which can be processed and blended in their immediate localities. Their feed bills frequently represent one-third of the total cost of their production so this is an important item to them and to the ultimate consumer of milk and other dairy products who will benefit through lower retail prices. In due course the price of beef, pork, and all retail meat prices will also reflect their decreased costs.

I am reliably informed that practically all of the large milk companies have plans which would reduce their cost of distributing milk to the consumer but they are satisfied with their present margin of profit and their plans are just gathering dust on the shelf. For instance in Akron, Ohio, one large distributor retails milk at 16 cents per quart while the average price of home deliveries throughout the country is about 26 cents. There is no reason why consumers in other localities should not enjoy similar price benefits and it is high time that Congress shows an active interest in consumer prices as well as the vast sums of the taxpayers' money that are daily being expended to store surplus wheat and other grains. This bill deserves the prompt and serious consideration of all Members of Congress.

Thirty-sixth Anniversary of the Republic of Lithuania

EXTENSION OF REMARKS

OF

HON. GERALD R. FORD, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. FORD. Mr. Speaker, on February 16, 1954, we celebrated the 36th anniversary of the Republic of Lithuania Day.

I join with citizens of Lithuanian descent, and all other American citizens, in sending to the people of Lithuania our solemn rededication that we have not forgotten them and their desire for freedom.

At the moment Lithuania is behind the Iron Curtain. We know from past history, however, that her freedom-loving peoples cannot, and will not, endure forever the brutal chains of Soviet domination. The day of delivery is approaching. The nations of the free world have given their pledge that every effort will be made to unshackle all nations from diabolical Soviet control.

The evidence emanating from Lithuania is that under Russian Communist rule the people continue to carry the torch for lost liberties. The history of Lithuania is marked with bravery and heroism of the highest order. Hundreds have been killed by the Russians. With all this tragedy Lithuanians still persist in this year 1954, to fight and fight and fight.

This gallantry of character will not go unrewarded. God in His almighty wisdom will one day have an accounting. In the interim we exhort the people of Lithuania—stand firm. God bless you. America sends her friendship and sympathies.

A Fine Tribute to General Wheeler

EXTENSION OF REMARKS

OF

HON. JOHN M. ROBSION, JR.

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. ROBSION of Kentucky. Mr. Speaker, under leave granted, I am very glad to extend as a part of these remarks an editorial which appeared in the New York Times of September 11, 1953, concerning one of our most distinguished Army engineers, Lt. Gen. Raymond Albert Wheeler. The editorial refers to General Wheeler's selection for the post of Chief of the United Nations Relief and Works Agency for Palestine Refugees—a very difficult and important assignment of duty. Following this appointment, however, a serious illness of General Wheeler's wife prevented him from entering on the duties thus imposed, and he was obliged to remain in the United States, and was never able to undertake the refugee labors. Nevertheless, what is stated in the editorial constitutes a well-deserved tribute to him, and for that reason it is now and here used.

General Wheeler, a native of Illinois, graduated from the United States Military Academy in 1911, and among many engineering assignments which have come to him were three in the Canal Zone; the first of which followed upon his graduation from West Point; later he was Assistant Maintenance Engineer, 1927–30, of the Panama Canal; and finally, in 1940–41, was Engineer of Maintenance for the Panama Canal, and Vice President and Director of the Panama Railroad Company. In addition to his Panama Canal service he has discharged his duties as an Army engineer with distinction and ability, both at home and abroad.

His domestic assignments of duty included those of construction engineer on the Mississippi, Ohio, and Kanawha Rivers, 1911–12; district engineer, Newport, R. I., 1920; instructor of engineering, Infantry School, 1920–22; district engineer, Wilmington, N. C., 1930–33; also at Rock Island, Ill., 1933–35; Assistant Engineer Commissioner, Washington, D. C., 1922–26; regional engineer, WPA, Chicago, 1935–36; resident member, Board of Engineers for Rivers and Harbors, Washington, D. C., 1937–40.

His foreign and overseas tours of duty—in addition to those in the Canal

Zone—included services with the Corps of Engineers in Mexico, 1914; in Hawaii, 1915–17; in Europe, 1917–19; the posts of United States Delegate, Permanent International Association Navigation Congresses, Brussels, Belgium, 1936; Chief, United States Military Mission to Iraq, Iran, and India, 1941–42; Commanding General Service of Supply, United States Army Forces in India, Burma, China, 1942; and, following October 1942, on the staff of Admiral Lord Mountbatten; following February 1944, Deputy Supreme Allied Commander, S. E. A. C.; and in June 1945 he was appointed commanding general, India-Burma theater.

Following these distinguished and varied engineering and administrative labors, in September 1945, General Wheeler was appointed Chief of Army Engineers, Army of the United States, with the rank of major general for a period of 4 years. In this important office he discharged the duties imposed with his accustomed ability. He became a lieutenant general in March 1944.

He now holds the important position of engineering adviser of the International Bank for Reconstruction and Development (World Bank), in the National Capital.

The editorial follows:

A SPLENDID NOMINATION

It is hard to imagine a better choice of a man for a job than the nomination of Lt. Gen. Raymond A. Wheeler for the post of Chief of the United Nations Relief and Works Agency for Palestine Refugees. The task of improving the lot of some 800,000 persons who are adrift as the result of the conflict in Palestine is monumental. It requires administrative skill, engineering knowledge and ability, diplomacy and tact, and a readiness to absorb the punishment of long and hard work.

Those qualities happen exactly to describe our distinguished former Chief of Army Engineers. He has shown all of them in the course of a career that contributed greatly to the honor of the services and to the objectives of our country. General Wheeler has always been a builder and he has built wisely in the human as well as the physical sense. In the case of this post he has another prime recommendation. He knows the Middle East and southern Asia at first hand. He knows the people with whom he will deal. And he can win their confidence, as he has done in the past. The United Nations has the chance to get the best man for one of its hardest jobs.

Tribute to Gen. Raymond A. Wheeler

EXTENSION OF REMARKS

OF

HON. KENNETH B. KEATING

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. KEATING. Mr. Speaker, I wish to join my colleague from Kentucky in the tribute which he has voiced to the outstanding services to our country of a distinguished general, Raymond A. Wheeler. During World War II, I had the honor of serving under this great leader of men, who was beloved for his personal qualities and admired for his outstanding abilities. So long as the Army continues to produce soldiers like General Wheeler, the military security of our country will remain strong.

General Wheeler has fortunately continued his public service as engineer-adviser with the World Bank. His services there have been invaluable, as I know those associated with him in the work of that important institution would attest.

H. R. 8068

EXTENSION OF REMARKS

OF

HON. WILLIAM C. LANTAFF

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. LANTAFF. Mr. Speaker, in connection with the remarks that I made on the floor today, I submit herewith a copy of H. R. 8068, providing increased clerk hire, postage, telephone, and telegraph allowances for Members of the House, two editorials from the Miami Herald, and a column by one of the most outstanding and respected columnists in south Florida, Bill Baggs, of the Miami Daily News:

A bill relating to clerk hire and postage allowance of, and telephone and telegraph service for, Members of the House of Representatives

Be it enacted, etc., That section 4 of the act entitled "An act relating to telephone and telegraph service and clerk hire for Members of the House of Representatives," approved June 23, 1949 (2 U. S. C., sec. 60g), is amended to read as follows:

"SEC. 4. The clerk hire of Members of the House of Representatives shall be as follows:

"(1) At the rate of $13,125 per annum in the case of each Member from a district the population of which is less than 400,000;

"(2) At the rate of $13,750 per annum in the case of each Member from a district the population of which is 400,000 or more but less than 500,000;

"(3) At the rate of $14,375 per annum in the case of each Member from a district the population of which is 500,000 or more but less than 600,000;

"(4) At the rate of $15,000 per annum in the case of each Member from a district the population of which is 600,000 or more.

No person shall receive basic compensation from such clerk hire at a rate in excess of $5,000 per annum."

SEC. 2. Section 2 of such act of June 23, 1949 (2 U. S. C., sec. 46g), is amended to read as follows:

"SEC. 2. (a) In the case of any Member of the House of Representatives other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, there shall be paid under the first section of this act—

"(1) Toll charges on strictly official long-distance telephone calls made by or on behalf of the Member aggregating not more than 157½ minutes a month if such Member is from a district the population of which is less than 400,000, except that if such aggregate number of minutes is not used in any 1 month the balance may be used at any other time during the term of office of such Member in which such month occurs;

"(2) Toll charges on strictly official long-distance telephone calls made by or on behalf of the Member aggregating not more than 165 minutes if such Member is from a district the population of which is 400,000 or more but less than 500,000, except that if such aggregate number of minutes is not used in any 1 month the balance may be used at any other time during the term of office of such Member in which such month occurs;

"(3) Toll charges on strictly official long-distance telephone calls made by or on behalf of the Member aggregating not more than 172½ minutes a month if such Member is from a district the population of which is 500,000 or more but less than 600,000, except that if such aggregate number of minutes is not used in any 1 month the balance may be used at any other time during the term of office of such Member in which such month occurs;

"(4) Toll charges on strictly official long-distance telephone calls made by or on behalf of the Member aggregating not more than 180 minutes a month if such Member is from a district the population of which is 600,000 or more, except that if such aggregate number of minutes is not used in any one month, the balance may be used at any other time during the term of office of such Member in which such month occurs.

"(b) In the case of any Member of the House of Representatives other than the Speaker, the majority leader, the minority leader, the majority whip, and the minority whip, there shall be paid under the first section of this act—

"(1) Charges on strictly official telegrams sent by or on behalf of the Member aggregating not more than 1,050 words a month if such Member is from a district the population of which is less than 400,000, except that if such aggregate number of words is not used in any one month, the balance may be used at any other time during the term of office of such Member in which such month occurs;

"(2) Charges on strictly official telegrams sent by or on behalf of the Member aggregating not more than 1,100 words a month if such Member is from a district the population of which is 400,000 or more but less than 500,000, except that if such aggregate number of words is not used in any one month, the balance may be used at any other time during the term of office of such Member in which such month occurs;

"(3) Charges on strictly official telegrams sent by or on behalf of the Member aggregating not more than 1,150 words a month if such Member is from a district the population of which is 500,000 or more but less than 600,000, except that if such aggregate number of words is not used in any one month the balance may be used at any other time during the term of office of such Member in which such month occurs;

"(4) Charges on strictly official telegrams sent by or on behalf of the Member aggregating not more than 1,200 words a month if such Member is from a district the population of which is 600,000 or more, except that if such aggregate number of words is not used in any one month the balance may be used at any other time during the term of office of such Member in which such month occurs."

SEC. 3. Section 6 of such Act of June 23, 1949 (2 U. S. C., sec. 46i), is amended to read as follows:

"SEC. 6. As used in this act—

"(1) the term 'Member' or 'Member of the House of Representatives' includes a Representative in Congress, a Delegate from a Territory, and the Resident Commissioner from Puerto Rico;

"(2) the term 'district' includes a State in the case of a Member elected at large from such State, a Territory, and Puerto Rico."

SEC. 4. (a) The allowances of Members of the House of Representatives for each fiscal

year for the purchase of United States airmail and special-delivery postage stamps shall be as follows:

(1) $131.25 in the case of each member from a district the population of which is less than 400,000:

(2) $137.50 in the case of each Member from a district the population of which is 400,000 or more but less than 500,000;

(3) $143.75 in the case of each Member from a district the population of which is 500.000 or more but less than 600,000;

(4) $150 in the case of each Member from a district the population of which is 600,000 or more.

Such allowances shall be paid from the contingent fund of the House of Representatives.

(b) The tenth paragraph under the heading Contingent Expenses of the House in the Legislative Branch Appropriation Act, 1953, is amended by striking out "the amount allowed to Members, Delegates, and the Resident Commissioner from Puerto Rico for each fiscal year shall be $125 each and to standing committees $50 each;" and insert in lieu thereof "the amount allowed to standing committees for each fiscal year shall be $50 each;".

(c) As used in subsection (a) of this section—

(1) the term "Member" means a Representative in Congress, a Delegate from a Territory, or the Resident Commissioner from Puerto Rico;

(2) the term "Members of the House of Representatives" includes Representatives in Congress, Delegates from the Territories, and the Resident Commissioner from Puerto Rico;

(3) the term "district" includes a State in the case of a Member elected at large from such State, a Territory, and Puerto Rico.

SEC. 5. This act shall take effect on July 1, 1954.

[From the Miami (Fla.) Herald of January 18, 1954]

BETTER PAY FOR BETTER MEN

If Congress needed its backbone stiffened to vote itself adequate salaries, it can point to the recommendations just made by President Eisenhower's Salary Commission.

That 18-man Commission said Congressmen are grossly underpaid and should not hesitate to vote themselves a $12,500 pay raise to $27,500 a year.

At the same time it urged increases of $10,000 each for the Vice President and Speaker of the House and $12.500 to $14,500 yearly increases for overworked and poorly paid Federal judges.

The recommended increases are not out of line with what thoughtful students of government have long urged. The Commission said the net cost of $7,508,793 was a small price to pay for the advancement of the public interest which is served * * *.

It repeated the familiar argument that present low salaries not only drive competent officials into private employment but tend more and more to restrict the positions to persons of independent wealth or outside earnings.

This was one of the major points emphasized by the American Bar Association in a formal statement by the Senate Judiciary committee last April 14.

Urging a salary scale "at once dignified and bearing some measure of decent relationship" to their responsibilities, the association said:

"To do otherwise is to make the Congress open only to the wealthy few and thus to do disservice to the constitutional intendment and to strike a blow at the foundation of representative government. Economy in this sense is both false and dangerous . . . to hazard it at the sacrifice of ability without purse is to pay lip service to the democratic ideal and to reward with a pittance men to whom we have committed our purse, the general regulation of our Federal policy, our relationships with other nations, and, all too often, fateful issue of peace or war."

At those hearings many members of Congress testified their present pay was not big enough to cover the cost of maintaining two homes, the expense of frequent campaigning, and the variety of social expense incidental to their office.

It was for precisely these reasons that Congressman WILLIAM LANTAFF of Miami recently announced he would return to private law practice.

Like others without an outside income, he found the constant worry over financial problems distracting and enervating to a point where it interfered with his efficiency as a legislator.

Actually, a salary increase for our legislators is long overdue.

Congress has not had a raise since 1946 when it increased salaries from $10,000 to $15,000.

Inflation and taxes, however, have more than canceled out the increases, leaving them poorer than before the war.

We believe no thoughtful person will quarrel with them if they follow the Salary Commission's recommendations to the letter.

[From the Miami (Fla.) Herald of January 5, 1954]

AS WE SEE IT—CONGRESS HAS A SALARY PROBLEM

Congress has long had its eye on a pay raise but has been reluctant to take responsibility for hiking its own.

Yet the evidence brought out at hearings of the Senate Judiciary Committee shows that our Representatives are worse off today with their $15,000 than they were in 1939 when they received $10,000 a year.

There is almost unanimous agreement that they must be given some financial relief or we will see more announcements like the one just made by Miami's Representative BILL LANTAFF.

LANTAFF said bluntly that the financial hardships of serving, of maintaining two homes and of trying to conduct both public and private business were forcing him out of Congress. He will not seek reelection. At the conclusion of the present session of Congress he will return to his private law practice.

Supporting LANTAFF's statement, the Senate Judiciary Committee pointed out that the compensation of a Member having one dependent and no outside sources of income actually comes down to $6,724 in terms of 1939 purchasing power.

Obviously that is wholly inadequate in view of the numerous demands on our legislators. That view is shared by virtually all groups working for better Government. They urge pay increases in the interest of attracting good men to Washington and keeping them there.

We think the majority of voters would agree that a sound increase would not be out of line if it would keep experienced legislators like LANTAFF on the job.

[From the Miami (Fla.) Daily News of January 4, 1954]

WHAT WE PAY FOR

(By Bill Baggs)

On the seventh day of Christmas, a gentleman with no partridge in his pear tree, took a hard look back at 1953, also 1952, 1951, etc.

He considered that Mr. Lincoln once phrased as "whither we are and whither we are tending."

He decided that he was tending fast toward personal bankruptcy.

Here he was, at 40, a talented, knowing man who had sat in the National Congress for 4 years. He had helped to save the patient taxpayers of America hundreds of millions of dollars, and by his own reform studies, had directly saved the same burdened animals tens of millions of dollars.

Yet in his hand was a checkbook, his own, and the figure under that little heading "amount forwarded" was less than $100.

If you forgive the obvious, things to this man didn't seem to add up.

THEY WILL QUIT

So, BILL LANTAFF decided then to quit the Congress and to come home to Miami and practice law. He is assured here of an income three or more times what the people of the Nation will pay him.

This new year, about 25 or 30 other men will quit politics. They will not be defeated at the polls. They will be defeated at the grocery store.

A Member of the Federal House of Representatives is entitled to get $12,500 a year, plus a taxable $2,500 expense account. Thousands of Americans, looking at 15 grand for 12 months, possibly will splatter in the sentiment that they might be able to make ends meet, and even overlap, with that income.

These same thousands probably do not have the special expenses of a Congressman above the routine demands. Mr. LANTAFF has 3 children, one a 12-year-old, and it is time to begin thinking of college for the growing lad. Washington is an expensive place to live. The rent for the Lantaffs was almost $200 monthly. The coal bill, urged upward by entertainment in the house, sometimes ran $50 monthly in the bleak winters that nature lowers on Washington.

"ON YOU"

There is the special account of entertaining. Men who support a candidate (who wins) often show up in Washington, and many a national legislator has heard the remark:

"Well, where are we going tonight?"

The remark should be amended to:

"Well, where are we going tonight on you?"

It was only a short time ago that another able man from Florida quit Congress for economic reasons, Hardin Peterson.

In our Congress are 531 women and men. The decisions which will keep this Nation growing, or let it slide slowly into decline, must be joined on the floors of that Congress. No 531 citizens have such a responsibility as the Federal legislators of America.

PATRIOTS, BUT

In industry, of course, we pay men what we think they are worth. We pay many civil-service employees more than $15,000 a year. An entertainer in a nightclub using second-hand jokes can make more than $15,000 a year.

It seems time we put aside our own grocery bills for a moment, and took the same hard look Mr. LANTAFF did at this problem. It is not the personal problem of 531 women and men. It is your problem and it is mine. There are many patriots in America willing to neglect pure economic opportunities, and thereby serve the Nation. But I think generally it is true, even unto Congressmen, that we shall get approximately what we pay for.

Forty-second Anniversary of Girl Scouts

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mrs. FRANCES P. BOLTON. Mr. Speaker, on March 12 Girl Scouts everywhere in the United States will observe the forty-second anniversary of the founding of the movement to which they

belong. It was on that date, back in 1912, that Juliette Gordon Low organized the first Girl Scout troop in the United States and started the nationwide movement which has grown to more than 2 million members.

Girl Scout Week, March 7–13, a 7-day observance, will open on Girl Scout Sunday, March 7. The theme of the week will be Know Your Neighbors—Know Your Nation.

Girl Scout Week will open on Girl Scout Sunday when troop members and leaders will attend their churches in uniform.

As the founder of Girl Scouts, Juliette Low held as an ideal an organization in which all girls could be brought together in common understanding through activities of common interest which would help them gain valuable experience in the important business of living, playing, and working with other people.

The organization has been built on the fact that while its program of activities has grown with the times, its principles have remained the same. Membership in the organization means acceptance of certain ideals and a personal code of ethics, such as the Girl Scout laws and the Girl Scout promise.

I am proud to say that over 17,000 Girl Scouts in greater Cleveland, Ohio, accept the same pledge, live the same code of honesty, service, loyalty, and kindness, and are united with Girl Scouts and Girl Guides all over the world by a bond that transcends the differences of language and custom.

Through scouting the girl acquires many skills which help her adapt to adult responsibilities. The program has been consistent in its objectives ever since scouting was founded by Juliette Low. The purpose of Girl Scouting then as now has been "helping girls develop as happy, resourceful individuals willing to share their abilities as citizens in their homes, their communities, their country, and the world."

Underlying the Girl Scout program is a firm ethical principle based on one's duty to God, one's country, and one's neighbor—a practical application of the moral code which is common to our three major religions. The Girl Scout expresses that principle through service—by carrying out her family responsibilities, by learning to live as a friend and neighbor with her fellows in the community, by giving of her time and energy to make life happier or more satisfactory to others.

Statement of Purpose and Justification of Administration's Legislative Program on Personnel Management

EXTENSION OF REMARKS

OF

HON. EDWARD H. REES

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. REES of Kansas. Mr. Speaker, on behalf of the administration I have today introduced a bill intended to carry out a part of the administration's legislative program on personnel management. Under unanimous consent granted me by the House, I am including herewith the statement submitted by the Chairman of the Civil Service Commission explaining the purpose and justification of the legislative program included in the bill. The statement follows:

STATEMENT SUBMITTED BY CHAIRMAN OF CIVIL SERVICE COMMISSION

REVISION OF PAY SCHEDULES OF THE CLASSIFICATION ACT

Purpose

Without changing the lowest and the highest rate of pay of the Classification Act, to adjust the pay scales of the various grades so as to secure a better internal alinement; specifically, to relieve the compressions in the middle salary brackets; to recognize more adequately the differences among these grades in difficulty and responsibility of work; and to provide adequate money incentives in promotions to more difficult or responsible work.

Justification

The pay schedules of the Classification Act are founded upon grades or levels of difficulty and responsibility of work. Naturally, this basis has facilitated the construction, revision, and administration of pay scales. In addition it is intended to provide a firm and fair basis for promotions, transfers, and reassignments to higher positions as the employee develops in knowledge, ability, and experience and his capacity for accepting heavier responsibilities.

However, uniform dollar increases and other salary increase formulas since 1945 have compressed the middle grades of the Classification Act so close together that they do not lend themselves effectively to all phases of personnel administration.

Where, between a lower job and a higher job, the pay differential is too small compared to the responsibility differential, there is little or no incentive to an employee to aspire to the higher job and little financial reward that the Government may offer for undertaking new and weightier responsibilities.

The proposed revision of the pay schedules is intended to improve their structure in this respect.

New schedules are proposed of both the General Schedule and the Crafts, Protective, and Custodial Schedule. Other proposed legislative provisions in the bill contemplate having but one continuing schedule, the General Schedule. Crafts, trades, and labor employees are to be shifted to prevailing wage schedules within a year. Guards, firefighters, and messengers will be shifted to the General Schedule within 6 months. Until these shifts are completed the revised Crafts, Protective, and Custodial Schedule would apply.

The structural form of the existing pay schedules is maintained. Except in grades GS–16 and GS–17, there is no change in the number of grades, the number of steps within a grade, or in the amount of within-grade step increases. Like grade GS–18, grades GS–16 and GS–17 are each proposed as a single rate grade.

The proposed pay schedules would affect approximately one million employees. The range of adjustments in rates would run from no increase to $800 a year. The average increase would be $150 or slightly more than 3½ percent. Based on Classification Act population as of September 30, 1953, the estimated cost for the first year would be approximately $151,500,000.

POSITIONS IN GRADES GS–16, GS–17, AND GS–18

Purpose

1. To increase the Classification Act limit from 400 to 700 positions in grades GS–16, 17, and 18.

2. To remove existing limitations on the number of positions allowed at each of these grades.

Justification

The Clasification Act of 1949 specifically provides a ceiling of 400 on the number of positions that may be authorized at grades GS–16, 17, and 18. The act provides for 25 positions at GS–18, 75 at GS–17, and 300 at GS–16. We believe that the ceiling should be raised to 700 and that all limitations on numbers allowed at each grade should be eliminated.

At present 465 positions in grades GS–16, 17, and 18 have been authorized in addition to those specifically provided by the Classification Act. These are authorized for given agencies and programs through the Defense Production Act and various reorganization plans and appropriation acts. These positions are provided to meet particular special needs and would not be affected by the proposed general legislation.

An increase in the number of positions at grades GS–16, 17, and 18 is necessary in the interests of Government program requirements, sound and equitable pay administration, and accurate position classification. The Civil Service Commission recently asked for agency estimates of their need for positions at these grades. More than 700 additional positions were requested by the Federal agencies involved. Initial Commission review indicates that at least 300 of the requested positions warrant classification above grade GS–15 on the basis of their duties and responsibilities. These positions would be distributed among 26 different agencies.

Almost half of the requested additional positions are in the fields of engineering and scientific research for which there is a critical shortage of qualified personnel. The provision of appropriate pay rates for needed positions in these fields would help to place the Government in a fair competitive position with private employers for these shortage skills.

None of the 300 positions which warrant classification above grade GS–15 can be placed in the correct grade because of the present Classification Act ceiling. Thus the present ceiling actually is contrary to the policy of equal pay for substantially equal work expressed by Congress in the Classification Act. This creates serious pay inequities among employees, some of whom receive considerably less pay than their work assignments call for.

The limitation on numbers of positions at each grade over GS–15 also hampers effective administration and correct classification of jobs. For example, although a position warrants classification at grade GS–18 it may be impossible to place it in that grade because the quota for grade GS–18 positions is filled. As a result the position must be placed in grade GS–17, or even GS–16, depending on the availability of "spaces" in these grades. Under this proposal, the Civil Service Commission would continue to maintain close control on the number of positions at each grade through prior review and approval of every classification action above grade GS–15.

We estimate that the salary cost of placing 300 additional positions in grades above GS–15 would approximate $550,000 a year.

LONGEVITY PAY INCREASE FOR EMPLOYEES IN GRADES GS–11 THROUGH GS–15

Purpose

To authorize longevity salary step increases for employees in grades GS–11 through GS–15.

Justification

Longevity pay increases are now limited to employees at grades GS–10 and CPC–10 and below. Approximately 11 percent of the Classification Act employees are above these grades. The incentive provided by longevity pay increases is as essential in grades above GS–10, where opportunities for advancement are more limited, as it is in the lower grades.

At present, about 13,000 employees in grades above GS–10 are at the top of their grades. Not all employees at the top of their grades are eligible for longevity step increases and some are eligible for more than one such increase. We estimate that about 8,000 employees over grade GS–10 might now qualify for longevity step increases. On this basis, the first year cost of the proposed legislation for employees in the executive branch would be approximately $1,585,000.

TEMPORARY ADJUSTMENT OF MINIMUM PAY RATES IN ORDER TO RECRUIT AND RETAIN NEEDED PERSONNEL

Purpose

To authorize the Civil Service Commission to permit recruitment to Classification Act positions at within-grade salary rates above the minimum rate of the grade whenever it finds that such action is necessary to attract and retain needed personnel.

Justification

The Commission's recruiting experience indicates that for certain types of jobs in specific localities it is sometimes impossible to obtain persons who will accept Government employment at the minimum rate of the appropriate Classification Act grade. Where this is true, in the interests both of recruiting and retaining qualified workers, the Commission should be able to set a proper within-grade salary rate as the official minimum rate for given positions in specified agencies and localities.

Pay above the minimum rate would be authorized only where absolutely necessary to recruit and keep employees who cannot be obtained at the minimum rate. These within-grade rates would be reexamined periodically and reduced to the minimum rate of the grade as soon as recruitment conditions allowed.

PAY FOR CRAFTS, TRADES, AND MANUAL LABOR POSITIONS

Purpose

1. To exclude crafts, trades, manual-labor and other similar positions from the Classification Act of 1949 and pay them in accordance with local prevailing wage rates.

2. To move all other positions from the Crafts, Protective, and Custodial Schedule (CPC) to the General Schedule (GS) of the Classification Act.

3. To abolish the CPC pay schedule of the Classification Act.

Justification

Under this proposal, the CPC pay schedule would be abolished and the approximately 116,000 positions now in it would be placed either in the General Schedule of the Classification Act or would be paid on a local prevailing rate basis under wage boards or similar pay authority. This change was contemplated when the Classification Act of 1949 was passed. Various maintenance work and similar positions were not consolidated in the General Schedule but rather were placed in a separate pay schedule (CPC) to facilitate later transfer to a local prevailing rate-pay system.

Over 750,000 Government crafts and labor positions in production and construction work are paid on the basis of local prevailing wage rates. A much smaller number of similar positions in maintenance work (about 69,000) are paid under the statutory, nationwide CPC pay schedule of the Classification Act. This means that employees having similar qualifications, performing similar duties, appointed from the same civil-service lists, and many times working side by side are paid at different rates. The proposed legislation is necessary to eliminate this pay inequity. This action is also necessary to place the Federal Government in a better competitive position with private industry in the recruitment and retention of blue-collar workers.

Moving the 69,000 crafts and labor positions to a local prevailing rate basis would leave 47,000 positions in the CPC schedule. The proposed legislation would transfer these 47,000 jobs (consisting of such occupations as guards, messengers, and firefighters) to the General Schedule of the Classification Act of 1949. This would simplify the pay structure of the Classification Act. The number of grades under this act would be reduced from 28 to 18.

We estimate that the total cost of placing 69,000 of the present CPC schedule jobs on a prevailing wage basis and transferring the other 47,000 to the GS schedule would be approximately $36,500,000.

The proposed changes are in line with the recommendation of the Commission on Organization of the Executive Branch of the Government (first Hoover Commission) that rates of pay for blue-collar workers should be fixed and adjusted in relation to prevailing local wage rates.

PREMIUM PAY

Purpose

1. To authorize, for salaried employees covered by the Federal Employees Pay Act of 1945, as amended, (a) a time-and-one-half overtime pay rate for employees with salaries up to the maximum rate of grade GS–9, now $5,810, and (b) an overtime rate of one and one-half times the hourly equivalent of the maximum rate of grade GS–9 for employees above that salary, subject to a ceiling on aggregate pay (base pay plus overtime pay) at the top rate of grade GS–15, now $11,800.

2. To give agency heads the option of granting compensatory time off in lieu of overtime pay for irregular or occasional overtime duty performed by employees whose salaries are above the top of grade GS–9.

3. To authorize additional annual pay, in lieu of hourly rates of premium pay, for employees whose working conditions are not suited to payment of hourly rates for overtime, night, and holiday work.

4. To provide "call-back" overtime pay and to make other relatively minor changes in existing premium pay provisions.

5. To prescribe statutory policies on tours of duty for salaried employees.

Justification

Other than temporary wartime legislation, the Federal Employees Pay Act of 1945 was the first general statute providing overtime, night, and holiday pay for salaried employees of the Government outside the postal service. With minor changes in 1946, the 1945 statute has remained the basic premium pay authority.

The legislative proposals on premium pay are designed (a) to adjust the overtime pay rates of the Federal Employees Pay Act, primarily to take account of changes in salary schedules since 1945, and (b) to revise the overtime and other premium pay provisions of the act in the light of administrative problems which have arisen during the nearly 9 years of the act's operation.

Overtime pay rates: The Federal Employees Pay Act establishes a time-and-one-half overtime rate for employees whose salaries do not exceed $2,980 a year. Above this salary level, overtime pay is provided in accordance with a diminishing scale. This scale decreases from the full time-and-one-half rate at $2,980 to a flat rate of $628.33 for 416 overtime hours (8 hours a week for 52 weeks) for employees at salaries of $6,440 or more. The $628.33 figure amounts to less than half the straight-time rates, even at the $6,480 salary level. Overtime pay, like other premium pay, is subject to a $10,330 ceiling on aggregate pay (regular salary plus premium pay).

The proposal would provide for (a) overtime pay at a time-and-one-half rate for employees at salaries up to the top rate of grade GS–9, now $5,810 (b) overtime pay at a rate equivalent to time-and-one-half of the top rate of grade GS–9 for employees above that salary level, and (c) raising the ceiling on aggregate pay to the top rate of grade GS–15, now $11,800.

Extending the time-and-one-half overtime rate to salaries above its $2,980 maximum under the Federal Employees Pay Act is necessary to maintain a reasonable degree of consistency with the original intent of the act, standards set for industry by Federal statutes and regulations and existing practices of American industry.

We believe that the time-and-one-half overtime rate should cover employees at salaries up to the top rate of grade GS–9, now $5,810. This level is sufficiently low to exclude from the full overtime rate most employees in the executive and administrative group and the higher professional levels. At the same time, it would extend the time-and-one-half rate to certain groups with special overtime problems, such as quarantine inspectors of the Public Health Service and to the lower levels of engineering and scientific positions, where the existing rates of the Federal Employees Pay Act have proved disadvantageous to the Government in times of national emergency.

For employees at salary levels above $5,810, the proposed legislation would set a fixed dollars-and-cents hourly rate of overtime pay, equal to the time-and-one-half rate on a salary of $5,810. This fixed dollars-and-cents rate becomes equal to a straight-time rate in the grade GS–13 range, and less than a straight-time rate at grades GS–14 and GS–15.

Overtime pay above grade GS–9 is necessary to maintain reasonable differentials between aggregate pay rates (salary plus overtime) of employees and their supervisors when the workweek is extended, for example, to 48 hours. The Federal Government does not have available the devices used by American industry to meet this need, such as lump-sum salary adjustments and various kinds of bonuses.

The fixed overtime rate proposed would maintain exactly the same differentials in aggregate pay rates for an extended workweek as the differentials in regular salary rates. For example, there is a difference of $665 between the salaries of an employee at the middle rate of grade GS–10, $5,875, and his supervisor at the middle rate of grade GS–11, $6,540. The same dollars-and-cents overtime rate is proposed at both these salaries. Thus, if the Government in time of emergency should be placed on a 48-hour workweek, the employee and his supervisor would receive the same overtime pay. The difference between their aggregate pay rates, base pay plus overtime pay, would continue to be $665, equal to the difference between their regular salaries.

Overtime pay, as well as other premium pay, would be subject to a ceiling on aggregate pay at the top rate of grade GS–15, now $11,800, rather than the existing ceiling of $10,330. This proposal would restore the ceiling to its grade level from 1946 to 1949. It would conform with the ceiling used for such other purposes as the proposed extension of longevity rates, the highest grade of the Classification Act in which an agency may place a position without advance approval by the Commission, and rates for experts and consultants under the Administrative Expenses Act of 1946.

Compensatory time off in lieu of overtime pay: The Federal Employees Pay Act requires

that overtime be paid for in money unless the employee himself asks for compensatory time off. The proposed legislation would continue this requirement at the lower salary levels but would require monetary overtime pay for employees at salaries above $5,810 only when the workweek is extended, for example, to 48 hours. Agencies would be authorized to decide whether employees at salaries above $5,810 would be given compensatory time off duty or paid in money for irregular, unscheduled overtime work.

In practice, agencies and employees alike generally consider irregular overtime work of personnel at the higher grade levels to be voluntary and such overtime is not paid for. The proposals recognize this practical situation and would bring the overtime pay statute closer to administrative practice. It would still permit an agency to pay in money for any overtime work at these levels which, for example, it might consider exceptionally burdensome.

Special provisions for certain kinds of work: Two special types of Federal employment do not fit well within the standard overtime pay provisions. Some employees, such as fire fighters, are on duty for long periods but are in a standby status for much of their time on duty, at their stations ready to answer any calls but not performing actual work. Hours of work of certain other employees, such as investigators of criminal activities, cannot be controlled administratively in the usual way. Such assignments as trailing suspected criminals require substantial amounts of unscheduled overtime work and night and holiday duty.

The Federal Employees Pay Act includes these two groups under its hourly premium pay provisions. This has resulted in administrative problems and, in the case of such employees as fire fighters, unwarranted expense to the Government. Accordingly, the Commission is proposing additional pay on an annual basis for these groups in place of hourly rates of overtime, night, and holiday pay.

Under the Commission's proposals, employees with long tours of standby duty could receive additional annual pay at rates up to 25 percent of their rates of base pay. The additional annual pay would take the place of all other overtime, night, and holiday pay. Because they would already be on duty for 48 or more hours a week, as a rule, these employees would not be affected by any extension of the Federal workweek.

The Commission is proposing additional annual pay, not in excess of 15 percent of base pay rates, for employees, such as investigators of criminal activities, whose hours of work are not subject to the usual administrative control and whose duties require substantial amounts of unscheduled overtime, night, and holiday work. The additional annual pay for such employees would take the place of other pay for unscheduled overtime work and for night and holiday duty. These employees, in addition, would receive overtime pay on the same basis as other employees when the work-week is extended, for example, to 48 hours.

The proposed additional compensation on an annual basis for these two groups would be easy to administer, fair to the Government, and equitable for employees, especially those investigators whose peculiar working conditions now frequently require substantial amounts of overtime work without any overtime pay at all. Like overtime pay for other employees, the additional annual pay would be computed on only the first $5,810 of an employee's salary rate and would be subject to the $11,800 ceiling on aggregate pay.

Other premium pay proposals: The most important of the other premium pay proposals is that on call-back pay.

In American industry, it is common to guarantee a certain minimum amount of pay for an employee called back to work on one of his days off or after having finished a regular day's work and gone home. Although call-back work is found in the Federal service, special call-back benefits are not authorized by the Federal Employees Pay Act. The proposal would authorize a minimum of two hours' pay at the overtime rate for any employee called in for overtime work on one of his days off or after having finished a regular day's work. This would protect the employee from being called in for assignments of such short duration that pay for only the time on duty would be grossly inadequate compensation for his inconvenience. This minimum would also apply to non-overtime holiday duty.

Other proposals would make very minor changes in night differential pay provisions to meet specific administrative problems that have arisen, and would enact into law the principles currently expressed in rulings of the Comptroller General on overtime of employees in a travel status.

Tours of duty: The Federal Employees Pay Act prescribes a basic workweek of 40 hours, to be scheduled on not more than 6 days of any 7 consecutive days. Other than this, the act places no restriction on scheduling of employees' tours of duty.

The proposed legislation would include a statutory statement of policies on work schedules of employees covered by the act. The policies expressed would be mandatory except where an agency would be seriously handicapped in carrying out its functions or costs would be increased. Proposed provisions would require weekly tours of duty to be scheduled in advance, on 5 days of the week, Monday through Friday, if possible; the 2 days off duty to be consecutive; the same working hours each day; workdays not in excess of 8 hours; that the basic workweek not be shifted to avoid holidays; and that work schedules not include split shifts with a break of more than 1 hour.

Most of these requirements have at some time been proposed as a basis for premium pay. Proposals to require overtime pay for work in excess of 8 hours on any day have been especially numerous, as have proposals for premium pay for Sunday work included in an employee's basic 40-hour workweek.

Some Government activities, such as operation of hospitals, weather services, and airways communications and flight control, require Sunday duty. Others, such as construction inspection, which are necessarily synchronized with hours of contractors or other business establishments, may require more than 8 hours of work on some days, and cannot always be scheduled in advance.

The Government should not be penalized by having to pay premium pay rates whenever its activities require deviations from the usual tours of duty. In the absence of such penalty pay provisions, however, we believe that employees should be assured that they will not be assigned to undesirable tours of duty unnecessarily. The proposed statement of policies on work schedules would provide such assurance.

FEDERAL EMPLOYEES' INCENTIVE AWARDS

Purpose

1. To place authority for direction of the Government employees' incentive awards program with the Civil Service Commission.
2. To authorize Presidential honorary awards to civilian employees.
3. To authorize monetary awards based on governmentwide savings when appropriate.
4. To make employees under all pay laws eligible for all types of awards.
5. To eliminate salary increase awards and provide for cash awards in their stead.
6. To eliminate the present $25,000 annual limit on total cash awards an agency can make for adopted employee suggestions.
7. To eliminate the present $1,000 limit on individual cash awards for employee suggestions.
8. To eliminate the present maximum (an amount equal to three within-grade salary steps) on certain cash awards.
9. To specifically extend the awards program to cover inventions by Government employees.
10. To permit delegation, within departments, of the authority to make awards.

Justification

At present monetary and honorary awards for civilian employees of the Government are authorized under a number of different laws administered by different agencies. There are a considerable number of statutes authorizing awards for employees of given agencies. In addition, responsibility for administration of other awards applying to employees in all agencies is split between the Bureau of the Budget and the Civil Service Commission. The Commission is responsible for superior accomplishment pay increases under title VII of the Classification Act, while the Bureau of the Budget is responsible for cash awards for efficiency under title X of the Classification Act and employee suggestion awards.

Consolidation of present laws: We believe that consolidation of existing laws authorizing incentive awards would improve and simplify administration of a coordinated Government-wide program. Such legislation would cover all monetary awards and honorary recognition for employee suggestions, inventions, superior accomplishments, personal efforts contributing to the efficiency, economy or other improvement of Government operations, and special acts or services in the public interest.

Program responsibility: The present split responsibility of the Bureau of the Budget and the Civil Service Commission for direction of the Government's incentive awards program hampers effective administration. Because the program is primarily a personnel-management function it should be administered by the Civil Service Commission. The Commission, of course, would seek the advice and assistance of the Bureau of the Budget on the management-improvement aspects of the program.

Presidential honorary awards: Public recognition by the President of outstanding employee accomplishment or service would provide a valuable incentive to improved employee performance and would increase public understanding of the work of the Federal service. For example, a Presidential award might be made to the outstanding supervisor in Government each year. Under this legislation the President could establish such awards and provide for agency nomination of candidates for them.

Awards based on governmentwide savings: Monetary awards are now based only on savings achieved in the employee's own agency. Where a suggestion or an accomplishment produces savings in a number of agencies, this additional benefit is not considered in determining the amount of the award made to the suggestor. It should be possible to make equitable monetary awards based on the full savings to the Government.

Employee eligibility for awards: Cash awards for efficiency under title X and pay increases for superior accomplishment under title VII are now available only to employees under the Classification Act. Employees paid under wage-board authority and under the Postal Pay Act are not eligible for either of these types of awards. There appears to be no reason for limiting award eligibility for efficiency and superior accomplishment in this way; the practical value of such awards to the Government should be realized to the greatest practicable extent.

Elimination of salary-increase awards: Superior accomplishment awards under title VII of the Classification Act are pay increases of one salary step in the employee's grade. Since the amount of such a salary

step is greater in the higher grades, this results in awards according to base pay rate rather than according to achievement. Salary increase awards produce other inequities. Because they can be made only within the regular salary schedule their value depends also on the employee's salary step within the range for his grade. Depending on a number of factors not related to savings achieved or the employee's accomplishment, the net worth of a salary-increase award under title VII varies from practically nothing to $1,500 or more. Because of this inequity salary-increase awards should be eliminated and cash awards for superior accomplishment used in their stead.

Elimination of annual limit on total agency suggestion awards: There is now a statutory limit of $25,000 on the total cash awards an agency can make in any one year for adopted employee suggestions. The military departments are exempted from this restriction. The present limit has forced a curtailment of the awards program in the Veterans' Administration for several years. It will soon force curtailment in other agencies if the present rate of increase in the use of the suggestion program continues. This situation produces the undesirable effect of limiting the number of awards which can be made for worth-while suggestions.

Elimination of limit on individual cash awards for suggestions: There is now a statutory limit of $1,000 on any one cash award for an employee suggestion. The military departments are exempted from this restriction. At present an employee suggestion must have produced savings of $375,000 to warrant a $1,000 award. If the savings run into millions of dollars as has happened in some cases the award would still be $1,000. A recent survey shows that almost two-thirds of the private businesses that have suggestion systems place no maximum dollar limit on their awards. We believe that the amount of Government employee suggestion awards should also be directly related to resulting savings without arbitrary limits.

Maximum limit on other cash awards: Title X of the Classification Act places a maximum on cash awards of an amount equal to three salary steps within the employee's grade. This results in monetary awards based on rank instead of relative accomplishment. For example, for achieving savings of $3,000 a CPC–1 employee could be awarded a maximum of $180. A GS–5 employee, $375, and a GS–15 employee, $750. The present limitation diminishes the incentive value of the awards.

Awards for inventions: Existing statutory authorities provide for awards for employee inventions under some circumstances. These authorities differ in that they apply to different employee groups, and do not afford uniform treatment. In some cases private relief bills have been used to obtain rewards for an employee inventor. An interagency committee of the Government Patents Board has studied this problem and concludes that employee inventions should be covered under a governmentwide incentive awards program. Our proposed legislation would carry out the recommendations of the committee on this point.

Authority to make awards: Cash awards under title X of the Classification Act may be granted only by a top agency awards committee. In an active program this means that a burdensome workload falls on the central approving committee in large agencies such as the Department of Defense, Veterans' Administration, and the Post Office Department. The committee members with operating jobs do not always have the time required for careful review of awards recommendations and the effect of centralized approval is to delay consideration and thus impair successful operation of the awards program. Agencies should be authorized to make appropriate delegations of authority to approve awards in the interests of program efficiency and effectiveness.

During recent years the Government's awards program, even with its deficiencies, has produced large dollar savings and many important operating improvements for the Government. We believe that the proposed legislation would greatly increase the effectiveness of this program and thus further promote the administration's goal of increased efficiency and economy.

SECTION 1310 OF THE SUPPLEMENTAL APPROPRIATIONS ACT, 1952

Purpose

To repeal section 1310 of the Supplemental Appropriations Act, 1952, as amended by section 1302, Third Supplemental Appropriation Act, 1952 (Whitten amendment).

Justification

Section 1310 introduced restrictions on Federal personnel management soon after the sudden expansion of the Federal service as a result of the Korean emergency. Its objectives were (1) to prevent any increase in the number of permanent employees of the executive branch, (2) to prevent unduly rapid promotions, (3) to prevent overgrading of positions during the emergency, (4) to encourage transfer of employees to defense work, and (5) to protect the rights of permanent employees called to military service or transferred to defense activities.

While there has been general agreement with these broad objectives of section 1310, this administration believes that they can best be achieved through flexible administrative action rather than by law. The attempt to administer needed emergency restrictions by rigid legislative control has produced serious administrative problems and inequities to employees.

THE RULE OF FIVE IN SELECTION

Purpose

To authorize appointing officers to select 1 from 5 qualified candidates whose names have been certified to them rather than from only 3 in filling positions in the competitive civil service.

Justification

We believe that this proposal would improve the efficiency and quality of the Federal civil service. By almost doubling the appointing officer's range of choice it would make possible better matching of applicant's qualifications and personal characteristics with position requirements.

Under the rule of five regular civil service examining practice would be followed, with a list of qualified candidates being sent to the appointing officer. The only change involved would be that the appointing officer could select from among the top 5 instead of the top 3 qualified persons on the list. The basic principles and procedures of competitive merit and veteran preference, such as the current procedures on passing over veterans, would continue to be observed.

This proposal is in line with the first Hoover Commission's recommendation that appointing officers be given more leeway in the selection of personnel.

UNEMPLOYMENT COMPENSATION FOR FEDERAL WORKERS

It is understood that the Department of Labor is presenting recommendations to Congress with respect to legislative proposals for covering Federal employees under unemployment compensation. Accordingly, specific legislative language for this purpose is not included.

Purpose

To provide unemployment insurance coverage for Federal employees comparable to that granted to employees in private industry.

Justification

Financial protection against unemployment is particularly important for Federal employees because of the typical fluctuations in Government employment levels. In spite of general impressions to the contrary, the risk of unemployment is as great in Government as it is outside of Government. Government functions do not continue at a consistent level. Some activities become obsolete and are discontinued. Appropriations are cut and staffs are reduced accordingly. Certain activities are self-limiting or temporary. There is a constant movement of workers back and forth between Federal employment and private industry; the absence of unemployment insurance protection for Government employment places these workers at a disadvantage.

The employment statistics clearly show the great fluctuations in Government employment. For example, in June 1938 there were approximately 855,000 civilian employees in the executive branch of the Federal Government. As a result of the defense program and our entry into World War II, this figure increased to a peak of 3,770,000 in June 1945. After the war, Federal employment dropped until it leveled off at about 2 million by June 1950. As a result of the Korean conflict, Federal employment again increased to approximately 2,600,000 in June 1952. It has since declined to less than 2,400,000.

The recent reductions in force of Federal workers have reemphasized the need for extension of coverage under State unemployment insurance laws to these workers. In calendar year 1953, for example, there were approximately 155,000 employees who were involuntarily separated.

Unlike employees in private industry, these separated Government employees cannot apply for unemployment insurance to tide them over while they are seeking other work. In the past, these separated Federal workers have been forced to depend on their contributions to retirement funds and accrued annual leave for financial assistance while looking for other jobs. Neither of these sources of income can be regarded as a proper substitute for unemployment insurance. Recourse to annual leave accruals is an unintended use of the leave system which is designed for recreation purposes and for visits back home.

Separated Federal workers who are forced to withdraw their retirement contributions wipe out their rights to retirement pensions based on such service. Thus, to provide needed current income, they have to risk their future financial security. Even this source of income is not available to the more than 600,000 indefinite employees who are covered under old-age and survivors insurance rather than under the Retirement Act. It should be noted that the turnover in employment is especially heavy in this group of employees who have no retirement contributions to withdraw, and who, as a rule, have little or no accrued annual leave which can help tide them over a period of unemployment.

Pennsylvania State Council of Farm Organizations

EXTENSION OF REMARKS

OF

HON. PAUL B. DAGUE

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. DAGUE. Mr. Speaker, the members of the Pennsylvania delegation were honored on February 16 by a visitation from representatives of the Pennsylvania State Council of Farm Organizations. The group consisted of Messrs.

Joseph W. Hallowell, J. Collins McSparran, Beatty H. Dimit, Mark S. Hess, Clarence C. Smith, George W. Slocum, George Goodling, William S. Hagar, Albert E. Madigan, Joseph O. Canby, Ralph L. Culver, and M. K. Zimmerman.

In discussing the agricultural situation, the members of the council set forth their views in the following statement of policy:

We favor a strengthening of programs of research and extension with special emphasis on marketing.

We favor the continuation of cooperative programs of Federal and State Governments controlling diseases of plants and animals.

We favor a gradual reduction of price supports.

We favor the elimination of agricultural conservation payments.

We oppose the reclamation of new farm lands.

We favor economy in all branches of Government.

We favor the maintenance and strengthening of broad basic policies of Federal services to agriculture; the gradual elimination of direct subsidy to agriculture and all other segments of the national economy; and the adoption of a sound economic agricultural program designed to protect and preserve this basic industry.

We favor the elimination of the Federal tax of two cents on a gallon of gasoline.

We oppose the elimination of trip leasing of trucks by the Interstate Commerce Commission.

We favor agricultural representation on the committee appointed by the Secretary of Commerce which is to formulate the transportation policy of the administration.

Mr. Speaker, the members of the delegation who were present expressed themselves as being satisfied that the council speaks for a large portion of Pennsylvania farmers and took note of the fact that its membership is spread among this list of farm organizations:

PENNSYLVANIA COUNCIL OF FARM ORGANIZATIONS

Pennsylvania Flower Growers, Pennsylvania Horticultural Council, Pennsylvania Nurserymen's Association, Pennsylvania State Grange, Pennsylvania Association of Farm Cooperatives, Pennsylvania Farm Bureau Federation, Eastern States Farmers Exchange, Pennsylvania Horticultural Association, Interstate Milk Producers, Dairymen's League, Dairymen's Cooperative Sales Association, Pennsylvania Guernsey Breeders Association, Pennsylvania Crop Improvement Association, Pennsylvania Holstein Association, Pennsylvania Raw Milk Producers Association, Pennsylvania Mushroom Growers Association, Pennsylvania Dairy Goat Association, Pennsylvania Poultry Federation, G. L. F. Cooperative, Pennsylvania State Bee Keepers Association, Pennsylvania Christmas Tree Growers Association, Pennsylvania Association of Artificial Breeders Cooperatives, Pennsylvania Jersey Cattle Club, Pennsylvania Poland China Association, The Farmers Cooperative, Pennsylvania Society of Farm Women, Hampshire Swine Breeders Association, Chester White Swine Breeders Association, Lancaster County Tobacco Growers, Aberdeen Angus Breeders Association, Duroc-Jersey Swine Breeders Association, Pennsylvania Vegetable Growers Association, Pennsylvania Hereford Breeders Association.

Eight Hundred Dollar Increase Should Be the Bedrock Minimum

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I have requested a hearing by the Committee on Post Office and Civil Service on measures now pending. I understand a large number of Members have made similar requests and it will be a matter of weeks until all can be heard, making allowance, of course, for other witnesses, many of them from out of town.

Originally I had been scheduled by the committee to appear before it on February 16, 1954, and I so notified my constituents who had written me on the subject. I did appear on that date, only to learn that the Postmaster General by an unexpected development was before the committee for the entire time available. Pending the time when I shall be called by the committee, I am extending my remarks to include the statement I have prepared for delivery. It follows:

Mr. Chairman, members of the committee, I appreciate the opportunity to be here. I would be ashamed to go home and face honest people in the Federal service if while here I did not do everything within my power to advance legislation offering relief so long, so cruelly and so unfairly withheld. As I am not a member of the committee, this opportunity of voicing my convictions is doubly appreciated.

Mr. Chairman, I understand that close to 100 Members of the House will testify, some already have testified, for legislation proposed to give the fullest measure of justice to the Federal workers in the humble places. The $800 annual postal increase provided in the pending measure is the very least that any real friend of the postal workers can consider. In my considered opinion the minimum should be $1,000. As it has been put at $800 in the bill, no real friend of the postal workers should permit $800 to be used as a bargaining figure.

The fact that so many Members of the Congress are participating personally in these hearings is proof that the postal workers, indeed all of the Federal workers, have strength and power. These Congressmen would not be here in such unprecedented numbers if the American people from coast to coast were not behind the just demands of the Federal workers.

It is more important to us as a nation founded on principles of morality that we deal fairly and honestly with our faithful servants in the humbler places than that we balance the budget.

There are other ways of bringing the Post Office Department to solvency than committing grand larceny on the men and women who have made the United States post office a pattern throughout the world of efficient public service. These men and women are entitled to a minimum increase of $800. Every cent less than $800 that is given them is as money stolen from those who have earned it.

MATTER OF SOUND POLICY

I am here to recommend a favorable report on H. R. 2344 as a matter of sound business policy.

The business and industrial world depend for their daily functioning upon efficient mail service. Efficiency demands a trained, experienced personnel. Today postal service is suffering from a labor turnover that private business would not attempt to survive. Wages paid to postal workers cannot hold personnel against the wages which private industry can pay. The result is that the post office can neither attract ambitious youth nor hold experienced workers.

Recently 30,000 applications for Civil Service examinations were passed out in the Chicago area. Five thousand people were asked to take that examination; the post office hoped to get 100 out of the 5,000. Some of the main activities in mail distribution require an experience of at least 4 years for perfection.

If a complete working force is continuously drained of its help no efficiency can be developed and we all pay the cost. Experienced employees are leaving the service attracted by better pay elsewhere. Failure to attract energetic younger help and losing the experienced older employees means an eventual breakdown in the whole service. Letters coming into my office tell a story of discouragement and loss of morale that survey of the speed of mail (or lack of speed) fail to analyze.

RATION OF SKIMMED MILK

The 81st Congress gave to postal workers a ration of skimmed milk which it euphoniously called a "raise." Since then the gap between take-home pay and the cost of living has widened until the two are no longer within shouting distance of one another. Within the past year postal workers in the Chicago area have been faced with a series of increases. For example: (1) Rents have increased with the ending of rent controls; (2) real-estate taxes have jumped; (3) Illinois Central commuters' fares have increased 25 percent; (4) telephone rates are higher; (4) gas rates have increased; (6) streetcar fares have jumped. Increased costs of these items have been accompanied by increased costs of food and clothing. The postal worker must pay the increased costs of 1954 out of a salary that lagged behind the cost of living in 1952.

HUMAN SIDE APPEALS

There is however another side, the human side, to my appeal for an $800 increase in salary for postal workers. The American people whose charity has encompassed the globe and embraced both friend and foe, do not wish to be placed in the position of demanding that the postal workers shall serve them at the expense of their own home life, health, and security. Yet we Americans are pretty much in that position today.

Hundreds of letters coming into my office present a picture of which we cannot be proud. To eke out existence the postal worker must get a part-time job in another field, thus leaving him no time to spend with his family.

His wife must work. That means no mother to supervise their children or just to give them that which every child needs, a mother to greet them when they return from school and to help them with their homework. Instead the child of the postal worker must shift for himself after school. If, without supervision, he becomes one of our growing numbers of juvenile delinquents, that is too bad for them, but not for us?

I cannot hear our American fathers and mothers agree to such a thought.

WHEN ILLNESS COMES

The letters which I have received tell another story. The postal worker cannot save for emergencies. When they come, they mean cashing in on insurance policies, borrowing on other tangible goods and assets. To be sure the Letter Carriers Association operates a hospital and surgical program for which the letter carriers themselves pay. Experience with these plans shows that they are inadequate when major emergencies develop.

As a matter of good business, as well as in the name of humanity, I recommend a favorable report on H. R. 2344.

GREAT MERIT IN H. R. 2585

I recommend also the enactment of H. R. 2585. This is not a pay raise bill as such. It reclassifies supervisory employees in the field service of the Post Office Department into 36 step-rate grades comparable with those for other postal employees and employees in other Federal services.

Supervisory employees of the post office do not now have ingrade promotions comparable with other postal employees and employees in other Federal services. H. R. 2585, therefore, merely corrects an inequity and like H. R. 2344, will serve to improve the postal service.

Since supervisory experience does not count there is now no inducement for a man to remain in that branch of service. The Hoover Commission has recommended the adoption of the provisions of H. R. 2585 as a means of improving postal service.

IN CLASSIFIED SERVICES

H. R. 4556 and similar measures make various increases in compensation to employees in the classified services. One letter, which I have received, comparable to others in the same vein makes the following points:

"Both in the interest of justice to Government employees and in the interest of good government such a pay raise is urgently needed so that the Government may retain young and well-qualified employees. At the present time, inability to retain such employees is seriously affecting the efficiency of Government operations.

* * * * *

"As a meat-inspection employee, I am impelled to call your attention to the seriously inequitable rates of overtime pay for employees of Federal Meat Inspection. These employees are compelled to work probably more overtime than any other group of employees in public service. Many work over 60 hours per week and some as many as 70 hours at arduous tasks. Their overtime rate is much less than time and one-half and in most cases even less than straight time. I am not referring to high administrative officials but to routine inspectors. In my own case, my overtime rate is 60 cents per hour less than straight time. These rates result from the overtime law enacted in 1945 which provides for progressive reduction in overtime rates on salaries over $2,980 per year. A number of pay raises since that date have made the $2,980 figure entirely unrealistic and the present deplorable situation is the result.

"HOW INSPECTION WORKS

"Under the circumstances, employees feel that they are paying a large part of the cost of Government operations. This is particularly true in meat inspection where the Department of Agriculture collects $2.40 per man-hour from the packer receiving overtime inspection.

"Under this system the Department of Agriculture is encouraged to perform as much inspection as possible on overtime, as overtime inspection is not chargeable to the appropriation but to the packer, and to the extent that the rate is inequitable, to the employees.

"It is true that under an act approved July 24, 1919 (41 Stat. 241) the Secretary of Agriculture is authorized to pay overtime compensation to meat inspection employees at rates which he may determine and charge all overtime rates to the packer; but for years the Department of Agriculture has informed us that it would be contrary to good policy to pay its meat inspection employees a higher overtime rate than that paid to Government employees in general.

"Under these circumstances the Government is guilty of gross duplicity for, under the Public Contract Act, contractors engaged on public contracts are compelled by the Government to pay their employees full time-and-one-half rates for overtime, but the Government refuses to pay its own employees even straight time rates for comparable work. * * * It appears we can secure redress only through legislation."

IN CONCLUSION

Mr. Chairman, members of the committee, again I must express my appreciation of your courtesy in giving me this opportunity to speak my heart and mind in support of legislation proposed for the betterment of the conditions surrounding the Federal employment. I trust that the action of the committee will be favorable and thus consistent with the great weight of American public opinion.

A Columbus Memorial Commission Should Be Established

EXTENSION OF REMARKS

OF

HON. PETER W. RODINO, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. RODINO. Mr. Speaker, no man, by his character and accomplishments, is more worthy of honor than Christopher Columbus; and no country on earth is more happily obligated to do him honor than our own United States. We honor him for what he was and we honor him for what he did.

Character and accomplishments usually go together. The one is the result of the other. When we consider carefully those traits of character which made Columbus remarkable in what he undertook and in what he achieved, we may be surprised, though we ought not to be, to find in him an epitome of our typical American character that has brought us as a nation into world leadership. In that sense Columbus was the first American.

He had imagination. He was gifted with vision. He saw when others were blind, and looked ahead with anticipation where others failed to look at all. His westward-directed gaze that brought him to the New World was continued by the early settlers, and it carried them across the continent. They builded as they went, always guided by that constructive imagination that is the source of all great achievement.

Columbus was a modern American also in his use of scientific knowledge and instruments. His imagination, of which we have spoken, was not a wild undisciplined daydreaming, but was an originality stemming from and nurtured by the best science of his time—science in distinction from superstition and folklore. He was the "Connecticut Yankee" of his age.

To a scientifically disciplined originality he brought the quality of high courage. He would risk his life and his reputation on his westward hopes. And he had the power of imparting this courage to all about him who were not absolutely immune. This is the prime quality of leadership. It is what has made America and Americans great. Columbus had it.

And it was a courage that did not falter nor fail in the face of difficulty, delayed success, or even apparent defeat. Columbus displayed what has come to be a characteristic American quality—persistence in spite of difficulty and opposition. He has become the very symbol of persistence, the embodied ideal of those who sail on and on when others would turn back.

A chief source of those qualities may be found in his faith. Columbus had faith in God. He believed that God had a plan for the world as well as for him personally, and that he was working in partnership with God and in accordance with His Providence. He expressed this idea clearly to Queen Isabella. His faith explains his courage and his persistence. One who is in league with the Eternal cannot know base fear. A sense of duty and of destiny forbade him to quit. So has America progressed in the centuries since. And we as Americans have nothing to fear unless we lose that power which is born of faith.

There is still need in this old world for leadership based on originality, imagination, science, courage, persistence, and faith. We hope that it may continue to characterize our own dear land. Truly Columbus was the epitome of our American character. We are the beneficiaries and the continuators of his work. No other land can more fittingly do him honor.

Many of us feel that the time has come to erect a fitting national memorial to Columbus here in the Capital City of our Nation. It is true that there is an exquisite little monument over in front of Union Station, of a type and size suitable for a small city. We want a Columbus Memorial Commission appointed to consider plans for a monument of national proportions, a monument which in size and design and position will do justice to the man in whose honor it is erected and also to the Nation building it.

Some days ago a writer in one of the Washington papers suggested that this proposition was originated and promoted because the Senators and Representatives concerned were ignorant that there is a monument of Columbus at the Union Station. The article named Congressmen who denied such ignorance and one who admitted the charge.

Now, let me ask you, What stronger evidence could be adduced to indicate the inadequacy of the little monument at Union Station than the admission of a Congressman that he did not know of its existence? It would be interesting to know what a poll of the city of Washington would reveal concerning the percentage of residents who have never heard of the beautiful little memorial at Union Station. It is time we had one that people would know about, and I believe that a properly constituted Memorial Commission is the best approach to the problem.

Seaboard: A Good Citizen

EXTENSION OF REMARKS

OF

HON. JOHN L. McMILLAN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. McMILLAN. Mr. Speaker, for many years I have been interested in sound programs of conservation. A real cooperator toward that end in the territory it serves is the Seaboard Air Line Railroad Co. This company has been most active in forestry development work throughout the Southeast in the States of Virginia, North Carolina, South Carolina, Georgia, Florida, and Alabama. The Seaboard has taken the lead in this work with vocational agriculture forces through such groups as Future Farmers, Young Farmers, and veterans enrolled in the institutional on-the-farm training program.

This company has just completed the first in a series of programs for 1954, a cooperative forestry demonstration held near Starke, Fla., and which was witnessed by more than 500 farmers. Appearing as guest speaker on this program was my good friend and colleague, the Honorable D. R. (BILLY) MATTHEWS.

An editorial which appeared in the Claxton Enterprise, of Claxton, Ga., brought out forcibly the efforts of this company in education work:

SEABOARD: A GOOD CITIZEN

Last Wednesday's forestry demonstration in Hagan brought over 500 farmers, Future Farmers, and others to see the latest methods and ideas in handling one of the largest crops in this country. It was planned and executed by Bob Hoskins, industrial forester of the Seaboard Air Line Railroad Co., with the help of Ellis Sikes, vocational agriculture instructor of Claxton, James Brannen, county agent for Evans County, and District Forester Walter Stone of the Georgia Forestry Commission.

The Seaboard, in selecting Evans County and putting its full efforts, publicity and manpower toward making this demonstration a success, has shown to be a first rate member of this community.

In advance of what a lot of farmers are gradually realizing, they know that timber resources are one of our greatest assets. We are centrally located, have plentiful supplies, and intelligent farmers who can carry out the new and best practices being developed.

The Seaboard's industrial men have seen our best side and are bending every effort to develop and help our prosperity. Like any other good citizen, they realize that we must each one do the most we can to improve our community, for, in the long run, we will all benefit. We appreciate their efforts.

Approximately 1 year ago I had the pleasure of appearing as guest speaker at a similar demonstration held at Mullins, S. C. This demonstration was also sponsored by the industrial department of the Seaboard Air Line Railroad Co. in cooperation with the vocational agriculture department of Mullins, the South Carolina Forestry Commission, and the Extension Service. At this particular meeting more than 600 farmers were in attendance.

Participating on this program were Warren T. White, assistant vice president of the Seaboard Air Line Railroad Co.; R. D. Anderson, associate director of vocational education for South Carolina; A. E. Kunz, district forester, South Carolina Forestry Commission; C. Hall, extension forester; H. L. Stoudemire, agriculture teacher at Mullins; and Bob Hoskins, industrial forester, Seaboard Railroad, who was in charge of the program.

Considerable emphasis was placed on timber stand improvement, which practice can be carried on by the farmer during his slack season and which yields a number of valuable forest products. The effectiveness of such programs has played a major role in the increased production of pulpwood in Marion County. Pulpwood production for Marion County for the years 1949–51—based on information contained in Forest Survey Releases Nos. 35, 69, 38—was 4,790 cords, 6,039 cords, and 7,982 cords, respectively. Following the forestry demonstration in January 1952 the production increased to 13,674 cords—nearly double the production for 1951. According to E. C. Pickens, assistant State forester in charge of management, South Carolina State Commission of Forestry, during the past 18 months the increase in requests from Marion and Horry Counties was sufficient to interest the county forestry board and legislature members from the 2 counties to request additional professional forestry assistance for their areas. A bill was introduced in the State legislature in the spring of 1952, and passed, providing for an additional forester to be hired to work Marion and Horry Counties, primarily in forest-management activities. This forester assumed his duties on July 15, 1953, with headquarters in Conway. The request for seedlings in Marion County increased in 1952–53 over that for the past 2 years.

The Seaboard Air Line Railroad has shown itself ready to help strengthen and develop its territory economically through sponsoring and promoting sound forestry.

High Rents

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I am most unhappy to have to report to the House a growing volume of complaints coming to me from renters in the south side district of Chicago which I represent.

Henry Wilson, of the office of the corporation counsel in Chicago, calls my attention to 3 cases, in 2 of which the tenants are now looking for homes in the suburbs. Mr. Wilson writes:

Movement to the suburbs is not by homeowners but by tenants; high rents not high taxes is the primary reason. The grumbling one hears indicates that the cases submitted to you by me in this letter are not isolated ones. In many areas throughout the country tenants will be at the mercy of landlords for some time to come. The complete removal of controls is one of the mistakes the Republican Party will pay for next November.

FACTS IN THREE TYPICAL INSTANCES

Cases cited by Mr. Wilson are:

Case No. 1: Tenant has occupied an apartment in this 13-apartment building for 17 years. After meeting previously allowed increases, he is now asked to pay a $42 a month increase (from $78 to $120). In April 1953 he was compelled as shown by enclosed receipted bill to pay $168 for decorating.

Case No. 2: Tenant moved into apartment in August 1953 after paying $300 to clean and decorate. He is now asked to pay an increase of $52 a month (from $68 to $120), failing to do, he must vacate.

Case No. 3: Tenant has occupied an apartment in this 19-apartment building for 20 years. She is now asked to pay increased rent from $62.50 to $90 under a lease running only to next September 30, indicating another raise at that time.

Mr. Wilson continues:

From these cases you can see the whole picture. The enclosed rent receipts and notices of increases are contrary to the publicized real estate board's denials and are substantial evidence of what is happening in Chicago. In view of the Chicago Real Estate Board's assertion that rents are now stabilized and that increases of more than 5 to 10 percent are not warranted you may wish to consider the advisability of introducing a new rent control bill, providing that rents shall not be increased more than 10 percent over the amount of rent paid on January 1, 1954.

PREPARING FOR THE STORM

Mr. Speaker, in the first session of the 83d Congress I pleaded with my Republican colleagues on the Banking and Currency Committee to have confidence in the President of the United States to the extent of giving him the authority to reimpose rent controls in the event of necessity. With an economic storm even then building up, I thought it nothing short of folly to leave real estate entirely without any stabilizing protection against price gouging.

I pointed out to my Republican colleagues that while the first to suffer would be the tenants it would not end there. The hardest hit in the long run would be the honest holders of equities in real-estate properties. It happened in the early thirties, when real estate investments were washed away as completely as though hit by a tidal wave. As surely as night follows day it will happen again if heed is not given to the experiences of the past.

The crash of the late twenties and early thirties could have been averted. If we are to have another such devastating disruption of our economic life, a good deal of the blame will be on Republicans who refused to trust their own Republican President with emergency authority to act promptly and effectively in the presence of an emergency.

The Chicago Real Estate Board has recognized the truth in my contention. The board knows that unfair and unreasonable rent demands on the whole do more mischief to property owners than to tenants. When the demands are by the necessities of the moment agreed to, false real-estate values are created

since the manner of fixing a sales price is by multiplying the total gross rentals. Excessive rentals, geared to high wages and overtime, of course, can be paid only as long as wages continue high and there is extra pay for overtime. Usually, the price-gouging owners sell when total gross receipts are at high level and it is the new owners who are left holding the bag when unemployment comes, and, even though wages continue fairly high, overtime is eliminated, and in consequence, there is a material reduction in family income.

The Chicago Real Estate Board strives as best it can to preserve the stability of real estate. I am told it has taken the position that rent increases this spring should not reflect an increase of more than 5 or 10 percent. Unfortunately, however, the board cannot control the actions of any landlord who insists upon having things his own way regardless of the ultimate disaster to befall.

If the Republican members of the Banking and Currency Committee had been disposed to place their trust in the President of the United States, as I had suggested, and the rent-control bill introduced by me had been approved and passed, neither the Chicago Real Estate Board nor tenants in the classification described by Henry Wilson would be in the present unhappy position.

This is decidedly no time for anyone to attempt a boat-rocking stunt. Make no mistake, we are in a storm. If real estate starts sinking as it did in the early thirties we are well on our way to the big depression all over again. It must not happen. A depression destroys not only property but hope itself.

Whether he knows it or not, every landlord who goes it alone, despising his tenants' appeals to reason and the real-estate board's counsel of caution, is contributing to an economic engulfment from which he can have no hope of being spared.

Mr. Speaker, my conscience would not be easy if I did not do everything in my power to protect the American home, on the level of both ownership and tenancy, from the storm now gathering and which we are told will become more severe before its abatement. Consequently, I shall introduce this week a bill reestablishing Federal rent control on this simple basis. First, no rent either of residential or of commercial property to be more than 10 percent greater than that obtaining on December 31, 1953; and, second, the law to become effective and operative in any community only when and if the President of the United States declares the existence of an emergency and an urgent necessity in the public interest.

There is nothing drastic in this. It is as much common sense as carrying an umbrella when the skies are heavy. If it does not rain you do not have to open the umbrella. If the President thinks he can keep things from busting wide open, he does not have to use the power my bill would give him. It is just that simple. It can be the means of stopping a recession becoming a depression.

But voting for it, of course, does require of a Republican that he put his faith in President Eisenhower. Not many of my colleagues on the other side of the aisle were disposed in the first session to go that far in faith revelation.

Bill Amending Reclamation Contract Repayment Law

EXTENSION OF REMARKS

OF

HON. CLAIR ENGLE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. ENGLE. Mr. Speaker, I have today introduced a bill to settle some of the long controversy in regard to contracts under section 9 (e) of the 1939 reclamation law.

This bill relates to the administration by the Secretary of the Interior of section 9 of the Reclamation Project Act of 1939. Its purpose is: First, to provide for renewal of contracts under section 9 (e), second, assure credit toward repayment and eventual repayment of construction costs; and third, give assurance of permanent water service.

The bill provides that a long-term contract entered into under section 9 (e) of the 1939 act could be renewed by the Secretary of the Interior, at the request of the other contracting party. Such renewal would take into consideration increases or decreases in construction, operation, and maintenance costs and improvement or deterioration in the contracting party's repayment ability.

There are two provisions in the bill which assure credit toward repayment and eventual repayment of construction costs. First, the bill provides that any contracting party entering into a long-term contract pursuant to section 9 (e) will be credited each year, toward repayment of construction costs, with the amount paid in excess of the operation and maintenance expenses. After the sum of such credits is equal to the amount established as the party's appropriate share of the construction cost, then no construction component will be included in the water charges. Secondly, it provides that a long-term contract entered into under section 9 (e) can be converted to a contract under section 9 (d) at such time as the amount of the construction costs remaining to be repaid can be repaid within the term of a contract under section 9 (d).

With respect to assurance of permanent water service, the bill provides that any party to any contract entered into pursuant either to section 9 (e) or section 9 (d) will have first right to a stated share of the project's available water supply during the term of the contract or any renewal thereof. Upon completion of payment of that part of the construction cost assigned for ultimate return by the contracting party, the right to a stated share of the project's water supply would become permanent.

REA Loan Funds

EXTENSION OF REMARKS

OF

HON. LEE METCALF

OF MONTANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. METCALF. Mr. Speaker, a recent news story quoted a Rural Electrification Administration official—believe it was Deputy Administrator Fred Strong—as saying REA will wind up this fiscal year June 30 with $45 million it cannot lend anyone.

This, the United Press dispatch continued, may lead REA to ask Congress for the second straight year to curb its generosity in voting loan funds for rural electric cooperatives.

I am at a loss to understand how REA can say it has more money than it can use—while at the same time the agency is stalling applications for loans.

This year, REA's new authorization was $135 million. There was a carryover of $30 million. REA rescinded $15 million of old loans, and there was a $45 million contingency authorization.

With a total available of $225 million, the agency laid down a planned loan program of $135 million, or $90 million less than was available. There was a planned carryover of $45 million. And it was planned to let the $45 million contingency revert to the Treasury.

The law provides that 50 percent of new money must be allocated among the States on the basis of the number of unelectrified farms in that State as a percentage of the total unelectrified farms in the Nation. The other 50 percent is allocated among the States at the REA Administrator's discretion—provided that no State gets more than 10 percent. Carryover funds are subject solely to that second requirement.

One Montana cooperative, seeking a loan, was told recently that more loan applications had been received from cooperatives in Montana than there were loan funds allocated to our State for loan purposes during fiscal 1954, and that therefore REA could not promise to consider the application this fiscal year.

I called the National Rural Electric Cooperative Association and asked if there were other such cases. I was told that 48 systems have had loan applications for $36 million pending with the REA for what the applicants consider an unreasonable length of time.

It may be that applications from Montana cooperatives have exceeded the allocation. It would be an amazing coincidence if this were true in every other State represented by the cooperatives whose applications have been pending for some time.

Had this year's planned loan program been based upon the total available instead of $90 million less than that, perhaps these 48 systems would not now be standing in line, hats in hand—and the REA might not be able to say truthfully that it has $45 million it cannot lend to anyone.

The news article follows:

[From the Washington Post of February 17, 1954]

FORTY-FIVE MILLION DOLLARS IN REA FUND GOES BEGGING

The Rural Electrification Administration will wind up the current fiscal year June 30 with $45 million it can't lend anyone, an official said.

This may lead REA to ask Congress for the second straight year to curb its generosity in voting loan funds for rural electric cooperatives.

REA last spring asked Congress to authorize $90 million for new electrification loans. With available holdover funds, the agency planned to lend $135 million this fiscal year.

Congress decided that wasn't enough and voted $135 million in new funds, making $180 million Congress pressed into the Agency's hand.

REA just didn't use the extra money. The surplus on hand June 30 will equal the $45 million Congress pressed into the agency's reluctant hand last year.

Fight To Save "Olympia," Dewey's Flagship, in Naval Victory at Manila Bay

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, February 25, 1954

Mr. O'HARA of Illinois. Mr. Speaker, I am extending my remarks to include a statement prepared by me for presentment to the Committee on Armed Services on the occasion of my appearance before that distinguished body in support of H. R. 6815, a bill introduced by me for the restoration of the U. S. S. *Olympia*. The *Olympia* was Admiral Dewey's flagship in the memorable naval victory in Manila Bay on May 1, 1898. Her last mission was to bring home to his own United States the Unknown Soldier of World War I.

H. R. 6815 provides that the *Olympia* shall be berthed permanently in or adjacent to Chicago, a gracious recognition of the large contribution of the Middle Western States to the Navy of the United States.

The statement follows:

Mr. Chairman and gentlemen of the committee, I appreciate the opportunity of speaking in behalf of H. R. 6815 and your graciousness in according place on your calendar to an item of sentiment.

The enactment of H. R. 6815 will not add to the material strength of the defenses of our country. The U. S. S. *Olympia* never again will ride the waves in line of battle. Repair, equip, and restore her with all the skill of modern engineering and construction and you cannot bring back the majesty and the power of the past.

Her place now is in that imperishable fleet of American naval traditions. American youth of my generation, of preceding and succeeding generations, have been brought up on those traditions of American ships and American sailors. So may it continue. May the blood of young America never cease to tingle at recital of naval victories from *Old Ironsides*, from the *Olympia* under Dewey at Manila, to the climaxing and never equaled triumphs of World War II that gave to these United States the supremacy of the seven seas.

I believe in the power of monuments and of memorials in the shaping of a national character in the molds of a patriotic nobility. Nowhere better than in Washington are we brought to realize the vitalizing and inspiring effects that are produced. Daily I have watched the visitors, young and old, coming to Washington as to a national shrine, eagerly making the rounds of the statues and the monuments and the sites of great historical import. Never have I seen on any face any expression save that of respect, usually one approaching the look of religious awe. Mr. Chairman, I know as all my colleagues know that the best way to make good Americans even better Americans is to prove that a good American who has done much for his country is not forgotten when he is dead.

The U. S. S. *Olympia* was Admiral Dewey's flagship at Manila Bay. It was at Manila Bay on May 1, 1898, that Dewey, commanding the *Olympia*, electrified the world and started our country on the road to world destiny by a quick and decisive defeat of the entire Spanish fleet in the Pacific.

HER LAST MISSION

I shall return to the narrative of the years of sea service of the *Olympia*, but first I wish to mention her last mission. It was in September of 1921 when she was assigned the duty of bringing home for burial in Arlington Cemetery the Unknown Soldier, representative of the heroes of the American Forces of the World War. She left Philadelphia Navy Yard on this mission on October 3, 1921, reaching Plymouth on October 16, 1921. She arrived at the Washington Navy Yard on November 9, 1921 with the Unknown Soldier. In 1922 the *Olympia* was placed out of commission.

As the last remaining veteran of the Spanish-American War in the National House of Representatives, I have a natural, and I trust an understandable interest, in the preservation of the *Olympia*. As a veteran of World War I, I am sure I will be joined by all the veterans of that war, many of whom are serving in the House, in the desire to preserve the ship that brought home the Unknown Soldier. As an American I have the faith that I am joined by all other Americans in the prayer that the *Olympia* will be saved as a continuing inspiration to the good deeds of patriotism.

TO BE BERTHED IN CHICAGO

House bill 6815 provides that the *Olympia*, after restoration, shall be berthed in or adjacent to the port of Chicago, provided such is, in the determination of the Secretary of the Navy, feasible, otherwise in Philadelphia Navy Yard. I can assure the committee that the permanent presence of the *Olympia* in the Chicago area would be greatly appreciated by the people of the great Middle West. We are proud, Mr. Chairman, of the large contribution made to the Navy of the United States by personnel coming from the States of the Middle West and many of it passing through the Great Lakes Naval Training Station. We venture the thought that the Navy would derive much satisfaction from the permanent berthing of this historic vessel in the waters in or adjacent to Chicago.

In the event, however, that the location in the Chicago area should not be feasible in the determination of the Secretary of the Navy, my bill provides for the permanent berthing in the Philadelphia Navy Yard. It is all a matter for the Secretary of the Navy to decide.

HISTORY OF U. S. S. "OLYMPIA"

The *Olympia*, protected cruiser, was built at the Union Iron Works, San Francisco, Calif. Authorized on September 7, 1888, her keel was laid in 1890. Launched November 25, 1892, and named for the capital city of the State of Washington. She was commissioned on February 5, 1895.

Her dimensions are: Length overall, 344 feet 1 inch; breadth on waterline, 53 feet ½ inch; normal displacement, 5,865 tons; speed, 21.69 knots; armament, ten 5-inch, 51-caliber, two 3-inch, 50-caliber, antiaircraft; complement, 34 officers, 346 men.

After service as the flagship of Rear Adm. F. V. McNair, from 1895 to 1898, cruising in waters of Japan, China, and Sandwich Islands, the *Olympia* became the flagship of Adm. George Dewey in command of the Asiatic squadron on January 3, 1898, Capt. G. V. Gridley, United States Navy, commanding.

On May 1, 1898, at the Battle of Manila Bay, the *Olympia* led the attack on the ships of the Spanish squadron. Admiral Dewey in his autobiography states:

"At 5:40 when we were within a distance of 5,000 yards, I turned to Captain Gridley and said 'You may fire when you are ready, Gridley.' While I remained on the bridge with Lamberton, Brumby, and Stickney, Gridley took his station in the conning tower and gave the order to the battery. The very first gun to speak was an 8-inch from the forward turret of the *Olympia*, and this was the signal for all the other ships to join in the action. The action lasted from 5:41 a. m. (with an interruption of 3 hours) until 12:30 p. m. and ended in the destruction of the enemy's vessels."

On account of the ill health of Captain Gridley, Comdr. B. P. Lamberton was ordered to take command of the *Olympia* in June 1898. The vessel continued with the Asiatic Squadron until she went out of commission November 8, 1898, at the Navy Yard, Boston, Mass.

In January 1902, the *Olympia* was recommissioned under command of Capt. H. W. Lyon, and joined the North Atlantic Squadron as flagship in April 1902.

From December 1903 to April 1904, the *Olympia* was protecting American interests and lives in Panama, going on the same service in June to Smyrna and Turkey. In May 1905, and from July to December 1905, she was on a similar mission in Dominican waters.

OUT OF COMMISSION

This vessel was placed out of commission on April 2, 1906, at the Norfolk Navy Yard, but was recommissioned on May 15, 1907 and cruised with the midshipmen from the Naval Academy. Placed in reserve at Annapolis and later taken to Charleston, S. C., where she remained in ordinary until 1916.

When the United States entered the world war, the *Olympia* was en route from St. Thomas, V. I., to the Norfolk Navy Yard. A week later she was designated flagship of the United States Patrol Force (commander of the Patrol Force, Rear Adm. Henry B. Wilson, and Capt. Waldo Evans, in command of the *Olympia*).

She was employed in patrol duty off the coast of Nova Scotia and ocean escort for British merchantmen en route to and from New York and the war zone. On April 28, 1918, she sailed from Charleston for Europe, arriving on May 20 at Scapa Flow, Scotland, and arrived at Murmansk, Russia, May 24. She transported Lieutenant General Poole, of the British Army and a small detachment of troops. They drove off an attack at Pechenga.

On June 8, 1918, the *Olympia* sent a detachment 150 strong to Kandalaska to assist in guarding that point. When the Murmansk Government broke with the Bolsheviki allied troops landed in Murmansk. In August a detachment from the *Olympia*, under Captain Bierer, took part in the successful expedition against Archangel. This same detachment, under Lieutenant Hicks,

bore their share in the pursuit of the retreating Bolshevists to the interior, having some hard fighting.

CRUISE OF BLACK SEA

In December 1918 the *Olympia* became the flagship of the Commander, United States Naval Forces, Eastern Mediterranean, visited ports along the Adriatic and made a cruise of the Black Sea.

In September 1919, the *Olympia* was under way for Trau, Dalmatia, having been informed by the Italian senior naval officer present of the occupation of Trau by renegade Italian troops from the Italian-occupied zone, which he urged the United States naval authorities to induce to return to the Italian zone prior to an inevitable clash of arms with the Serbian military authorities. Arriving at Trau, a landing force of 101 men and officers disembarked. The mission having been accomplished, the landing force returned to the ship which returned to Spalato the same evening.

On November 7, 1920, *Olympia* assisted in the delivery to the Italian Government of the ex-Austrian battleship *Radetzsky* and ex-Austrian battleship *Zrinyi*. These two vessels held in trust by the United States after the armistice were towed out to sea and delivered to the Italian authorities as per agreement.

At Ragusa, Dalmatia, assisted in caring for refugees who had landed there and were in desperate circumstances due to hunger, lack of shelter, and the outbreak of typhus and smallpox. The ship distributed fuel, soap, clothing and food and the medical officer cared for the sick.

The *Olympia* remained in European waters until May 4, 1921, when she left for the Philadelphia Navy Yard. She participated in the bombing exercises of the ex-German ships *Frankfort* an *Osterfriesland*.

In September 1921 she was assigned the duty of bringing home for burial in Arlington Cemetery the Unknown Soldier, representative of the heroes of the American forces of the World War. She left the Philadelphia Navy Yard on this mission on October 3, 1921, reaching Plymouth October 16. She arrived at the Washington Navy Yard on November 9, 1921, with the Unknown Soldier, where she was met by representatives of the Army and Navy and the other services.

In 1922, the *Olympia* was placed out of commission.

During the Sesquicentennial Exposition, visitors to the exposition were admitted to the *Olympia* as part of the Navy's exhibit at that celebration.

SINKING OF THE "MAINE"

Mr. Chairman, it was the sinking of the *Maine* in Havana Harbor on February 15, 1898, that brought on the war with Spain. Four and a half months after the sinking of the *Maine*, Dewey with the *Olympia* as his flagship had wiped out the entire Spanish fleet in the Pacific. I ask consent to include in my remarks the complete roster of men who went down with the *Maine*. The list is of officers, sailors, and marines who were killed or drowned or subsequently died of their injuries. My purpose in including this list of heroes at this time is to emphasize the fact sometimes glossed over by some that no one group, no one sect, no one nationality has a monopoly on American heroism. These are the names of the 266 who died on the *Maine* 56 years ago. Anglo-Saxon names and Japanese names, Irish names and Jewish names, German names and Scandinavian names, Italian names and a Korean name, names of men of all colors, of many faiths and countries of origin, names now that glorify the roll of American heroes who went to their deaths 56 years ago.

The list follows:

"F. W. Jenkins, assistant engineer; D. R. Merritt, lieutenant junior grade; John T. Adams, James P. Aitken, John Anderson, Holm A. Anderson, Charles Anderson, Gustav A. Anderson, John Anderson, Alex C. Anderson, Frank Andrews, Abraham Anfindsen, Bernhard Anglund, Harry Auchenbach, John P. Barry, Lewis L. Barry, Henry S. Baum, Jakob Becker, John R. Bell, Fred Blomberg, John Bockbinder, Fritz Boll, James Boyle, Leon Bonner, Heinrich Brinkman, Arthur Brofeldt, Adolph C. Bruns, Edward Burns, Robert Burkhardt, Frederick F. Butler, Thomas Caine, Walter Cameron Herbert M. Carr, Wm. R. B. Caulfield, Suke Chingi, Charles A. Christianse, Thomas Clark, James C. Clark, Michael Cochrane, Thomas M. Cole, William Coleman, Wm. Coleman, Anthony Conroy, William Cosgrove, Charles Curran, Berger Dahlman, Charles Dennig, Wm. Donoughy, James Drury, George Edler, Charles F. W. Eiermann, Andrew V. Erikson, John P. Etts, Karl Evensen, Charles F. J. Fadde, Rudolph Falk, George D. Faubel, William J. Fewer, Trubie Finch, Frank Fisher, Alfred J. Fisher, Michael Flaherty, Lewis M. Fleishman, Patrick Flynn, John Fougere.

"Bartley Fountain, Charles Frank, James F. Furlong, Patrick Gaffney, Frank Gardner, Thomas J. Gardner, Wm. H. Gorman, Joseph F. Gordon, James A. Graham, Edward P. Graham, Patrick Grady, Wm. A. Greer, Michael Griffin, Henry Gross, Reinhardt Grupp, John A. Hallberg, Wm. Hamberger, Charles A. Hamilton, John Hamilton, Wm. Hanrahan, Edward Harris, Milliard F. Harris, Daniel O. C. Harley, Thos. J. Harty, Charles F. Hassell, Charles Hauck, Howard B. Hawkins, Albert B. Hennekes, Benjamin H. Herriman, Frederick Z. Holzer, Gustav Holm, Alfred J. Holland, Wm. J. Horn, Wm. L. Hough, Patrick Hughes, Otogiro Ishida, Peter C. Johansen, Charles Johnson, George Johnson, John W. Johnson, Peter Johnson, Thomas J. Jones, Harry Jectson, Carlton Jencks, Frederick L. Jernee, Charles F. Just, Michael Kane, John A. Kay, Hugh Kelly, John Kelly, Alexander Keskull, Harry J. Keys, Fritz Kihlstrom, Frederick E. Kinsey, Thomas F. Kinsella, Yikichi Kitagata, Frederick H. Kniese, George W. Koebler, Charles Kranyak, Hugo Kruse, Charles Laird, William Lambert, Luther Lancaster, George Lapierre, Edward Lawler.

"James M. League, William J. Lee, Daniel Leene, Samuel Lees, Gustav Leupold, John B. Lewis, Daniel Lewis, George Lieber, Jorgen J. Lorenzen, James Louden, Clarence E. Lowell, William Lund, John T. Lydon, Matthew Lynch, Bernhard Lynch, Benjamin L. Marsden, Johan Martensson, James H. Mason, Carl Matiasen, John Matza, Hugh McConigle, John J. McManus, Francis J. McNiece, Elmer M. Meilstrup, John Merz, Eldon H. Mero, George Miller, William S. Miller, George Mobles, Edward H. Moore, William Montfort, Gerhard C. Moss, John H. Moss, Noble T. Mudd, Cornelius Murphy, Tamekicki Nagamine, Sophus Nielsen, John C. Nielsen, Charles M. Nolan, William Noble, Mas Ohye, Gustave C. Ording, James O'Connor, Thomas J. O'Hagen, Patrick O'Neill, Henry M. O'Regan, Frederick Paige, John Palmgren, Robert Perry, Francis C. Phillips, James Pinkney, John Porter, John Powers, Daniel Price, Thomas J. Quigley, Charles P. Quinn, Joseph Reilly, William A. Reiger, Newell Rising, Wm. Henry Robinson, Peter Roos, William Rushworth, Clarence E. Safford, Michael E. Salmin, August Schroeder.

"Charles A. Scott, Joseph Scully, Joseph Seery, Walter S. Sellers, Patrick J. Shea, Thomas Shea, John J. Shea, Owen Sheridan, John H. Shillington, Alfred Simmons, Carl A. Smith, Nicholas J. Smith, Nicholas Stevenson, Isa Sugisaki, Frank Sutton, Kashitara Suzuki, Frank C. Talbot, Daniel J. Tehan, George Thompson, Frank B. Tigges, William H. Tinsman, Constantin Todoresco, Thomas Troy, Martin Tuohey, Joseph F. Walsh, John Wallace, John Warren, Charles O. White, Robert White, George W. Whiten, Johan E. Wickstrom, Albert Wilson, Robert Wilson, George W. Wilbur, John H. Ziegler.

"Marines: Henry Wagner, first sergeant; John Bennett, Vincent H. Botting, George Brosnan, James T. Brown, James R. Burns, John H. Dierking, Michael J. Downing, Charles E. Johnson, William J. Jordan, Edward F. Kean, Frank Kelly, George M. Lauriette, Peter A. Losko, Joseph P. Monahan, John McDermott, C. H. Newton, F. J. Newman, A. H. Richter, James H. Roberts, Joseph Schoen, H. E. Stock, James Strongman, E. B. Suman, E. B. Timpany, H. A. Van Horn, Asa V. Warren, A: O. Wills."

Mr. Chairman, I trust that the committee will act favorably on the proposal to preserve the *Olympia* as a reminder of the glory of the past and as an inspiration to brave deeds and noble thoughts in the years ahead.

SENATE

FRIDAY, FEBRUARY 26, 1954

(Legislative day of Thursday, February 25, 1954)

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

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

Our Father God, who givest the day for work and the night for repose, grant to us a deep sense of Thy presence in the return of this morning hour when duty, that stern echo of Thy voice, calls Thy servants, these representatives of the public good, again to counsel for the Nation's weal. Despite earthborn clouds of misunderstanding and suspicion, keep us from the cynicism that corrodes and from the blight of disillusionment. In all our ways make us ever loyal to that high adventure which seeks the larger, nobler design for our struggling race to live together according to Thy will for the good of all. In the dear Redeemer's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., February 26, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. DWIGHT GRISWOLD, a Senator from the State of Nebraska, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. GRISWOLD thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, February 25, 1954, was dispensed with.

MESSAGE FROM THE PRESIDENT

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