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Congressional Record

PROCEEDINGS AND DEBATES OF THE 83d CONGRESS, SECOND SESSION

SENATE

THURSDAY, APRIL 1, 1954

(Legislative day of Monday, March 1, 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:

God of all grace and beauty, we thank Thee for eyes to see and for hearts to thrill at every sacrament of loveliness, as again the good earth clothes itself in the blooming garb of spring. We come praying for Thy mercy and Thy cleansing pardon that a right spirit may be renewed within us and that we may yearn for spiritual integrity above all the tinsel of material things. Deliver us from the selfishness which shrinks the soul, from the hatred which eats like a canker, from the impurity which blinds eyes to Thee and the godlike, and from the unbelief which dims the splendor of the glory life may hold.

We pray Thy benediction upon these servants of the public weal as they ascend this hill of solemn responsibility. May they stand in this holy place of stewardship with clean hands and pure hearts, not lifting up their souls to vanity nor swearing deceitfully. 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., April 1, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. HERMAN WELKER, a Senator from the State of Idaho, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

Mr. WELKER 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, March 31, 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.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had passed a bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, in which it requested the concurrence of the Senate.

LEAVE OF ABSENCE

(The following was inadvertently omitted from the RECORD of yesterday:)

On his own request, and by unanimous consent, Mr. YOUNG was excused from attendance on the sessions of the Senate until Tuesday of next week.

ORDER FOR TRANSACTION OF ROUTINE BUSINESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that immediately following the quorum call there may be the customary morning hour for the transaction of routine business, under the usual 2-minute limitation on speeches, just prior to the time the unanimous-consent agreement takes effect.

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

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

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

The legislative clerk proceeded to call the roll.

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

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

REPORT OF A COMMITTEE

The following report of a committee was submitted:

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

S. 3096. A bill to further amend section 4 of the act of September 9, 1950, in relation to the utilization in an enlisted grade or rank in the Armed Forces of physicians, dentists, or those in an allied specialist category; without amendment (Rept. No. 1147).

INVESTIGATION OF EMPLOYEE WELFARE AND PENSION FUNDS

Mr. SMITH of New Jersey. Mr. President, from the Committee on Labor and Public Welfare, I report an original resolution which that committee unanimously approved this morning in executive session. The purpose of the resolution is to make a study and investigation with respect to the establishment and operation of employee welfare and pension funds under collective bargaining agreements.

The resolution (S. Res. 225) was placed on the Calendar, as follows:

Resolved, That the Committee on Labor and Public Welfare, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete study and investigation with respect to the establishment and operation of employee welfare and pension funds under collective bargaining agreements, for the purpose of ascertaining whether legislation is necessary for the conservation of such funds and the protection of the interests of the beneficiaries thereof. The committee shall report its findings, together with such recommendations as it may deem advisable, to the Senate at the earliest practicable date.

SEC. 2. For the purposes of this resolution, the committee, or any duly authorized subcommittee thereof, is authorized to employ upon a temporary basis such technical, clerical, and other assistants as it deems advisable. The expenses of the committee under this resolution, which shall not exceed $95,000 shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

PRINTING OF SENATE REPORT NO. 14 ENTITLED "ORGANIZATION OF FEDERAL EXECUTIVE DEPARTMENTS AND AGENCIES"

Mr. KNOWLAND. Mr. President, on behalf of the Senator from South Dakota [Mr. MUNDT], from the Committee on Government Operations, I report an original resolution providing for the reprint of 2,500 copies of Senate report No. 14, entitled "Organization of Federal Executive Departments and Agencies," for the use of that committee. On Wednesday afternoon, March 31, 1954, the committee, in executive session, unanimously approved the resolution.

The committee had previously approved the printing of this report to accompany its annual chart, also entitled "Organization of Federal Executive Departments and Agencies." A total of 10,000 charts were provided for use of the committee by the Joint Committee on Printing, but only 7,500 reports accompanying the chart could be printed under the $700 cost limitation imposed by the Senate, thus a differential of 2,500

reports in relation to the number of charts were made available, and the committee's supply of reports is now exhausted.

The Government Printing Office has submitted a statement to the clerk of the committee, indicating that the cost of the 2,500 additional copies of the report provided for under the resolution, will be $398.25.

I am informed that both the chairman and the ranking minority member of the Committee on Rules and Administration have no objection to the present consideration of the resolution and do not believe it would be necessary to have it sent to that committee, which would be the normal procedure under the rules of the Senate.

I ask unanimous consent for the immediate consideration of the resolution.

There being no objection, the resolution (S. Res. 226) was considered and agreed to, as follows:

Resolved, That the Committee on Government Operations is authorized to have printed for its use 2,500 copies of Committee Report No. 14, entitled "Organization of Federal Executive Departments and Agencies."

BILLS AND JOINT RESOLUTION INTRODUCED

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

By Mr. BUTLER of Maryland (for himself and Mr. BEALL):

S. 3237. A bill to authorize the construction of a new post-office building in Princess Anne, Md.; to the Committee on Public Works.

By Mr. CARLSON:

S. 3238. A bill for the relief of Johanna Schmid; to the Committee on the Judiciary.

By Mr. KUCHEL:

S. 3239. A bill to authorize conveyance of land to the State of California for an inspection station; to the Committee on Interior and Insular Affairs.

By Mr. BENNETT:

S. 3240. A bill for the relief of Andre Achille Decoudun; and

S. 3241. A bill for the relief of Gosta Harry Roner; to the Committee on the Judiciary.

By Mr. WELKER:

S. 3242. A bill to amend the Uniform Code of Military Justice and to outlaw in the Armed Forces the Communist Party and similar subversive organizations, and for other purposes; to the Committee on Armed Services.

By Mr. MUNDT:

S. 3243. A bill to amend the Federal Property and Administrative Services Act of 1949, as amended, to extend until June 30, 1955, the period during which disposals of surplus property may be made by negotiation; to the Committee on Government Operations.

By Mr. BYRD:

S. 3244. A bill to make ineligible for certain rights and benefits persons who engage in disloyal acts against the United States Government, and for other purposes; to the Committee on Finance.

By Mr. DOUGLAS (for himself, Mr. GREEN, Mr. GILLETTE, Mr. KEFAUVER, Mr. KILGORE, Mr. KENNEDY, Mr. LEHMAN, Mr. FULBRIGHT, Mr. PASTORE, Mr. MURRAY, Mr. MORSE, Mr. WILEY, Mr. MANSFIELD, and Mr. HENNINGS):

S. J. Res. 145. Joint resolution to subject the submerged lands under the marginal seas to the provisions of the Outer Continental Shelf Lands Act, and to amend such act in order to provide that revenues under its provisions shall be used as grants-in-aid of primary, secondary, and higher education; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. DOUGLAS when he introduced the above joint resolution, which appear under a separate heading.)

PRINTING OF ADDITIONAL COPIES OF SENATE REPORT 1082, RELATING TO INTERNATIONAL TRADE

Mr. CAPEHART submitted the following concurrent resolution (S. Con. Res. 74), which was referred to the Committee on Rules and Administration:

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Committee on Banking and Currency 5,000 additional copies of Senate Report No. 1082, current session, a study of the operations in Latin American countries of the Export-Import Bank and the International Bank and their relationship to the expansion of international trade.

REVISION OF INTERNAL REVENUE LAWS—AMENDMENTS

Mr. HOLLAND. Mr. President, I submit an amendment intended to be proposed by me to the bill (H. R. 8300) to revise the internal revenue laws of the United States. I ask unanimous consent that the amendment be printed, and referred to the Committee on Finance, and that it be printed in the RECORD, as part of my remarks.

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

On page 104, before the period in the seventh line, insert the following: "or if, exercisable after the expiration of such 5-year period, is exercised within 1 year after the date of enactment of this title."

HOUSING ACT OF 1954—AMENDMENT RELATING TO SMOKE ELIMINATION AND AIR POLLUTION PREVENTION

Mr. CAPEHART. Mr. President, on behalf of myself, and the Senator from California [Mr. KUCHEL], I submit an amendment intended to be proposed by us, jointly, to the bill (S. 2938) to aid in the provision and improvement of housing, the elimination and prevention of slums, and the conservation and development of urban communities. The amendment relates to smoke elimination and air pollution prevention. I ask unanimous consent that the amendment, an explanation of the amendment by me, and a summary be printed in the RECORD.

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

The amendment submitted by Mr. CAPEHART (for himself and Mr. KUCHEL) is as follows:

On page 104, line 14, strike "Title VIII" insert in lieu thereof "Title IX", renumber sections 801 through 805 so that they become sections 901 through 905, inclusive, and insert the following new title VIII following title VII:

"TITLE VIII—SMOKE ELIMINATION AND AIR POLLUTION PREVENTION

"SEC. 801. The Congress hereby declares that smoke elimination and air pollution prevention are important factors in the prevention and rehabilitation of slums and blighted areas and in the conservation of the health and property of the people of the United States. It is the objective of this title to assist in smoke elimination and air pollution prevention by providing for research, loans, and special tax benefits.

"SEC. 802. (a) The Secretary of Health, Education, and Welfare (hereinafter sometimes referred to in this title as the Secretary) shall undertake and conduct a program of technical research and studies concerned with (a) causes of air pollution and excessive smoke, (b) devices, structures, machinery, equipment, and methods (including methods of selecting and using fuels) for the prevention or elimination of excessive smoke and air pollution or the collection of atmospheric contaminants, and (c) guidance and assistance to local communities in smoke abatement and air pollution prevention and control.

"(b) Contracts may be made by the Secretary for technical research and studies authorized by this section for work to continue not more than 4 years from the date of any such contract. Any unexpended balances of appropriations properly obligated by such contracting may remain upon the books of the Treasury for not more than 5 fiscal years before being carried to the surplus fund and covered into the Treasury. All contracts made by the Secretary for technical research and studies authorized by this or any other act shall contain requirements making the results of such research or studies available to the public through dedication, assignment to the Government, or such other means as the Secretary shall determine. The Secretary shall disseminate, and without regard to the provisions of 39 U. S. C. 321n, the results of such research and studies in such form as may be most useful to industry and to the general public.

"(c) In carrying out research and studies under this title, the Secretary shall utilize, to the fullest extent feasible, the available facilities of existing bureaus and offices within the Department of Health, Education, and Welfare, other departments, independent establishments, and agencies of the Federal Government, and shall consult with, and make recommendations to, such other departments, independent establishments, and agencies with respect to such action as may be necessary and desirable to overcome existing gaps and deficiencies in available data with respect to excessive smoke and air pollution causes, prevention, and control or in the facilities available for the collection of such data. For the purposes of this title, the Secretary is further authorized to undertake research and studies cooperatively with agencies of State or local governments, and educational institutions, and other nonprofit organizations, and may, in addition to and not in derogation of any powers and authories conferred under any other act—

"(1) with the consent of the agency or organization concerned, accept and utilize equipment, facilities, or the services of employees of any State or local public agency or instrumentality, educational institutions, or nonprofit agency or organization and, in connection with the utilization of such services, may make payments for transportation while away from their homes or regular places of business and per diem in lieu of subsistence en route and at place of such service, in accordance with the provisions of title 5, United States Code, section 73b–2;

"(2) utilize, contract with, and act through, without regard to section 3709,

of the Revised Statutes, any Federal, State, or local public agency or instrumentality, educational institution, or nonprofit agency or organization with its consent, and any funds available to the Secretary for carrying out his functions, powers, and duties under this section shall be available to reimburse or pay any such agency, instrumentality, institution, or organization; and, whenever necessary in the judgment of the Secretary, he may make advance, progress, or other payments with respect to such contracts without regard to the provisions of section 3648 of the Revised Statutes; and

"(3) make expenditures for all necessary expenses, including preparation, mounting, shipping, and installation of exhibits; purchase and exchange of technical apparatus; and such other expenses as may, from time to time, be found necessary in carrying out the Secretary's functions, powers, and duties under this title.

"(d) There is hereby authorized to be appropriated to carry out the purposes of this section, such sums, not in excess of $5,000,000, as may be necessary therefor.

"SEC. 803. (a) The Housing and Home Finance Administrator (hereinafter sometimes referred to in this title as the Administrator) within the limits hereinafter provided, is authorized to purchase the obligations of, and to make loans to, any business enterprise to aid in financing the purchase, installation, construction, reconstruction, or remodeling of any device, structure, machinery, or equipment used or to be used in connection with the enterprise's business activities where the purchase, installation, construction, reconstruction, or remodeling would (1) substantially reduce the amount of smoke or air pollution or contamination in the community in which the device, structure, machinery, or equipment is located or to be located, or (2) in conjunction with other proposed action in the community, substantially reduce the amount of such smoke, pollution, or contamination.

"(b) No financial assistance shall be extended pursuant to this section unless the financial assistance applied for is not otherwise available on reasonable terms. All securities and obligations purchased and all loans made shall be of such sound value or so secured as reasonably to assure retirement or repayment and such loans shall be made in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise.

"(c) Loans made pursuant to this section may be made subject to the condition that, if at any time or times or for any period or periods during the life of the loan contract the business enterprise can obtain loan funds from sources other than the Federal Government at interest rates as low as or lower than provided in the loan contract, it may do so with the consent of the Administrator at such times and for such periods without waiving or surrendering any rights to loan funds under the contract for the remainder of the life of such contract, and, in any such case, the Administrator is authorized to consent to pledge by the business enterprise of the loan contract, and any or all of its rights thereunder, as security for the repayment of the loan funds so obtained from other sources.

"(d) The loans shall be repaid within such period, not exceeding 20 years, as may be determined by the Administrator, and shall bear interest at a rate determined by the Administrator which shall be not less than 1 percent plus the base annual rate which the Secretary of the Treasury shall specify as applicable to the 6-month period (beginning with the 6-month period ending July 31, 1954) during which the contract for the loans is made: *Provided*, That such base annual rate for each 6-month period shall be determined by the Secretary of the Treasury by estimating the average yield to maturity, on the basis of daily closing market bid quotations or prices during the month of May or the month of November, as the case may be, next preceding such 6-month period, on all outstanding marketable obligations of the United States having a maturity date of 15 or more years from the first day of such month of May or November, and by adjusting such estimated average annual yield to the nearest one-eighth of 1 percent.

"(e) The total amount of investments, loans, purchases, and commitments made pursuant to this section shall not exceed $50 million outstanding at any one time.

"(f) There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this section. Funds made available to the Administrator pursuant to the provisions of this section shall be deposited in a checking account or accounts with the Treasurer of the United States. Receipts and assets obtained or held by the Administrator in connection with the performance of his functions under this section, and all funds available for carrying out the functions of the Administrator under this section, shall be available for any of the purposes of this section, including administrative expenses of the Administrator in connection with the performance of such functions.

"(g) Not more than 10 percent of the funds provided for in this section in the form of loans shall be made available within any one State.

"(h) In the performance of, and with respect to, the functions, powers, and duties vested in him by this section the Administrator shall (in addition to any authority otherwise vested in him) have the functions, powers, and duties set forth in section 402 (c), except subsection (2), of the Housing Act of 1950.

"SEC. 804. (a) The Internal Revenue Code is amended by inserting after section 124B thereof a new section as follows:

"'SEC. 124C. Amortization deduction for certain treatment works.

"'(a) General rule: Every person, at his election, shall be entitled to a deduction with respect to the amortization, based on a period of 60 months, of the adjusted basis (for determining gain) of any device, structure, machinery, or equipment for the collection at the source or the prevention or elimination of atmospheric pollutants and contaminants with respect to which device, structure, machinery, or equipment a certificate is made by the Secretary of Health, Education, and Welfare under subsection (d). Such amortization deduction shall be an amount, with respect to each month of such period within the taxable year, equal to the adjusted basis of the device, structure, machinery, or equipment at the end of such month divided by the number of months (including the month for which the deduction is computed) remaining in the period. Such adjusted basis at the end of the month shall be computed without regard to the amortization deduction for such month. The amortization deduction provided by this section with respect to any month shall, except to the extent provided in subsection (e) of this section, be in lieu of the deduction with respect to such device, structure, machinery, or equipment provided in section 23 (1), relating to exhaustion, wear and tear, and obsolescence. The 60-month period shall begin, at the election of the taxpayer, with the month following the month in which the device, structure, machinery, or equipment is completed or acquired (or, in the case of reconstruction or remodeling, its reconstruction or remodeling is completed), or with the succeeding taxable year.

"'(b) Election of amortization: The election of the taxpayer to take the amortization deduction and to begin the 60-month period at one of the times specified in subsection (a) shall be made in an appropriate statement in the taxpayer's return for the taxable year in which the device, structure, machinery, or equipment or its reconstruction or remodeling) was completed, or in which the certification required by subsection (d) was made, whichever is later.

"'(c) Termination of amortization deduction: A taxpayer which has elected under subsection (b) to take the amortization deduction provided in subsection (a) may, at any time after making such election, discontinue the amortization deductions with respect to the remainder of the amortization period, such discontinuance to begin as of the beginning of any month specified by the taxpayer in a notice in writing filed with the Secretary of the Treasury before the beginning of such month. The deduction provided under section 23 (1) shall be allowed, beginning with the first month as to which the amortization deduction is not applicable, and the taxpayer shall not be entitled to any further amortization deductions with respect to such device, structure, machinery, or equipment.

"'(d) Determination of adjusted basis of devices, etc.: In determining for the purposes of this section the adjusted basis of a device, structure, machinery, or equipment—

"'(1) There shall be included only so much of the amount of the adjusted basis of such device, structure, machinery, or equipment (computed without regard to this section) as is properly attributable to construction, reconstruction, remodeling, or installation work with respect to, or the acquisition of such device, structure, machinery, or equipment on or after the date of enactment of this section and as is certified by the Secretary of Health, Education, and Welfare as being in aid of the collection at the source or the prevention or elimination of atmospheric pollutants and contaminants.

"'(2) After the completion or acquisition of any device, structure, machinery, or equipment, or the completion of its reconstruction or remodeling, with respect to which a certificate under paragraph (1) has been made, any expenditure (attributable to such device, structure, machinery, or equipment and to the period after such completion or acquisition) which does not represent construction, reconstruction, remodeling, installation, or acquisition included in such certificate, but with respect to which a separate certificate is made under paragraph (1), shall not be applied in adjustment of the basis of such device, structure, machinery, or equipment but a separate basis shall be computed therefor pursuant to paragraph (1) as if it were a new and separate device, structure, machinery, or equipment.

"'(e) Depreciation deduction: If the adjusted basis of the device, structure, machinery, or equipment (computed without regard to this section) is in excess of the adjusted basis computed under subsection (d), the deduction provided by section 23 (1) shall, despite the provisions of subsection (a) of this section, be allowed with respect to such device, structure, machinery, or equipment as if its adjusted basis for the purpose of such deduction were an amount equal to the amount of such excess.

"'(f) Life tenant and remainderman: In the case of property held by one person for life with remainder to another person, the deduction shall be computed as if the life tenant were the absolute owner of the property and shall be allowable to the life tenant.

"'(g) Cross reference: For special rule with respect to gain derived from the sale or exchange of property the adjusted basis of which is determined with regard to this section, see section 117 (g) (3).'

"(b) (1) Section 23 (t) of the Internal Revenue Code (relating to deductions from gross income) is amended by striking out 'and 124B' and inserting in lieu thereof '124B, and 124C.'

"(2) Section 117 (g) (3) of the Internal Revenue Code (relating to gains and losses

from short sales, etc.) is amended by striking out 'section 124A (relating to amortization deduction)', and inserting in lieu thereof 'section 124A (relating to deduction for amortization of emergency facilities), section 124B (relating to deduction for amortization of grain storage facilities), and section 124C (relating to deduction for amortization of certain air pollution prevention facilities).'

"(3) Section 190 of the Internal Revenue Code (relating to allowance of amortization deduction in case of partnerships) is amended by striking out 'or grain storage facilities' and inserting in lieu thereof ', grain storage facilities, or air pollution prevention facilities.'

"(c) The amendments to the Internal Revenue Code made by this section shall be applicable with respect to taxable years ending on and after the date of enactment of this section.

"SEC. 805. The authority of the Federal Housing Commissioner under the National Housing Act, as amended, shall be used to the fullest extent possible to encourage and assist home conversion and improvement loans which will aid smoke abatement and air pollution prevention.

"SEC. 806. For the purposes of this title the word 'State' shall include all Territories of the United States, the Commonwealth of Puerto Rico, and the District of Columbia."

The statement and summary presented by Mr. CAPEHART are as follows:

STATEMENT BY SENATOR CAPEHART

The purpose of this amendment is twofold:

To encourage and assist individuals, industries, and communities to solve their air-pollution problem in order to conserve home values, improve health, and preserve the essentials for good environments needed for community living.

Essentially, by the very nature of the problem, the air-pollution nuisance is interstate in character. Its control, however, is a local problem. By that I mean any program to be effective must originate at the local level and have the full and united support of all segments of the local community. Certain aspects, however, transcend city and State lines. In fact, polluted air knows no respect for corporate limits or State lines. Consequently, it appears that there is a very proper role for the Federal Government to play in any anti-air-pollution campaign.

The provisions in the amendment are threefold:

1. Rapid tax amortization of air-pollution-control-facilities constructed by industry to provide tax relief to build control facilities when they are built in conformance with State and/or local law. As written, the tax writeoff is authorized over a period of 5 years.

This provision, it is believed, will encourage industry to install air pollution abatement equipment and assist those communities with active programs. Such equipment is frequently very costly and for the most part industry recovers nothing in the way of lower costs of operation.

2. A loan program by HHFA in cooperation with private lending institutions is provided for business enterprises which installs air-pollution equipment when financial assistance is not otherwise available on reasonable terms. For the homeowner, FHA loan insurance may be used for purposes of home conversion and improvements which will aid smoke abatement and air-pollution prevention.

3. A program of technical research and study concerned with (a) the cause of air pollution, (b) devices and methods for the prevention or elimination of air pollution, and (c) guidance and assistance to local communities in smoke abatement and air-pollution prevention and control.

With the incentive provided by the proposed bill, it is hoped that cities and States will thereby be encouraged to enact legislation contemplated to reduce air pollution immediately and ultimately to eliminate air pollution.

Insofar as I am aware, this bill provides the first opportunity for congressional consideration of air pollution on a comprehensive basis, including all of its component parts. It provides a forum whereby the entire problem may be explored. Certain phases of the solution may involve an overlapping of committee jurisdiction. Even so, it is thought wise to include in the amendment all aspects of the problem in order that testimony may be directed to every facet at one and the same time. It would be unwise for 2 or 3 committees of the Senate to consider separately one or more aspects of the problem, because any solution of this highly complex problem can be achieved only by viewing all factors as a part of the whole. Jurisdictional matters lend themselves to solution and can be ironed out readily in the event favorable consideration is extended by the Senate Banking and Currency Committee to the suggested role of the Federal Government.

The Housing Act of 1954, S. 2938, contains provisions to encourage and assist local communities in slum clearance. It is well and good to eliminate slums. It is shortsighted, however, to permit air pollution to continue because, unless abated, we can expect the newly constructed homes of today to become the slums of tomorrow—as surely as blight follows decay.

An educated guess places the polluted-air costs to the people of the United States at about $5 billion a year. The extent of the damage to merchandise, buildings, homes, and home foliage alone is said to be nearly $1 billion a year.

Of even greater significance is the impact upon the health of the country from breathing polluted air. Each day, each person draws in his or her body about 3,800 gallons of air, unaware of the damage polluted air can cause to breath and life.

The air one breathes may subject a person or his family to serious allergies, and eye, skin, lung, and throat ailments. Polluted air is feared by some experts to be one of the causes of the recent sharp increase in lung cancer.

Since first declaring my intention a few weeks ago to sponsor an air pollution amendment, I have received many telephone calls, telegrams, and letters from citizens and city officials in every part of the country. Each and every one contacting me enthusiastically favors an amendment of the type which I now introduce.

I hope that everyone will study this amendment and will read these brief remarks. If such be done, I believe everyone will enthusiastically support the objectives of the amendment.

Hearings on the amendment have been scheduled for April 13, 14, and 15, 1954, in room 301, Senate Office Building, Washington, D. C.

SUMMARY OF PROPOSED AMENDMENT TO S. 2938, SMOKE ELIMINATION AND AIR POLLUTION PREVENTION

This proposed amendment would insert a new title VIII in S. 2938, the Housing Act of 1954, which would authorize Federal aid to smoke elimination and air pollution prevention and elimination through research, Federal loans, and special tax benefits.

The Secretary of Health, Education, and Welfare would administer the research program and certify eligibility for tax benefits provided by this title. The Housing and Home Finance Administrator would administer the loan program under the title.

Section 801 would declare that smoke elimination and air pollution prevention are important factors in the prevention and rehabilitation of slums and blighted areas and in the conservation of the health and property of the people of the United States.

RESEARCH

Section 802 would direct the Secretary of Health, Education, and Welfare to undertake and conduct a program of technical research and studies concerned with (a) the causes of air pollution and excessive smoke, (b) devices, structures, machinery, equipment, and methods (including methods of selecting and using fuels) for the prevention or elimination of excessive smoke and air pollution, and (c) guidance and assistance to local communities in smoke abatement and air pollution prevention and control. Up to $5 million would be authorized to be appropriated to carry out the research program.

The Secretary of Health, Education, and Welfare would be authorized to make contracts with any Federal, State, or local public agency or instrumentality, educational institution, or nonprofit agency or organization for the research and studies authorized by this section. Other general provisions necessary for the conduct of the research program would also be enacted by this section and the Secretary would be directed to disseminate the results of the research and studies in such form as may be most useful to industry and to the general public.

LOANS

Section 803 of the bill would provide for a program of Federal loans by the Housing and Home Finance Administrator in cooperation with private lending institutions to business enterprises to aid them in financing the purchase, installation, construction, reconstruction or remodeling of any smoke abatement or air pollution prevention device, structure, machinery, or equipment used or to be used in connection with the business activities of the borrower.

A loan would not be made by the Housing and Home Finance Administrator unless he determines that the purpose for which the loan is to be used would (1) substantially reduce the amount of smoke or air pollution or contamination in the community in which the device, structure, machinery, or equipment is located or to be located or (2) in conjunction with other proposed action in the community, substantially reduce the amount of such smoke pollution or contamination.

Also, the loan would not be made unless the borrower is unable to obtain such a loan from private sources on reasonable terms. Further, the section would provide that loans made may be made subject to the condition that, if at any time the business enterprise can obtain loans from other sources at interest rates as low as or lower than provided in the loan contract, it can do so with the consent of the Housing and Home Finance Administrator without waiving any rights to loan funds under the contract for the remainder of the life of the contract, and the borrower may pledge the loan contract as security for the repayment of the loan obtained from other sources. When used, this is in the nature of an insurance operation. It makes unnecessary the actual use of Federal funds. It has been used successfully in slum-clearance programs.

The loans shall be made in cooperation with banks or other lending institutions through agreements to participate or by the purchase of participations, or otherwise. The loans made would be reasonably secured, and would be repaid within such period, not exceeding 20 years, as the Housing and Home Finance Administrator may determine. They would bear interest at a rate of not less than 1 percent plus the base annual rate specified by the Secretary of the Treasury as applicable to the 6-month period during which the contract for the loans is made. The base annual rate would be determined by the Secretary of the Treasury by estimating the average market yields during the month of May or November next preceding the 6-month period on Federal marketable

bonds having a remaining maturity of 15 or more years. The present base annual rate is 2⅞ percent, which would, therefore, provide for an interest rate at this time on the loans authorized by this section of 3⅞ percent or such higher rate as the Housing and Home Finance Administrator could establish in his discretion.

The total amount of loans made by the Housing and Home Finance Administrator pursuant to this section would not be permitted to exceed $50 million outstanding at any one time. Funds would be authorized to be appropriated to carry out the loan program and the loan funds would revolve.

To assure national distribution of the loans the section would provide that not more than 10 percent of the funds provided shall be expended in any one State.

SPECIAL TAX BENEFITS

Section 804 would amend the Internal Revenue Code to permit for tax purposes the rapid amortization (over a period of 5 years) of devices, structures, machinery, or equipment for the prevention or elimination of air pollution. This special tax benefit would be available, however, only to the extent that the property which would be amortized at this accelerated rate was constructed, remodeled, installed, or acquired on or after the date of enactment of this section and to the extent that the Secretary of Health, Education, and Welfare certifies that it is in aid of the prevention or elimination of air pollution.

FHA LOAN INSURANCE

Section 805 would provide that the authority of the Federal Housing Commissioner shall be used to the fullest extent possible to encourage and assist home conversion and improvement loans which would aid smoke abatement and air pollution prevention.

DEFINITION OF "STATE"

In order to make the provisions of the title applicable to all the States, Territories of the United States, the Commonwealth of Puerto Rico, and the District of Columbia, the word "State" as used in the title would be defined to include all of the jurisdictions named.

ADMINISTRATIVE PROVISIONS

Provisions necessary to the administration of the title would be also enacted by this title.

AMENDMENT OF FEDERAL-AID ROAD ACT—AMENDMENT

Mr. CHAVEZ. Mr. President, on behalf of myself, the Senator from Oklahoma [Mr. KERR], the Senator from Oregon [Mr. MORSE], and the Senator from Mississippi [Mr. STENNIS], I submit an amendment intended to be proposed by us, jointly, to the bill (S. 3184) to amend and supplement the Federal-Aid Road Act, approved July 11, 1916—39th United States Statutes at large, page 355—as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

At this point in my remarks I ask unanimous consent to have inserted in the body of the RECORD a table showing an approximate apportionment of $150 million interstate funds under the bill to be taken up on Monday, showing which States of the Nation will lose money under the new formula.

The ACTING PRESIDENT pro tempore. The amendment will be received and printed, and will lie on the table, and, without objection, the table referred to by the Senator from New Mexico will be printed in the RECORD.

The table presented by Mr. CHAVEZ is as follows:

Approximate apportionment of $150,000,000 interstate funds

	Sec. 21	Committee print	Difference
Alabama	$3,233,000	$3,023,000	−$210,000
Arizona	2,261,000	1,682,000	−579,000
Arkansas	2,520,000	2,137,000	−383,000
California	6,977,000	8,353,000	+1,376,000
Colorado	2,722,000	1,970,000	−752,000
Connecticut	988,000	1,416,000	+428,000
Delaware	735,000	920,000	+185,000
Florida	2,464,000	2,505,000	+41,000
Georgia	3,749,000	3,457,000	−292,000
Idaho	1,863,000	1,484,000	−379,000
Illinois	5,852,000	6,930,000	+1,078,000
Indiana	3,598,000	3,607,000	+9,000
Iowa	3,654,000	3,031,000	−623,000
Kansas	3,669,000	2,709,000	−960,000
Kentucky	2,794,000	2,750,000	−44,000
Louisiana	2,364,000	2,415,000	+51,000
Maine	1,270,000	1,187,000	−83,000
Maryland	1,337,000	1,744,000	+407,000
Massachusetts	1,939,000	3,126,000	+1,187,000
Michigan	4,711,000	5,283,000	+572,000
Minnesota	3,926,000	3,333,000	−593,000
Mississippi	2,707,000	2,354,000	−353,000
Missouri	4,415,000	4,024,000	−391,000
Montana	3,034,000	2,069,000	−965,000
Nebraska	2,947,000	2,083,000	−864,000
Nevada	1,950,000	1,527,000	−423,000
New Hampshire	735,000	920,000	+185,000
New Jersey	1,974,000	3,209,000	+1,235,000
New Mexico	2,457,000	1,780,000	−677,000
New York	7,162,000	10,396,000	+3,234,000
North Carolina	3,757,000	3,744,000	−13,000
North Dakota	2,191,000	1,648,000	−543,000
Ohio	5,297,000	6,300,000	+1,003,000
Oklahoma	3,238,000	2,645,000	−593,000
Oregon	2,587,000	1,993,000	−594,000
Pennsylvania	5,970,000	7,809,000	+1,839,000
Rhode Island	735,000	920,000	+185,000
South Carolina	2,041,000	1,993,000	−48,000
South Dakota	2,359,000	1,732,000	−627,000
Tennessee	3,284,000	3,154,000	−130,000
Texas	9,823,000	8,456,000	−1,367,000
Utah	1,739,000	1,422,000	−317,000
Vermont	735,000	920,000	+185,000
Virginia	2,880,000	2,965,000	+85,000
Washington	2,505,000	2,345,000	−160,000
West Virginia	1,654,000	1,748,000	+94,000
Wisconsin	3,579,000	3,368,000	−211,000
Wyoming	1,884,000	1,494,000	−390,000
District of Columbia	735,000	920,000	+185,000

HOUSE BILL REFERRED

The bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, was read twice by its title, and referred to the Committee on Appropriations.

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 several nominations, which were referred to the appropriate committees.

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

AMENDMENT OF FEDERAL FARM LOAN ACT—CHANGE OF REFERENCE

Mr. AIKEN. Mr. President, on August 1 of last year the Senator from Kansas [Mr. SCHOEPPEL] introduced a bill (S. 2552), to further amend section 13 of the Federal Farm Loan Act, as amended, to authorize the Federal land banks to make a bulk purchase of certain remaining assets of the Federal Farm Mortgage Corporation.

The bill was inadvertently referred to the Committee on the Banking and Currency. The Committee on Agriculture and Forestry handles such legislation. I have talked with the chairman of the Committee on Banking and Currency, the Senator from Indiana [Mr. CAPEHART], and I understand he has no objection to referring the bill to the proper committee, which is the Committee on Agriculture and Forestry. I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of the bill, and that it be referred to the Committee on Agriculture and Forestry.

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

Mr. JOHNSON of Texas. Reserving the right to object, will the Senator state his request again? What type of bill does he refer to?

Mr. AIKEN. It is a bill to amend section 13 of the Federal Farm Loan Act, as amended. It authorizes Federal land banks to make a bulk purchase of certain remaining assets of the Federal Home Mortgage Corporation. It was introduced on August 1 of last year, but was inadvertently referred to the Committee on Banking and Currency.

Mr. JOHNSON of Texas. Is the chairman of the Committee on Banking and Currency agreeable to this request?

Mr. AIKEN. Yes; I have talked to him about it. The Committee on Agriculture and Forestry will consider the bill as soon as it obtains jurisdiction of it.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Vermont? The Chair hears none, and it is so ordered.

EXECUTIVE REPORTS OF COMMITTEE

As in executive session,

The following favorable reports of nominations were submitted:

By Mr. MILLIKIN, from the Committee on Finance:

Emile A. Pepin, of Rhode Island, to be collector of customs for customs collection district No. 5, with headquarters at Providence, R. I.;

Maynard C. Hutchinson, of Massachusetts, to be collector of customs for customs collection district No. 4, with headquarters at Boston, Mass.; and

Bernhard Gettelman, of Wisconsin, to be collector of customs for customs collection district No. 37, with headquarters at Milwaukee, Wis.

By Mr. SMITH of New Jersey, from the Committee on Labor and Public Welfare:

Arthur Larson, of Pennsylvania, to be Under Secretary of Labor.

NOTICE OF HEARING ON NOMINATION OF EDWARD B. LAWSON TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY TO ISRAEL

Mr. SMITH of New Jersey. Mr. President, the Senate received today the nomination of Edward B. Lawson, of the District of Columbia, a Foreign Service officer of the class of career minister, now Envoy Extraordinary and Minister

Plenipotentiary to Iceland, to be Ambassador Extraordinary and Plenipotentiary of the United States to Israel. Notice is given that the nomination will be considered by the Committee on Foreign Relations at the expiration of 6 days.

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

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

By Mr. SMATHERS:

Statement prepared by him on the Export-Import Bank development loans.

LINDSAY C. WARREN

Mr. KEFAUVER. Mr. President, I know that all Members of Congress read with regret the news that Lindsay Warren, Comptroller General of the United States, will retire on April 30, before the expiration of his term, which would not end until more than a year and one-half later. All of us regret very much, indeed, that poor health forces Mr. Warren to retire.

Mr. President, many of the Members of the Senate had the privilege of serving in the House of Representatives with Mr. Warren, where he was a Member for 16 years. He was appointed Comptroller General of the United States in 1940.

Mr. Warren was a legislator of great ability. He possessed an unusual faculty for conciliating differences, and while a Member of the House of Representatives he was responsible for the passage of a great many pieces of forward-looking, progressive legislation. As Comptroller General he converted this important office from a state of chaos into an efficient, worth-while agency of the Federal Government which has rendered much good service.

Mr. Warren is a public servant of the highest order. He always called the facts as he saw them, without regard to partisan considerations. He leaves this post with the thanks of the American people for a job well done and with the high esteem of thousands who have been privileged to know him throughout the years.

Mr. HOEY. Mr. President, Hon. Lindsay C. Warren will retire on April 30, 1954, as Comptroller General of the United States. He has served in this position for 13½ years. I do not know any man in any official position anywhere or at any time who has rendered more dedicated public service than Lindsay Warren, nor one who has exhibited more real ability and genuine devotion to duty. His record has brought unusual distinction to himself and great credit to his native State of North Carolina, which he represented in Congress from the First District of North Carolina for many years and achieved national reputation.

Mr. Warren has been a warm personal friend of mine over the years. I have always esteemed him most highly. The people of North Carolina have real admiration and affection for him. His administration has resulted in the saving of millions of dollars to the taxpayers of the United States. His foresight and judgment has enabled the Congress to keep fully advised as to many vitally important matters which would have escaped their notice but for his vigilance and diligence. He has given an example to other Government agencies by demonstrating how his own great department could save money in its administration and at the same time increase its efficiency and broaden its base of operations.

In this connection, I wish to thank my good friend the Senator from Tennessee [Mr. KEFAUVER] for the fine tribute he has paid to Mr. Warren.

I ask unanimous consent to have inserted in the body of the RECORD a letter which Mr. Warren addressed to the President of the United States under date of March 29, 1954, and the reply of President Eisenhower to this letter dated March 31, 1954.

In addition, I ask to have inserted immediately following these letters a brief review of the life and service of Lindsay C. Warren.

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

COMPTROLLER GENERAL,
OF THE UNITED STATES,
Washington, March 29, 1954.

Hon. DWIGHT D. EISENHOWER,
The White House.

DEAR MR. PRESIDENT: I respectfully request that I be retired effective April 30, 1954, for physical disability under Public Law 161 providing for the retirement of the Comptroller General. At that time I will have served as Comptroller General of the United States for 13 years and 6 months of the 15-year term. For over a year I have carried on against strong medical advice under much physical difficulty. My earnest hope was to serve out my term and to see the great program of the General Accounting Office come into the fullest fruition, but four eminent doctors, whose statement I attach, have urged me to take this step at once, and have stated that I am not physically qualified to continue my work and that to remain longer in office will shorten my life.

It has been a pleasure to cooperate with your administration toward better and more effective government.

With assurances of my high esteem,

Sincerely,

LINDSAY C. WARREN.

THE WHITE HOUSE,
Washington, March 31, 1954.

Hon. LINDSAY WARREN,
Comptroller General of the United States, Washington, D. C.

DEAR MR. WARREN: It is with a great deal of regret that I agree to the request in your letter to retire on April 30, 1954, as Comptroller General of the United States. It is unfortunate from every viewpoint that you are unable to complete your full term after 13½ years of outstanding service in that important position. Not only has your service been long, it has also embraced the period of tremendous responsibility in government incident to the conduct of the Second World War, the postwar military and foreign-aid programs, and the Korean conflict. However, I can certainly understand that it would be inadvisable to continue in this very demanding office against the advice of your doctors.

You have left a lasting mark on Government in the great program of the General Accounting Office and can take deep pride in so vast a contribution to better, more efficient governmental operation.

I appreciate the fine cooperation you have given this administration. Please accept my warm good wishes for a fully satisfying and happy retirement.

Sincerely,

DWIGHT D. EISENHOWER.

LINDSAY C. WARREN

Comptroller General Lindsay C. Warren will retire April 30, 1954, for disability, under the legislation enacted by the Congress last year paralleling the retirement system for United States judges. Mr. Warren is retiring at age 64, after serving 13 years 6 months of the 15-year term to which he was appointed by President Roosevelt. He had accepted the position in 1940 the fourth time it was offered to him by the former President, although renominated for his ninth successive term as a Representative in Congress from the First District of North Carolina. In 1945 he declined an appointment as judge of the United States District Court for the Eastern District of North Carolina. He has on many occasions turned down lucrative offers from private business, preferring to devote his life to the public service. In March 1953 the North Carolina Citizens' Association awarded Mr. Warren its certificate of distinguished citizenship for 40 years of public service to his community, his State, and his Nation.

The General Accounting Office, formerly housed in the sprawling old Pension Building and numerous other buildings in Washington, in 1951 moved into one of the most modern and functional office buildings in the Capital. Under Mr. Warren's guidance, the outlook, attitude, and caliber of personnel in the General Accounting Office has changed just as remarkably. Yet it is characteristic of the man that he has frequently said, and meant, that he would be just as happy in the modest, homely quarters he formerly occupied across the street from his new office.

Under his administration, the General Accounting Office completed the audit of billions of dollars of war expenditures, including those of the Manhattan Engineering District, which produced the first atomic bombs. Mr. Warren is proud that this tremendous job has been done without a breath of scandal touching the work of the General Accounting Office, which has often had to point out illegal expenditures and wasteful practices in Government operations.

Since Mr. Warren took office, the General Accounting Office has not only paid its way, but has made a substantial contribution to the Treasury each year. Collections from 1941 to date total $915 million, most of which had been illegally or otherwise improperly paid out. This amount is twice the cost of running the office during the same period, and little, if any, of the amount collected would ever have been recovered except for the work of the General Accounting Office. Prior to 1941, collections were negligible. Mr. Warren is proud of his collection record, but he feels that of even greater importance is the work the office is doing to prevent illegal or improvident use of funds without waiting to collect back what has been paid out illegally, and to improve accounting and auditing throughout the Government.

During his service as Comptroller General, Mr. Warren has revolutionized the procedures and the approach of the General Accounting Office as the auditing and investigative agency of the Congress. He has completed a thoroughgoing reorganization of the Office, resulting in decentralizing its operations, streamlining its practices, and reducing its personnel from a peak of 14,906 in April 1946 to the present figure of 5,890. This reduction was accomplished in spite of increased work, red tape, and administrative headaches which, Mr. Warren has testified, discourage

most agency heads who want to reduce the size of their staffs. He has characterized the civil service laws and regulations as at times defeating merit and retarding efficiency, but has cooperated wholeheartedly with the Civil Service Commission and believes his agency a leader in applying the merit system.

Mr. Warren has assumed the leadership in Government-wide accounting and auditing developments which have made the past decade one of the most significant in Federal financial history. He has pulled no punches in expressing his views, and has greatly raised the stature of the office in the eyes of the Congress, the executive branch, and the public. His colorful appearance and forthright language have many times in the past decade attracted attention at congressional hearings.

During World War II he told committees of Congress that a large number of contracting officers in the military services were of proven inefficiency and incapacity. He charged that these representatives of the Government were "dishing out and giving away the property and the money of the United States with reckless abandon" under cost-plus contracts which he called "the greatest device ever invented for pumping out the Treasury." Although praising the achievements of industry in helping win the war, he testified before the Senate National Defense Investigating Committee in 1946 that "from my seat it has looked as if everybody and his brother were out to get the Government during the lush war years."

In 1945 he told the Congress that the charters of many of the then 101 Government corporations were broad enough to drive a team of horses through, and that if the existing trend of creation of Government corporations were not curbed it would lead to government by corporations. "Indeed," he said, "this thing we call government has reached such gargantuan proportions that it is sprawled all over the lot."

"It has become greater than Congress, its creator, and at times it arrogantly snaps its fingers in the face of Congress."

As the first witness before the Senate Expenditures Committee on the Reorganization Act of 1945, he referred to the "sprawling, unsegregated crop of Government functions and functionaries." He told the committee, "Any bureau can put up a case, at least to suit itself, why it should be retained. Congress can set up a bureau for the edification of the three blind mice or for the rehabilitation of Humpty Dumpty, and within a year those who head them can come in with glowing accounts of their work."

In 1951, appearing before Senator DOUGLAS' Subcommittee on Ethics in Government, he called for a drastic raising of the moral tone of Government contracting and financial operations. "A few rotten apples may not contaminate the whole barrel, but they certainly make it smell," he pointed out, asking for "a little old-fashioned common honesty and decency."

Mr. Warren has participated in some strenuous battles during his administration of the General Accounting Office. Perhaps the climactic one occurred in 1950 when the Congress was considering recommendations of the first Hoover Commission which would have destroyed the General Accounting Office by transferring vital functions of the Office to the executive branch. Mr. Warren immediately followed former President Hoover as a witness before the Senate Expenditures Committee and vigorously attacked those recommendations. From this joint debate Mr. Warren emerged a "hands down" victor. The legislation recommended by Mr. Warren, former Treasury Secretary John W. Snyder, and former Budget Director Fred Lawton, was unanimously enacted by the Congress. Mr. Hoover protested that this gave the General Accounting Office too much power, but couldn't get a speech or a vote in either House. Mr. Warren's positive stand saved the General Accounting Office and placed it in a position to render even greater service as the audit, accounting, and investigative arm of the Congress.

Early in 1952 Mr. Warren sent to Congress a report criticizing the Department of Agriculture for failing to take prompt and vigorous action on its own audit and investigative agencies' findings indicating shortages and conversions of grain stored for Commodity Credit Corporation in warehouses in the Southwest. As a result of his studies, Warren estimated losses would run into millions of dollars. When the subject matter of this report became public at the Capitol, former Agriculture Secretary Brannan raised loud cries of "politics." At a public hearing of the Senate Agriculture Committee, he quickly denied this charge was by any stretch of the imagination intended to indicate he had any objection to issuance of the report, but still insisted that the grain lost, in proportion to the size of the program, "could almost slip through the cracks in the floor." Despite the Secretary's attitude, the committee, under Democratic leadership, persisted in its studies with the aid of the General Accounting Office. The committee ultimately issued a strong report completely upholding Mr. Warren and recommending tightening up of the administrative procedures of the Department. The committee recommended that the Department's investigative activity be expanded and strengthened and that its reports be sent directly to top agency authorities. Relations of the present Secretary of Agriculture, Mr. Benson, with Mr. Warren have been completely cooperative, and the records of the Department are open to the General Accounting Office auditors and investigators.

In 1949 Mr. Warren sent to Congress a report charging abuses by the former Maritime Commission in its administration of the ship-construction subsidy provisions of the Merchant Marine Act of 1936. He was particularly critical of the agreement entered into between the Maritime Commission and the United States Lines for the sale of the superliner steamship *United States*. This agreement provided that the company would pay the Government approximately $28 million for a ship costing the Government an estimated $70 million. The Government was to absorb the balance as construction subsidy and cost of national defense features. In Mr. Warren's opinion, the amount to be paid by the United States Lines was at least $10 million too little, aside from questioned amounts for national defense features in the vessel.

Mr. Warren's report was strongly upheld by the former Hardy committee of the House of Representatives, former President Truman, and former Attorney General McGranery. In the meantime, however, the President, based upon the Warren report, had abolished the Maritime Commission and turned its affairs over to the Commerce Department. Upon completion of the vessel, in 1952, former Commerce Secretary Sawyer delivered it to the United States Lines in spite of a blunt warning from Mr. Warren that the sale contract was not a binding agreement. President Truman directed the withholding of $10 million otherwise due the United States Lines pending the outcome of the controversy. Attorney General Brownell is vigorously protecting the Government's interests.

Not all of Mr. Warren's battles have ended successfully for the General Accounting Office. As World War II drew to its close industry demanded from the Congress legislation to provide for speedy termination of war contracts, clearing of inventories, and settlement of termination claims. Over a period of several months Mr. Warren appeared before congressional committees, warning of the results of placing unlimited power to terminate contracts and make settlements in the contracting officers of the military services. Many of them, he charged, had been wining, dining, and otherwise fraternizing with the contractors to the point where they could not be depended on to perform their jobs competently and carefully and to protect the interests of the Government in termination settlements.

"I would be lacking in candor and frankness and would fail in my conception of my duty as Comptroller General and the obligation that I owe to the Congress," he told one committee, "If I did not say to you that the provisions under the heading 'General Accounting Office' * * * are absolutely meaningless and offer no protection whatever to the public funds. The audit of a war contract termination as therein provided by the General Accounting Office could be consummated by a 10-year old child in 10 seconds and this would apply to a termination in the amount of a half billion dollars as well as one in the amount of $100. The section rather piously provides that if the Comptroller General believes the settlement was induced by fraud he may report same, but I can assure you that such a settlement might reek in fraud, but nothing in the bill would require the making or submission of a record which would make it possible for the General Accounting Office to detect it."

Regardless of his warning, the Contract Settlement Act of 1944 did not permit the General Accounting Office to audit termination settlements before payment. Mr. Warren in his reports to Congress has declared that all of this paved the way for the improper payment of many millions of dollars of public funds through fraud, collusion, ignorance, inadvertence, or overliberality. "The Contract Settlement Act," he has said, "put the General Accounting Office in the position of a man who sees his safe being looted without being able to do anything about it." He estimates the cost of this folly to the taxpayers as at least $500 million.

Even though the act clipped the wings of the General Accounting Office, Mr. Warren did not give up. From a very limited sampling of termination settlements, the Office picked up payments of $21 million in 562 settlements—a shocking 6 percent of those examined—which it certified to the Department of Justice as in Mr. Warren's opinion induced by fraud. So far, $1.7 million of these payments has been recovered by the Government.

Although always a strong Democrat in politics, Mr. Warren left an active political career behind when he stepped into the General Accounting Office. He has administered the Office in a completely nonpartisan and nonpolitical fashion. His administration has been guided by these rules: "First, we must always strive to be right; second, we must be fair; then, we must go down the middle of the road and let the chips fall where they will."

His success in applying this doctrine is shown by the reports of two succeeding Appropriations Committees, one under Democratic and the other under Republican control. In 1952, the House Appropriations Committee, under the leadership of Representatives CLARENCE CANNON and ALBERT THOMAS, had this to say:

"The committee wishes to express its sincere appreciation of the splendid service which is being performed by this agency under the able leadership of Comptroller General Lindsay Warren and his efficient staff. Lindsay Warren is performing a difficult task with courage and ability, and the American people are fortunate in having such a capable leader to keep check on Federal expenditures and see to it that appropriations are expended in accordance with law. The committee extends to General Lindsay Warren its deep appreciation for the fine job he is doing and wishes him many, many more useful years of service as Comptroller General."

In 1953, under Representatives JOHN TABER and JOHN PHILLIPS, the committee said:

"The committee extends its sincere appreciation to Comptroller General Warren and his able staff for the splendid work that it is doing in all phases of Federal auditing and accounting. This year, more than ever before, the General Accounting Office has been of real assistance to the committee in its examination of budget estimates for the fiscal year 1954. The GAO staff has made numerous investigations, reports, and recommendations to the committee. A large number of trained personnel have been engaged constantly on this work. The committee appreciates this splendid cooperation."

The practically universal feeling in Congress toward Mr. Warren is perhaps epitomized in this letter from a retiring Republican Congressman:

"I cannot retire from the House of Representatives without thinking back to the great contributions you have made to the Government of the United States. I think of it first as a Member of the Congress, and I think of your service in your present capacity, and I am reminded in that connection of the times you appeared before the Appropriations Committee and the very fine presentation you always made.

"I regret that seemingly today there are not more men who believe and think as you do that make up the citizenship of the United States. You are rendering your country and mine a great service. Democrat or Republican, you cannot stay there too long to suit me."

While always reserving the privilege of being independent, Mr. Warren has constantly stressed the advantages of cooperation between his office and the executive branch. The files of the General Accounting Office are replete with letters from officials and former officials of the Government, from the Cabinet level on down, expressing their appreciation for the assistance rendered by Mr. Warren and his legal and accounting staffs in solving their problems, and their admiration for his enlightened, dedicated, and objective approach to his own duties.

Mr. Warren took office as Comptroller General in 1940, just as the General Accounting Office was beginning to feel the impact of the tremendously increased Government expenditures due to the defense program. His first step in modernizing and decentralizing the General Accounting Office was to establish the War Contract Project Audit, which sent General Accounting Office auditors into plants and document centers all over the country to audit cost-plus contracts for war materials.

In 1945 he had a leading part in the enactment of the Government Corporation Control Act. This act provides for a commercial-type audit of all Government corporations by the General Accounting Office, with reports to Congress, and for budgetary control over wholly owned Government corporations. To carry out his responsibilities under the act, Mr. Warren established a new division in the General Accounting Office, staffed with public accountants of professional caliber and auditing the records of the corporations at the places where they were normally kept rather than having the records all sent to Washington. Since 1945 the General Accounting Office has sent to Congress nearly 200 reports of audits of the Government corporations. Mr. Warren has made numerous recommendations for better management, improved financial control, and return on the Government's investments in the corporations. Adoption of many of these recommendations by the corporations and the Congress has led to savings of millions of dollars.

Immediately after World War II ended, Mr. Warren announced that accounting improvement was the No. 1 project of the General Accounting Office. He invited the Secretary of the Treasury and the Director of the Bureau of the Budget to unite with him in a joint program for improving accounting throughout the Government. Begun in 1947, this program is carried on in cooperation with all Government agencies. It is aimed at furnishing better accounting and financial information for executive management, for Congress in considering appropriations and other legislation, and for the taxpayer to fully disclose where his money goes. It has already produced remarkable results, not only in dollar savings, but in tremendously increased cost consciousness on the part of many Government agencies and molding of accounting to fit the management needs of particular types of Government operations such as utilities, insurance, and lending activities. As a part of the program, Mr. Warren has instituted comprehensive and other on-the-site audits of the departments and agencies. This has produced broader coverage of agency financial operations, more effective checking and reporting on how well the agencies discharge their financial responsibilities, and enormous reductions in paper work and flow of documents into Washington.

Mr. Warren was a prime mover in the Budget and Accounting Procedures Act of 1950, which wrote the joint accounting program into law. President Truman, in signing this act, called it "the most important legislation enacted by the Congress in the budget and accounting field since the Budget and Accounting Act of 1921."

Mr. Warren also spearheaded the enactment of the Post Office Department Financial Control Act of 1950, which transferred administrative accounting functions from the General Accounting Office to the Post Office Department and opened the way to modernized accounting and auditing in that Department.

Mr. Warren has constantly stressed the status of the General Accounting Office as the audit agency of the Congress in the legislative branch. He has emphasized the reporting functions of his office, and has sent to Congress more reports in a year than all his predecessors put together. He has conceived it as his mission as Comptroller General to see that the will of Congress is enforced in the spending by executive agencies of funds appropriated for public purposes. Repeatedly he has warned Congress against legislative provisions or proposals which would result in abandonment or weakening of the congressional power of the purse. His recommendations have been responsible for the elimination of many such provisions which would grant plenary administrative control over expenditures. Speaking of the weakening of Congress' power over public expenditures, he told the Byrd committee in 1951:

"There is no denying the power has been weakened. Seldom has there been any direct frontal attack. Instead, there has been a constant, insidious gnawing and whittling away at its vitals. Primary responsibility for this state of affairs must rest squarely where it belongs—on the Congress itself."

In a recent letter to every Member of Congress, Mr. Warren said:

"It has been a source of great satisfaction to me that Congress, particularly in the last 8 years, has strongly supported the Office. Our reports showing illegal expenditures and wasteful practices have always been upheld after hearings by committees of Congress. In our work we have never pulled a punch regardless of who might be affected.

* * * * *

"The General Accounting Office was established by the Budget and Accounting Act of 1921. That act brought into existence an audit and investigative agency in the legislative branch. For the first time Congress had the means of securing information concerning the financial transactions of our Government from a completely nonpolitical agent, independent of the executive branch. Through the years that vital independence has not gone unchallenged. There have been several abortive attempts to destroy the Office. They have come not only from within the Government but from the outside. Those attempts were rejected by the Congress. As late as 1950 an ill-conceived attack was launched from outside the Government. The action of Congress in repelling this last assault spoke for itself. Not a single voice or a single vote was mustered in support of the proposal.

"Motivated by dislike of restraint or adherence to discarded theories, new attempts are already being made to water down legislative control of public funds and destroy the effectiveness of the General Accounting Office. If the Congress is to retain its own means of securing impartial and factual data on Federal financial transactions, its means for insuring that appropriated funds are spent only in accordance with the laws it passes, and its primary weapon for preventing unbridled and unchecked spending, then the Congress must be ever alert to and adamant against attempts to weaken or destroy the powers of the General Accounting Office or to affect its independent status.

"The General Accounting Office is your agency. To be worth its salt it must continue always to be independent, nonpartisan, and nonpolitical. To be effective, it must always have your wholehearted support and your vigilant safeguarding of its functions and powers. I have no doubt that it will."

LEADERSHIP IN CONGRESS

Mr. Warren was elected to the 69th Congress from the First District of North Carolina and served 8 successive terms, from March 4, 1925 until his resignation on October 31, 1940. During the entire period he was without opposition in the primaries after his first election. While a Member of the House of Representatives, he served on a number of committees, including the Accounts Committee, of which he was chairman from 1931 to 1940; the Roads Committee; the Special Committee on Conservation of Wildlife Resources; the Merchant Marine and Fisheries Committee; the Select Committee on Government Organization; and the Committee on Expenditures in the Executive Departments. He was particularly interested in legislation on Government reorganization and efficiency, economy, agriculture, conservation, and the Coast Guard. Mr. Warren was the author of the Reorganization Act of 1939. He has since continued an active interest in Government reorganization, and was called upon by both Houses of Congress for advice and assistance in the drafting of the Reorganization Acts of 1945 and 1949. Mr. Warren was generally credited with the passage by the House of Representatives of the Merchant Marine Act of 1936.

Mr. Warren was one of the top group of leaders of the House. He presided as Chairman of the Committee of the Whole over the majority of the important legislation considered by the House during a period of 10 years, and was twice elected Speaker pro tempore of the House. During the month before his retirement from the House, he served as acting majority leader. Also, he sponsored the House bill and led the fight in 1940 for automatic reapportionment of representation in the House of Representatives. Mr. Warren was named one of the 10 ablest Members of the House in a poll conducted by Life magazine in 1939.

Upon Mr. Warren's appointment as Comptroller General of the United States in 1940, the Winston-Salem Journal described him in an editorial as "one of the finest parliamentarians the national legislature has known in many decades. In committee conference and on the floor he has manifested a spirit of leadership which has often breathed life and strength into causes seemingly lost, and his superb strategy has

brought many a piece of legislation safely through formidable blocks which were determined to shipwreck it."

The Norfolk Virginian-Pilot had this to say: "In Washington the Capitol knows him for a remarkably effective and influential Representative, almost invariably at the heart of important decisions, a trouble-shooter of skill in the lobbies and committee rooms, and an unusual combination of mediator and rough-and-tumble driving debater on the floor."

A colleague in Congress gave this evaluation of Mr. Warren's characteristics: "He had the happy faculty of properly interpreting the question under consideration and presenting it in such a logical and forceful manner that effective reply rarely ever prevailed. He never allowed himself to resort to flimsy or subtle reasons to carry his point. In debate he demonstrated courage without daring, expressed his convictions without abuse, and supported his arguments with irrefutable facts and convincing logic. * * * His success was not an accident nor was it attained by ingenious or crafty tactics. It was hard work and concentrated application, coupled with his frankness, fairness, and honesty toward his associates."

A chairman of a major House committee expressed his feelings about Mr. Warren in this manner: "As a Member of Congress, the gentleman from North Carolina has not sought the limelight. He is no showman. * * * The promotions which have come to him have not been of his making, except as merit insures such when unsought. In short, the gentleman from North Carolina is an honest-to-goodness human being, whose outstanding characteristic is horse-sense, a diminishing quality in this auto age. * * * Under him, so far as his authority goes, Uncle Sam, as well as every niece and nephew, is assured a square deal. It is the Warren way."

NORTH CAROLINA SERVICE

Mr. Warren practiced law in Washington, N. C., from his admission to the bar in 1912 until his election to Congress in 1924. He had previously attended the University of North Carolina and the law school of the same university, and later became a member of its board of trustees. The university conferred the degree of doctor of laws on him at the 150th commencement. He was a member of the State senate in 1917 and 1919, closing his service in that body as president pro tempore. He served in the State house of representatives in 1923. He also acted as a member of the State code commission for compiling the consolidated statutes in 1919, as chairman of the legal advisory board and Government appeal agent for Beaufort County during World War I, as chairman of the special legislative committee in 1920 on workmen's compensation acts, and as attorney for Beaufort County from 1912 to 1925. During the same period he was chairman of the Democratic executive committee of Beaufort County. He was a member of the North Carolina Constitutional Commission in 1931.

He has taken an active part in the political life of his party, serving as delegate at large to Democratic National Conventions in 1932 and 1940, chairman of the Democratic State conventions in 1930 and 1934, and temporary chairman and keynoter in 1938.

Although spending much of his time in the Nation's Capital performing his duties during the past 30 years, Mr. Warren has never lost touch with his native North Carolina, where he is regarded with a unique mixture of feelings as an elder statesman, father-confessor, and North Carolina enthusiast. Upon his retirement he plans to return with Mrs. Warren to his home in Washington, N. C.

Mr. Warren has three children, Mrs. Dudley Jones, Jr., of Wilson, N. C.; Lindsay C. Warren, Jr., an attorney, of Goldsboro, N. C.; and Charles F. Warren, lieutenant (junior grade), United States Coast Guard Reserves; and one granddaughter, Diana Jones, 6.

On March 18, 1953, the North Carolina Citizens' Association conferred on Mr. Warren at Raleigh a certificate of distinguished citizenship for 40 years of public service to his community, his State, and his Nation in these terms:

"To Lindsay Carter Warren, of Washington, N. C., member and leader in both houses of the North Carolina General Assembly; Member of Congress for eight consecutive terms, where he served as a skilled parliamentarian, able chairman of important committees, effective conciliator; Comptroller General of the United States, ardent exponent of governmental economy and efficiency, champion of the legislative branch of Government, a defender of the constitutional right of Congress to control the purse against executive assaults, a firm enforcer of accountability in the use of public funds; a North Carolinian who has brought honor to his State by distinguished service in positions of national trust; a champion of freedom and a believer in rugged honesty; a statesman of the highest order."

DAIRY PRICE SUPPORTS

Mr. HENNINGS. Mr. President, the dairy farmers of my State are expressing great concern today regarding their economic future as a result of the drop in price supports for milk and butterfat which became effective at midnight as a result of the order by Secretary of Agriculture Ezra Taft Benson.

This deflating of the dairy farmer's income through a drop from 90 to 75 percent of parity is difficult to reconcile with the past assurances that have been given the farmers.

President Eisenhower, in his state of the Union message of January 7, 1954, said:

> In no case should there be an abrupt downward change in the dollar level or in the percentage level of price supports.

This was reiterated in the President's agricultural message of January 11, 1954.

A majority of the Joint Committee on the Economic Report, including most of the Republicans as well as the Democrats, warned in their early March report to Congress that in view of the present serious economic situation, this is no time to weaken farm price supports. While they referred specifically to the proposed flexible supports and the new parity proposal, their warning was against any action which would lessen farm income and lead us on into a depression.

The junior Senator from Minnesota [Mr. HUMPHREY], who understands the economic consequences of this action, has introduced Senate bill 3169, which provides for a 4-month extension of the present price supports at 90 percent of parity, instead of letting it be dropped to 75 percent of parity tomorrow. I join with him in urging that this bill be given favorable consideration.

I have received from the Columbia Farmers Association at Columbia, Mo., which has 150,000 members, two photographs which illustrate extreme displeasure over Secretary Benson's action in ordering this deep cut in dairy price supports. They are calling today "Black Thursday."

We see in one picture Mr. Leo Griffin, a dairy farmer of Route 3, Springfield, Mo., who has dressed one of his cows in mourning—complete with black hat and black veil—to show how he feels about Black Thursday.

The other picture shows Mr. M. J. Faulkner, a dairy farmer with 30 head of dairy cattle at Fordland, Mo., who has decorated a milk can with black crepe and a black funeral wreath and says he is going to send it to Secretary Benson to protest the cuts in price supports.

THE SCHINE CONTROVERSY

Mr. KEFAUVER. Mr. President, I desire to take a few moments to explain my position in connection with insisting that the Armed Services Committee should have taken, and should now take, jurisdiction of the so-called Schine controversy. When the question first arose I felt that, under the provisions of the Reorganization Act of 1946, this being a matter affecting the Secretary of the Army and the morale of members of the Army, it was within the jurisdiction of the Armed Services Committee.

About 2 weeks ago, when Mr. Wilson and others were before the committee, I insisted that the Armed Services Committee should go into the subject. I did so again last week, but because of the absence of a quorum it was not possible to obtain action on a motion.

This morning I filed a resolution and made a motion in the Armed Services Committee, which is as follows:

> Inasmuch as the Armed Services Committee of the Senate, by virtue of the Legislative Reorganization Act of 1946, has jurisdiction over all legislative matters affecting the Armed Forces; and
>
> Inasmuch as the affair involving the Secretary of the Army Stevens, Counsel of the Army Adams and Senator McCarthy, David Schine and Roy Cohn does involve the integrity of the Army and of its Secretary, and according to the statements of the President of the United States, the Secretary of Defense and the Secretary of the Army, adversely affected the morale of the Army; and
>
> Inasmuch as the Senate investigating committee is experiencing a great delay in getting its investigation of this matter started; and
>
> Inasmuch as the people are entitled to know the facts and have this issue clarified: Therefore I move that this committee assume jurisdiction of those parts of said controversy that affected the Armed Forces; that this committee conduct hearings as soon as is practicable and report the facts and conclusions to the Senate.

Mr. President, it was not possible to obtain action on the motion this morning because a quorum of the committee was not present. However, the acting chairman of the committee, the distinguished Senator from New Jersey [Mr. HENDRICKSON], said he would take the matter up with the chairman of the committee, the Senator from Massachusetts [Mr. SALTONSTALL], to find out whether the committee could hold a hearing this afternoon, or whether the matter could be presented tomorrow morning.

I have been advised since then that counsel has been selected for the Subcommittee on Investigations of the Committee on Government Operations, and I hope the subcommittee will proceed without delay in ascertaining the facts,

in which the people are greatly interested and which they are entitled to know.

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

Mr. KEFAUVER. Not at the moment. I have confidence in the members of the subcommittee. I believe that in part the difficulty arises because the controversy involves the committee staff itself. In any event, Mr. President, I believe the motion ought to be presented, as undoubtedly certain aspects of this unfortunate affair should come before the Committee on Armed Services for its consideration. That would be true regardless of whether the Subcommittee on Investigations proceeded with the investigation.

The ACTING PRESIDENT pro tempore. The time of the Senator from Tennessee has expired.

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

Mr. KEFAUVER. I should like to yield, but I have no more time remaining.

Mr. McCLELLAN. Mr. President——

The ACTING PRESIDENT pro tempore. The Senator from Arkansas is recognized.

Mr. McCLELLAN. Mr. President, I came into the Chamber while the distinguished Senator from Tennessee was making his statement, and I heard only a part of the motion which, I understand, the Senator presented to the Committee on Armed Services this morning. Is that correct?

Mr. KEFAUVER. That is correct.

Mr. McCLELLAN. It was not acted on?

Mr. KEFAUVER. No; it was not.

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

Mr. McCLELLAN. I did not fully understand the motion. Does the Senator from Tennessee have in mind that the Committee on Armed Services should conduct an overall investigation and undertake to do the job, instead of permitting the Subcommittee on Investigations of the Committee on Government Operations to do it?

Mr. KEFAUVER. I may say to the Senator from Arkansas that when the subject first came up, I felt, after an examination of the Legislative Reorganization Act that the situation was such that important aspects of the controversy affected the armed services, and that as to those aspects the Committee on Armed Services should take jurisdiction, as I believe it is required to do under the Legislative Reorganization Act. It was not my purpose to go into the subject of the competency of the staff and other matters, which, of course, are under the jurisdiction of the Subcommittee on Investigations. However, questions with respect to the integrity of the Secretary of the Army, the morale of the Army, and to what extent morale is affected are under the jurisdiction of the Committee on Armed Services.

Mr. McCLELLAN. I agree that the Committee on Armed Services may well have jurisdiction over any aspect of the controversy relating to the Army. However, I do not think the Committee on Armed Services has jurisdiction over the staff of the Subcommittee on Investigations, and no investigation can be made of those charges or countercharges without investigating the other matter also.

Inasmuch as members of the subcommittee's staff are involved, and there has been some reflection cast on the subcommittee by these charges, the subcommittee is proceeding to conduct a thorough, fair, and complete investigation. It is not our purpose to deprive any other committee of jurisdiction if it believes it has a duty to perform in connection with the controversy.

The ACTING PRESIDENT pro tempore. The time of the Senator from Arkansas has expired.

Mr. McCLELLAN. Mr. President, I ask unanimous consent to proceed for 1 minute.

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

Mr. McCLELLAN. If another committee feels it has jurisdiction, it is not our intention to deprive that committee of it. However, I may say to the Senator from Tennessee that it is not the purpose of the subcommittee to shirk its own responsibility, particularly when its own staff is involved. We intend to proceed with the investigation.

Mr. KEFAUVER. I have the fullest confidence in the Senator from Arkansas. I know that his statement is accurate. I am talking only about such aspects of the controversy as affect the Armed Forces of the United States.

Mr. HENDRICKSON. Mr. President, I should like to say that when the Senator from Tennessee pressed for action on the resolution in the Committee on Armed Services this morning, the acting chairman, who happened to be the junior Senator from New Jersey, ruled that there was no quorum present and the resolution could not be considered. Subsequently, in an informal discussion, the acting chairman of the committee assured the Senator from Tennessee that the acting chairman would consult with the chairman of the committee, the Senator from Massachusetts [Mr. SALTONSTALL] and attempt to arrange a meeting for this afternoon or for tomorrow morning, to consider the resolution.

The acting chairman of the committee has not yet been able to contact the chairman of the Committee on Armed Services, but feels he will be able to do so before the end of the afternoon.

I understand now that the Senator from Tennessee intends to press for action on the resolution, regardless of the selection of counsel by the Subcommittee on Investigations of the Committee on Government Operations. Is that correct?

Mr. KEFAUVER. Inasmuch as counsel has been selected by the subcommittee, and because apparently hearings will get underway, I am presenting the resolution and motion for the purpose of having the Committee on Armed Services consider those aspects of the controversy over which it has jurisdiction. As to those features over which it decides it has jurisdiction I shall ask that hearings be held, and the facts ascertained and reported to the Senate. Therefore, the selection of counsel may alter the extent of the resolution, but not as to the matters which come within the jurisdiction of the Committee on Armed Services.

Mr. HENDRICKSON. Certainly the Senator from Tennessee is not urging a duplication of action, is he?

Mr. KEFAUVER. The Senator from Tennessee is not urging a duplication of action. The Senator from Tennessee is very anxious that action take place and that those aspects of the subject which affect the integrity of the Army and the morale of the Armed Forces, and other matters that come within the jurisdiction of the Committee on Armed Services, should be considered by that committee, and it should not shirk its responsibility.

Mr. HENDRICKSON. Then the Senator from Tennessee expects the Senator from New Jersey to carry out the commitment which he made this morning. Is that correct?

Mr. KEFAUVER. Yes; I do. I wish to thank the Senator for the generous way in which he spoke in the committee.

Mr. LEHMAN. Mr. President, I very much hope the Armed Services Committee will not yield or surrender its jurisdiction with reference to the investigation of such matters as may arise concerning the Armed Services or the morale of the Armed Services. I think it is highly important, regardless of what the McCarthy committee may do—and I am very glad to know it has at long last finally selected a counsel—of whom I know nothing but who I hope is completely independent—that the Armed Services Committee continue to maintain its full jurisdiction. As I view the situation, many questions not disposed of in the investigation by the McCarthy committee may come within the purview and the jurisdiction of the Armed Services Committee and require further scrutiny. I feel it would be a great mistake if the Armed Services Committee yielded or surrendered any of its jurisdiction over all issues that pertain to the legal and proper functions of that committee. I hope that it may maintain its jurisdiction over all matters that affect our Armed Services.

CONFIRMATION OF NOMINATION OF POSTMASTERS

Mr. KNOWLAND. Mr. President, after consultation with the minority leader, I ask unanimous consent that, as in executive session, the Senate proceed to consider the nominations on the Executive Calendar, under the heading of "New Reports."

The ACTING PRESIDENT pro tempore. Without objection, as in executive session, the clerk will state the nominations on the executive calendar.

POSTMASTERS

The legislative clerk proceeded to read sundry nominations of postmasters.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the postmaster nominations be confirmed en bloc.

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

Mr. KNOWLAND. Mr. President, I ask that the President be immediately notified of the confirmation of the nominations.

The ACTING PRESIDENT pro tempore. Without objection, the President will be so notified.

STATEHOOD FOR HAWAII

The Senate resumed the consideration of the bill (S. 49) to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States.

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

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

The legislative clerk proceeded to call the roll.

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

Mr. SMATHERS. Mr. President, I should like to reserve the right to object.

The ACTING PRESIDENT pro tempore. The Senator from Florida reserves the right to object.

Mr. SMATHERS. We have now come to the final few hours of debate on Hawaiian statehood——

The ACTING PRESIDENT pro tempore. The Chair wishes to advise the Senator from Florida that the request for unanimous consent to rescind the quorum call is not debatable.

Mr. KNOWLAND. Mr. President, reserving the right to object, of course, as the Senator from Florida recognizes, one of the problems——

The ACTING PRESIDENT pro tempore. The Senator from California is advised that his remarks are not in order, because his request for unanimous consent to rescind the order for the quorum call is not debatable.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the distinguished majority leader be permitted to make a statement.

Mr. KNOWLAND. Acting for the senior Senator from Oregon [Mr. CORDON], I shall take not to exceed 5 minutes from the time under his control.

The ACTING PRESIDENT pro tempore. The Chair wishes to advise the Senator from California that he is out of order. It is necessary either to obtain a quorum or that the order for the quorum call be rescinded by unanimous consent.

Mr. SMATHERS. I shall resume my seat.

The ACTING PRESIDENT pro tempore. Without objection, the order for the quorum call is rescinded.

The Chair wishes to advise the Senate that S. 49, a bill to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States, is before the Senate and is open to amendment.

The Chair further wishes to advise the Senate that the proponents of the amendments will be allowed 45 minutes of debate on any amendment, the time to be controlled by the proponents of such amendments, and the distinguished senior Senator from Oregon [Mr. CORDON] will be allowed equal time in which to argue the opposition to the amendment.

The Chair also wishes to advise the Senate that the debate on the bill will be limited to 1 hour, the time to be equally divided and controlled, respectively, by the Senator from Oregon [Mr. CORDON] and the distinguished minority leader, the Senator from Texas [Mr. JOHNSON].

Mr. KNOWLAND. Mr. President, I desire to ask the Senator from Oregon if he will yield me, from the time under his control, not to exceed 5 minutes.

Mr. CORDON. I am happy to yield 5 minutes to the distinguished majority leader.

The ACTING PRESIDENT pro tempore. The time so requested will be charged to the 1 hour allotted for debate on the bill. The Senator from California is recognized.

Mr. KNOWLAND. The statement I was prepared to make earlier, when the distinguished Senator from Florida was about to raise a question relative to the attendance of Senators in the Chamber, was that, while traditionally, the Senate meets at 12 o'clock noon, equally traditionally, and perhaps unfortunately, the hour of 12 o'clock is when most people, from force of habit or otherwise, go to luncheon. So we are confronted with that problem.

The only point I wished to make was that if we proceeded through a second quorum call, that, in effect, would have come equally out of the time of both Senators who are in control of the time, and would merely have extended the debate farther into the day.

I understand a number of Senators on both sides of the question and on both sides of the aisle have made tentative arrangements to leave early, some of them this evening by 6 o'clock, and some by 7 o'clock, as the case may be. It is immaterial to me, but I thought that if we could proceed with the debate and the discussion, alternating between the sides, then, as we reached the approximate point of voting, the attendance would improve.

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

Mr. KNOWLAND. I yield.

Mr. MONRONEY. The reason the Senator from Florida and I were somewhat reluctant to have the quorum call rescinded was that we believe our amendment is a constructive answer to a very important question in connection with the growth of the United States, namely, as to what will happen if States are to be admitted beyond the land mass of the United States. We have been honored with the presence of perhaps less than six Senators during the 2 days of discussion in which we tried to answer questions and to defend the amendment proposing to grant commonwealth status to the overseas areas, although the amendment has not as yet been called up.

We should be very happy if some Senator would call up another amendment earlier. Otherwise, we shall be placed at a disadvantage with respect to time before the vote on our amendment, by being unable to summon more than half a dozen Members to the floor. The inability of Senators to understand what we are trying to do leaves us at a grave disadvantage.

Mr. KNOWLAND. That is a condition with which we are confronted, arising largely from the fact that Senators have committee meetings to attend and have luncheon engagements to keep. I am certain that the debate, which has been printed verbatim in the CONGRESSIONAL RECORD, has been followed closely by Senators.

Of course, I am not in a position to help the Senator from Oklahoma, because I am opposed to all the amendments and also to the motion to recommit. But I understand that most of the amendments have been offered by the Senator from Oklahoma or by Senators associated with him, so if he would prefer to proceed to a vote, he could make a motion to recommit, and then have the debate proceed on that motion.

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

The ACTING PRESIDENT pro tempore. The Senator from California is speaking under a limitation of time and has 1 minute remaining.

Mr. KNOWLAND. I yield to the Senator from Oklahoma.

Mr. MONRONEY. The Senator from Florida and I have not been trying to consume time; we have been trying to move ahead on the issue. We were hopeful that at this late date, with only 45 minutes remaining to devote to the question of commonwealth status, we would be able to make a case——

The ACTING PRESIDENT pro tempore. The time of the Senator from California has expired. The bill is open to amendment.

Mr. LANGER. Mr. President——

The ACTING PRESIDENT pro tempore. For what purpose does the distinguished Senator from North Dakota rise?

Mr. LANGER. I desired to speak for about a minute on the question of attendance of Senators on the floor.

The ACTING PRESIDENT pro tempore. The time is under the control of the Senator from Oregon and the Senator from Texas.

Mr. LANGER. Will the distinguished Senator from Texas yield 1 minute to me?

Mr. JOHNSON of Texas. I am delighted to yield 1 minute to the distinguished Senator from North Dakota.

Mr. LANGER. Under the LaFollette-Monroney Act, the question of attendance of Senators is within the jurisdiction of the Committee on the Judiciary, which has discussed the subject at various times. I desire to issue an invitation to any Senator who has any ideas on the subject to write a letter to the Committee on the Judiciary, because we are very much concerned, as was the late Senator La Follette, about having a full attendance of Senators on the floor.

The ACTING PRESIDENT pro tempore. The bill, S. 49, is before the Senate and is open to amendment.

Mr. SMATHERS. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. SMATHERS. Would it be possible for either an opponent of the statehood bill or a proponent of it to speak at this time under the 1-hour limitation?

The ACTING PRESIDENT pro tempore. If the time be yielded by the Senators who control the time.

Mr. SMATHERS. I desire to ask the able Senator from Oregon, who is the principal proponent of the statehood measure, if he expects to make any speech at this time in behalf of statehood.

Mr. CORDON. I feel that the questions involved have been fully debated, and that there is very little hope of there being any particular change in views.

The ACTING PRESIDENT pro tempore. The Chair is unable to understand how the Senator from Florida is making a parliamentary inquiry.

Mr. CORDON. For the reason I have stated, I should like to do everything possible to hasten the matter to a conclusion. Therefore, I shall be more than happy to join with the distinguished minority leader in yielding unused time, so as to bring the bill to a vote as soon as possible.

Mr. SMATHERS. I think that we on this side who are opposed to statehood have evidenced a disposition to be willing to vote on the question. As a matter of fact, we were willing to vote prior to today. But, in view of the fact that the amendment offered by the Senator from Oklahoma [Mr. MONRONEY] is a constructive amendment, we thought it would be only fair to have more Senators on the floor, so that when the time comes to vote on it, they will know what they are voting on.

As the able majority leader has said, it is unfortunate that we have all acquired the habit of eating between 12 and 1 o'clock. However, if some Senator could be found who wished to talk at this particular time, we could start the debate. In this way, it would appear to me that a little headway could be made. There is no desire on my part to delay the vote.

Mr. JOHNSON of Texas. I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The time will have to be controlled by the Senator from Oregon [Mr. CORDON] and the Senator from Texas [Mr. JOHNSON], unless the request is made for unanimous consent that the time for the quorum call not be charged to either side.

Mr. JOHNSON of Texas. I ask unanimous consent that a quorum call may be had without the time being charged to either side.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Bricker	Byrd
Anderson	Burke	Capehart
Barrett	Bush	Carlson
Beall	Butler, Md.	Case
Bennett	Butler, Nebr.	Chavez
Clements	Holland	Morse
Cooper	Hunt	Mundt
Cordon	Ives	Murray
Daniel	Jackson	Neely
Dirksen	Jenner	Pastore
Douglas	Johnson, Colo	Payne
Duff	Johnson, Tex.	Potter
Dworshak	Johnston, S. C.	Purtell
Eastland	Kefauver	Robertson
Ellender	Kerr	Russell
Ferguson	Kilgore	Saltonstall
Flanders	Knowland	Schoeppel
Frear	Kuchel	Smathers
Fulbright	Langer	Smith, Maine
Gillette	Lehman	Smith, N. J.
Goldwater	Long	Stennis
Green	Magnuson	Symington
Griswold	Malone	Thye
Hayden	Mansfield	Upton
Hendrickson	Maybank	Watkins
Hennings	McCarran	Welker
Hickenlooper	McClellan	Williams
Hill	Millikin	
Hoey	Monroney	

Mr. SALTONSTALL. I announce that the Senator from Pennsylvania [Mr. MARTIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Wisconsin [Mr. WILEY], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from North Carolina [Mr. LENNON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

The ACTING PRESIDENT pro tempore. A quorum is present.

Mr. MONRONEY. Mr. President, on behalf of the Senator from Florida [Mr. SMATHERS], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Texas [Mr. DANIEL], and myself, I offer the amendment which I send to the desk and ask to have stated. It is designated "3–17–54–A."

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Oklahoma for himself and other Senators will be stated.

The LEGISLATIVE CLERK. It is proposed to strike out all after the enacting clause and insert in lieu thereof the following:

That this act is enacted in the nature of a compact so that the people of the Territories of Hawaii and Alaska may organize governments pursuant to constitutions of their own adoption.

Such governments, when properly organized as hereinafter specified shall be called "Commonwealths of the United States of America." It is the intent of Congress that the highest degree of self-government within their respective areas be vested in the people and in their elective governments. This authority will be exercised within the framework of and under the Constitution of the United States and the laws of the United States excepting those which by act of the Congress are made inapplicable to such areas.

This act shall be submitted to the qualified voters of each such Territory for acceptance or rejection in a referendum to be held for such purpose under the laws of such Territory. If this act is approved by a majority of the votes cast in such referendum, the legislature of such Territory shall call a convention to draft a constitution providing self-government as a Commonwealth of the United States for the people of the Territory. Such constitution shall provide a republican form of government and shall include a bill of rights.

(b) Upon adoption of the constitution by the people of such Territory, the President of the United States shall, if he finds that such constitution conforms to the Constitution of the United States and the provisions of this act, transmit such constitution to the Congress of the United States. Upon approval of the Congress, the constitution shall become effective in accordance with its terms, subject to the conditions and limitations of the act of Congress approving it.

TAXATION

SEC. 2. It is hereby declared to be the intent of Congress that upon the adoption of constitutions by, and with the granting of complete Commonwealth status to either or both of the Territories of Hawaii and Alaska, as provided for in this act, the tax laws of the United States shall be amended in order to provide that residents of either or both of Alaska and Hawaii shall be treated under such laws in a manner similar to the treatment given to residents of Puerto Rico under such laws at the present time, the purpose of such treatment being to allow the governments of Hawaii and Alaska, in line with their newly acquired Commonwealth status, to realize full benefits from taxation of income produced within their boundaries.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY] for himself and other Senators. On this question the Senator from Oklahoma has 45 minutes and the Senator from Oregon [Mr. CORDON] likewise has 45 minutes.

Mr. MONRONEY. Mr. President, I yield myself 15 minutes.

Mr. President, I deeply regret that again as we attempt to explain the importance of the step which the Senate is about to take in changing the historic geographic structure of the United States by taking in two overseas areas and conferring upon them full statehood, as is proposed in the bill before us, there are present not more than a dozen Senators to participate in this discussion and to listen to the alternative proposal.

We think that this proposal at the same time that it would grant additional rights of self-government to the people of these areas, would also protect the United States against damage by reason of having overseas areas some 2,000 miles removed from the land mass of the United States enjoying full statehood. Thus these areas would be in a position actually to be the "tail that wags the dog," affecting disproportionate control over the 48 land-union States which now comprise the United States.

If we pass the pending bill as it now stands, we shall be embarking upon a pattern for the United States. It is completely antagonistic to the original thoughts of our Founding Fathers, who were under the impression that they were establishing, on the mainland of the North American Continent, a group of States which would be closely related to one another, not only by reason of contiguity, but because of basic tradition, heritage, and common economic interest.

In uniting the Original Thirteen States it was necessary to make a great compromise. This compromise was

made in order to perfect a union. Without it there could not possibly have been a United States. It was altogether fitting and proper that this great compromise should have been made. It gave to the larger and more populous States representation in the House of Representatives according to their population; and it gave to each State, no matter how small, the same representation of two Members in the United States Senate.

Without this compromise there could not have been a union. Without this compromise there could not have been the greatness of the United States.

That pattern has worked well. We followed the great compromise—although it was perhaps not necessary that it be done—as we enlarged the Union and took in the rest of the 48 States. The citizens of the Original Thirteen States migrated across the Great Plains and through the mountains. They took with them the heritage, history, and ideas of economics which had been the seed corn of the Thirteen Original Colonies. We followed the great compromise in putting together the present Union of 48 States. It is true that we have taken in many States with small populations, but the treatment of each State has been in line with the pattern for uniting the central part of North America into a land mass which truly and physically was the United States of America.

As we have completed the filling in of the gaps, as we have taken in both large and small areas, with large or small populations, we have followed the original pattern, until we reached the border lines formed by two great oceans. On the north we have reached the boundary of the stable and well-established sovereign country of Canada. On the south we have reached the border line of the United States of Mexico.

The Atlantic Ocean on the east, the Pacific Ocean on the west, Canada on the north, and Mexico on the south form the boundaries of the land mass of the United States. The fact that our Nation is constituted as one contiguous area, it must be admitted, is responsible for much of our greatness, much of our solidarity, much of our belief in the basic Anglo-Saxon principles of law, and for the fact that we have a common heritage. This was the seed corn which, transplanted across the Continent, developed into 48 States. As we face the facts I have outlined, it must be admitted that by the passage of the proposed legislation we would break a precedent.

I do not believe Hawaii has been denied statehood for these many years due solely to the fact that she has lacked progress or ability for self-government. I believe that underlying the failure of previous Congresses to act on statehood for Hawaii has been the natural reluctance to leave the land union of the 48 States and embark more than 2,000 miles west, across international waters, to set up a new State which is not contiguous to and not reachable by easy access from the 48 land-union States.

The same thing is true with respect to the Territory of Alaska, which can only be reached either by crossing the sovereign country of Canada or by crossing international waters for more than 1,000 miles northward.

Mr. President, by taking the action proposed, I believe we would be breaking precedent, breaking the American tradition, and changing the physical aspects of the land union of the United States.

I believe most strongly that this physical union, the contiguity of States, has been to a large degree responsible for our greatness.

Before we take such a step as this bill proposes, forsaking what may be called the physical United States of America, to become perhaps the associated states of North America, it is high time for the Senate to give more than passing concern and consideration to the passage of such a bill. The discussion of which, from my attendance on the debate, I have noted, has been limited more or less to the level of that accorded a local bill—a local bill very much wanted by the people of Hawaii and greatly desired by them, and to a lesser degree, so far as statehood is concerned, by the people of Alaska. The whole nature of the debate I have heard has been to the effect that statehood is wanted by those people, and that, since they want it, they deserve it. In that respect, it is similar to a bill for deepening the harbor of Honolulu, so far as the arguments are concerned. In other words, it is said the people are entitled to statehood, and therefore we should make their Territory a State, on an equal basis with the 48 States of the Union.

We do not say that commonwealth status is the perfect solution. But we have put forward the proposal for commonwealth status and it deserves the very careful attention and consideration of the Senate. Once statehood is granted to these Territories, with full statehood rights, the action is irrevocable. From that point on nothing can ever be done to correct what many of us believe to be a serious mistake or to alter in any degree the relationships we create on the floor of the Senate today.

Let us look at the commonwealth amendment which we are offering today. In the first place, we do not wish it on or force it on the people of Hawaii and Alaska. We merely say that they shall have the right to vote in a referendum on the question of whether they desire to have their Territories become commonwealths, considering the possibility that the advantages of statehood may be a little longer delayed. If they prefer to take the advantages of commonwealth status, they can accept it, perfect their constitution, elect their own public officials and judges, and have the right to spend the revenue that originates in their areas.

Mr. DOUGLAS rose.

The ACTING PRESIDENT pro tempore. The Senate will observe the regular order. Does the Senator from Oklahoma yield to the Senator from Illinois?

Mr. DOUGLAS. I was about to ask the distinguished Senator from Oklahoma whether he would prefer to continue with his discussion or whether he would be willing to yield to me for a question at this point?

Mr. MONRONEY. I shall be very happy to yield to the distinguished Senator from Illinois at any point he may wish to ask me to yield. I am delighted to yield to him.

Mr. DOUGLAS. I wonder whether the Senator from Oklahoma would be willing to spell out the precise difference between the commonwealth status which he proposes and statehood. Is my understanding correct that under the commonwealth status the people of Alaska and Hawaii would elect their own legislature and their own Governor, as now?

Mr. MONRONEY. They would have the right, I will say to my distinguished friend from Illinois, to the maximum amount of self-government, which would be equal or equivalent to that of any State, so far as their local affairs are concerned.

They would write their own constitution, and they could provide for two elected principal officers, or for a dozen. The constitution, when formed by the people of Hawaii, under a commonwealth status, would be subject to the approval of the President and of Congress. However, that is the same as is the situation in connection with statehood. From the standpoint of local self-government they would enjoy all the privileges a State enjoys, plus the privilege of determining the extent of the taxation levied and to retain the revenue within their respective areas.

Mr. DOUGLAS. Mr. President, will the Senator from Oklahoma yield for a further question?

Mr. MONRONEY. I am delighted to yield to my distinguished colleague.

Mr. DOUGLAS. Under a commonwealth status, would the inhabitants retain the money which they now pay to the central government in internal revenue and income taxes, and which they would also pay under statehood? I mean by that, will the commonwealths, as such, retain the taxes which they now pay to Washington?

Mr. MONRONEY. That is provided by the amendment. Of course, we cannot advise Congress on the exact nature of all the details. However, it is spelled out in our proposal that the same status which is enjoyed by the Commonwealth of Puerto Rico shall be enjoyed by these Territories as commonwealths, which would allow them to retain for their own use and for their own purposes all the wealth that originates in their areas subject to whatever taxation the commonwealths might wish to place upon it.

Mr. DOUGLAS. Mr. President, will the Senator from Oklahoma yield further?

Mr. MONRONEY. I am delighted to yield to my distinguished colleague from Illinois.

Mr. DOUGLAS. What would be the citizenship status and the rights of migration of the citizens of these commonwealths?

Mr. MONRONEY. The citizenship status would be identical with that of any State, and such as is enjoyed today by the citizens of Puerto Rico. There would be no limitation.

Mr. DOUGLAS. Mr. President, will the Senator from Oklahoma further yield?

Mr. MONRONEY. I am delighted to yield.

Mr. DOUGLAS. Would they have the right to free and unlimited migration?

Mr. MONRONEY. They would have such right.

Mr. DOUGLAS. Mr. President, will the Senator from Oklahoma further yield?

Mr. MONRONEY. I am delighted to yield.

Mr. DOUGLAS. Would they have the right to own property and inherit property and transact business within the United States?

Mr. MONRONEY. They would, so far as the junior Senator from Oklahoma is informed. Of course, I am not so familiar with some of the State laws as I should be, but certainly under the Federal law they would have all such rights.

Mr. DOUGLAS. Mr. President, will the Senator from Oklahoma further yield?

Mr. MONRONEY. I am delighted to yield to my distinguished friend.

Mr. DOUGLAS. Would they have the protection of American consular and diplomatic officials abroad?

Mr. MONRONEY. They would so have; they would also have the protection of the United States armed services in matters pertaining to their own local defense.

Mr. DOUGLAS. Mr. President, will the Senator from Oklahoma further yield?

Mr. MONRONEY. I am delighted to yield to my distinguished colleague.

Mr. DOUGLAS. Would the draft law require compulsory military service of the people of the commonwealths?

Mr. MONRONEY. It would so require, as is the case with respect to the Commonwealth of Puerto Rico, which now is under our selective service system.

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

Mr. MONRONEY. I am delighted to yield.

Mr. DOUGLAS. What is the difference between commonwealth status and statehood?

Mr. MONRONEY. I am very glad the Senator has asked me that question, because we do not like to be accused, as we have been accused, of trying to cover up what we mean by commonwealth status. The citizens of the commonwealth areas would enjoy practically every advantage known to the citizens of a State, save that of having elected Representatives in the United States Congress. They would not have two Senators and, as at the present time, they would not have the right to vote for the President of the United States.

It would be my idea, if this worked well over a period of 5 or 10 years, that a constitutional amendment could be proposed giving them the absolute right to elected Representatives in the House of Representatives, according to their population, and giving them the full right to vote for President of the United States, but not giving them the right to have 2 Senators.

The ACTING PRESIDENT pro tempore. The time of the junior Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I yield myself an additional 5 minutes.

The reason, I believe, for the suggestion of having no sitting Member in the House at this time, but only a Delegate, and no Member of the United States Senate, is that these overseas areas, being noncontiguous and in a more or less isolated situation, and not having a common interest with the 48 States, are not entitled to have 2 voting Members of the Senate. As I pointed out in the debate a few days ago, to give Hawaii 2 Senators would mean Hawaii would be enjoying a voting privilege of approximately 33 to 1 as compared with citizens of the State of New York. In other words, instead of having proper representation of this oversea area, we would be giving them overrepresentation.

I see my distinguished colleague from California is in the Chamber, and I would be interested to know what his attitude is with reference to statehood for Hawaii, when 1 vote in Hawaii would have as great a weight in electing Members of the Senate of the United States as would perhaps 22 votes in the State of California or in the State of Pennsylvania.

Mr. KUCHEL. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I am delighted to yield.

Mr. KUCHEL. The question which I should like to ask my good friend is this: Is it not true that the political platforms of both great parties pledged statehood to Hawaii, and also, in the case of the Democratic platform, statehood for Alaska?

Mr. MONRONEY. I understand that to be true.

Mr. KUCHEL. Do not the citizens of those two Territories have a right to place some reliance upon the solemn pledge which was made in the political platforms with respect to the people of Hawaii and of Alaska? Should they not place some reliance on that commitment? I hasten to say that I intend to vote for statehood.

Mr. MONRONEY. I would say to the distinguished Senator that his own party placed pledges in its platform that they were going to have a balanced budget and 100 percent of parity for farmers. They also promised statehood for Puerto Rico, yet the majority leader stated a few days ago that he would never vote for statehood for Puerto Rico. So I must say to the distinguished Senator that many of the things in the platforms of both parties are not capable of fulfillment and have not been fulfilled, and we find the distinguished senior Senator from California saying that he would never vote for statehood for Puerto Rico.

Mr. KUCHEL. I say to my friend from Oklahoma that he and I are responsible to our own consciences and our own constituencies, with respect to commitments made by the political organizations to which we belong. But, paying whatever respect we may be inclined to pay to party platforms, I am sure the platforms of the two great political parties 2 years ago were entirely silent on the question of statehood for Puerto Rico.

Mr. SMATHERS. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. SMATHERS. The Republican platform distinctly states that it favors statehood for Hawaii and Alaska and, eventually, for Puerto Rico.

Mr. KUCHEL. Mr. President, will the Senator from Florida tell me where the platform contains that statement?

Mr. SMATHERS. I do not happen to have a copy of the Republican platform in my pocket but I am sure it states just what I said.

The ACTING PRESIDENT pro tempore. The time of the Senator from Oklahoma has expired.

Mr. MONRONEY. Mr. President, I should like to reserve the remainder of my time. Perhaps the distinguished chairman of the subcommittee would care to use some of his time.

Mr. CORDON. Mr. President, I yield 8 minutes to the distinguished Senator from New York [Mr. LEHMAN].

Mr. LEHMAN. Mr. President, I hope with all my heart that the bill granting statehood to Alaska and Hawaii will pass. I shall, of course, vote for it. I appeal to all my colleagues to vote for it.

When I voted some weeks ago to attach the proposal for Alaskan statehood to the bill for Hawaiian statehood, I did so in the belief that it would enhance the legislative prospects for both. I think both Territories richly merit statehood. I think it is in the interest of the United States, I think it is essential for the United States, to grant statehood to both Territories.

The arguments which have been made against statehood are not, in my judgment, sound ones. And I include the arguments which have been made against statehood for each of the Territories as well as for both.

Some of the arguments which have been made, especially against statehood for Hawaii, are deeply fallacious and do not reflect creditably upon our faith in democracy. It has been stated—the alarmist possibility has been raised—that Hawaii might send a Communist to the Senate of the United States.

How distrustful of the workings of democracy such a statement is. Do we believe that a Territory which has been under the American flag for 55 years, which has been under American influence even longer than that, which has had the benefits of the American school system for all those years, and of an atmosphere as American as that in any part of the United States—do we believe that such a Territory will elect to the United States Senate a Communist, a conspirator against the United States? If we can entertain such a thought, we have little faith in the democratic process.

The literacy rate in Hawaii bears favorable comparison with that in any part of the United States. Its record of crime is far less than the average in the entire Nation. Its vital statistics show the unusually fine and intelligent medical care given to the citizens of Hawaii. Above all, Mr. President, the patriotism of its citizens, tested in the fire of a score of bloody battles of our country's wars, and attested to by rows of white

crosses in many a military cemetery abroad and in Hawaii, itself, should silence those who raise the specter of communism. No people anywhere in the United States have served with greater courage or loyalty or devotion than have the citizens of Hawaii.

There is no group of people more loyal to American ideals and to the United States than the inhabitants, as a whole, of the Territory of Hawaii. This has been proved. It cannot be denied.

The strength of a single labor union, whose leadership is tainted, cannot be cited as an argument against the loyalty and devotion of a half-million people, long schooled in the American tradition, well tested in devotion to American ideals.

As for the unspoken argument—the argument based on the racial composition of Hawaii—that argument is so weak that it can scarcely be made in public, on the floor of the Senate. Hawaii is America in microcosm—a melting pot of many racial and national origins, from which has been produced a common nationality, a common patriotism, a common faith in freedom and in the institutions of America.

And may I point out that no one race, no one creed, no one national origin, can claim greater patriotism or greater faith than can other groups of Americans.

As for Alaska, this Territory, which has been under the American flag for almost a century, desires and deserves statehood. It needs statehood. It needs statehood to give it a chance to develop it potentialities, with a voice here in the Senate and in the House, to speak for its interests—the interests of the only remaining Territorial frontier of America.

Alaska can become one of the great prides and boasts of America—one of the new centers of American expansion—industrial, mineral, agricultural, and recreational. Alaska has made great strides in the past 20 years. But Territorial status acts as an anchor, a drag-weight on its progress. Alaska needs spokesmen for its interests here in the Senate—spokesmen with votes, who can compel the attention of the Congress and of the Nation to its needs, as each of us here can, for our States and our problems.

The world is watching what we do here. They will watch our votes. They will not hesitate to ascribe to us, should we vote down this measure, motives which will do us poor credit.

Should we vote for statehood for Alaska and Hawaii, we will tell the world that we are still an expanding nation, a dynamic nation, free, fluid, and flexible in our constituency of States—dynamic from within as well as from without. We will tell the world that we believe in the American idea for ourselves as well as for others—that we are still growing and expanding, that we embrace the concept of the expanding frontier, and that in this airborne age, we have crowned with statehood Territories distant from our mainland boundaries. We will advance the full sovereignty of the United States 2,000 miles into the Pacific, and 2,000 miles into the great northwest.

Above all, Mr. President, we will have shown to the world that we practice what we preach in our party platforms and in the halls of our legislatures, including the Congress of the United States.

What added voice we will have in world affairs when we will thus have acquitted ourselves with the legislation before us.

But I do not urge that we should take this action simply to give us something to talk about. I do not propose this action as a propaganda measure.

Statehood for Alaska and Hawaii is in the proper interest of the United States, from a domestic as well as from an international viewpoint. This is an act of justice and fair dealing with the inhabitants of Alaska and of Hawaii. This is an act which will benefit all the people of the United States, from New York to San Francisco, from New Orleans to Seattle.

The ACTING PRESIDENT pro tempore. The time of the Senator from New York has expired.

Mr. LEHMAN. Mr. President, I ask unanimous consent that I may be yielded an additional 2 minutes.

Mr. CORDON. I yield an additional 2 minutes to the distinguished Senator from New York.

Mr. LEHMAN. I shall oppose the amendment to provide commonwealth status. The people of Alaska and Hawaii do not wish commonwealth status. It would be presumptuous and demeaning to offer them something which they do not want.

Puerto Rico wanted internal political autonomy. It did not wish statehood. The so-called commonwealth status works well enough in Puerto Rico, but it is an exceptional status which is not easily adaptable to our form of Government. There is no symbol of sovereignty in the United States like the Crown of England. Sovereign power reposes only in Congress and the President, as interpreted and restrained by the judiciary.

There is no similarity between the alleged commonwealth status, as is proposed in the amendment now before the Senate, and that which exists in the British Commonwealth of free nations. To force so-called commonwealth status upon people who have not asked for it and who emphatically are opposed to it will satisfy no one and will accomplish absolutely nothing.

Mr. President, Alaska and Hawaii want statehood. They are ready for statehood. Let us give them statehood. I hope neither the barriers of prejudice nor the maneuvers of politics will be permitted to prevail in regard to the pending legislation. I hope and trust the bill will pass, and that the amendment which is now before the Senate, which proposes commonwealth status for these two Territories, will be defeated.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Oklahoma for himself and other Senators.

Mr. CORDON. Mr. President, I yield 15 minutes to the distinguished junior Senator from New Mexico.

Mr. ANDERSON. Mr. President, I was deeply interested in the remark made by the author of the amendment proposing commonwealth status, the distinguished Senator from Oklahoma [Mr. MONRONEY], who warned that the step granting statehood, once taken, is irrevocable. I think his statement is correct, but I hope the Senate will bear in mind that there are other steps which are irrevocable, and that the proposal for changing Alaska and Hawaii from incorporated Territories to unincorporated commonwealths, which is involved in the amendment, is equally impossible and unconstitutional.

Mr. FULBRIGHT. Mr. President, will the Senator yield at that point, or does he not wish to yield now?

Mr. ANDERSON. I am glad to yield to the Senator from Arkansas.

Mr. FULBRIGHT. Did the Senator say that the proposal was unconstitutional?

Mr. ANDERSON. If the Senator will wait and will follow my remarks, I think he will find that the proposal contained in the amendment, which suggests that there shall be a different taxation system in Alaska and Hawaii which are incorporated Territories, is as unconstitutional as I think it possibly could be. I hope the Senator will listen to my statement and will decide for himself.

Mr. FULBRIGHT. I simply wondered if I had heard the Senator correctly.

Mr. ANDERSON. Yes, the Senator from Arkansas heard me correctly.

Time and time again, Alaska and Hawaii have been designated by the Supreme Court of the United States as incorporated Territories, and as such have been adjudged by the Nation's highest court to be incipient States. As States in embryo, all provisions of the Constitution apply to them.

Puerto Rico is a commonwealth, or associated State, whatever that may be. Its status, in any event, has yet to be determined definitely; the exact nature of its role in the American family will have to be determined by the courts. It is entirely probable that the judiciary will some day hold that Puerto Rico still is, constitutionally, an unincorporated Territory, and that commonwealth status necessarily connotes unincorporation. If that should prove to be the case, then Alaska and Hawaii could not legally, constitutionally, assume that inferior status.

In the case of *Downes* v. *Bidwell* (182 U. S. 271, 1901), the Supreme Court of the United States declared that—

> Where the Constitution has been once formerly extended by Congress to Territories neither Congress nor the Territorial legislature can enact laws inconsistent therewith.

Mr. Justice Brown, in the case of *Rassmussen* v. *United States* (197 U. S. 536, 1905), another of the famed Insular cases, asserted that—

> The extension of the provisions of the Constitution * * * once done, is irrevocable.

It follows, then, that those who would remake Alaska and Hawaii in the image of Puerto Rico are somewhat disingenuous when they extol the benefits Puerto Ricans derive from the Federal tax exemptions. As incorporated Territories, Alaska and Hawaii are subject to section 8 of article I of the Constitution, which provides, in part, that "all duties, imports, and excises shall be uniform throughout the United States."

It is doubtful, to say the least, that Congress has the power, under the Constitution, to exempt the citizens of Alaska and Hawaii which are parts of the United States from the applicability of this uniformity clause.

From the very beginning, Alaska and Hawaii have ben accorded treatment different from that extended to Puerto Rico. Alaska was purchased by treaty from Russia in 1867. Article 3 of that convention provided that—

> The inhabitants of the ceded territory, according to their choice, reserving their natural allegiance, may return to Russia within 3 years; but if they should prefer to remain in the ceded territory, they, with the exception of uncivilized native tribes, shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States, and shall be maintained and protected in the free enjoyment of their liberty, property, and religion.

With reference to the particular language, that they "Shall be admitted to the enjoyment of all the rights, advantages, and immunities of citizens of the United States," I suggest that nothing similar to that was contained in the treaty whereby Puerto Rico was acquired, and that the rights of Puerto Rico simply do not come in the same category as those of Hawaii and Alaska.

In the case of Alaska and Hawaii, there was included the "right" to have their young men drafted into the armed services. Those Territories were treated exactly as the treaties prescribed they should be treated. I do not think it is possible now to change that situation.

Again, in the case of Rasmussen against United States, and also in *Balzac* v. *People of Puerto Rico* (258 U. S. 298, 1922) the Supreme Court held that the treaty constituted one of the chief grounds of Alaska's incorporation into the Union; but it should be noted that the treaty of itself did not, and could not, accord incorporation, even though it strongly implied such a grant.

Thus as soon as Congress began to implement the treaty of 1867 by extending national statutes to the Territory, Alaska was well on the way to full incorporation. By 1884, surely, Alaska had attained the highest possible status next to statehood, even though the second, and major, organic act was not approved until 1912.

The basic point to remember in regard to the Alaskan Treaty is that the Senate of the United States could have omitted, had it chosen to do so, any reference to citizenship, with its implied promise of incorporation for the Territory. The people of Puerto Rico, under the Treaty of 1898 with Spain, were treated quite differently. There was no provision for citizenship for Puerto Ricans, and there was no promise, implied or otherwise, of incorporated status.

The people of Hawaii, on the other hand, have been entitled from the first to expect preferential treatment. They presented a treaty, which was not ratified, in 1897, containing the following language:

> The Republic of Hawaii and the United States of America, in view of the natural dependence of the Hawaiian Islands upon the United States, of their geographical proximity thereto, of the preponderant share acquired by the United States and its citizens in the industries and trade of said islands, and of the expressed desire of the Government of the Republic of Hawaii that those islands should be incorporated into the United States as an integral part thereof, and under its sovereignty, have determined to accomplish by treaty, an object so important to their mutual and permanent welfare.

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

Mr. ANDERSON. I am happy to yield to the Senator from Oklahoma.

Mr. MONRONEY. If I understood the Senator correctly, he has stated that commonwealth status would not permit the waiving of taxes, and that under statehood status the two Territories would be completely on all-fours with the 48 States. Is that correct?

Mr. ANDERSON. If they acquired statehood, yes.

Mr. MONRONEY. Then, laws which Congress has passed relating to housing and many other fields, granting special treatment and privileges to the Territory of Alaska, and in some cases to Hawaii, would not be possible, since it has not been the practice to grant special privileges, for example, to the States of Mississippi or Florida. Could Congress enact such laws if statehood were granted?

Mr. ANDERSON. I do not think so. I do not believe the granting of special privileges necessarily follows, but taxation does necessarily follow, because it is provided that taxes must be uniform. For example, the Swamp Act did not apply to every State, but it very forcefully applied to the State of Florida. It did not apply to the State of Oklahoma or to the State of New Mexico.

Mr. MONRONEY. The point I am trying to make is that constantly, in housing bills, very greatly favored treatment has been given to the Territory of Alaska because it is a Territory. If the statehood status would put the Territory on all fours with the other States, I am wondering if that kind of legislation, according to Territories any special, favored treatment could be passed. If not, as Territories they can be given treatment which they could not possibly receive if they became States.

Mr. ANDERSON. In the Alaska amendment there has been inserted a provision proposed by the distinguished Senator from Wyoming [Mr. BARRETT], that the percentage of Federal contribution to highway funds shall be frozen for 15 years at the present level of participation. That is more advantageous treatment than that given any other State in the Union. If the Supreme Court were called upon to interpret that provision, I am sure it would interpret it as it has in similar language many times in the past—that special grants can be made for special purposes. That does not disturb the uniformity clause. However, we cannot suddenly say to Hawaii and to Alaska, "You do not have to pay income taxes to the United States in some commonwealth status or as full States." In that event the millionaires of America would be found going to the beaches of those Territories because they would not have to pay any income taxes. Such a provision as that would not work.

Mr. MONRONEY. If the Senator has read the bill, I am sure he knows that the income-tax waiver we would be yielding to the Territories would apply only to income derived from the islands, and that such millionaires as he mentions would still have to pay income taxes on income originating in the United States.

Mr. ANDERSON. There is nothing which says that such millionaries could not transfer their bonds and other holdings to the Territories and earn income originating from such Territories.

Mr. MONRONEY. Any income derived from investments on the mainland would be taxable under the United States income-tax laws. Such laws apply to the people of Puerto Rico, and the same condition is contained in the amendment relating to income originating within the Territories of Hawaii or Alaska.

Mr. ANDERSON. There was nothing in the experience of Puerto Rico, so far as the income-tax question is concerned, which makes me think it would be wise to apply to the people of Alaska and Hawaii the same principle. I think it was unfortunate that such a provision was applied to the people of Puerto Rico.

There were differences in the conditions under which those various Territories were taken by the United States. By the treaty of 1898 the people of Puerto Rico were not given an immediate voice in voting for the government. It was 1917 before there was any suggestion of voting. On the contrary, when Alaska and Hawaii were incorporated, the people were immediately privileged to vote. Those people do not have the right to vote for President of the United States or for a Senator in this body; but they do have the right to bear arms, they can be drafted, they can pay income taxes; and it is that situation which is causing a great deal of trouble in those areas.

Mr. SMATHERS. Is it not a fact that citizens of Puerto Rico, Guam, the Virgin Islands, and the District of Columbia also are drafted and have to serve in the Armed Forces?

Mr. ANDERSON. Yes.

Mr. SMATHERS. The Senator from New Mexico has stated that there is a difference between the actual status of the Territories of Hawaii and Alaska and that of Puerto Rico. Prior to the time Congress voted the commonwealth status for Puerto Rico, except for the fact that they did not pay taxes, can the Senator cite any different relation which existed between Puerto Rico and the Government of the United States and that which existed between Hawaii and the Government of the United States?

Mr. ANDERSON. Not at the time the bill was passed, but for a long period prior to that there had been a difference.

Mr. SMATHERS. Can the Senator tell me what the difference was?

Mr. ANDERSON. As I have stated, in the case of Alaska, as soon as the Alaska Territory was incorporated, the people there started to vote; but in the case of Puerto Rico they did not. Puerto Rico was brought in under the treaty of 1898; it was 1917 before there was a suggestion of voting.

Mr. SMATHERS. Voting in what respect? I understand the people of the Territories are complaining about the fact that they cannot vote for representatives in Congress.

Mr. ANDERSON. That is correct.

Mr. SMATHERS. Does the Senator mean that they voted for members of the Territorial government?

Mr. ANDERSON. Yes.

Mr. SMATHERS. And the people did not do that in Puerto Rico?

Mr. ANDERSON. No.

Mr. SMATHERS. Is it not a fact, however, that in the field of national defense, in the field of foreign trade in connection with the making of trade treaties, and in other matters, the attitude of the Federal Government was to consider Puerto Rico, and that in every law passed in the United States in which territories were involved there was actually no difference in the treatment given Puerto Rico by the United States Government than that given to Hawaii or Alaska?

Mr. ANDERSON. I think there were considerable differences. Long hearings were held on the question. I am not able at this time to recall what the differences were; but, I suggest that the treatment given to Puerto Rico in the matter of sugar was a little different from that given to Hawaii.

Mr. SMATHERS. That involves a matter of negotiation. Florida for example is not treated quite so liberally as Louisiana is in the matter of sugar; nor is it treated as well as some of the other States with respect to dairy and other products.

Is it the opinion of the Senator from New Mexico that at the time we took in the Territory of Hawaii it was the suggestion of the Members of Congress that Hawaii at that time would become a State?

Mr. ANDERSON. I was about to deal with that question when I was interrupted. The treaty which was proposed was not accepted at that time. A group of antiexpansionist Democrats succeeded in bringing about an undue delay. There was a strong period of revolt against bringing Hawaii in as a State. It was not until Admiral Dewey sailed into Manila Bay that the sentiment changed. When Admiral Dewey sailed into Manila Bay, there was a sweep which went the other way, and we promptly ratified the treaty. It was said on the floor of the Senate, when the Hawaiian treaty was discussed, that we could not possibly give recognition to Hawaii; but when we realized Hawaii could be an important military outpost, we suddenly remembered they were wonderful people all the time, and there was sentiment to bring Hawaii in immediately.

Mr. SMATHERS. I should like to refer the Senator to what was said on the subject at the time by the chairman of the Foreign Affairs Committee of the House of Representatives. When asked the question, as to whether it was intended that Hawaii was to become a State he responded that he did not believe the Territory of Hawaii would ever become a State. He further said:

By the terms of this resolution all such questions will be determined by Congress, and Congress will and should do what the American people want done.

Mr. ANDERSON. I merely wish to say that I hope Congress finally will do what the American public wants done. The polls show that seven-eighths of the people of the United States would like to have Hawaii become a State; and, just as has been predicted, the time will come when Congress will do what the people of the United States want done, and will give statehood to Hawaii.

Mr. SMATHERS. I should like to read what the late Champ Clark said on this subject at the time the annexation of Hawaii was before the Congress in 1898:

That a great many people who are in favor of annexation have been scared at the idea of creating a State out of these islands is shown by the fact that the annexationists evolved a scheme to make them a county or counties of California.

* * * * *

But as California objected strenuously to that, we are now assured that it is not intended to make either a State or a California county out of them.

Mr. ANDERSON. Mr. President, I still think a State will now be made out of the Hawaiian Islands.

The PRESIDING OFFICER (Mr. CARLSON in the chair). The time of the Senator from New Mexico has expired.

Mr. CORDON. Mr. President, I yield 5 minutes to the junior Senator from South Dakota [Mr. CASE].

The PRESIDING OFFICER. The Senator from South Dakota is recognized for 5 minutes.

Mr. CASE. Mr. President, the argument advanced by the Senator from Oklahoma [Mr. MONRONEY], in behalf of his amendment, was intriguing; but, upon examination, it should not be accepted by the Senate.

The first fear expressed by the Senator from Oklahoma was based on the distance involved, namely, the distance of 2,000 miles from Hawaii to the United States.

Mr. President, in 1945, I ate a very late supper in San Francisco, and I ate breakfast at the normal time in Honolulu, the next morning. That was in 1945, almost 10 years ago.

Last fall I want to Alaska. I left Fairbanks, the most northerly of the major cities of Alaska, at 8:30 in the morning. At 10:30 that night I was in my home city in South Dakota. Others of the group came to Washington, D. C., and arrived here at what would have been 2 o'clock in the morning, Alaska time.

In the course of the debate, population has been mentioned. Mr. President, today the Territory of Hawaii has more people than any of the original 13 States had at the time of the formation of the Union, save two—one of them being Virginia, I believe. The Territory of Hawaii has a greater population than half of the States had at the time when they were admitted to statehood.

So the distance and population arguments are refuted by the facts, as we know them today.

The final argument of the Senator from Oklahoma was based on the fear of having in this body two Senators from each of these two Territories.

Mr. President, one Member of the present Senate came to Congress at the time of the admission to the Union of his State; I refer to the distinguished senior Senator from Arizona [Mr. HAYDEN]. He happens to sit on the other side of the aisle, and does not belong to the same political party to which I belong; but I venture to say that if a poll were taken of the Members of the Senate and if all Members of the Senate were scored, the composite score of the senior Senator from Arizona would be the highest, from the standpoint of his ability and standing in the Senate. So the argument based on the fear of letting the representatives of what is now a Territory enter the Senate of the United States should be abandoned.

Mr. President, the whole argument for commonwealth status for these two Territories, rather than statehood for them, is an argument of fear and is similar to the arguments which have been advanced whenever Territories have been proposed for admission as States of the United States. I submit to the Senate that the United States has grown and has progressed and has become stronger with the development of its frontiers. When we call the roll of the Western States which have been admitted to the Union, we realize that each one has made its contributions; and so would the Territories of Hawaii and Alaska.

When I was in Alaska, a year ago, I was impressed by the tremendous resources of the area, the agricultural possibilities in Kodiak and in the Kenai Peninsula, and the possibilities of timber development at Ketchikan and in the area west of Juneau, where we saw a great pulp plant being created. I was impressed by the spirit of the people there. One does not feel that he is in a foreign land when he is in Anchorage or Fairbanks or Juneau or Cordova; neither does one feel that he is in a foreign land when he is in Hawaii, for in both these lands he finds people who have the same hopes, the same aspirations, the same dress, and the same language as those who live on the mainland of the United States. Mr. President, there is a tie of unity which means more, possibly, than even the tie of geographical contiguity the Senator from Oklahoma mentioned.

In Hawaii there is now located the National Memorial Cemetery of the Pacific. At the time when that cemetery was being proposed, it had been suggested that other national cemeteries be located in various islands scattered in the Pacific; but the committee which had that matter in charge was impressed by the suggestion that since the bodies of the boys who had fallen in the fighting on the various islands of the Pacific were to be placed in care of the Federal Government, they should be interred in one great cemetery, the National Memorial Cemetary of the Pacific.

The PRESIDING OFFICER. The time of the Senator from South Dakota has expired.

Mr. CORDON. Mr. President, I yield an additional minute to the Senator from South Dakota.

Mr. CASE. I thank the Senator from Oregon.

Mr. President, in the National Memorial Cemetery of the Pacific lie the bodies of boys from every State in the Union. Today their blood calls to our blood.

Hawaii deserves statehood, and so does Alaska. They are with us in purpose, in spirit, and in possibilities. They will be States which will add luster to the stars of the flag we now see behind the seat of the Presiding Officer.

Mr. President, I hope the amendment will be rejected, and I hope the bill will be passed.

Mr. MONRONEY. Mr. President, I yield 5 minutes to the distinguished junior Senator from Florida [Mr. SMATHERS].

The PRESIDING OFFICER. The Senator from Florida is recognized for 5 minutes.

Mr. SMATHERS. Mr. President, I thank the Senator from Oklahoma for yielding this much time to me, and I also thank him for the remarks he previously made regarding the necessity of commonwealth status for the Territories of Alaska and Hawaii.

Mr. President, I have no doubt that if the sincere friends of Alaska would give a little thought and study to this amendment, they would be convinced beyond a doubt that commonwealth status for Alaska is the most desirable form of government for that Territory at this time.

I think we should remember certain facts about Alaska. In the first place, Alaska is very large, indeed. For instance, if we place the map of Alaska over the map of the United States, we find that it is one-fifth the present size of the United States. It is somewhat larger than the combined areas of all 14 States on the Atlantic seaboard, plus Pennsylvania, West Virginia, and Kentucky.

There are approximately 365,481,600 acres of land in Alaska of which 2 million acres are arable. At the present time only 14,000 acres are considered to be improved. So it can readily be seen that although there is a great expanse of land in Alaska not much of it is productive. At the present time there is in Alaska very little land from which an income can be derived.

The 1940 report of the Census Bureau disclosed that there were 623 farms in Alaska, whereas the 1950 census disclosed that there were then only 525 farms in Alaska—or a loss of approximately 100 farms. So it is evident that there is no hope or reason to believe that Alaska will become a great farm area for the United States of America.

As a matter of fact, everything north of the Alaska range is perpetually frozen, the year around. If one digs 3 inches into the soil, he comes to a frozen area.

We must admit that there are some minerals in Alaska; but the facts show that since 1945 the number of persons employed in the mining industry declined from 8,000 or 9,000 to 2,000.

The claim is made that actually Alaska will be a great natural resource for the United States because it is in the same temperature zone as that of Sweden. However, the fact is that while mineral resources do exist in Alaska, it is not economically feasible to mine them, because they are so far from competitive markets that transportation costs and other costs of production make mining costs prohibitive.

So it is plain that while there is an undeveloped potential of natural resources, what is needed today in Alaska is an economic advantage which will encourage people to go there and take the calculated risk involved. They must have an economic advantage in the form of tax relief if they are to engage in mining, lumbering operations, and the development of other natural resources. Otherwise they will remain severely handicapped in sending lumber and minerals to the United States, a distance of over 3,200 miles of railroad, and still compete with similar commodities produced in the United States. It is abundantly clear that they must have such economic help if they are to succeed.

How can we give them that advantage? The only feasible and practical way is to give them a commonwealth status, which will give to the people of the Territory Federal tax relief. I remind Senators that today the people of Alaska pay higher per capita taxes than do the people of any area or any State under the American flag.

I hold in my hand a letter from the Juneau Alaska Chamber of Commerce which cites figures showing the proportionate payment of taxes per capita. The figures show that the people of Alaska pay a 40-percent higher tax than do the people of the State of Washington; almost 100 percent higher than the tax paid by the people of Texas; and more than 110 percent higher than the tax paid by the people of Iowa.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MONRONEY. Mr. President, I yield an additional 5 minutes to the Senator from Florida.

Mr. SMATHERS. I read from the letter to which I have referred, pointing out that these are Alaskans who are talking, not people who are for the commonwealth status, and not people who are opposed to statehood:

> Without regard to what representations have been made to committees in Congress, a study of the appropriations of the last session of its legislature and the last census figure will reveal that Alaskans are probably the most heavily taxed per capita of any group under the American flag.

They tell us, in effect, "If you give us statehood it will increase our local taxes 50 percent." If we give the people of Alaska statehood, we will increase the tax burden on them about 50 percent. Is that any way to induce people to go to the Territory of Alaska or to develop its natural resources? Would people be inclined to go to Alaska if we tell them, "If you go there, you will have to pay the highest taxes paid by the people of any area in the country?" I submit that those who really wish to be of assistance to Alaska should not favor granting the people of Alaska statehood at this time. I sincerely believe that the people of the Territory of Alaska do not want statehood at this time.

The last paragraph of the letter from the Juneau Chamber of Commerce reads as follows:

> All Alaskans hope that the time is not too far distant when development of our natural resources will reach a stage where part of the burden now borne by the Federal Government can be taken over by the Territory. As can be seen from the above, the present taxload is extremely heavy and any increase in the Territorial tax program may well serve to discourage the influx of capital for the development of our natural resources, which capital is so badly needed to put Alaska on a firm, permanent, economic foundation.

I again submit that if we actually want to help the people of the Territory of Alaska, granting them statehood is not the way to do it. When they voted in 1946 on the sole question, "Do you want statehood?" only a little more than 9,000 people voted for it. Some 6,822 voted against it. Is that an overwhelming demonstration of a desire for statehood? I do not believe anyone could logically or properly conclude that it is.

As a matter of fact, the question was loaded, because, as many people in Alaska have since stated, they believe that eventually there might be statehood, but they do not want it under present conditions, whereby the tax load would be so heavy as to make economic survival impossible.

I think Commonwealth status is the proper solution to this problem and the people of the Territory are entitled to vote on this question. If we want to help the people of the Territory of Alaska, let us give them Commonwealth status, a status which will accord them all the political rights they desire, including the right to elect a governor, the right to elect judges and other local officials. It will give them every connection they desire with the United States, and at the same time provide an economic advantage which will permit their industries and their people to compete in the competitive markets, resulting in the maximum development of natural resources and enable the Territory to grow in strength economically, politically, and financially.

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

Mr. SMATHERS. I yield.

Mr. MONRONEY. Inasmuch as a grave risk would be incurred by taking the irrevocable step of granting statehood to Alaska, in particular, with 128,000 citizens who already carry the highest tax load under the American flag, and inasmuch as the burden of local taxes would be increased by granting statehood, the proponents of the statehood bill should, in all fairness to the Senate, outline what would happen under a condition of total bankruptcy of a State which has been created by act of Congress. Would there be any measure which the Federal Government could take, in view of the doctrine of states' rights, to render assistance in bailing a State out of such a situation, which would be almost certain to develop?

Mr. SMATHERS. I thoroughly agree with the junior Senator from Oklahoma. Probably for the first time in our history

we would have the situation of a bankrupt State. We could not get rid of it. It could not withdraw from the Union. I do not know what the solution would be. The granting of statehood would be an irrevocable act. Once done, it could never be undone. The time has come for us to seriously consider the question, from the standpoint of the welfare of the people of the Territory as well as of the people of the 48 States, and not merely on the basis of party platforms.

The junior Senator from California [Mr. KUCHEL] brought up the question of party platform declarations a few minutes ago. I read from the Republican platform of 1952:

> We favor immediate statehood for Hawaii.
> We favor statehood for Alaska under an equitable enabling act.
> We favor eventual statehood for Puerto Rico.

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

Mr. SMATHERS. I am happy to yield.

The ACTING PRESIDENT pro tempore. The time of the junior Senator from Florida has expired.

The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY], for himself and other Senators.

Mr. MONRONEY. Mr. President, I ask for the yeas and nays on this amendment.

The yeas and nays were ordered.

Mr. CORDON. Mr. President, I yield 2 minutes to the junior Senator from California [Mr. KUCHEL].

Mr. KUCHEL. Mr. President, earlier in the discussion of the pending amendment allusion was made to the platforms of the two major political parties. In order that the record may be clear, I should like to stress the fact that both the national platform of the Democratic Party and the national platform of the Republican Party stated to the people of America—and incidentally to the people of the Territories involved—that they favored immediate statehood for Hawaii. With respect to statehood for Alaska, the platform of the Democratic Party, in clear language, states that the Democratic Party favors immediate statehood for Alaska. The Republican platform, in a commitment to the American people and the people of the Territory of Alaska, says:

> We favor statehood for Alaska under an equitable enabling act.

I submit that in the pending bill—without the amendment offered by the Senator from Oklahoma—we have "an equitable enabling act" for statehood for Alaska, and we are in a position to discharge the bipartisan commitment to the people of America.

With respect to Puerto Rico, the Republican platform continues:

> We favor eventual statehood for Puerto Rico.

That does not mean that in the session of the Congress in 1954 there is any responsibility on the part of either party to propose legislation by which Puerto Rico would be admitted to the Union. The platform clearly states:

> We favor eventual statehood for Puerto Rico.

The record should be made clear. Sometimes commitments are honored more in the breach than in the observance of them.

The ACTING PRESIDENT pro tempore. The Chair informs the Senator from Oregon [Mr. CORDON], that he has 12 minutes remaining. The Senator from Oklahoma [Mr. MONRONEY] has 15 minutes.

Mr. MONRONEY. Mr. President, I yield 5 minutes to the distinguished senior Senator from Mississippi [Mr. STENNIS].

Mr. STENNIS. Mr. President, following the remarks made by the junior Senator from Florida [Mr. SMATHERS], with reference to the economic situation in Alaska, let me say that the facts which are before me lead me to the firm conclusion that, under present conditions, it would be nothing less than tragedy to impose upon the people of Alaska the economic burden of statehood.

As an example, suppose the Congress of the United States passes a special public works authorization act, to apply to Alaska, and suppose further that Congress appropriates many millions of dollars for that public-works program, and puts up half the money, the citizens of Alaska putting up the remainder—to do what? To build sidewalks, sewer systems, and other public utilities of that nature, which, excepting in a severe depression, every village and city in America pays for itself.

I do not say that in any criticism of Alaska nor of the Alaskan people. It is just a hard condition they are up against, because of the geography of that Territory. The cities there, although fine little cities, are isolated, and, because of the severity of the climate and the very small volume of traffic and trade, they lack the revenue with which to pay those bills.

Mr. President, I had the pleasure of being in Alaska last year at the same time the Senator from South Dakota [Mr. CASE] was there. The Senator referred to the incident a moment ago. On one day the paths of our committees crossed in one of those fine little places in Alaska. Members of the committee which were considering the pending bill were there also. I was there as a member of the Committee on Public Works. The members of the two committees attended the same dinner and entertainment one evening, and the whole tenor of the program, quite naturally and properly, was that the people of Alaska were ready for statehood, and that they had the means to carry it on. That was perfectly all right. However, before the evening was over a special message came to the members of the Committee on Public Works, to go to another place in the same city. At the other meeting the whole burden of the argument was that they wanted a bill passed which would give them special consideration by exempting them from certain fees or impositions which airlines must pay. I am not quite certain about the details of it. At any rate, they asked for special consideration, and they also wanted special consideration on another major matter. In other words, while the members of one committee were being told by one group of Alaskans that they were ready for statehood and were willing and able to carry the economic burden, another committee of the Senate was being told in that same city on that same evening the opposite story.

That illustrates in a small way the condition with which those people are confronted. If we were to impose on them the economic burden of statehood, which I am sure they could carry, they would soon be back here asking for special consideration and for special bills and for special appropriations.

Mr. President, I yield back whatever time I have remaining.

Mr. CORDON. Mr. President, I yield 5 minutes to the senior Senator from California [Mr. KNOWLAND].

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time consumed in calling the quorum be not charged to either side.

The ACTING PRESIDENT pro tempore. Is there objection? The Chair hears none, and it is so ordered. The Secretary will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Aiken	Gillette	Maybank
Anderson	Goldwater	McCarran
Barrett	Green	McClellan
Beall	Griswold	Millikin
Bennett	Hayden	Monroney
Bricker	Hendrickson	Morse
Burke	Hennings	Mundt
Bush	Hickenlooper	Murray
Butler, Md.	Hill	Neely
Butler, Nebr.	Hoey	Pastore
Byrd	Holland	Payne
Capehart	Hunt	Potter
Carlson	Ives	Purtell
Case	Jackson	Robertson
Chavez	Jenner	Russell
Clements	Johnson, Colo.	Saltonstall
Cooper	Johnson, Tex.	Schoeppel
Cordon	Johnston, S. C.	Smathers
Daniel	Kefauver	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Kilgore	Stennis
Duff	Knowland	Symington
Dworshak	Kuchel	Thye
Eastland	Langer	Upton
Ellender	Lehman	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Williams
Frear	Malone	
Fulbright	Mansfield	

The ACTING PRESIDENT pro tempore. A quorum is present.

The question is on agreeing to the amendment offered by the Senator from Oklahoma [Mr. MONRONEY] for himself and other Senators.

Mr. KNOWLAND. Mr. President, I understand the Senator from Oregon has yielded to me 4 minutes.

Mr. CORDON. That is correct.

The ACTING PRESIDENT pro tempore. The Senator from California is recognized for 4 minutes.

Mr. KNOWLAND. Mr. President, this is a key amendment, in my judgment, with reference to the proposed statehood legislation. Obviously, if this commonwealth amendment is agreed to, it will constitute a major setback to the hopes and aspirations for statehood of both Hawaii and Alaska. Both great national

political parties have promised statehood to Hawaii; both have promise immediate action on statehood for Hawaii.

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

Mr. KNOWLAND. I cannot yield. I have only 4 minutes.

The Democratic Party also went on record as favoring immediate statehood for Alaska. The Republican Party went on record as favoring statehood for Alaska under proper enabling legislation. There may be some who may differ as to whether the provisions contained in this bill represent proper enabling legislation, but I submit that the commonwealth amendment would destroy the hopes for statehood of these two great Territories.

It has been a historic principle of this country from the very beginning that territorial status is an apprenticeship for statehood. Hawaii has been an organized Territory for a longer period of time than any of the other Territories that were granted admission into the Union as States, with a single exception. Hawaii has more population today than have five of our States. It pays more in taxes to the Federal Government at the present time than do nine of the States of the Union. Even Alaska has more population than had a considerable number of our States when they were admitted to statehood. The smallest of the States admitted, Nevada, had a little more than 6,000 population when it was admitted into the Union.

Mr. President, the argument which has been made today relative to the commonwealth status, it seems to me, would apply only if we were determined that neither of these great Territories should be admitted as States of the Union and that we, instead, were going to set them upon a course toward ultimate independence as independent nations.

The commonwealth status was entirely proper for the Philippines, because it was to become a great, free, independent republic in that area of the world. Commonwealth status is perfectly proper for Puerto Rico, if the aspirations of its people are for complete independence in the future. But the people of Alaska and the people of Hawaii consider themselves as much a part of America as does any State which is now in the Union.

The principal argument is that there is something strange in taking in an area which is not contiguous to the land mass of the United States. I invite attention to the fact that today one can go from the Pacific coast of the United States to Hawaii more quickly than he can go from Washington, D. C., to the Pacific coast. I invite attention to the fact that one can go in hours to Hawaii and that it used to take months to go to California at the time my State was admitted to the Union, a little more than 100 years ago.

It seems to me, Mr. President, that we should not lessen our horizons, but, rather, that we should broaden them to take in these two great Territories. But, regardless of what the action of the Senate of the United States today may be, I believe I would not hesitate to predict that during the lifetime of most of the Members of the Senate we shall see both these great Territories as two of the growing and important States of the American Union.

The ACTING PRESIDENT pro tempore. The time of the Senator from California has expired.

Mr. MONRONEY. Mr. President, may I inquire how much time remains to our side?

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma has 10 minutes remaining.

Mr. MONRONEY. Mr. President, I desire to yield 5 minutes to the distinguished Senator from Texas [Mr. DANIEL].

Mr. DANIEL. Mr. President, as one of the coauthors of the amendment which would provide commonwealth status for Hawaii and Alaska, I believe the best argument for commonwealth, rather than statehood, is the geographical location of the Hawaiian Islands. I invite the attention of the Members of the Senate to the map which is in the Chamber. Not only do we find that it is 2,000 miles from the west coast of the United States to the first of the Hawaiian Islands, but we find that some of the islands are spread out over an additional distance westward for another 1,600 miles.

Let me give the Senators some of the distances between the islands. The Hawaiian Islands are not merely a small groups of islands separated from the land mass of continental United States, but they are separated from each other.

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

Mr. DANIEL. I yield.

Mr. ROBERTSON. Is it not true that if the water between the islands were included, the Territory would be larger than Texas? [Laughter.]

Mr. DANIEL. It might be; but I would not want the Members of the Senate to think that that is the only reason why I favor commonwealth status rather than statehood for these islands.

Mr. President, here are some of the distances between the islands, scattered as they are over 1,600 miles of the Pacific Ocean. The map here shows distances between islands as follows: 26 miles, 22 miles, 64 miles, 130 miles, 131 miles, 72 miles, 95 miles, 130 miles, 63 miles, and, again, 130 miles.

Members of the Senate, I believe that for Territories which are not contiguous to the United States, commonwealth status is the best status that can be given them. It is best for the present 48 States, because it preserves our representation in this body and in the House of Representatives. Mr. President, I believe that is one of the most serious aspects of the problem. If 4 additional Senators were admitted to this body, and 3 or 4 additional Members admitted to the House, there would be a dilution of the power and representation of the present States of the Union.

There can be no question that the people of Hawaii, having a population of 500,000, will have a greater representation in this body, percentagewise, than will the people of many of the present States. Those figures have been placed in the RECORD.

So far as I am concerned, I do not believe that 2 Senators from Hawaii could come into the Senate and understand the problems of the present 48 States so as to be able to pass upon them as well as could the present membership of the Senate.

I believe that commonwealth status would give to the people of the Hawaiian Islands and of Alaska all the rights and freedoms of statehood plus some additional rights which they would not have under statehood. I believe that the commonwealth status proposed in the substitute amendment would be best not only for the people of the Hawaiian Islands and the people of Alaska, but also for the citizens of the present 48 States. I urge adoption of the commonwealth substitute.

I yield my remaining time.

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

Mr. DANIEL. I yield.

Mr ROBERTSON Is it not true that the voting ratio of Alaska as compared with New York would be 124 times as great?

Mr. DANIEL. I am certain it would be much greater; I do not have the exact figure. But there can be no doubt that the people of Alaska would have more say on the floor of the Senate through the representation of two Senators than would the citizens of New York.

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

Mr. DANIEL. I believe my time has expired.

Mr. CORDON. Mr. President, how much time have I remaining?

The ACTING PRESIDENT pro tempore The Senator from Oregon has 8 minutes remaining.

Mr. CORDON. I yield myself 6 minutes.

Mr. President, the argument just made by the distinguished junior Senator from Texas to the effect that the admission of new States will result in dilution of the power of the Members of the Senate and of the House is an argument that has been made and re-made, iterated and reiterated since the first discussion of statehood for the 14th State. If Senators will go back through the records, they will find that every time there was a proposal for statehood, that same old argument was made in opposition to it.

Those of us here who are from States other than the original 13 cannot permit ourselves, if we are to be consistent, to be swayed by the arguments of those who today reiterate the argument just made by the junior Senator from Texas. Had it ever been successful, there would not today be 48 States, nor the United States of America, with the power and position this Nation now has in the world.

CONSTITUTIONALITY DOUBTFUL

I am addressing myself now only to the pending amendment. I believe that the amendment sets up an impossible proposition so far as these two Territories are concerned. I believe there is very grave doubt whether, constitutionally, the status which is proposed can be accorded. The provision in the Constitution requiring geographical uniformity of the indirect taxes throughout the United States is a provision that cannot be changed, in my opinion. In view of

the decisions of our Supreme Court that Hawaii and Alaska, as incorporated Territories, are an integral part of the United States, I believe the constitutional requirement of uniformity is applicable to these areas.

If that be the case, Mr. President, and I believe it is the case, then we are met in that field alone with a legislative impossibility under the Constitution of the United States.

NO LESSER STATUS POSSIBLE

There is still another very grave question, constitutionally. That is whether, once the status of an incorporated Territory has been created, it is possible for the Congress of the United States to change it, except to raise the status of that of statehood. I could give the Members of the Senate a number of citations of the Supreme Court on both of the points I have mentioned.

I call attention to a statement placed in the RECORD this afternoon by the distinguished junior Senator from New Mexico [Mr. ANDERSON], and to the memorandum-of-law which I placed in the RECORD last Tuesday, with some accompanying remarks. In them will be found authority for the position I take and the position taken by the junior Senator from New Mexico as to the grave doubt that exists as to the constitutionality of so-called commonwealth status for Hawaii and Alaska.

INTEGRITY MUST BE MAINTAINED

Certainly we would find ourselves regretting our action, were we today to adopt this amendment and to hold out a promise to either of these Territories which, constitutionally, we might not be able to support and they might not be able to accept. We cannot overcome that very real constitutional danger.

We must maintain the physical integrity of both Hawaii and Alaska for the defense of the mainland of the United States. That integrity will be maintained under either statehood or continuing territorial status. But over and above the matter of physical integrity is our moral integrity. When our forerunners in Congress extended our Constitution and incoprorated Hawaii and Alaska as integral parts of the United States, they established for their inhabitants the same political standards, and the same rights and duties as were established for the Territories organized on the mainland, all of which have become States of the United States. In my opinion, that is a basic proposition which has not been successfully challenged. It is the ultimate answer to questions that have been raised here.

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

Mr. CORDON. I shall be glad to yield on time other than my own.

Mr. MONRONEY. I yield 1 minute to the distinguished junior Senator from Florida.

Mr. SMATHERS. The Senator from Oregon has said that commonwealth status could not constitutionally or legally be accorded to Alaska and Hawaii. I am certain the Senator from Oregon realizes that commonwealth status has been granted to Puerto Rico; and in the case of *DeLima* v. *Bidwell* (182 U. S.), decided by the Supreme Court of the United States on May 27, 1901, the Court stated at pages 195 and 196——

Mr. CORDON. Is the Senator from Florida asking me a question?

Mr. SMATHERS. Yes. I wish to read from a decision of the Supreme Court, and then to ask the Senator from Oregon why he contends there is any difference in this instance. The Supreme Court of the United States in referring to Puerto Rico stated:

> The Territory thus acquired is acquired as absolutely as if the annexation were made, as in the case of Texas and Hawaii, by an act of Congress.

The Supreme Court of the United States in that case ruled that Puerto Rico and Hawaii were exactly in the same position.

Mr. CORDON. I shall be happy to answer the Senator's question. Thereafter the Supreme Court of the United States has specifically distinguished between the status of Puerto Rico, an island possession, and that of the Incorporated Territories—of which Hawaii and Alaska are the only ones—and has distinguished it time and time again.

Mr. SMATHERS. I should like to make one observation. The only case we have been able to find is the case which was decided on the same day this case was decided, and which has already been quoted by the Senator from New Mexico.

The ACTING PRESIDENT pro tempore. The time of the Senator from Oregon has expired.

Mr. MONRONEY. Mr. President, how much time have I remaining?

The ACTING PRESIDENT pro tempore. The Senator from Oklahoma has 4 minutes remaining.

Mr. MONRONEY. I yield the remainder of my time to the distinguished junior Senator from Arkansas [Mr. FULBRIGHT].

Mr. FULBRIGHT. Mr. President, a great many arguments have been advanced about the relative qualities of the people of both these Territories, apparently designed to leave the impression that Senators who are opposing statehood are doing so because of a lack of patriotism or because of racial characteristics or some other characteristics of people of the Territories. In my opinion, all those arguments are quite beside the point; they are quite irrelevant.

Hawaii is 2,000 miles from the mainland and 5,000 miles from Washington. We are, without question, asked to violate a tradition. If we admit these Territories as States we will be changing the practice followed ever since this country was made a Nation. There can be no question about that. There is before the Senate a very simple question, not one involving moral arguments or moral obligations arising out of either promises or political platforms or so-called promises in acts or treaties of annexation.

The simple question is whether or not it would be a wise piece of statesmanship to incorporate now as States, Territories which are far beyond the boundaries of the United States. If we do it in this case there will be no end to the process. I think that would be a very bad thing to do.

In my opinion, to admit as States Territories 5,000 miles from Washington would be very unwise. Other nations have had similar problems in their history. Two of the outstanding nations of today, and indeed in the history of the world, are Great Britain and France. France attempted to incorporate into her continental area, as the advocates of statehood here wish to incorporate Hawaii, certain territories lying beyond the boundaries of France. It has not been satisfactory. I think most of us are familiar with the difficulties which France today is encountering in her territories in Africa.

Such a policy is in contrast with the policy followed by the United Kingdom in its creation of a commonwealth when and if a territory achieved a certain maturity which entitled it, in the opinion of Great Britain, to self-government. The latter system has been the most satisfactory one for the evolution of backward people the world has ever seen.

This country will certainly be launching on a different approach if we create States out of distant territories. I see no logic in opposing the making of States out of Guam or the Virgin Islands in due time if we grant statehood to Hawaii. If we could look into the future, I am sure we would not wish to take that step.

There may be some Members of Congress who visualize taking in all the territories of the world, and engaging in expansion after the Russian fashion. If that is what is desired, then we should incorporate into States, one after another, every Territory over which we now have dominion or over which we may wish to achieve dominance. I do not care to see my Government pursue such a policy, and I do not believe the people of the United States wish to pursue it. If that is to be our desire, I do not see why we should not admit, one after another, Territories which are already under our domination and others which may come under our domination.

If the Territories now under discussion are admitted to statehood, the action will be irrevocable. It will be a step quite different from any we have taken heretofore. Therefore, I think we should be extremely slow in acting on the question.

The substitute providing for commonwealth status is the best suggestion any Senator has made. The people of the two Territories are entitled to greater control over their own affairs than they now have. I think they should be permitted to elect the members of their own government and to conduct their own affairs.

The ACTING PRESIDENT pro tempore. The time of the Senator from Arkansas has expired.

The Senator from Oregon has 3 minutes.

Mr. CORDON. Mr. President, I yield the 3 minutes to the Chair.

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

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

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

Aiken	Gillette	Maybank
Anderson	Goldwater	McCarran
Barrett	Green	McClellan
Beall	Griswold	Millikin
Bennett	Hayden	Monroney
Bricker	Hendrickson	Morse
Burke	Hennings	Mundt
Bush	Hickenlooper	Murray
Butler, Md.	Hill	Neely
Butler, Nebr.	Hoey	Pastore
Byrd	Holland	Payne
Capehart	Hunt	Potter
Carlson	Ives	Purtell
Case	Jackson	Robertson
Chavez	Jenner	Russell
Clements	Johnson, Colo.	Saltonstall
Cooper	Johnson, Tex.	Schoeppel
Cordon	Johnston, S. C.	Smathers
Daniel	Kefauver	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Kilgore	Stennis
Duff	Knowland	Symington
Dworshak	Kuchel	Thye
Eastland	Langer	Upton
Ellender	Lehman	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Williams
Frear	Malone	
Fulbright	Mansfield	

The ACTING PRESIDENT pro tempore. A quorum is present. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Oklahoma [Mr. MONRONEY] on behalf of himself and other Senators. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. BUSH (when his name was called). On this vote I have a pair with the junior Senator from Massachusetts [Mr. KENNEDY]. If he were present and voting, he would vote "yea." If I were permitted to vote, I would vote "nay." Under the circumstances, I withhold my vote.

The rollcall was concluded.

Mr. SALTONSTALL. I announce that the Senator from New Hampshire [Mr. BRIDGES], the Senator from Wisconsin [Mr. WILEY], and the Senator from Wisconsin [Mr. MCCARTHY] are necessarily absent.

The Senator from Pennsylvania [Mr. MARTIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

On this vote the Senator from North Dakota [Mr. YOUNG] is paired with the Senator from North Carolina [Mr. LENNON]. If present and voting, the Senator from North Dakota [Mr. YOUNG] would vote "nay" and the Senator from North Carolina [Mr. LENNON] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from North Carolina [Mr. LENNON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I announce further that on this vote the Senator from Georgia [Mr. GEORGE] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Georgia would vote "yea" and the Senator from Minnesota would vote "nay."

I announce also that on this vote the Senator from North Carolina [Mr. LENNON] is paired with the Senator from North Dakota [Mr. YOUNG]. If present and voting, the Senator from North Carolina would vote "yea" and the Senator from North Dakota would vote "nay."

I announce further that, if present and voting, the Senator from Tennessee [Mr. GORE] would vote "yea."

The result was announced—yeas 24, nays 60, as follows:

YEAS—24

Butler, Md.	Hoey	McClellan
Byrd	Johnson, Colo.	Monroney
Daniel	Johnson, Tex.	Mundt
Eastland	Johnston, S. C.	Robertson
Ellender	Kerr	Russell
Fulbright	Malone	Schoeppel
Hayden	Maybank	Smathers
Hill	McCarran	Stennis

NAYS—60

Aiken	Flanders	Long
Anderson	Frear	Magnuson
Barrett	Gillette	Mansfield
Beall	Goldwater	Millikin
Bennett	Green	Morse
Bricker	Griswold	Murray
Burke	Hendrickson	Neely
Butler, Nebr.	Hennings	Pastore
Capehart	Hickenlooper	Payne
Carlson	Holland	Potter
Case	Hunt	Purtell
Chavez	Ives	Saltonstall
Clements	Jackson	Smith, Maine
Cooper	Jenner	Smith, N. J.
Cordon	Kefauver	Symington
Dirksen	Kilgore	Thye
Douglas	Knowland	Upton
Duff	Kuchel	Watkins
Dworshak	Langer	Welker
Ferguson	Lehman	Williams

NOT VOTING—12

Bridges	Humphrey	McCarthy
Bush	Kennedy	Sparkman
George	Lennon	Wiley
Gore	Martin	Young

So the amendment offered by Mr. MONRONEY, for himself and other Senators, was rejected.

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

Mr. SMATHERS. Mr. President, I now call up my amendments which are printed and which are known as the referendum amendments. They are offered on behalf of myself, the Senator from Oklahoma [Mr. MONRONEY], the Senator from Arkansas [Mr. FULBRIGHT], and the Senator from Texas [Mr. DANIEL].

The ACTING PRESIDENT pro tempore. The amendments will be read.

The amendments were read, as follows:

On page 14, lines 15 and 16, strike out "on or after June 4, and not later than July 4, 1954", and insert in lieu thereof "not later than July 4, 1955."

On page 14, line 18, strike out "1954" and insert in lieu thereof "1955."

On page 16, lines 5 and 6, strike out "1954" wherever it appears and insert in lieu thereof "1955."

On page 17, line 3, strike out "1954" and insert in lieu thereof "1955."

On page 18, line 2, strike out "1954" and insert in lieu thereof "1955."

At the end of the bill insert a new section as follows:

"SEC. —. (a) The provisions of this act other than this section, insofar as they relate to either the Territory of Hawaii or the Territory of Alaska, shall take effect only upon a proclamation of the President as provided in this section.

"(b) As soon as practicable after the enactment of this act there shall be submitted to the qualified voters of the Territories of Hawaii and Alaska, in a referendum to be held for such purpose in each such Territory under the laws thereof, the question of whether the people of such Territory desire to be admitted into the Union as a State, or to be organized as a Commonwealth of the United States. If a majority of the votes cast in any such referendum favor statehood, the Governor of such Territory shall certify the results thereof to the President of the United States. Upon receipt of the results of any such referendum, as so certified, the President shall by proclamation announce the results thereof and declare the provisions of this act, insofar as they relate to such Territory, to be in full force and effect.

"(c) If a majority of the qualified voters of either of such Territories, by their votes cast in any such referendum, indicate a desire that such Territory be organized as a Commonwealth of the United States, the Governor of such Territory shall certify the results of such referendum to the President, and the legislature of such Territory may thereafter call a convention to draft a constitution providing self-government as a Commonwealth of the United States for the people of such Territory. Such constitution shall provide a republican form of government and shall include a bill of rights. Upon the adoption of the constitution by the people of such Territory, the President of the United States shall, if he finds that such constitution conforms to the Constitution, transmit such constitution to the Congress of the United States. Upon approval of the Congress, the constitution shall become effective in accordance with its terms, subject to the conditions and limitations of the act of Congress approving it."

The ACTING PRESIDENT pro tempore. Without objection, the amendments will be considered en bloc.

On this question the Senator from Florida [Mr. SMATHERS] has 45 minutes, and the Senator from Oregon [Mr. CORDON] has 45 minutes.

Mr. SMATHERS. Mr. President, so far as I am concerned, I shall take only 5 minutes.

The purpose of the amendments is to give to the people of the Territory of Hawaii and the people of the Territory of Alaska an opportunity to vote as to whether they desire a commonwealth status or statehood.

Thus far the people of Hawaii or Alaska have not been given an opportunity to consider commonwealth status. It has been a basic principle of our Republic that people, whoever they may be, are entitled to decide whether or not they desire such status.

There was a vote in Hawaii in 1940 on the sole question, "Do you favor statehood for the Territory of Hawaii?" The people were not given any other alternative. They voted overwhelmingly. There were approximately 45,000 votes for and 25,000 votes against.

The only other vote in the Territory of Hawaii was in 1950 on the question, "Do you favor a constitution for the Territory of Hawaii?" It was like one of those questions we have heard about on the ballot in the Soviet Union, "Do you favor Joseph Stalin?" There was only one way to vote. Obviously everyone favored a constitution for a new State of Hawaii, if there is to be one; but I submit that there was no opportunity for the people to vote on anything such as a commonwealth status.

The commonwealth idea is of somewhat recent origin. It developed in 1950, when we were trying to determine what to do with Puerto Rico. There was a feeling at that time that Puerto Rico should not be admitted as a State, but that some help should be given to Puerto Rico, and that Puerto Rico would actually be better off if given a commonwealth status so we granted it. That was the first time in the history of the Untied States that the word "commonwealth" had been applied to offshore areas.

The commonwealth status has worked very well in Puerto Rico. At one time there was a strong Statehood Party in Puerto Rico. The people there wanted statehood, but under the commonwealth status we have seen, since 1950, that the Statehood Party has virtually disintegrated and at the present time it is a very small party. The people of Puerto Rico find that the blessings of the commonwealth status are exactly what they wanted and what they needed. Their economy is better off. They now have the opportunity to elect their own officials. They like the type of government they are getting under the commonwealth status.

I cannot help but feel that the people of Alaska, particularly, are entitled to exercise a choice as to whether they want the commonwealth status or statehood.

Earlier in the day, when many Senators who are now present were not in the Chamber, I read a letter from the Chamber of Commerce of Juneau, Alaska. It dealt in part with the present high tax rates. It pointed out that it was possible that under statehood the people might not be able to meet the increased tax burden. Statehood, in and of itself, would increase the taxes of the people of Alaska 50 percent at a time when they are already paying the highest taxes paid by any peoples under the American flag. So obviously there would be a great advantage to the people of Alaska if they were permitted to have a commonwealth type of government, which we have discussed, under which they would obtain Federal tax relief.

I also believe that the people of Hawaii, if given an opportunity, would express a strong preference for a commonwealth status. We must remember that the people of the Territory of Hawaii have been bombarded and badgered with talk about statehood. That is all they have had an opportunity to hear. The Territorial legislature has been appropriating some $200,000 each year to promote the idea of statehood for Hawaii. The ILWU, which is admitted by the proponents of statehood who testified before our committee to be dominated by the Communists, is in favor of statehood. Jack Hall, a convicted Communist, the leader of the ILWU, said in a speech in front of the courthouse in Honolulu:

> We are aching for statehood, so that the day will soon come when we will elect our own officials and can control the islands.

All the people of Hawaii have had an opportunity to hear about is statehood; but I submit that since the question of commonwealth status has been raised on the floor of the Senate there has already been a strong movement in favor of the commonwealth status. I have received letters from a great many people who say, "We are interested in the commonwealth status." The Chamber of Commerce of the City of Honolulu has said, "This is something we would like further to consider."

So it seems to me, in all fairness, that we ought to give these people the opportunity to vote on whether they really want statehood, or whether they want the same privileges and rights as have been given to the people of Puerto Rico. True, such a procedure would require perhaps 6 months, but what is 6 months when we stop to consider the step we are now proposing to take and which, once taken, can never be retraced? We can repeal laws, abrogate or modify treaties, and amend our Constitution, but once we take the statehood step we cannot retrace it.

I think it is a matter of simple, basic fairness that the people of the Territory should be given the opportunity of an alternative vote as to whether they desire statehood or the commonwealth status. For the life of me, I cannot see anything unfair about such a proposal. As I say, it might require another 3 or 4 or 6 months but this is a comparatively short period of time on such an important issue when one considers that the people of Hawaii have already waited some 53 years and the people of Alaska some 39 years. I feel confident that they would like to be certain that they are taking the right step. I fail to see why there should be any material objection to such a course of procedure.

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

Mr. SMATHERS. I yield.

Mr. DANIEL. I should like to make sure that I understand the effect of the amendment. Let me see if I correctly understand it.

As I understand, all the amendment would do would be to provide for a referendum, a submission to the people of Hawaii and Alaska of the question whether they prefer the commonwealth status or statehood. Would that be the effect of the Senator's amendment?

Mr. SMATHERS. That is all that is proposed.

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

Mr. SMATHERS. I yield.

Mr. PASTORE. Would such a referendum be conclusive, or would the question be sent back to Congress?

Mr. SMATHERS. My amendment provides that if the people select statehood, the statehood machinery, which has already been started in the Territory of Hawaii, shall proceed. In the case of Alaska the people would have to adopt a constitution in preparation for statehood. Thus far that has not been done.

Mr. JOHNSTON of South Carolina. Will the Senator yield?

Mr. SMATHERS. I yield.

Mr. JOHNSTON of South Carolina. Is it not true that the Honolulu Advertiser is advocating the commonwealth status at this time?

Mr. SMATHERS. I do not know whether the Honolulu Advertiser is advocating it or not. It may be that the Senator has some information which I do not have.

Mr. JOHNSTON of South Carolina. I should like to read to the Senator a letter published in the Honolulu Advertiser a few days ago under the heading "Wants Hawaiian Commonwealth," which reads in part:

> The move by Congressmen to make Hawaii a commonwealth instead of a State is sound. * * * Commonwealth status will save millions of dollars in Federal income taxes, enable Hawaii to get out of its monstrous debt, cut Uncle Sam's apron strings by electing our own officials and still be under the American commonwealth and protection. It will enable us to live in a paradise economically and every other way. What more do we want? Those in favor of commonwealth status should write Representative FARRINGTON and Senators who favor it.

Mr. SMATHERS. I thank the Senator from South Carolina.

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

Mr. SMATHERS. I yield.

Mr. BUSH. Can the Senator advise the Senate whether the people of Alaska or Hawaii have ever had an opportunity to express their views at the polls on the questions raised by the Senator's amendment?

Mr. SMATHERS. They have never had an opportunity to cast a vote in favor of the commonwealth status.

Mr. BUSH. Have the people ever had an opportunity to express themselves directly at the polls on the statehood question?

Mr. SMATHERS. The people of Hawaii in 1940 had the opportunity of voting on the simple question, "Do you favor statehood for the Territory of Hawaii?" At that time the vote was approximately 46,000 in favor of statehood and 24,000 in opposition to statehood. That is the only time they have had an opportunity to vote on that question. I may say for the benefit of the Senator from Connecticut that many people who were in the Territory of Hawaii in 1940 are no longer there. As a matter of fact, about 111,000 people who were there at that time have returned to the United States. In 1946 the people of Alaska had the question put to them, "Do you favor statehood for the Territory of Alaska?" Approximately 9,600 people voted in favor of it, and approximately 6,900 voted against it. Obviously there was no overwhelming sentiment in favor of statehood in Alaska in 1946. That is the only time the people there had an opportunity to vote on the question. Neither Territory had an opportunity to vote on the commonwealth status.

Mr. MONRONEY. Mr. President, will the Senator from Florida yield?

Mr. SMATHERS. I am happy to yield.

Mr. MONRONEY. In other words, if the Senate were to vote against the amendment it would be practically denying to the people of both Territories the right to specify exactly as to how they stand on the question.

Mr. SMATHERS. That is correct.

Mr. MONRONEY. We would be cramming down their throats, because certain leaders have said "statehood or nothing," the idea that they must take

statehood. That would be particularly true in the Territory of Alaska, which would be faced with the reality of an overburdening tax situation, and the necessity for assuming, as a State, obligations for vast expenditures. Today we make those expenditures for those Territories. The Senator believes that the people of Alaska are entitled to speak, and to speak decisively, in the light of the result of the last poll, when less than 3,000 people determined that question.

Certainly I believe it is an important step. Certainly we should not consider the pending bill as a kind of local bill, inasmuch as it would change the general geographic structure of the United States. We should not jam it through without, in the light of today's conditions and in the light of declining populations in both Territories, giving them an opportunity to vote on the type of government they would like to have themselves.

Mr. SMATHERS. I thank the distinguished Senator from Oklahoma. Nothing could be fairer, nothing could be in keeping with traditions than to give the people of the two Territories an opportunity to speak for themselves on the question: "Do you favor statehood or do you favor a commonwealth status?" That opportunity has not been given to the people of these Territories.

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

Mr. SMATHERS. I am happy to yield to the distinguished Senator from Mississippi.

Mr. STENNIS. Getting down to the mechanics of the question which the Senator proposes should be submitted to the people of the Territories, does the Senator propose that a ballot be submitted which would carry a choice as between statehood and commonwealth status? In other words, would there be on the ballot the question: "Do you favor statehood, or do you favor commonwealth status?" Will it be clear that by the marking of such a ballot the people can register their choice?

Mr. SMATHERS. Absolutely.

Mr. STENNIS. Will the Senator explain it?

Mr. SMATHERS. As the Senator has stated, the ballot would contain two questions, one, "Do you favor statehood for the Territory?" There would be a place on the ballot for marking that question.

The next question would be: "Do you favor commonwealth status for the Territory?" There would also be a place on the ballot to mark that question. It would be a fair vote.

With these few remarks, Mr. President, I take my seat. I wish to reserve such time as I may have remaining, with the hope that I may be able to answer the Senator from Oregon [Mr. CORDON]. How much time do I have remaining?

The ACTING PRESIDENT pro tempore. The Senator from Florida has used 13 minutes.

Mr. LANGER. Mr. President, will the Senator from Florida yield for a question?

Mr. SMATHERS. I am happy to yield to the distinguished Senator from North Dakota.

Mr. LANGER. Does the distinguished Senator from Florida know of any good argument against a referendum?

Mr. SMATHERS. I do not know of any good argument against a referendum which gives to the people of these Territories the opportunity to express their will and desires.

Mr. LANGER. The senior Senator from North Dakota fully agrees with the Senator from Florida that certainly the people of the two Territories ought to have the right to say what kind of government they want.

Mr. SMATHERS. I thank the Senator very much.

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

Mr. SMATHERS. I yield to my good friend and member of the committee, the distinguished junior Senator from Louisiana.

Mr. LONG. Does the Senator from Florida propose that the question would have to come back to the Senate if the people should express themselves in favor of statehood, instead of commonwealth; or would statehood go into effect automatically if the people voted for it?

Mr. SMATHERS. If they voted for statehood the machinery already set up providing for statehood would go forward. There would not be any necessity for coming back to Congress on the statehood question.

Mr. LONG. Under the Senator's proposal, are we to understand that if the people of Hawaii voted for statehood, instead of commonwealth status, there would be no further need for the Congress of the United States to act in order for them to acquire statehood?

Mr. SMATHERS. Nothing more than this: They would have to submit a constitution, which would have to be approved by Congress and by the President. If the people of Hawaii voted for statehood we would continue the machinery, which is now in operation, looking toward statehood. They would still have to submit their constitution to the Congress and the President, as is provided in the statehood bill.

I may say to the distinguished Senator from Louisiana that there would only be such delay as was necessary to take a vote on the question as to whether they wanted commonwealth status or statehood. That is the only delay that would be involved.

Mr. LONG. It would not be necessary to overcome another delay in the Senate in order to grant statehood?

Mr. SMATHERS. The form in which the amendment is offered states, as I have said, that the procedure which is now in operation, which, as I understand, is the same as the procedure provided for under S. 49, would be continued.

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

Mr. SMATHERS. I am happy to yield to the distinguished Senator from Texas.

Mr. DANIEL. Is it not correct to say that even if we pass the bill as recommended by the senior Senator from Oregon and the majority of the Committee on Interior and Insular Affairs, Congress would still have to pass another act admitting officially and finally Alaska and Hawaii into the Union as States?

Mr. SMATHERS. That is correct. We refer to that as perfecting legislation. It is provided for in Senate bill 49. What I am saying is that the same procedure which is now provided in Senate bill 49 would be continued if the people of the Territory of Hawaii voted for statehood.

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

Mr. SMATHERS. I am happy to yield to the Senator from Rhode Island.

Mr. PASTORE. In order to clarify that point, if a referendum were held and it was determined by the vote of the people that they were in favor of statehood, the people of Alaska would then be in precisely the same position as if we were to pass the committee bill?

Mr. SMATHERS. That is correct.

Mr. CORDON. Mr. President, I yield 10 minutes to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, I was very much interested a moment ago when the question was asked by the distinguished senior Senator from North Dakota [Mr. LANGER], the chairman of the Committee on the Judiciary, whether there was any good argument against a referendum. I want to say to my friend from North Dakota that there is a very good argument against a referendum. The question cannot be determined in that way.

Let us suppose that the other day, when we debated the excise tax bill, a Senator had said, "I do not know whether my people want to accept the tax cuts in the fashion proposed by the bill. We will add to the bill a section providing that the tax bill shall not be effective until a referendum on it shall have been held in every one of the 48 States, to determine whether the people of the 48 States like it. If they like it, the tax bill will be effective."

The legislative power is in the hands of Congress, and there is no power whatever for providing for a referendum on this question.

Let me say that this is not exactly a new subject. The Committee on Interior and Insular Affairs has studied the subject of statehood for a long time. If I were to pile up the printed hearings, Senators would get a pretty good idea of how many hearings have been held. In the course of the hearings in 1950, when the committee was considering the question of what might be done with the question of statehood, the subject was submitted to the Department of the Interior and to the Department of State. A memorandum was prepared as to what might be done along the line that had been done in the case of Puerto Rico.

There is a difference, as I have tried to say, time after time on the floor of the Senate, between incorporated and unincorporated Territories. Those who say that the step of granting statehood is irrevocable, should say something else. They should also say that the step of incorporating a Territory into the Union is likewise irrevocable. It cannot be abolished by a referendum authorized by any vote taken on this floor. We can no more take the step, let us say for illustration, of demoting the State of Louisiana, so ably represented in part by my able friend, the junior Senator

from Louisiana [Mr. LONG] to an incorporated status than we can demote the Territory of Hawaii to an unincorporated status. Anyone who will take the time to read any of the cases before the Supreme Court will know it cannot be done. It is an irrevocable situation so far as statehood is concerned, and it is an irrevocable situation so far as incorporated Territories are concerned.

Anyone who will take the time to read the cases will come to that conclusion.

Mr. ROBERTSON. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. ROBERTSON. Did I correctly understand the Senator to say that under our Constitution we cannot delegate by a referendum in Hawaii or Alaska final action on legislation which we alone are authorized to enact?

Mr. ANDERSON. Certainly. Such a referendum would be completely meaningless. It would have no validity whatever. We must either admit Alaska or Hawaii as a State or not.

Mr. ROBERTSON. If we should delegate this power and let the people vote, would it then go beyond our control; and if they said they want statehood, would they get it?

Mr. ANDERSON. I do not think so. Why worry about something which does not exist?

Mr. ROBERTSON. I am worried because I do not want them to have statehood.

Mr. ANDERSON. Then we have but a single choice. We have the right to vote against statehood or we have the right to vote for statehood. But a referendum means absolutely nothing. It has no more validity than has a Gallup poll or any other poll. A newspaper could conduct a poll and it would have as much validity as such a referendum would have.

Mr. DANIEL. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. DANIEL. Is it not true that in the case of the annexation of Texas, Congress did put the proposition to the people of Texas and say that if the proposal for annexation was accepted by the people of Texas in convention assembled, then the annexation resolution would go into effect?

Mr. ANDERSON. I think the annexation resolution did not go into effect. But I know better than to argue with my friend from Texas with reference to Texas history. It seems to me Texas was brought in by resolution of the Congress and not by annexation.

Mr. KNOWLAND. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. KNOWLAND. Was not Texas in a different position, since Texas had been an independent Republic and not an incorporated Territory of the United States?

Mr. ANDERSON. I think so. We threshed out this point in the debate on the submerged lands bill, and I said I would never discuss it again so long as I lived. But I think it was made quite apparent that Texas did not come into the Union by annexation, but by resolution of the Congress of the United States.

Mr. DANIEL. Mr. President, will the Senator from New Mexico yield further?

Mr. ANDERSON. I yield.

Mr. DANIEL. Texas certainly came in by resolution of the Congress, with a one-vote majority, by the way.

Mr. ANDERSON. I believe it was a two-vote majority.

Mr. DANIEL. I remember it as only one. But it was close, to say the least.

I should like to say to the Senator from New Mexico that the proposal was a resolution for annexation of the Republic of Texas.

But I rose only to refer to the Senator's point that it would be invalid for Congress to say to the people of a Territory, "We will admit you as a State, provided you accept the terms of this resolution or this bill."

We have a precedent for that in the case of the admission of Texas, because Congress did then what the Senator from Florida proposes that it do with reference to Hawaii and Alaska. We provide for the admission of Hawaii and Alaska as States, provided the people of those Territories say by a majority vote that that is what they want.

Mr. ANDERSON. The Senator from Oregon [Mr. CORDON] recognizes that we wrote into the bill a provision that Alaska and Hawaii, as they come into the Union, have to do certain things. Hawaii must separate from itself any claim to the Island of Palmyra. But we do not provide for a referendum.

There were two cases which were cited in 1950 when we considered this question. In those two cases it was held that the provision that taxes be uniform did not apply to Puerto Rico, because Puerto Rico was not a part of the United States because it had not been incorporated.

I am using the language of the Supreme Court:

> Incorporation occurs when a Territory is made a part of the United States, as distinguished from merely belonging to it.

Also that—

> Incorporation is not to be assumed without express declaration, or an implication so strong as to exclude any other view.

That language was used in the case of *Balzac* v. *People of Puerto Rico* (258 U. S. 298).

It is settled that incorporation of a Territory takes place when the Constitution is expressly extended to it. Section 5 of the Organic Act of Hawaii (act of Apr. 30, 1900, 31 Stat. 141, 48 U. S. C., 1946 ed., sec. 495) provides: "The Constitution shall have the same force and effect within the Territory of Hawaii as elsewhere in the United States," and identical language with respect to the application of the Constitution to Alaska is contained in section 3 of the Organic Act of Alaska—act of August 24, 1912, 37 Statutes 512, 48 United States Code, 1946 edition, section 23. The incorporated status of both Alaska and Hawaii has been given judicial recognition—*Nagle* v. *United States* (191 Fed. 141 (1911)); *Rassmussen* v. *United States* (197 U. S. 516 (1905)); *United States* v. *Farwell* (76 F. Supp. 35 (1948)); compare *Hawaii* v. *Mankichi* (190 U. S. 197 (1903)).

The PRESIDING OFFICER (Mr. PURTELL in the chair). The time yielded to the Senator from New Mexico has expired.

Mr. CORDON. Mr. President, I yield 5 more minutes to the Senator from New Mexico.

Mr. ANDERSON. Mr. President, there are at least three reasons for the emphasis on clear evidence of intent to incorporate. One is that by incorporating a Territory the Congress subjects itself to certain limitations upon its power subsequently to legislate for that Territory which do not apply when it legislates for an unincorporated area.

The Insular cases show this and the example is that Congress could not withdraw from the people of an incorporated Territory the right to a jury trial guaranteed by the Constitution but need not grant that right to the people of an unincorporated Territory. The second reason is that the act of incorporation is irrevocable, since the Constitution once extended to a Territory cannot be withdrawn. The third reason is that the act of incorporation has been regarded as a commitment by the Congress ultimately to admit the incorporated area as a State. The best argument in the world against the proposed referendum is that it cannot legally be effective.

A few moments ago an editorial from a Hawaiian newspaper was read, pointing out that if they had commonwealth status they could save millions of dollars. They could do no such thing. A Territory once incorporated cannot then go back and say it will not have uniform taxation applied to it.

Therefore, Mr. President, I hope we shall not be misled by this amendment proposing to ask the people of Hawaii for their opinion as to what they would like. I imagine that if we told the States of our Union that through commonwealth status they might have the most glorious income-tax paradise the world has ever seen there might be a temptation to accept it. But such a thing cannot be done. Their status as States is irrevocable.

Mr. CORDON. Mr. President, I yield myself 10 minutes.

The Senate, by a vote of 60 to 24, has just rejected the concept of commonwealth status for Hawaii and Alaska. What is now before the Senate for attention is the question, Should the Senate, by adopting this amendment offered by the junior Senator from Florida, start in motion a procedure which would give the two Territories, assuming there was legal validity to the procedure, an opportunity to express at this time their preference between statehood, on the one hand, and so-called commonwealth status, on the other.

PEOPLE OF TERRITORIES WANT ONLY STATEHOOD

Speaking now of Hawaii, let me say that so far as the people of the Territory of Hawaii could express their views, they have expressed themselves, unequivocally, in favor of statehood at the earliest possible moment.

I call attention, Mr. President, to the fact that over a period of years the popularly elected legislature of Hawaii has repeatedly petitioned the United States for statehood. And repeatedly bills asking for statehood for Hawaii have been introduced in successive Congresses. These applications and petitions from the Territory of Hawaii began as early as 1903. On 15 different occasions since then, the legislature of Hawaii, elected by the people, has petitioned Congress for statehood. Thirty-three bills have been introduced in Congress to attain that end.

Since the idea of this new and different status for Hawaii and Alaska has been brought up on the floor, everything has been done in Hawaii which, within the time limits, could be done to indicate the adverse views of the people of Hawaii. I have received from the Governor of Hawaii a telegram reading as follows:

Members both Houses Hawaii Legislature in conference called by me emphatically urge and I fully concur Senate take immediate favorable action on S. 49 as amended and reject commonwealth status as entirely unacceptable.

SAMUEL WILDER KING,
Governor.

Governor King is a native of Hawaii, and is of part Hawaiian blood.

BOTH PARTIES UNITED ON ISSUE

Mr. President, I think it can be said that the political organizations in Hawaii are as responsive to the will of the people as are the political organizations in the United States. Both the Democratic and Republican organizations in Hawaii, the minute they had before them knowledge that the new idea of commonwealth status was being discussed in the United States Senate, met and immediately adopted resolutions in opposition to any consideration of the commonwealth status. The legislature did the same thing. That is all that could be hoped for, Mr. President, within the time limit.

To go back and ask that the matter be reopened seems to me not only to be an idle thing; it seems to me that we would indicate that we cannot believe that the people mean what they say when they have reiterated their views over a period of almost 50 years.

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

Mr. CORDON. I yield.

Mr. LONG. It seems to me that those who are urging commonwealth status overlook the fact that the substance of the argument has previously been presented to the people of Hawaii. There are some people in Hawaii who prefer commonwealth status to statehood. Those people have been opposing statehood for just that reason. They would like to have the type of government which exists in Puerto Rico. But that group is very small in number. The record shows that when elections have been held, both on the question of statehood and also on the adoption of a State constitution, those who favored commonwealth status and those who wanted no part of the United States, constituted a very small minority.

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

Mr. CORDON. I will yield in a moment.

A question was asked during the debate in the last few minutes as to whether there had been any vote recently in Hawaii and Alaska on this matter. I call attention to the vote in Hawaii on the adoption of the constitution which was framed by a convention, the members of which had been elected by the electorate of Hawaii. That vote was: For the State constitution, 82,788; against the State constitution, 27,109. More than 100,000 votes were cast out of a total population of 500,000. The vote cast was more than 80 percent of those who were qualified to vote.

Mr. President, I shall be glad to yield to the Senator from Florida.

Mr. SMATHERS. I desired to ask the able Senator from Louisiana if I understood him correctly to say that the question of commonwealth status had been presented to the people of the Territory of Hawaii. I thought I heard him say it had, when I knew that that was not the case, and I am certain the Senator knows it was not the case.

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

Mr. CORDON. I yield to the Senator from Louisiana.

Mr. LONG. The point I was trying to make was that those who now might favor commonwealth status for Hawaii are against Hawaiian statehood. There may be some persons in Hawaii who favor commonwealth status. They would be those who are opposed to statehood. Therefore, I believe it is fair to say that when the elections have been held on the question of statehood, and the people, by an overwhelming majority, have asked for statehood, they had before them the arguments of those who may prefer commonwealth status. Those who would prefer the commonwealth form of government have been voting against statehood.

Mr. CORDON. I thank the Senator.

Mr. President, in conclusion, permit me to repeat what I have already said in discussing the amendment which was just rejected. If we adopt this procedure, we shall be delaying the effective date of the Statehood Act. We shall be calling upon the people of the two Territories once again to express their often-expressed views.

While I have no question in my mind as to what the result would be when the votes were counted, let me say that we would be asking them to vote on a confusing and probably meaningless issue, because we have already incorporated them and their Territory—and I stress and emphasize "their Territory"—into the United States of America as an integral part thereof.

NO OTHER TERRITORIES IN SAME STATUS

The land comprising Hawaii and Alaska is a part of the United States of America, constitutionally and politically. Puerto Rico is not and never was a part of the United States of America in that constitutional, political sense. Guam never was and is not a part of the United States of America, in the same way. Those areas are island possessions of the United States, legally speaking.

But Hawaii and Alaska, as incorporated Territories, are a part of the United States of America. We can now no more change that status or lessen it than we can change or lessen the status of a State of the United States. The citizens of those Territories have the same rights of citizenship as do citizens of the United States.

We would be doing a vain thing, and we would succeed only in delaying the time when we could do the job which we ought to face and to be happy to have the opportunity to do today.

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

Mr. CORDON. I yield myself sufficient time to permit the Senator from Rhode Island to ask a question.

Mr. PASTORE. Does the Senator from Oregon agree with the interpretation made by the junior Senator from Florida, that if the amendment should be agreed to, and a referendum should be held, and the people of Hawaii should vote for statehood under the referendum process, insofar as Hawaii is concerned, the matter would not have to be returned to Congress?

Mr. CORDON. If the bill or the amendment should have any validity, I agree with the interpretation to the extent indicated, because that is the plain language of the amendment.

The Senator from Rhode Island is a very learned and competent lawyer, and I am certain he will agree with me that a question arises as to whether alternatives of this nature can be offered to an incorporated area of the United States, as distinguished from offering the sort of proposal as was offered, for instance, to the people of another republic, the Republic of Texas, before it was annexed, after the manner of Hawaii.

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

Mr. CORDON. I yield.

Mr. PASTORE. I agree with the distinguished Senator from Oregon that if the people of Hawaii voted for commonwealth status, the matter would have to be returned to Congress. But in the case of statehood, if the people of Hawaii voted for statehood, would the matter, as it relates to Hawaii, have to be returned to Congress?

Mr. CORDON. If there is any validity to the language, it would have to come back with a constitution reported with approval. The same procedure will have to be followed under the provisions of the bill now before the Senate.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida.

Mr. KNOWLAND. I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMATHERS. Mr. President, I wish to take 5 minutes, and I ask that the Presiding Officer remind me when my 5 minutes has expired.

I appreciate the cogent arguments made by the very able Senators from Oregon and New Mexico, both of whom are excellent lawyers. However, I do not believe we could say that our Government has ever entertained the theory that the consent of the people who are

to be governed should not be considered and that is what this argument is about.

I have in my hand a quotation from John Adams, one of the framers of the Constitution, who said:

> As the happiness of the people is the sole end of the government, so consent of the people is the only foundation of it, in reason, morality, and the natural fitness of things.

Thomas Jefferson has said:

> The will of the people is the only legitimate foundation of any government.

So, Mr. President, if we should refuse to permit the people of the Territory of Hawaii or of Alaska to have an opportunity to vote on what particular type of government they want we would fly not only in the face of those eminent statesmen but in the face of everything which is basic and sound in this republic of ours, including the principle that a government shall govern only with the consent of the governed.

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

Mr. CORDON. I yield 5 minutes to the Senator from Louisiana.

Mr. LONG. I happened to be in Hawaii last summer, and while there I discussed the question of commonwealth status with a number of individuals whom I believed to be leading citizens of Hawaii. I learned from them their attitude on the question. We would be sadly deluded if we thought that the people of Hawaii would accept our offer of a tax-free paradise in Hawaii, whereby they would not have to pay their share of American taxes, and thereby relinquish the right to participate in American government. If the people of Hawaii accepted that sort of status, sooner or later the American people would be resentful of the people of Hawaii having a free ride on the backs of the citizens of the United States.

There is no reason why the United States should permit the citizens of Hawaii to enjoy all the benefits of American citizenship without paying taxes to help support the Federal Government. Puerto Rico's exemption from paying Federal income taxes can be justified by the Island's low income and low standard of living. Hawaii is not in the same situation. The average Hawaiian has a higher income than the average United States citizen on the mainland.

The people of Hawaii believe that, over a period of time, the people of America are not going to permit the people of Hawaii, who have a higher standard of living and higher income than exists on the mainland, on the average, to have a free ride on the backs of the American taxpayers and to be subsidized at the same time.

The people of Hawaii do not expect such favoritism. During the war in Korea, Hawaiians serving in United States combat units suffered three times the casualties percentagewise than were suffered by citizens of the States on the mainland of the United States. In the Korea war 434 young men from Hawaii were lost, in comparison with 438 from the State of Mississippi.

The people of Hawaii are willing to contribute a fair share toward the support of the Government. They have done so in peace and war, and they wish to continue to do so. The people do not expect to be placed in a tax exempt status. As far as enjoying the benefits of American citizenship is concerned, they are willing to pay their share of the taxes, and they do not wish to be American citizens who do not have any representation in the Congress.

Why is there all this support for commonwealth status, together with the relief held out in the way of exemption from income taxes? Only because some Senators do not wish for more Senators from the Territories of Hawaii and Alaska.

If I were to advise the citizens of those Territories how they should vote on such a proposal, I would advise them that I would not care to have my Territory a member of the United States and not represented in the Congress of the United States, if I thought the Territory had the right to be represented in the Congress on an equal basis with all the other States.

The people of Hawaii had an opportunity previously to consider such an arrangement. The same proposal was made in Hawaii at the same time the people of Hawaii voted on whether or not they wanted statehood. The same proposal was made and urged by some people in Hawaii at the time they voted on their constitution. The people very wisely chose not to sell their American birthright for a mess of pottage in the form of tax exemption; therefore, they voted for statehood and not for the commonwealth status. The people of Hawaii have voted twice in favor of becoming full citizens of the United States and being represented in the Congress, and we should not ask them to vote a third time on how they feel on the issue of statehood.

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

Mr. LONG. I yield to the Senator from Oklahoma.

Mr. MONRONEY. I am a little bit mystified to know how the people of Hawaii knew so much about a commonwealth status, because there certainly has never been before the Senate, in any degree whatsoever, until debate on the pending bill, a clear outline of what was intended by a commonwealth status. There was a recommittal of the bill previously, in order to provide for a study of the commonwealth question. However, when the Senator states the people of the islands knew anything about the commonwealth question at the time they were voting on the State constitution, I wish the Senator would elaborate and let us know about it. It has never been mentioned in the House of Representatives. It was never mentioned in the United States Senate up until the time the bill came before the Senate. How would the people of Hawaii know so much about the commonwealth question?

Mr. LONG. When I was in Hawaii I became acquainted with the views of Mr. Hughes. Some called him Mr. "Tex" Hughes, because he was a former Texan who moved to Hawaii.

The ACTING PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

Mr. LONG. Will the Senator from Oregon yield me 2 more minutes?

Mr. CORDON. I yield 2 more minutes to the Senator from Louisiana.

Mr. LONG. Mr. Hughes had been advancing the commonwealth argument for some time. He wrote me when I was there. I had seen letters written by Mr. Hughes to other United States Senators. Mr. Hughes made his views known on the commonwealth question to civic clubs and various other groups interested in the question of statehood. Such arguments were advanced previously in Hawaii. I believe the people of Hawaii were familiar with the commonwealth proposal. I think the Senator will find there is little desire on the part of the people of Hawaii to adopt the commonwealth status.

Mr. MONRONEY. Certainly the Senator would not state to the Senate that the vote for the adoption of a State constitution presented a clear-cut issue such as the distinguished Senator from Florida presents on the question?

Mr. LONG. If any person would vote in favor of the commonwealth status, he would probably vote against statehood. I understand that the Senators who desire the so-called commonwealth status will do so. I will concede that there has not been an exact proposal made to the people of Hawaii which asked them, "Would you want a tax-free commonwealth status?" I do not care to make that sort of proposal to the people who are paying their share of taxes and carrying their share of the burdens of the Federal Government. I do not favor it. I do not think the people of the islands favor it.

I believe the people of Hawaii had the opportunity to know about this sort of proposal when they voted in the referendum for a State constitution and for statehood. They indicated by their votes that they wanted statehood.

Mr. MONRONEY. It seems to me the people who advocate statehood and statehood only, without a choice on the part of the people on this matter, seem to doubt that the question of statehood is one to be decided by those who would know best whether they desired it. I would let them vote on it.

Mr. LONG. The Senator from Oklahoma is the one who is proposing that such a question be asked. He knows that never before, never at any time in connection with the admission of 35 States, have the people of those areas been given the right to say, "We would rather have the area in which we live admitted as a tax-free commonwealth, rather than as a State of the Union."

Mr. KNOWLAND. Mr. President, will the Senator from Louisiana yield for a question?

The ACTING PRESIDENT pro tempore. The time of the Senator from Louisiana has expired.

Mr. CORDON. Mr. President, I yield 1 minute to the Senator from California.

Mr. KNOWLAND. I should like to ask the Senator from Louisiana if it is not true that the people of the Territory of

Hawaii have already, by vote on a referendum, and also by vote in connection with the adoption of their constitution, indicated that they want statehood; and is it not also true that, insofar as Alaska is concerned, under the provisions of the pending bill the people of Alaska will have an opportunity to vote on the question of the adoption of a State constitution?

Mr. LONG. That is correct.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Florida [Mr. SMATHERS], in behalf of himself and other Senators.

Mr. SMATHERS. Mr. President, I yield 1 minute to myself.

It has been well established, Mr. President, that the people of the Territories of Hawaii and Alaska have never yet been offered an opportunity to choose between two alternatives—in short, an opportunity to vote on the question, "Do you favor statehood, or do you favor commonwealth status?"

The Senator from Louisiana [Mr. LONG] has told us, when speaking in the manner of George Gallup, what he determined to be the wish of the people of Hawaii, as a result of a poll he conducted there. Mr. President, I believe that the people of Alaska and the people of Hawaii should be allowed to speak for themselves, rather than to have someone else speak for them.

Of course, in connection with this matter, we have heard of the views of Mr. Sam King, the Governor of the Territory of Hawaii. He is a fine man, and I know what he wants; but he very naturally believes he will be elected Governor or possibly Senator, if Hawaii becomes a State. That is a very laudable ambition; but why not give the people who live in Hawaii, and also the people of Alaska, an opportunity to vote, and in that way to register their desires, and thus put a stop to having various self-styled "George Gallups" tell us what they believe the people of Hawaii and the people of Alaska want?

In short, Mr. President, let us permit the people of Hawaii and the people of Alaska to have a chance to vote their own preference.

Mr. KNOWLAND. Mr. President, will the Senator from Florida yield for a question?

Mr. SMATHERS. I yield.

Mr. KNOWLAND. I understand that the amount of time remaining to each side is approximately equal. Therefore, I wish to ask whether the Senator from Florida and the Senator from Oregon are prepared to yield the balance of the time remaining to them.

Mr. SMATHERS. Mr. President, I yield the balance of the time remaining to me.

Mr. KNOWLAND. Mr. President, will the Senator from Oregon yield the balance of the time remaining to him?

Mr. CORDON. No; for I wish to speak for 2 minutes in reply to the Senator from Florida. Then I shall yield the balance of the time remaining to me.

Mr. President, I yield myself 2 minutes.

The ACTING PRESIDENT pro tempore. The Senator from Oregon is recognized for 2 minutes.

Mr. CORDON. Mr. President, I am very much afraid that the purpose of the sponsors of the amendment will not be served by having the amendment adopted.

PROPOSAL NOT TIMELY

The commonwealth idea in the American political system first came into existence in 1950, by the enactment of S. 3336, 81st Congress, which authorized the people of Puerto Rico to form a constitution and local government. The Commonwealth of Puerto Rico came into being after the people adopted the Senate amendments to the Constitution in 1952.

Those who have served on the Senate Interior and Insular Affairs Committee which deals with this matter—including, I may say, my distinguished friend, the Senator from Florida [Mr. SMATHERS]—have had every opportunity in the world to bring up this question of commonwealth status for Hawaii and Alaska and have it discussed in detail by various witnesses from both the Territories. Many witnesses have appeared before the committee, and there have been ample opportunities for visitations. Every opportunity in the world has been given to those who now propose this particular and peculiar status for the Territories to get the views of representatives of the citizens of Hawaii and Alaska. However, we first find it submitted in the last few hours of this debate on statehood.

Mr. President, I hope the Senate will indicate by its vote on this amendment, as it did on the other and kindred amendment, that it is opposed to it.

I yield back the balance of the time remaining to me.

Mr. NEELY. Mr. President, will the Senator from Oregon yield to me?

Mr. CORDON. Mr. President, I cannot yield to the Senator from West Virginia, for I have already yielded back the balance of the time remaining to me.

Mr. NEELY. Mr. President, I ask unanimous consent that the Senate be given an opportunity to vote, and vote now. Let us stop talking and do something—now. [Laughter.]

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment submitted by the Senator from Florida [Mr. SMATHERS], on behalf of himself and other Senators.

On this question the yeas and nays have been ordered.

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

The ACTING PRESIDENT pro tempore. The absence of a quorum having been suggested, the clerk will call the roll.

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

Aiken	Butler, Nebr.	Daniel
Anderson	Byrd	Dirksen
Barrett	Capehart	Douglas
Beall	Carlson	Duff
Bennett	Case	Dworshak
Bricker	Chavez	Eastland
Burke	Clements	Ellender
Bush	Cooper	Ferguson
Butler, Md.	Cordon	Flanders
Frear	Kefauver	Pastore
Fulbright	Kerr	Payne
Gillette	Kilgore	Potter
Goldwater	Knowland	Purtell
Green	Kuchel	Robertson
Griswold	Langer	Russell
Hayden	Lehman	Saltonstall
Hendrickson	Long	Schoeppel
Hennings	Magnuson	Smathers
Hickenlooper	Malone	Smith, Maine
Hill	Mansfield	Smith, N. J.
Hoey	Maybank	Stennis
Holland	McCarran	Symington
Hunt	McClellan	Thye
Ives	Millikin	Upton
Jackson	Monroney	Watkins
Jenner	Morse	Welker
Johnson, Colo.	Mundt	Williams
Johnson, Tex.	Murray	
Johnston, S. C.	Neely	

The ACTING PRESIDENT pro tempore. A quorum is present.

The question is on agreeing to the amendment submitted by the Senator from Florida [Mr. SMATHERS], on behalf of himself and other Senators.

All time on the amendment has expired.

On this question the yeas and nays have been ordered, and the Secretary will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Pennsylvania [Mr. MARTIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from North Carolina [Mr. LENNON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I announce also that on this vote the Senator from Georgia [Mr. GEORGE] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Georgia would vote "yea," and the Senator from Minnesota would vote "nay."

I announce further that if present and voting, the Senator from Tennessee [Mr. GORE] and the Senator from North Carolina [Mr. LENNON] would each vote "yea."

The result was announced—yeas 26, nays 59, as follows:

YEAS—26

Byrd	Johnson, Colo.	Monroney
Daniel	Johnson, Tex.	Pastore
Eastland	Johnston, S. C.	Robertson
Ellender	Kerr	Russell
Frear	Langer	Smathers
Fulbright	Malone	Stennis
Hayden	Maybank	Symington
Hill	McCarran	Welker
Hoey	McClellan	

NAYS—59

Aiken	Case	Goldwater
Anderson	Chavez	Green
Barrett	Clements	Griswold
Beall	Cooper	Hendrickson
Bennett	Cordon	Hennings
Bricker	Dirksen	Hickenlooper
Burke	Douglas	Holland
Bush	Duff	Hunt
Butler, Md.	Dworshak	Ives
Butler, Nebr.	Ferguson	Jackson
Capehart	Flanders	Jenner
Carlson	Gillette	Kefauver

Kilgore	Morse	Schoeppel
Knowland	Mundt	Smith, Maine
Kuchel	Murray	Smith, N. J.
Lehman	Neely	Thye
Long	Payne	Upton
Magnuson	Potter	Watkins
Mansfield	Purtell	Williams
Millikin	Saltonstall	

NOT VOTING—11

Bridges	Kennedy	Sparkman
George	Lennon	Wiley
Gore	Martin	Young
Humphrey	McCarthy	

So the amendment offered by Mr. SMATHERS, for himself and other Senators, was rejected.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, and was read the third time.

The ACTING PRESIDENT pro tempore. The bill having been read the third time, the question is, Shall it pass?

Mr. JOHNSON of Texas. Mr. President, I yield 15 minutes to the distinguished junior Senator from Virginia [Mr. ROBERTSON].

Mr. ROBERTSON. Mr. President, I shall not detain my colleagues very long. However, I feel so deeply about what is involved in the question of immediate statehood for Hawaii and Alaska that I am unwilling to have this discussion come to an end without placing myself specifically on record and outlining briefly my objections to both proposals.

Mr. President, it is an understatement when I say that I was surprised to read today in a morning newspaper a statement attributed to the majority leader to the effect that the victory this afternoon for the proponents of statehood for Hawaii and Alaska would be an easy one. Two years ago there were not a handful of Members of this distinguished body who would vote for statehood for either Territory. The facts have not changed. I ask, therefore, What has changed? And echo answers "What?" Nearly every Republican Member of the Senate voted only a few weeks ago against including Alaska in the bill with Hawaii. They did not at that time think that Alaska was ready for statehood. If they now think Alaska is ready for statehood, why do they think so? What has changed during the past 4 weeks that would now qualify Alaska for statehood when it could not qualify a month ago?

Ever since the end of World War I we have offered all sorts of bounties to veterans and others if they would only go to Alaska and help develop that Territory. But there are two very obvious reasons why they refused to do so, and even some of those who did go, did not stay. One reason is that Alaska is, for the most part, a wilderness area owned by the Federal Government. Only a small fraction of the land is privately owned. The second reason is that the average American cannot endure the cold and hardship of the Alaska climate, as in the days of the Yukon gold rush, with the hope of getting rich in a year or two and then coming back to the States; they just do not choose that type of climate for permanent residence.

Alaska has no adequate system of transportation. Although it is fourteen and a quarter times the size of my home State of Virginia, it has about 3,000 miles of improved highway as against our 50,000 miles in Virginia. It would take hundreds of millions of dollars to build a highway system in Alaska comparable to that of any State in the Union, even the poorest, and the people in Alaska do not have that kind of money, and in view of the recent statement of the Secretary of the Treasury, that expenditures in our next fiscal year will break through the established debt ceiling, we do not have it either.

Alaska has no adequate rail service either. The only rail line, the Alaska Railroad, is owned and operated by the Federal Government and runs for a distance of only 470 miles from Seward to Fairbanks. There is no private capital in Alaska to develop an adequate railroad system, and even if it could be found, Alaska could not be connected by rail with our mainland without passing through a foreign country which is as large as the United States. The principal transportation for Alaska is the waterborne type, and that is inadequate, even for tourists in the summer time, and in winter, of course, the harbors are frozen over.

In proportion to population, no State in the Union has been the recipient of Federal grants equal to those given to Alaska, yet the Territorial government has experienced great difficulty in making both ends meet. The present tax rate in Alaska is above that of the average State, and statehood would increase the financial burdens. But the primary reason I am told that the Territorial government has difficulty in financing itself is that it has no adequate system of tax collections. Is there any Senator on this floor so optimistic as to assume that if Congress simply writes an edict to the effect, "Alaska, you are now a State," Alaska, ipso facto, will then have a modern, efficient, and effective tax collection system comparable to that of 1 of our 48 States, and when I say 1, I mean any one.

If Alaska is to be a State it must have more industry and more population in order to enable it to function effectively. Certainly increasing the present extremely high rate of taxation in the Territory will not contribute to either. If Alaska is to successfully develop in population it must have means of feeding that population. The sad but true fact is that while farming was the basis of economy for most new States admitted to the Union, Alaska has relatively little farming, little land suitable for agriculture, and cannot even feed its present population. Even the wolves of Alaska fare better for meat than do the people. It is estimated that it takes one deer, caribou, or elk a week to feed one wolf, and that the annual meat bill for one wolf is $3,000. The Government pays a bounty of $50 a head for a wolf because it cannot afford to feed meat to wolves while the people are going hungry. But as I have already indicated, Alaska is such a wilderness that in many areas the wolves are still in control of the meat supply.

The President does not think that Alaska is ready for statehood. The House of Representatives does not think that Alaska is ready for statehood. May I, therefore, repeat that I was a bit surprised that our distinguished majority leader indicated his belief that Alaska is ready for statehood and that a bill to that effect would be swung through the Senate this afternoon with the greatest of ease.

Mr. KNOWLAND. Mr. President, will the Senator yield for a brief observation?

Mr. ROBERTSON. I yield for a question.

Mr. KNOWLAND. Mr. President, the Senator from Virginia has mentioned my name. At no time did I make the statement that the bill would be put through the Senate with great ease. I said I thought there would be a comfortable majority in favor of the bill, which is a much different situation. Of all Senators, certainly I know that this has not been an easy fight. It has been one of the toughest I have ever been in during my 9 years in the Senate.

Mr. ROBERTSON. That, Mr. President, is a distinction without a difference. With all due deference to the Senator from California, I know what he intended to infer in the statement to the press. It was to be depressing to us and encouraging to his associates, and it was intended to indicate to the country generally that the opposition really does not amount to much and that when the roll is called the bill will be passed by a very comfortable majority. Whether it was easy to get it or not, was not particularly involved; the vote would be easy this afternoon.

Let us look for a moment at the Territory of Hawaii which many Republicans, including the distinguished chairman of the committee that handled the statehood bill 2 years ago, said was not ready for statehood. For the first time in our history we are asked to make a State out of an area which no one can define by metes and bounds, and which is separated from our mainland by 2,000 miles of ocean, and the identifiable portions of which are separated from each other by another 1,800 miles, making the new State of Hawaii if created larger than Texas.

If the committee had not taken Palmyra out of the bill, the area would have been extended by 2,000 miles, because that is the distance from Palmyra to Honolulu. However, the committee thought it was going just a little too far, so it took out Palmyra, and thus cut the distance down to 1,800 miles.

Mr. BUTLER of Nebraska. Mr. President, will the Senator from Virginia yield?

Mr. ROBERTSON. Inasmuch as I have referred to my distinguished friend from Nebraska, I yield.

Mr. BUTLER of Nebraska. I understood the distinguished Senator from Virginia to refer to the position which I took when a bill proposing statehood for Hawaii was before us some time ago in a previous Congress. It is true that I opposed statehood for Hawaii at that time, and I gave a definite reason for my opposition. My opposition was based on

the threat of Communist control. The situation has changed greatly since that time. That is why I have changed my position.

Mr. ROBERTSON. I am quite familiar with what my distinguished friend has stated. He was not in the Chamber when I quoted his testimony and he was not preesnt when I showed that the situation had not changed at all, but that, if anything, it had become worse, and that communism had increased in the islands. I quoted the Senator as saying that he could not stomach the communism in Hawaii and we must therefore hold back until the situation had improved.

What I am hoping for is that we will defeat the bill today, and find out more about what will happen in Indochina; and perhaps an investigating committee of the Senate will get around to investigating some of the known Communists in Hawaii, who are not yet in our Government, but who are trying to get both feet into it, which I am afraid we are helping them to do.

Some have claimed we owe a moral duty to grant statehood to Hawaii. In a speech before the Senate last Monday I pointed out how fallacious that claim is. For some 45 years this formerly foreign area attempted to be taken in by us as a Territory by means of a treaty, as all other foreign areas have been acquired, but never during that period could a two-thirds majority of the Senate be secured. But 4 days after the Battle of Manila Bay, and on the specious plea that it was a war necessity, the House adopted a resolution making Hawaii a territory. The Senate Foreign Relations Committee was so embarrassed by being called upon to abandon its traditional concept of action by treaty that it reported that resolution to the Senate without even submitting a report on it. However, numerous Members of both House and Senate said with respect to the resolution that no one then in Congress had the slightest idea of ever granting statehood to Hawaii.

Hawaii was granted Territorial status because that was good for Hawaii. Hawaii now asks for statehood because that too, in the opinion of many in Hawaii, but by no means all, would be good for Hawaii. But I was elected to the United States Senate to vote for what was good for Virginia and what was good for our own Nation, and certainly granting statehood to Hawaii at this time will not be good for either.

Even from the standpoint of fairness, justice, and equity neither Alaska nor Hawaii have anything of which to complain. Both receive the benefits of social security, unemployment compensation, minimum wage laws, Federal loans, veterans' benefits, farm price supports, and agricultural conservation payments, to say nothing of the tremendous subsidy which we pay to the sugar industry of Hawaii which costs this Government in Federal payments alone approximately a billion dollars.

Of course, without statehood, neither will be privileged to send two Senators to this body, where in addition to voting on vital matters of foreign policy they can also offset the votes of taxpaying States like New York, Pennsylvania, Texas, and California in voting ever increasing Federal benefits for their home States where needless to say they will be under constant political pressure to bring home the bacon or yield to someone who can.

Hawaii, like Alaska, is not self-supporting from a food standpoint. The arable land is limited, very closely held, and so highly priced that it must be utilized for the production of two cash crops—sugar and pineapples. There will never be a time in the foreseeable future when there will be in Hawaii a substantial group of small farmers which every student of political history knows constitutes the backbone of any democracy. And if such a division of land holdings were possible under our constitutional form of Government, a great many of the new land owners would be orientals with little or no training in our traditions, our form of Government and our way of life.

There is neither coal nor oil in Hawaii for industrial development nor known mineral deposits which would portend a rich industrial development. Hawaii has been, is now, and for the foreseeable future will be limited to sugar, pineapples, and shipping and all three of those basic industries are absolutely controlled by a communistic dominated union.

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

Mr. RUSSELL. Mr. President, I was requested by the distinguished minority leader to allot time. I allot to the Senator from Virginia 3 more minutes.

Mr. ROBERTSON. Mr. President, with all due deference, I solemnly submit to this distinguished body that the most vital, the most fateful issue confronting us today is the proposed abandonment of our Monroe Doctrine, under which since 1823 we have solemnly announced to the world that we had no empire complex and all that we asked was the privilege to develop our own mainland without foreign interference and in return would permit the other nations of the world a similar privilege in their home areas. Last Monday I quoted many Presidents, Republicans as well as Democrats, and that great Republican educator and leader in foreign affairs, Dr. Nicholas Murray Butler, who time after time had warned us against the dangers inherent in making an integral part of our Union areas separated from us not merely by a few miles of water, but by a thousand miles, like Cuba, for instance, to say nothing of Hawaii, which is 2,000 miles from our coast.

The press of the Nation has ignored the reasons we have advanced against statehood for Alaska and Hawaii. The Members of the Senate have not stayed on the floor to hear them. According to the news report of this morning, those who were opposed to statehood for either Alaska or Hawaii 2 years ago have changed their position, have closed their ears, have gritted their teeth and, with solemn mien, have decided to see this business through. They are the keepers of their own conscience. I have no means of reaching a mind that is closed. I only regret that a great Republican leader like Nicholas Murray Butler could not stand today in my place on this floor and repeat to his Republican colleagues what he said even before he knew how the economy and the politics of Hawaii were being dominated by communistic leaders:

> The admission of Hawaii as a State might easily be the first step in bringing to an end the United States of America as established by the Founding Fathers and as we have known it. The next generation might well find itself faced with a United States of the Pacific and other ocean islands, since the admission of Hawaii would certainly lead to pressure, which would be hard to resist, to admit also Alaska, Puerto Rico, and other islands in the Atlantic and Caribbean as well as the distant Philippines.

Mr. President, I hope the bill will be defeated.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum, and I ask unanimous consent that the time required for the quorum-call be not charged to either side.

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

The clerk will call the roll.

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

Aiken	Gillette	Maybank
Anderson	Goldwater	McCarran
Barrett	Green	McClellan
Beall	Griswold	Millikin
Bennett	Hayden	Monroney
Bricker	Hendrickson	Morse
Burke	Hennings	Mundt
Bush	Hickenlooper	Murray
Butler, Md.	Hill	Neely
Butler, Nebr.	Hoey	Pastore
Byrd	Holland	Payne
Capehart	Hunt	Potter
Carlson	Ives	Purtell
Case	Jackson	Robertson
Chavez	Jenner	Russell
Clements	Johnson, Colo.	Saltonstall
Cooper	Johnson, Tex.	Schoeppel
Cordon	Johnston, S. C.	Smathers
Daniel	Kefauver	Smith, Maine
Dirksen	Kerr	Smith, N. J.
Douglas	Kilgore	Stennis
Duff	Knowland	Symington
Dworshak	Kuchel	Thye
Eastland	Langer	Upton
Ellender	Lehman	Watkins
Ferguson	Long	Welker
Flanders	Magnuson	Williams
Frear	Malone	
Fulbright	Mansfield	

The PRESIDING OFFICER (Mr. PAYNE in the chair). A quorum is present.

Mr. JOHNSON of Texas. Mr. President, I yield 2 minutes to the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL].

Mr. SALTONSTALL. Mr. President, the question before the Senate is whether we wish to admit to statehood both Alaska and Hawaii, or neither. Having listened to the arguments on every side of this question, I shall vote against statehood for both. I shall do so reluctantly, because I had wanted to vote for Hawaiian statehood. Had the issue been presented to us in a separate bill, I would have voted for it. I cannot, however, at the present time vote for statehood for Alaska.

In these uncertain times, confronted as we are by problems that involve the security of our country we should not, in my opinion, create a State of the comparatively undeveloped Territory of

Alaska. So little of Alaska is privately owned and so much is owned by the Federal Government that it is difficult for me to see how the situation of the people of Alaska and the improvement of the Territory's economy can be advanced by conferring statehood upon it now.

In 1950 I traveled on a Government mission to the cities of Anchorage, Nome, Fairbanks, Juneau, and Kamchatka. We traveled by air and saw the vast terrain of Alaska in beautiful weather. We talked with many of the citizens of these various communities. We learned some of the problems that confront them and also had an opportunity to see the fine qualities of the men and women who make Alaska their home. I have every hope that at some future time Alaska may become a State, but I do not believe this is the opportune moment for it.

Mr. President, the addition of a new State to the United States of America is a step to be taken seriously. It is not a partisan question. It is a question, first, of what is for the best interests of our country, and, second, of what is for the best interests of the Territory that is to be elevated to statehood. Where two Territories so divergent in character are concerned, this question necessarily presents different problems in the case of each. Balancing the arguments for Hawaii and the arguments against Alaska, I believe that the negative arguments are strong. Under all the circumstances, therefore, I feel that I must vote "no" on statehood for both, with the hope that the two Territories may be considered on their individual merits, if not at this session of Congress, at the next.

Mr. JOHNSON of Texas. I yield 3 minutes to the distinguished senior Senator from Michigan [Mr. FERGUSON].

Mr. FERGUSON. Mr. President, since the Senate has joined statehood for Alaska to statehood for Hawaii, I find myself unable to vote for the bill. I could have voted for the Territory of Hawaii to become a State. After analyzing the facts in relation to statehood for Alaska, I cannot reach the conclusion that at present Alaska should be a State.

The distinguished Senator from Massachusetts [Mr. SALTONSTALL] has very ably stated his position, and I wish to associate myself with his remarks. I cannot vote for statehood for both Territories in a joint bill. Therefore, I shall be compelled to vote against statehood for both Territories, even though I should like to vote for statehood for Hawaii.

SEVERAL SENATORS. Vote! Vote! Vote!

Mr. CORDON. Mr. President, I yield 10 minutes to the distinguished majority leader, or such portion of that time as he desires to use.

Mr. KNOWLAND. I do not expect to use 10 minutes.

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

Mr. KNOWLAND. I yield to the distinguished Senator from Louisiana for the purpose of allowing him to make an insertion in the RECORD.

Mr. LONG. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement I have prepared on the subject of statehood.

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

STATEMENT BY SENATOR LONG

It is particularly interesting to note that our past history contains this very significant record: Today's opponents of statehood for Alaska and Hawaii advance substantially the same arguments used by their predecessors in opposing all expansions upon the original 13 States.

The celebration, last year, of the 150th anniversary of the Louisiana Purchase brought to light the fact that this fabulous transaction was bitterly opposed by those whose concern was founded upon the relatively undeveloped state of the Territory, its distance from the Atlantic seaboard, and the composition of its population, of which Indians and Negroes were more numerous than Caucasians; and of the whites, a substantial majority were of French or Spanish ancestry.

While the Louisiana Purchase doubled the size of our infant Nation, and the price of $15 million (3 cents per acre) made it the biggest real-estate bargain of all times, some legislators didn't so view it; one such was Senator James White, of Delaware, who, on October 25, 1803, spoke out as follows against Senate ratification of the treaty of acquisition:

"It may be productive of innumerable evils and especially of one that I fear to ever look upon. Thus our citizens will be removed to the immense distances of two or three thousand miles from the Capital of the Union, where they will scarcely ever feel the rays of the Central Government—their affections will become alienated; they will gradually begin to view us as strangers—they will form other commercial connections and our interests will become distinct. Even supposing that this extent of territory was a desirable acquisition, $15 million was a most enormous sum to give.

"We have already territory enough, and when I contemplate the evils that may arise to these States from this intended incorporation of Louisiana into the Union, I would rather see it given to France, to Spain, or to any other nation of the earth upon the mere condition that no citizen of the United States should ever settle within its limits." (The Louisiana Purchase, GPO, 1900, pp. 37–38.)

Similar ridicule was leveled in the House. Representative Griswold, of Connecticut, on October 25, 1803, argued:

"It is not consistent with the spirit of a republican government that its territory should be exceedingly large; for as you extend your limits, you increase the difficulties arising from a want of that similarity of customs, habits, and manners so essential for its support" (ibid., p. 37).

And Senator Plumer, of New Hampshire, made this dire prediction the same day:

"Admit this western world into the Union and you destroy at once the weight and importance of the Eastern States and compel them to establish a separate independent empire" (ibid., p. 37).

Eight years later (1811), when Louisiana asked that interim territorial government be exchanged for statehood, Representative Josiah Quincy, of Massachusetts, was even more exercised; he bluntly told the House:

"The bonds of the Union must be dissolved rather than admit these westerners. As it will be the right of all, so will it be the duty of some to prepare definitely for a separation; amicably if they can, violently if they must." (Yankee from Olympus, Bowen; Little, Brown & Co., p. 27.)

Nor did the passage of time soften that Congressman's implacable hatred of our Nation's westward expansion. For in 1819, when it was proposed to admit Alabama into statehood, he thundered in the House:

"You have no authority to throw the rights and property of the people into the hodgepodge with the wildmen on the Missouri, nor with the mixed though more responsible race of Anglo-Hispano-Gallo-Americans who bask on the sands in the mouth of the Mississippi. Do you suppose the people of the Northern and Atlantic States will, or ought to, look with patience and see Representatives and Senators * * * pouring themselves upon this and the other floor, managing the concern of a seaboard 1,500 miles, at least, from their residence?" (ibid., p. 35).

While the above are representative of the objections advanced when it was proposed to admit Alabama and Louisiana, history reveals that every past effort to peaceably expand our family of States has met with similar disapproval and ridicule; a few random examples will illustrate this point. They should also serve to show that objections have not been restricted to any specific area; Americans in northern, southern, eastern, and western Territories alike, have had to contend with identical opposition when they strove to claim their full birthrights as American freemen.

The admission of California was strenuously opposed and brought on a filibuster in the Senate. Senator Ewing predicted: "With all its extent, California will never sustain one-half the population of Ohio, not one-half. The population of California will be very small, indeed." (H. Rept. No. 109, 83d Cong., p. 70.) I might point out, in passing, that the 1950 census gave Ohio 7,946,627; California, 10,586,223. California's neighbor, Oregon, likewise had rough going in the Senate. In fighting Oregon's incorporation, Senator McDuffie, in a speech delivered in January 1843, said:

"What is the nature of this country? Why, as I understand it, 700 miles this side of the Rocky Mountains is uninhabitable; a region where rain seldom falls; a barren, sandy soil; mountains totally impassable. Have you made anything like an estimate of the cost of a railroad from here to the Columbia (River)? Why, the wealth of the Indies would be insufficient. Of what use will this be for agricultural purposes? Why, I would not, for that purpose, give a pinch of snuff for the whole territory. I thank God for His mercy in placing the Rocky Mountains there."

And Mississippi, petitioning for statehood, had to hurdle the handicap of an adverse House committee report, submitted December 23, 1816, which stated:

"Your committee beg leave to remark that they cannot believe a State of such unprecedented magnitude as the one contemplated by the memorialists can be desirable to any section of the United States. Between the Tennessee and the Mississippi settlement there is not, and probably never will be, any commercial interest whatever."

Florida's admission in 1845 was roundly attacked in Congress on the grounds that a large part of her population consisted of Indians and Negroes and because her white citizens were largely of Spanish descent. Similar reasons were advanced as insurmountable barriers to statehood when my home State and Arizona sought admission in the early part of the present century. Senator Henry E. Burnham of New Hampshire (member of the Senate Committee on Territories) spoke for 3 days against statehood for Arizona and New Mexico. He criticized the wide usage of the Spanish language in New Mexico and Arizona and held that these Territories did not have sufficient population and natural resources to become sound members of the Union.

Every school child is familiar with the abuse and ridicule heaped upon Secretary Seward for having engineered the purchase of Alaska, ("Seward's Folly"), in 1867, for

$7,200,000. Representative B. F. Butler of Massachusetts, on July 7, 1868, spoke out against ratification of the treaty of cession as follows:

"If we are to pay for Russia's friendship I desire to give her the $7,200,000 and let her keep Alaska. I have no doubt that any time within the last 20 years we could have had Alaska for the asking. No man, except one insane enough to buy the earthquakes in St. Thomas and the ice fields in Greenland, could be found to agree to any other terms for its acquisition by the country."

Representative Benjamin F. Loan, of Missouri, predicted:

"The acquisition of this barren waste would never add $1 to the wealth of our country, or furnish homes to our people. To suppose that anyone would be willingly (leave a State to seek a home in Alaska) is simply to suppose such a person insane."

In January 1869, after the Territory had been purchased, Representative Orange Ferris, of New York, speaking on a bill to provide an interim form of government for the same, offered the following amendment:

"That the President be authorized to bind the United States by treaty to pay the sum of $7,200,000 to any respectable European, Asiatic, or African power which will accept a cession of the Territory of Alaska."

Is it not worth while to pause and think of what our situation would now be if Soviet Russia still owned this vast and rich land at the very doorstep of key American cities?

Is it not a significant answer to those who now oppose the admission of Alaska and Hawaii that, without a single exception in our history, the addition of each new State has done more than physically enlarge our Nation; our country has, in each instance, been enriched and strengthened in the process?

We have become what we are today, largely because of those Members of past Congresses whose sound judgment, foresight, and moral courage prevailed against that of the men quoted. Theirs was the vision, as statesmen, to perceive that each new State brought to the Union qualities and resources which all of us, today, recognize to be indispensable elements of our national greatness. Can anyone dispute the statement that the United States would, now, be much the poorer had Alabama, California, Louisiana, Oregon, or Texas been denied statehood? Or, for that matter, if this privilege had been withheld from any of the 35 States whose admissions were as vigorously opposed in Congress as is, today, the proposal to admit Hawaii and Alaska?

God was, indeed, gracious in that at these critical junctures in our history our Congresses were peopled with sufficient men like Senator Breckenridge, of Kentucky, whose reply to Louisiana's detractors, in 1803, is, today, as fresh—and as applicable—as it was 150 years ago; he said:

"Is the goddess of liberty restrained by water courses? Is she governed by geographical limits? Is her dominion on this continent confined to the east side of the Mississippi? So far from believing in the doctrine that a republic ought to be confined within narrow limits, I believe, on the contrary, that the more extensive its dominion, the more safe and more durable it will be. In proportion to the number of hands you intrust the precious blessings of a free government to, in the same proportion do you multiply the chances for their preservation. I entertain, therefore, no fears for the Union, on account of its extent."

We, and succeeding generations, as long as there remains a United States of America, will venerate the Jeffersons, Livingstons, and Monroes * * * and the statesmen who shared their courage and vision.

In contrast, the historian, Tallant, points out: "As to those who opposed, most of them faded into obscurity."

Is there any reason to suppose that future historians would be any kinder in their judgment of us, where we of this Congress to reject Alaska and Hawaii?

Is not ours the privilege of determining whether future generations will look back upon us as men of vision, or as men who were singularly lacking in this quality?

Shall they respect us as we now do the memories of the statesmen who shared the foresight of Jefferson? Or will we earn for ourselves the ignominy which would have been theirs had they rejected the Louisiana Purchase?

The bright lamp of history clearly illumines both paths. It is for us to choose which we shall take.

Mr. KNOWLAND. Mr. President, first, I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from further consideration of H. R. 3575, the House bill on statehood for Hawaii.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California?

Mr. SMATHERS. Mr. President, what was the request?

Mr. KNOWLAND. I asked unanimous consent that the Senate Committee on Interior and Insular Affairs be discharged from further consideration of H. R. 3575, the House bill providing for statehood for Hawaii. If that request be granted, I shall then ask that the language of the Senate bill be substituted for the language of the House bill.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request?

Mr. EASTLAND. I object.

Mr. KNOWLAND. Mr. President, I shall not take much of the time of the Senate at this late hour. However, I think these facts should be placed in the RECORD.

So far as Hawaii is concerned, the Territory has been an incorporated part of the United States for more than half a century. Its population of 500,000 is larger than that of four of our present States, namely, Vermont, Delaware, Wyoming, and Nevada.

Since its incorporation as a Territory, Hawaii has paid more than $1,650,000,000 in Federal taxes.

Pearl Harbor showed that our western front for defense purposes was no longer the west coast.

The party platforms of both major parties called for statehood in 1952, and have repeatedly endorsed such statehood in prior conventions.

The most recent Gallup poll, taken in January 1953, showed that 78 percent of the public favor admission of Hawaii to statehood; 8 percent were opposed; and 14 percent had no opinion.

The vast majority of the people of Hawaii, according to numerous polls, and the vast majority of the people of the United States, want Hawaii as the 49th State.

According to the 1950 census, 84 percent of the population of Hawaii are native-born American citizens, and 99.2 percent of all its school children are native-born Americans.

The percentage of Hawaii's battle casualties in Korea was three times that of the United States.

In World War II, one battalion from Hawaii has been described as the most decorated unit in the entire history of the United States.

During World War II, according to Mr. J. Edgar Hoover, Chief of the Federal Bureau of Investigation, not a single case of sabotage by a Hawaiian civilian was reported.

Because of the progress which has been made in the fields of transportation and communication, Hawaii, for all purposes, is closer to the Nation's Capital today than were many of the Original Thirteen States.

Among all the present 48 States, only Oklahoma had a larger population when it was admitted into the Union.

The present and past Congresses have held 11 congressional hearings on the subject of statehood for Hawaii.

So far as Alaska is concerned, while its population is smaller than that of Hawaii, and while I have been frank to admit that I believe statehood for Hawaii has priority in consideration, the question before the Senate today is that if Senators believe in statehood for either Hawaii or Alaska, or for both, the only way in which to grant statehood is to pass the bill which is now before the Senate. Otherwise, statehood will be dead, so far as this session of the Congress of the United States is concerned.

Mr. President, I am prepared to yield back the remainder of my time. I recognize that the distinguished Senator from Mississippi [Mr. EASTLAND], who objected earlier, was within his rights to do so. However, I wish to call attention to the fact——

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

Mr. KNOWLAND. I will yield in a moment.

Mr. EASTLAND. I merely wish to withdraw my objection.

Mr. KNOWLAND. I thank the Senator.

Mr. President, the unanimous-consent request I made was that the Committee on Interior and Insular Affairs be discharged from further consideration of H. R. 3575, the House bill providing for statehood for Hawaii. If the unanimous-consent request should be granted, I would then ask unanimous consent that all after the enacting clause of the House bill be stricken, and that the language of the Senate bill, S. 49, be substituted therefor.

The VICE PRESIDENT. Is there objection to the request of the Senator from California?

Mr. ELLENDER. I object.

Mr. ANDERSON. Mr. President, will the Senator from California yield at that point?

Mr. KNOWLAND. I shall be glad to yield, if I have any time remaining.

Mr. ANDERSON. The majority leader recognizes, I assume, that a motion could be filed to accomplish what he has just requested. It will tie up the Senate a little longer, but it is possible to obtain the action in that way, if the distinguished majority leader desires to proceed in that way. That practice is followed day after day on other types of legislation.

Mr. KNOWLAND. I had hoped that for the convenience of many Senators it would be possible for the Senate to conclude its session for today very soon. We have gone through a long debate. Two whole days have elapsed since the unanimous-consent agreement was entered into. My proposal will merely require a couple of extra moves.

Under the unanimous-consent request, I shall move to discharge the Committee on Interior and Insular Affairs. Then I shall have to move to adjourn the Senate for a brief period of time, so that we may proceed in another legislative day. The process will be cumbersome. It will mean that the Senate probably will not be able to adjourn for several hours. But the procedure is not an unusual one.

I submit that in the general comity of our relationships in the Senate, it is the customary and reasonable practice, when the House has passed a bill on a subject, and the Senate has acted on a similar bill of its own, to prepare the measure for conference by following the course I have suggested. That is the orderly procedure of the Senate. But if it is necessary to do it the hard way, we shall simply have to do it the hard way.

Mr. JOHNSON of Texas. Mr. President, I yield 3 minutes to the junior Senator from Florida [Mr. SMATHERS].

Mr. SMATHERS. Mr. President, there have been three speeches from the majority side; one from the majority leader, who has stated that he is in favor of the bill, one from the chairman of the Republican policy committee, the Senator from Michigan [Mr. FERGUSON], who has stated he is against it, and a third speech from the chairman of the Committee on Armed Services, the distinguished and able Senator from Massachusetts [Mr. SALTONSTALL] who has stated he is likewise against the bill because Alaska has been attached to the Hawaiian statehood bill. It is obvious, therefore, that this is not a partisan issue.

I think it is important for the Senate to have an opportunity to study the bill further.

I think throughout the debate we have demonstrated that there is no moral or legal obligation to grant statehood to either Territory. We also have pointed out, indisputably, that the question is a matter to be decided by the Congress whenever it wishes to decide it. I think we have been able to show that Alaska and Hawaii will be infinitely better off by granting them commonwealth status enabling each to attain a maximum degree of self government under the jurisdiction of the United States.

Once we admit as new States Territories beyond our contiguous land mass we will have shattered a well-established precedent, the effects of which no one can foresee. If we can reach out into the Pacific Ocean some 2,000 miles and make a Territory a State, if we can go up into the Bering Sea and the Arctic Ocean and take in another Territory as a State, how can we logically deny statehood to other noncontiguous areas throughout the world?

I think the bill should go back to the Committee on Interior and Insular Affairs for further study.

Mr. CORDON. Mr. President, I yield 5 minutes to the junior Senator from New Mexico [Mr. ANDERSON].

Mr. KNOWLAND. Mr. President, will the Senator from New Mexico yield to me for a moment?

Mr. ANDERSON. I yield.

Mr. KNOWLAND. I renew my request, Mr. President. I ask unanimous consent that the Committee on Interior and Insular Affairs be discharged from the further consideration of H. R. 3575, to enable the people of Hawaii to form a constitution and State government and to be admitted into the Union on an equal footing with the original States, which is the House bill on Hawaiian statehood. If that request shall be granted, I shall immediately ask unanimous consent that the Senate proceed to the consideration of H. R. 3575, that all after the enacting clause be stricken out, and that the language of Senate bill 49, as amended, be substituted.

The VICE PRESIDENT. Is there objection to the first request of the Senator from California? The Chair hears none, and it is so ordered.

Mr. KNOWLAND. Now, Mr. President, I make the second request, that the Senate proceed to the consideration of H. R. 3575, and that all after the enacting clause be stricken out, and that Senate bill 49, as amended, be substituted for the House bill.

The VICE PRESIDENT. Is there objection to the second request? The chair hears none, and it is so ordered.

The question now is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The VICE PRESIDENT. The question now is, Shall the bill pass?

Mr. CORDON. Mr. President, with the minority leader, I am prepared to yield the remainder of my time to the Chair and have a vote at this time.

Mr. JOHNSON of Texas. Mr. President, I yield back the remainder of my time.

The VICE PRESIDENT. The question is, Shall the bill pass?

Mr. KNOWLAND and other Senators asked for the yeas and nays, and the yeas and nays were ordered.

The VICE PRESIDENT. The yeas and nays having been ordered, the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from Pennsylvania [Mr. MARTIN] and the Senator from North Dakota [Mr. YOUNG] are absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Wisconsin [Mr. MCCARTHY], and the Senator from Wisconsin [Mr. WILEY] are necessarily absent.

On this vote the Senator from North Dakota [Mr. YOUNG] is paired with the Senator from Pennsylvania [Mr. MARTIN]. If present and voting, the Senator from North Dakota [Mr. YOUNG] would vote "yea," and the Senator from Pennsylvania [Mr. MARTIN] would vote "nay."

If present and voting, the Senator from New Hampshire [Mr. BRIDGES] and the Senator from Wisconsin [Mr. MCCARTHY] would each vote "nay."

Mr. CLEMENTS. I announce that the Senator from Georgia [Mr. GEORGE] and the Senator from Tennessee [Mr. GORE] are necessarily absent.

The Senator from Minnesota [Mr. HUMPHREY], the Senator from Massachusetts [Mr. KENNEDY], the Senator from North Carolina [Mr. LENNON], and the Senator from Alabama [Mr. SPARKMAN] are absent on official business.

I announce also that on this vote the Senator from Georgia [Mr. GEORGE] is paired with the Senator from Minnesota [Mr. HUMPHREY]. If present and voting, the Senator from Georgia would vote "nay," and the Senator from Minnesota would vote "yea."

I announce further that on this vote the Senator from Massachusetts [Mr. KENNEDY] is paired with the Senator from North Carolina [Mr. LENNON]. If present and voting, the Senator from Massachusetts would vote "yea," and the Senator from North Carolina would vote "nay."

I announce further that if present and voting, the Senator from Tennessee [Mr. GORE] would vote "nay."

The result was announced—yeas 57, nays 28, as follows:

YEAS—57

Aiken	Frear	Long
Anderson	Gillette	Magnuson
Barrett	Goldwater	Mansfield
Beall	Green	Millikin
Bennett	Griswold	Morse
Burke	Hayden	Mundt
Butler, Nebr.	Hendrickson	Murray
Capehart	Hennings	Neely
Carlson	Hickenlooper	Pastore
Case	Holland	Payne
Chavez	Hunt	Potter
Clements	Jackson	Purtell
Cooper	Jenner	Smith, Maine
Cordon	Kefauver	Smith, N. J.
Dirksen	Kilgore	Symington
Douglas	Knowland	Thye
Duff	Kuchel	Upton
Dworshak	Langer	Watkins
Flanders	Lehman	Williams

NAYS—28

Bricker	Hoey	Monroney
Bush	Ives	Robertson
Butler, Md.	Johnson, Colo.	Russell
Byrd	Johnson, Tex.	Saltonstall
Daniel	Johnston, S. C.	Schoeppel
Eastland	Kerr	Smathers
Ellender	Malone	Stennis
Ferguson	Maybank	Welker
Fulbright	McCarran	
Hill	McClellan	

NOT VOTING—11

Bridges	Kennedy	Sparkman
George	Lennon	Wiley
Gore	Martin	Young
Humphrey	McCarthy	

So the bill (H. R. 3575) was passed.

Mr. CORDON. Mr. President, I move that the vote by which the bill was passed be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion to reconsider.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California to lay on the table the motion to reconsider.

The motion to lay on the table was agreed to.

The title was amended so as to read: "A bill to enable the people of Hawaii and Alaska each to form a constitution and State government and to be admitted into the Union on an equal footing with the original States."

Mr. CORDON. Mr. President, I move that the Senate insist upon its amendments, request a conference thereon with the House of Representatives, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. BUTLER of Nebraska, Mr. MILLIKIN, Mr. CORDON, Mr. MURRAY, and Mr. ANDERSON conferees on the part of the Senate.

CONSTRUCTION OF HIGHWAYS

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of Senate bill 3184, Calendar 1092, to amend and supplement the Federal-Aid Road Act, approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes.

This is the so-called highway bill, regarding which I have previously made announcement. It is not intended to have the Senate proceed to debate the bill at this time; the purpose is to have the bill made the unfinished business.

If the bill is now made the unfinished business, it is my purpose to have Senators then be given an opportunity to make insertions in the RECORD or make speeches or submit various matters; and then to have the Senate take an adjournment until Monday next, at 12 o'clock noon, at which time there will be a call of the calendar of bills and other measures to which there is no objection, following which debate on the highway bill will commence.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from California.

The motion was agreed to; and the Senate proceeded to consider the bill (S. 3184) to amend and supplement the Federal-Aid Road Act approved July 11, 1916 (39 Stat. 355), as amended and supplemented, to authorize appropriations for continuing the construction of highways, and for other purposes, which had been reported from the Committee on Public Works, without amendment.

ORDER FOR ADJOURNMENT TO MONDAY

Mr. KNOWLAND. Mr. President, I ask unanimous consent that at the conclusion of its business today the Senate adjourn until 12 o'clock noon on Monday next.

Mr. MORSE. I did not hear the majority leader's request.

Mr. KNOWLAND. The request is that when the Senate completes its business today it adjourn until 12 o'clock noon on Monday next.

The PRESIDING OFFICER (Mr. UPTON in the chair). Is there objection? The Chair hears none, and it is so ordered.

LICENSE TO LEAHI HOSPITAL TO USE CERTAIN UNITED STATES PROPERTY IN HONOLULU, HAWAII

Mr. HENDRICKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6025) to authorize the Secretary of the Army to grant a license to the Leahi Hospital, a nonprofit institution, to use certain United States property in the city and county of Honolulu, Territory of Hawaii. I now ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The report was read, as follows:

> The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 6025) to authorize the Secretary of the Army to grant a license to the Leahi Hospital, a nonprofit institution, to use certain United States property in the city and county of Honolulu, Territory of Hawaii, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its amendment.
>
> ROBERT C. HENDRICKSON,
> J. S. COOPER (by R. C. H.),
> *Managers on the Part of the Senate.*
>
> PAUL SHAFER (by L. J.),
> LEROY JOHNSON,
> J. P. S. DEVEREUX,
> OVERTON BROOKS,
> CARL T. DURHAM,
> *Managers on the Part of the House.*

Mr. JOHNSON of Texas. Mr. President, will the Senator from New Jersey yield for a question?

Mr. HENDRICKSON. I am glad to yield to the Senator from Texas.

Mr. JOHNSON of Texas. Let me inquire who was the minority member of the committee of conference on the part of the Senate?

Mr. HENDRICKSON. The Senator from Tennessee [Mr. KEFAUVER].

Mr. JOHNSON of Texas. Do I correctly understand that the conference report is satisfactory to him?

Mr. HENDRICKSON. It is.

Mr. JOHNSON of Texas. I thank the Senator from New Jersey.

The VICE PRESIDENT. Is there objection to the request for the present consideration of the report?

Mr. MORSE. Mr. President, after the Senator from New Jersey addresses himself to the report, I wish to discuss it.

The VICE PRESIDENT. The question now is on considering the report.

Is there objection to the request for the present consideration of the report?

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

Mr. HENDRICKSON. Mr. President, on July 27, 1953, the House passed H. R. 6025, a bill to authorize the Secretary of the Army to grant a license to the Leahi Hospital, a nonprofit institution, to use certain United States property in the city and county of Honolulu, Territory of Hawaii. The Senate, on February 15, 1954, passed this measure, but with an amendment requiring the payment of a consideration of 50 percent of the fair rental value.

In conference the Senate conferees receded from the Senate amendment, and did so on the following bases: First, the license to be granted is revocable at the will of the Army, and the hospital therefore has no certain tenure of the property; in short, it is only a revocable license, at best. Actually, it is a tenancy by sufferance. Second, the hospital will expend a very substantial sum in the improvement of the property, which improvement will be of direct benefit to the United States in the event the property is required for defense purposes at some time in the future; and, last, the fact that the hospital, which is supported mainly out of Territorial funds, is a charitable institution whose primary purpose is to treat patients suffering from tuberculosis.

The conferees were in full agreement that the end to be achieved by the Senate's amendment was a salutary one, but that in this particular case, taking into consideration the circumstances just stated, the purpose of its amendment and the principle underlying it will be satisfied by the advantages which ultimately will accrue to the United States.

In short, Mr. President, the conferees believe it will be more advantageous if the amendment made by the Senate be stricken out.

Let me say that the equities are entirely on the side of the hospital, in this instance; and I hope no Senator will object to the report.

Mr. MORSE. Mr. President, I wish to discuss briefly the report, and to call the attention of the Senate to what I believe to be a very important, very undesirable, and very unfortunate precedent it is about to set. For purposes of future reference, I think it desirable to make a record on this conference report at this time.

I fully appreciate that we are confronted with a House bill which does not contain in it language which requires payment to the taxpayers of the United States for property value which the bill would transfer to others. When we follow this particular legislative device—and this is now the third experience which the Senator from Oregon has had in connection with this device in reference to the so-called Morse formula—it does us little good in the Senate to adopt an amendment to a House bill which adds the Morse formula to the House bill if it is to be lost in conference.

NOTICE OF FUTURE ACTION ON HOUSE BILLS WITHOUT THE MORSE FORMULA

Therefore I serve notice today that I will not give unanimous consent in the future for the consideration of House bills which do not contain the Morse formula. I recognize that a course of action can be followed whereby, on motion, the Senate can get around the Morse formula; but I am also aware of certain parliamentary safeguards available to me if that becomes an obvious device of the Senate, and I shall exercise them in the future.

What I am concerned about is following a consistent record in the Senate, fair to all my colleagues, so that we shall not continue the practice of making exceptions to the Morse formula.

When this bill was before us for consideration some days ago I pointed out that it did not make any difference whether we were seeking to transfer property, whether we were seeking to transfer a leasehold interest in property, or whether the leasehold interest we were transferring involved simply a tenancy by sufferance. The key question is whether or not the transfer involves the transfer of a property interest of value. Obviously in all these cases it does, or the transfer would not be desired. This particular transfer involves some value. All I am asking is that whatever that value is—X figure in amount—the lessees shall pay 50 percent of the appraised market lease value for the property.

It is very interesting that in this particular case the payment of such an amount is satisfactory to the hospital authorities concerned. So we have a case in which the Congress proposes to give away value to this Hawaiian hospital, even though the hospital authorities, through the Hawaiian Delegate, Mr. JOSEPH FARRINGTON, have notified us that they are perfectly willing to accept the Morse formula in connection with this transfer.

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

Mr. MORSE. I yield.

Mr. HENDRICKSON. I do not think the Delegate said they were perfectly willing. I think he said, in effect, that if they had to pay it, they would pay it.

Mr. MORSE. I repeat my statement. The Delegate made it very clear to me that when he explained the situation to the hospital authorities they advised him that they thought it was a fair solution of the problem, and that they were willing to pay whatever the formula called for. I went to great lengths to make that perfectly clear in my understanding with Mr. FARRINGTON. There is no doubt in the mind of the Senator from Oregon that when JOE FARRINGTON talked with the hospital authorities and they understood the effect of the Morse formula, they made it very clear that they were perfectly willing to pay that amount for the leasehold interest. So I say that what we are doing in this case is going even so far as to give away value for which the prospective leaseholder is perfectly willing to pay under the Morse formula. I say that that is a very bad precedent.

It would be bad enough if those interested in the bill did not want to pay the amount of money called for by the Morse formula; but that is not the fact in this case. I went to great effort to see to it that the Delegate from Hawaii made clear to the hospital authorities what the formula was, and then found out from them if, on the basis of their understanding of the formula, it was satisfactory to the hospital concerned. The answer was in the affirmative.

I think we must also look at this case from the standpoint, first, of the merits of the formula. Unless Members of the Senate have been "double-talking" to me for several years, I am satisfied that a majority of my colleagues in the Senate believe that the Morse formula has merit, provided there is universality of application of the formula. That is why colleague after colleague has said to me in the Senate, "It is all right, Wayne, if you do not make any exceptions to it." I have not done so. I have "hung tough," as the saying goes, on this principle.

It is a little discouraging to find in connection with various bills parliamentary circumvention of the formula. I think that is unfair to all other Senators. I do not like to have this formula apply to all my colleagues except the few who may be successful in making arrangements under which these matters are handled by motion rather than by unanimous consent.

I am perfectly willing to stand on the record I have made on this subject. All one has to do is to take a pencil and add up the amount of money which has been saved to the taxpayers of the country since 1946 by the application of this formula. The total amounts to a great many hundreds of millions of dollars.

The amount involved in this case is small. It involves a leasehold interest only in four and a fraction acres of land, and that by way of tenancy by sufferance. The interest is worth something. It is worth a dollar, $5, $10, or $15. Whatever the value is, I think the hospital ought to pay 50 percent of it, particularly when JOE FARRINGTON and I went to such lengths to make perfectly clear to the hospital authorities something they did not know at the time the bill was pending before the Senate on a previous occasion. They did not know what was involved so far as any financial obligation on their part was concerned.

I know full well that there is nothing I can do to prevent approval of the conference report, but I wish to make this little record against it. It makes me feel badly to see the bill handled in this manner. I think it would be better to send the conference report back. I think it would be better to say to the House, "We are sorry, but we do not think we can adopt this policy of discrimination in respect to this particular bill, unless we are prepared to take the position, as a Senate, that every time MORSE raises an objection to a unanimous-consent agreement involving the giving away of Federal property interests we are going to take care of him by way of a motion."

If the Senate wishes to do that—and I think that is the only fair thing to do if it is to follow this discriminary practice—it can do so. I will never yield on the principle, because I am satisfied that on the merits I am dead right. I am satisfied that if the question were submitted to any impartial jury of voters they would say that I am dead right, and that we should not be giving away the property values of all the taxpayers of the country. There ought to be some fair compensation for such values. I think we have settled on a very fair formula. Therefore, with this record, I shall vote against the conference report.

Mr. BUTLER of Maryland obtained the floor.

Mr. BUTLER of Maryland. Mr. President, I shall be glad to yield for the purpose of having the conference report agreed to.

The PRESIDING OFFICER (Mr. UPTON in the chair). The question is on agreeing to the conference report.

Mr. MORSE. Mr. President, I should like to hear from the Senator from New Jersey, if he wishes to speak on the conference report. Then I shall suggest the absence of a quorum, because I believe a quorum of the Senate should be present before it establishes this kind of precedent.

Mr. BUTLER of Maryland. As I understand the parliamentary situation, the Senator from Oregon has finished speaking, I rose and addressed the Chair, and the Chair recognized me.

Mr. HENDRICKSON rose.

Mr. MORSE. I did not intend to interrupt the Senator from Maryland.

Mr. BUTLER of Maryland. I do not understand how the Senator from New Jersey obtained the floor.

The PRESIDING OFFICER. The Senator from Maryland has the floor.

Mr. HENDRICKSON. I did not claim to have the floor.

Mr. BUTLER of Maryland. If there is to be a quorum call, I shall not yield. Does the Senator from Oregon insist on a quorum call?

Mr. MORSE. If there is to be a vote on the conference report; yes.

Mr. KNOWLAND subsequently said: Mr. President, will the Senator from Maryland yield further, for a brief expression to the Senate?

Mr. BUTLER of Maryland. I shall be very happy to yield, provided I do not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from California may proceed.

Mr. KNOWLAND. Mr. President, I discussed the subject with the distinguished Senator from New Jersey [Mr. HENDRICKSON]. Because of the announcement I have previously made I think it would be unwise to proceed with the consideration of the conference report this afternoon. It is a privileged matter, and it can be brought up on Monday next, and I have given assurance to the Senator from New Jersey that that will be done.

Mr. MORSE. Mr. President, the Senator from New Jersey has left the floor. I would request that the Senator from California clear the matter with the Senator from New Jersey. I shall not be present on Monday. I wonder whether the Senator could let the report go over until I return.

Mr. KNOWLAND. When does the Senator expect to return?

Mr. MORSE. I expect to return either Tuesday afternoon or Wednesday morning. It is only a minor bill. If it is ready to go through on Wednesday, it seems to me that there would be plenty of time for action on it.

Mr. KNOWLAND. The Senator from Oregon had indicated that he would suggest the absence of a quorum. I did not want to put the Senators to the inconvenience of having to come back to the floor at this time.

Mr. MORSE. I do not wish to inconvenience the Senator from New Jersey. I could fly back on Monday morning, but I would prefer not to do so.

Mr. KNOWLAND. No. Can the Senator give assurance that he will be back in time for its consideration on Tuesday?

Mr. MORSE. I am in the position where I do not know whether I can make the proper plane connection. I can certainly be back here by 12 o'clock on Wednesday.

Mr. KNOWLAND. Very well. That is satisfactory. We shall take up the conference report on Wednesday at noon.

THE RANDALL COMMISSION REPORT AS IT RELATES TO SHIPBUILDING

Mr. BUTLER of Maryland. Mr. President, I was very deeply gratified to note that the President's message on the Randall Commission report did not give approval to the Commission's recommendations regarding proposed revision of our Government's merchant-marine policy.

In thus refusing to accept the Commission's recommendations the President was on solid ground. Not only was the Commission position on maritime policy totally unrealistic in relation to the present shipping and shipbuilding situation in this country, but as a matter of record, it was at variance with the expert views and suggestions of the Commission's own technical advisers on maritime matters, as reflected in the recently released staff papers presented to the Commission on Foreign Economic Policy.

As further evidence of the President's thorough support of a positive policy of enlightened assistance to the Nation's shipping and shipbuilding industries, I have in my hand a letter from him, dated March 25, 1954, expressing the utmost interest in current and projected measures to strengthen and stabilize these two important segments of our national economy.

The President's letter was the result of a conference I was privileged to have with him on March 16, concerning maritime conditions, and particularly the tragic plight of many of the shipbuilding plants throughout the country, and most especially in my own State of Maryland.

In it, the Chief Executive reviews the several programs for military and privately financed ship construction, including tankers and special commercial-type ships for the Military Sea Transportation Service, and commercial vessels, both passenger type and tankers, as well as the conversion project of the Maritime Administration on several Liberty ships, to ascertain the most feasible propulsion systems to gain additional speed.

"The Administration has already requested funds from Congress for 1 program, endorsed legislation with regard to 2 programs, and is considering still others," the President advised me, adding that, "in summary, these programs would provide for a substantial volume of new merchant-ship construction over the next several years. In addition to making a very important contribution to the available national defense resources of the Nation, the new ships would also help to maintain shipbuilding resources and skills in being for expansion in time of emergency."

This manifestation of interest by the President in the welfare of the Nation's shipping and shipbuilding interests is most heartening, and gives assurance of better days ahead for these two industries.

I ask unanimous consent that the letter from President Eisenhower be printed in the RECORD at this point in my remarks.

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

THE WHITE HOUSE,
Washington, March 25, 1954.

The Honorable JOHN M. BUTLER,
United States Senate,
Washington, D. C.

DEAR SENATOR BUTLER: After further consideration of the ship construction proposals which were the subject of our conversation of March 16, I should like to add these further comments.

The Maritime Administration of the Department of Commerce and the Military Sea Transportation Service of the Department of Defense have been undertaking studies of current operating and mobilization requirements for merchant shipping. The Department of Commerce and the appropriate committees of Congress, chairmanned by yourself and Congressman THOR TOLLEFSON, have been undertaking intensive studies of long-range maritime policies with the objective of maintaining a healthy merchant marine as a nucleus capable of rapid expansion to meet the needs of national defense. As the result of these studies, specific ship construction and conversion programs have been recommended to meet the most urgent deficiencies. The Administration has already requested funds from Congress for one program, endorsed legislation with respect to two programs, and is considering still others.

These programs are the following:

(1) Construction for Military Sea Transportation Service of several commercial-type ships designed to meet special Department of Defense transportation requirements. An estimate of $50 million for this purpose was included in the 1955 Department of Defense budget. These ships will be built in private shipyards.

(2) Construction of large, high-speed tankers to replace older types now being operated for the Military Sea Transportation Service. These tankers would be constructed in private shipyards, privately financed, and chartered on a long-term basis to the Department of Defense. This administration has previously endorsed the program contemplated by S. 2788 and H. R. 7330, which would authorize Defense to negotiate long-term charters for these tankers.

(3) Construction in private shipyards of large, fast tankers to replace older types now in commercial operations. The replaced tankers would be traded in to the Government and placed in the national defense reserve fleet. This administration has endorsed draft legislation, which was introduced as S. 2408 and H. R. 6353, and which would authorize the Maritime Administration to accept trade-in of 10-year-old tankers, as compared with trade-in of 12-year-old tankers authorized by existing law. I expect to transmit a request to Congress at an early date for funds to initiate this program.

(4) Conversion by the Maritime Administration of several Liberty ships, primarily to increase their sea speed. This would be an experimental program, which, if it proves successful, could be broadened to apply to the 1,500 Liberty ships in the reserve fleet if the need arises. I also expect to request funds for this experimental program.

(5) Construction by private operators of several large passenger ships to replace existing obsolete tonnage and to be constructed until title V of the Merchant Marine Act. These ships would incorporate modern design and national defense features and would be high speed and equipped to carry many passengers.

Discussions are now under way between the Department of Commerce and the operators, and a request for funds to provide for the construction differential subsidies and the national defense features of these ships will be transmitted to the Congress.

In summary, these programs would provide for a substantial volume of new merchant ship construction over the next several years. In addition to making a very important contribution to the available national defense resources of the Nation, the new ships would also help to maintain shipbuilding resources and skills in being for expansion in time of emergency. It should also be remembered that a sizable proportion of the Navy's shipbuilding, ship conversion, and overhaul programs are accomplished in private yards.

With kind regards.

Sincerely,

DWIGHT D. EISENHOWER.

Mr. BUTLER of Maryland. Mr. President, it is most encouraging to have Presidential assurance, as given in his message on the Randall report, that specific legislation based on the soon to be released Commerce Department study of maritime affairs will be developed for transmission to the Congress at the 1955 session.

However, there is one matter affecting our shipbuilding industry and involving administration policies in the international field that is of such urgency that I feel it should be brought to the attention of the Senate without delay.

As the final phase of the Navy Department's Offshore Ship Procurement program, there is available approximately $58 million of foreign-aid funds, presently earmarked for spending in European shipyards for ship construction there.

I have been advised by Rear Admiral W. D. Leggett, Jr., Chief of the Bureau of Ships, United States Navy, as of March 24, this year, that details of this program have not, as yet, been worked out. However, following a meeting at the Pentagon within the past 2 weeks between defense officials and representatives of some of the smaller shipyards of the country, it has been learned that representatives of the Bureau of Ships will leave for Europe in the immediate future to close contracts for ship construction there, on the basis of bids which already have been received by the Bureau.

According to information in my possession, the countries already favored, at the expense of the badly depressed shipbuilding industry of our own Nation, include England, France, Italy, Portugal, Holland, Denmark, and the Scandinavian countries. In the placement of new batch of contracts, I understand, consideration is being given also to yards in Germany and Yugoslavia.

May I remind the Senate at this point that it is a matter of general knowledge that many of the shipbuilding facilities of the country, including two of the larger east-coast plants situated in Baltimore, are in bad shape as far as future

construction and repair work is concerned. Another 6 months without relief will be disastrous both to the two Maryland yards and to the more than 5,000 skilled workers of these plants.

The Department of Defense directive of August 17, 1951, under which this foreign ship construction is authorized, declares that a sound logistic future for the NATO forces requires the establishment of a substantial production capacity to enable those countries to be militarily self-sufficient.

The directive specifically provides, however, that such production facilities are to be fostered only to the extent that they do not conflict with the security interests of the United States.

Now, gentlemen, I understand of course that there is a question of national policy involved in the placing of these contracts in foreign yards. And I understand further that the vessels being constructed or programed are of the smaller types, minesweepers and the like, which are destined to be part of the NATO naval forces.

In 1951, when that policy was laid down, there was little quarrel to be had with it because the shipbuilding facilities of our own country were in good shape generally. That is not so at the present time, however. The foreign shipbuilding capacity, generally, is active; ours here at home is largely inactive. In quite a few areas, as in our own port of Baltimore, the yards are heading for a complete shutdown within the next few months.

Thus, it would seem that the security interests of the United States are seriously affected. Both the Defense and the Commerce Departments have emphasized time and again the strategic importance of maintaining our shipyards in an active state, and on a level adequate for such quick expansion as might be necessary in time of war or emergency.

The United States Navy, in the past several years, has placed contracts totaling several hundred million dollars for construction of military vessels in foreign countries, and additional contracts to the aggregate of $58 million are scheduled for placement in those same foreign countries within the next month or two.

Under the circumstances now existing, I believe we would not only be justified in so doing, but I think it is imperative that we promptly take steps to reassess this offshore ship procurement program in the light of needs of the shipyards of the United States. At the moment, I think the stability of our own American shipyards is vastly more important than aid to foreign yards, many of which are in much better situation than ours.

Accordingly, I am asking the Department of Defense to defer commitments on any of the $58 million worth of contracts still remaining to be placed until opportunity has been afforded to reassess the situation and come to a decision as to where the greater interest of our country lies at the moment—in helping further to stimulate foreign ship construction facilities, or in attempting to save many American shipyards from ruin.

There is no question in my mind as to what the decision should be.

Finally, let me say that prior to the receipt of the President's message on the Randall Commission report, I had prepared some remarks in opposition to the Randall recommendations on the merchant marine, to which the dissenting views of the staff papers of the Commission staff were contrasted.

I ask unanimous consent that that statement be printed in the RECORD at this point.

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

STATEMENT BY SENATOR BUTLER OF MARYLAND

Some weeks ago the Commission on Foreign Economic Policy, following almost 6 months of study and discussion, made its report to the President. That report, which has come to be known generally as the Randall report, out of respect to the distinguished Chairman of the Commission, Mr. Clarence B. Randall, chairman of the board of the Inland Steel Co. of Chicago, made recommendations in various fields affecting or affected by our foreign trade or trade policies. Several of those recommendations contained very serious implications with respect to the American maritime industries.

The Report of the Commission on Foreign Economic Policy has been accorded such wide publicity—and the adverse effect of its recommendations concerning the merchant marine has been of such grave nature—that it seems most urgent that there be brought to the public attention another side of the Commission's study that must be taken into consideration in any final assessment of the worth of the Randall study with respect to the future of American shipping and shipbuilding.

To say that both management and labor in the field of shipping were disappointed and distressed over these recommendations is putting it mildly indeed. They were, in fact, astounded that any such representative group of American leaders of industry and business could have been so unappreciative of conditions in the American merchant marine as to advocate the proposals voiced.

Immediate response from the shipping industry was as expected—completely negative to the Commission's program. Government reaction, in the agencies most directly concerned with shipping problems, was notable only for its utter lack of expressed approval. The one bright spot in the picture was the large proportion of dissent to some or all of the recommendations by Senators and Congressmen serving on the Commission.

Much additional light has been thrown on the matter, moreover, through release recently by the Commission of a compilation entitled "Staff Papers Presented to the Commission on Foreign Economic Policy" which are infinitely more realistic in their approach to shipping problems than were the recommendations of the Commission itself. These staff papers make clear that there was far more expert knowledge on shipping matters, and a decidedly more realistic appreciation of the many current and grave problems in this field, than were indicated in the Commission's recommendations.

For instance: The Commission recommended that "the statutory provisions requiring use of United States vessels for shipments financed by loans or grants of the United States Government and its agencies be repealed."

What does the Commission staff say about this? It states that, of the many forms of aid, direct and indirect, which the Government supplies to the shipping and shipbuilding industries, the indirect aid (including cargo preference, or 50–50 as it is better known) has become the more important. These preferences, by the way, date back to 1904.

"Without cargo preferences," the staff papers say emphatically, "the most obvious possibility would be that very few United States flag tramps could survive. * * * Even with the continuation of the practice of cargo preference by American agencies, the outlook for the American merchant fleet is not too encouraging. * * * In the absence of preferential treatment for United States flag vessels, as extended in our Government programs, the outlook would, of course, be much more bleak."

Yet, with this prediction and probability before them, the Commission members recommended repeal of the cargo preference provisions.

The other Commission recommendation urged, in effect, that foreign bottoms be used in transporting Government-aid cargoes because the nations to be so aided needed the dollar credits.

On this point the staff papers say: "It is fair to conclude that major concessions on our merchant shipping objectives would be required to produce relatively small increases in 'net receipts' of dollars on shipping account by all foreign nations."

Now, let us look for a moment at the shipping situation with respect to United States flag vessels as we know it to be at the present time—and what it is likely to be in the future unless effective remedial steps are taken promptly.

The most vulnerable segment of our merchant fleet are the unsubsidized tramp vessels. Few persons outside shipping circles appreciate just how important these so-called tramp vessels are to the national economy. According to testimony given before our subcommittee last week, considerably more than 50 percent of the total export and import dry cargo commerce of the United States today is carried by vessels of the American tramp fleet.

Since the termination of Korean hostilities, however, approximately 100 tramp vessels have been laid up because of inability to compete in the world market with foreign flag ships operating at one-third or even less than a third of the cost of similar American ship operation.

The representative of the tramp shipowners went so far as to state, in his testimony, that unless half of the vessels still participating in the tramp trade can be transferred to foreign registry, the entire tramp fleet is doomed. They cannot possibly survive under existing conditions, he declared. If approval can be secured for transfer of the vessels desired, this spokesman pointed out, two possibilities for survival offer.

The ships transferred to foreign flags could then compete in the world cargo markets by reason of the greatly reduced operating costs their transfer would make possible.

The vessels that would still be operating under the American flag would then have a chance to keep going because there would be that many vessels less to share these 50–50 cargoes.

Picture then, and it is not difficult to do, the battle for survival American flag vessels would face if the Randall Commission recommendation was carried out, and American flag ships were deprived of the assured cargoes provided by these statutes.

It must be borne in mind that the size of the active American merchant fleet is of the most direct importance to national security. It has been estimated that, from 1948 to 1952, if there had been no cargo preference, no 50–50 assurance of cargoes for United States flag vessels, United States vessels would have had 21 million tons less cargo available, which is more than a fifth of all the export cargoes carried by our ships during that period.

Breaking down those figures, it has been further estimated that the United States

berth ships, the liners plying regular routes, would have lost cargo tonnage totaling 340 full shiploads. The United States tramp vessels would have suffered much more heavily, for a great deal of the foreign-aid cargoes were in bulk, wheat and other grains, coal, etc. On a conservative estimate, it is figured that these tramp vessels of the United States fleet would have lost enough cargo tonnage to keep 60 ships operating over a 5-year period if they had not had the benefit of the 50–50 cargo preference provisions.

After a thorough and well-presented review of many salient facts bearing on the merchant marine situation as it is today, the Staff Papers present the inescapable conclusion that—and I quote—"the prospects of merchant ship construction in the United States are not bright, even with the continuation of existing aid and cargo preference prorgams to vessel operators."

I agree heartily with that. And, I sincerely hope and trust that in view of the facts and views presented in the staff papers, which are so directly in accord with the thinking of all who have any real knowledge of American shipping and shipbuilding conditions, there will be no disposition in the Congress to approve the undoubtedly well-meant but just as undoubtedly ill-advised recommendations of the Randall Commission with respect to the American merchant marine.

The merchant marine is truly the 4th arm of defense, the strategic support without which none of the other 3 military forces could act with full effectiveness. We cannot, we must not, gamble with the future of this industry which even now is in such a depressed state, for any illustory benefits to foreign nations, especially when the shipping economy of most if not all of those nations by and large is vastly superior to ours basically.

Every ship laid up for lack of cargoes, and thus lost to our active commercial fleet, is a ship lost to the Nation's defense potential. Every shipyard inactivated, every skilled shipworker lost through lack of a sustained program of ship construction, lessens by so much our readiness to meet possibly destructive attacks on the M-day of the future which we hope will never dawn.

Don't let us suffer under any delusions. Important as it was to help the war-ravaged nations of Europe and the free world back on their feet, it is of greater importance now to maintain the defense potential of the United States at peak strength and readiness.

To do away with the cargo preference enjoyed by American-flag vessels through the so-called 50–50 statutory provisions, would be, ultimately, to do away with the cargo ships that are an irreplaceable auxiliary to the fighting forces of the country, and to so weaken as to render impotent the shipbuilding facilities on which the fate of another world war could depend.

Instead of repealing the present cargo preferences, we must strengthen and broaden them—we must do for the ailing merchant marine and shipbuilding companies what every other maritime nation is doing—we must build them up to the levels which the defense authorities say are absolutely necessary. And, once they have been brought to this desired state, it must be the duty of Congress never to permit such a debacle as we have witnessed in the maritime field following each world war.

REPEAL OF CERTAIN PROVISIONS OF SUBMERGED LANDS ACT OF 1953

Mr. DOUGLAS. Mr. President, on behalf of myself, the senior Senator from Rhode Island [Mr. GREEN], the Senator from Iowa [Mr. GILLETTE], the Senator from Tennessee [Mr. KEFAUVER], the Senator from West Virginia [Mr. KILGORE], the Senator from Massachusetts [Mr. KENNEDY], the Senator from New York [Mr. LEHMAN], the Senator from Arkansas [Mr. FULBRIGHT], the junior Senator from Rhode Island [Mr. PASTORE], the senior Senator from Montana [Mr. MURRAY], the Senator from Oregon [Mr. MORSE], the Senator from Wisconsin [Mr. WILEY], the junior Senator from Montana [Mr. MANSFIELD], and the Senator from Missouri [Mr. HENNINGS], I introduce for appropriate reference a joint resolution to repeal the provisions of the Submerged Lands Act of 1953 which attempt to give away the vast offshore oil and mineral resources belonging to the people of the United States.

Mr. President, this present bill, if enacted, would instead provide for the Federal development of these great resources, under the Outer Continental Shelf Lands Act, and once more make clear the prior claims of all the people of this Nation to those tremendous assets.

In addition, the bill incorporates into the law those highly desirable and necessary provisions of the oil-for-education amendment proposed by the distinguished senior Senator from Alabama [Mr. HILL] and approved by the Senate last year.

GIVEAWAY OPPONENTS HOPED SUPREME COURT WOULD PROTECT NATIONAL INTERESTS IN OFFSHORE OIL

The recent decision of the Supreme Court on the petitions of the States of Alabama and Rhode Island has served to hasten this action, which I have been considering for some time. It also exposes once again the real giveaway character of the attempted transfer of these great oil and mineral resources. And it highlights once more the prime responsibility of Congress for protecting the fundamental national interests involved. A few comments on that decision, therefore, seem appropriate to a full understanding of this new bill.

It is true that after our failure to reveal the true character of the offshore oil giveaway to a majority in Congress, many of us turned with hope to the Supreme Court when we learned that Alabama and Rhode Island had determined to contest the validity of the attempted quitclaim there. Indeed, as we learn of the petition for a rehearing on those cases and that five other States, Arkansas, West Virginia, Kentucky, Missouri, and Montana are now joining in requesting the Court to consider the issues on the merits, I believe I can say, without being in contempt of Court or trying to influence their decision, that we cling again to the last shred of hope that this highest tribunal may yet prove a barrier to a grievous injury to the people.

BRIEF COURT RULING WAS DISAPPOINTMENT

But it is also true that the per curiam ruling of the Court in denying leave to those two States to file their complaints was a major disappointment. The brief ruling merely denied leave to file the complaints, and cited precedents for the rule that the power of Congress to dispose of property belonging to the United States is unlimited.

It did not rule on the merits of the constitutional and other legal questions which those States sought permission to raise and argue. It did not rule substantively on the present property rights or claims, if any, of the States of Louisiana, Florida, Texas, and California under the Submerged Lands Act of 1953.

The Court merely ruled that under article IV, section 3, clause 2 of the Constitution "The power of Congress to dispose of any kind of property belonging to the United States 'is vested in Congress without limitation'." The very basis of this ruling was that the United States, not the coastal States, had acquired the ownership or proprietary interest in these submerged lands under the marginal sea, and that it was this ownership or proprietary interest of the United States in these public lands which Congress had the power to dispose of.

This 26-line per curiam ruling was disappointing not only because it closed the door in the face of the petitioning States, but also because of the brevity of the Court's opinion, the host of questions it leaves unanswered and actually raises, and the apparent off-hand dealing by the Court with the merits of the issue before it had heard full argument on those merits.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, at this point in my remarks, a series of editorial comments upon the decision of the Supreme Court.

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

EDITORIAL COMMENTS REFLECT CONCERN OVER UNANSWERED QUESTIONS

Excerpts from three of the editorial comments on this ruling emphasize the serious concern it has aroused. From the editorial in the Louisville Courier-Journal for March 17, 1954:

"Few indeed may say that the Supreme Court's brief and facile decision has touched more than the surface of the profound constitutional questions involved.

"The Court's cavalier treatment of the questions may easily be seen as leading to more disputes. The decision merely quoted the Constitution on the rights of Congress. In doing so, it opened the gates to other demands, other pressures. The mischief lay in the Court's failure to discuss principle or to utter words of proper national policy. The Court merely said that Congress has a right to dispose of public property."

In a Washington Post editorial for March 22, 1954, we find the following paragraph:

"The Court's brief per curiam opinion makes it appear that the only question raised was whether Congress had power to dispose of property belonging to the United States. Indubitably Congress has such power 'without limitation.' But this begs the question whether land under the open ocean can be considered property belonging to the United States. The Court carefully and conspicuously refrained from calling it so in the California case when it ruled explicitly that California had no title to the marginal sea off its shores. It is hard to understand how Congress can either confirm California's title to property which that State never possessed or transfer to California what never belonged to the United States. Difficult questions of international law are cavalierly glossed over."

In the St. Louis Post-Dispatch for March 16, 1954, the editorial expresses the following opinion:

"In this welter of contradictions there is a ray of hope—the still-pending action of Arkansas in a lower Federal court, challenging the right of coastal States to the submerged oil and to impounded funds.

"But if the Court majority stands on the assertion that Congress has power to dispose 'without limitation,' that seems a small hope indeed.

"Will the Supreme Court one day reverse this decision? Will it decide with Justice Black, that whatever the eventual outcome, so 'grave and doubtful' an issue deserves 'a more careful consideration than the Court has afforded.'"

EDITORIALS ALSO CRITICIZE NARROW INTERPRETATION OF FEDERAL RIGHTS

Mr. DOUGLAS. Mr. President, the apparent refusal of the Court to acknowledge the special character of the national interest in the marginal sea, as outlined in the earlier cases involving California, Louisiana, and Texas, has also provoked serious editorial questioning.

From the Pittsburgh Post-Gazette of March 22, 1954, I read the following:

OFFSHORE OIL DECISION

In denying Alabama and Rhode Island permission to file suit challenging the constitutionality of last year's offshore oil law, the United States Supreme Court has in effect gone against its own opinions of 4 years ago.

Last week the Supreme Court upheld the validity of the 1953 act giving coastal States control and ownership of the submerged lands adjacent to their shores—lands ranging out some 10 miles seaward in the case of Florida, Louisiana, and Texas. In its brief, unsigned decision the Court held that Congress had complete and unlimited authority to dispose of property belonging to the United States.

Yet in 1950, in a Texas offshore oil case, the high tribunal said:

"This [the control of offshore lands] is an instance where property interests are so subordinated to the rights of sovereignty as to follow sovereignty."

In a Louisiana offshore oil decision the same year the Supreme Court declared:

"Protection and control of the area [the marginal seas] are indeed functions of national external sovereignty. The marginal sea is a national, not a State concern. National interests, national responsibilities, national concerns are involved. The problems of commerce, national defense, relations with other powers, war, and peace focus there. National rights must therefore be paramount in that area."

Justices Black and Douglas, in dissenting from the new decision, stick to the Court's 1950 view of the issue. Moreover, Justice Black calls attention by implication to the incongruity of Congress deeding to the 3 Gulf States territory beyond the 3-mile limit which has never been claimed by the National Government.

We think the minority view in this case is the wisest one. But the decision must stand as the law of the land, unless Congress becomes convinced by the operation of the law that its own 1953 decision was unwise and should be modified.

The St. Louis Post-Dispatch likewise emphasizes this phase of the Court's ruling, as follows:

AN ASTONISHING REPUDIATION

The Supreme Court's refusal to let Alabama and Rhode Island challenge the tidelands quitclaim law is an astonishing repudiation of the Court's decision of 1947, twice reaffirmed in 1950.

Justice Douglas, who wrote the Louisiana and Texas decisions for the Court 4 years ago, and Justice Black, who spoke for the Court in the California case 7 years ago, are the sole dissenters in the present decision against allowing a hearing.

True, an act of Congress has occurred meanwhile, but the decisions of the last 7 years have said unmistakably that national sovereignty was involved in the tidelands and that sovereignty could not be ceded away, as Congress purported to do last year.

The new opinion rests on a stipulation in the Constitution that Congress may dispose of and make rules and regulations respecting the territory and other property of the United States.

The surrounding seas, therefore, are dealt with, not as international waters over whose nearer reaches the United States asserts control as a buffer for its sovereign shores, but as assets, property, public lands, and public domain.

And, says the Court, "The power over the public land and thus entrusted to Congress is without limitation."

Rhode Island's Attorney General William E. Powers, and the State's counsel, Benjamin V. Cohen and Thomas G. Corcoran, pointed out in their brief that "to rely on precedents dealing with the cession of public lands and other properties in areas clearly within the sovereignty of the States is clearly not enough."

But all this and more had already been said to the same purpose in the prior decisions. Justice Black wrote for the Court in the California decision:

"The United States here asserts rights transcending those of a mere property owner. It asserts the responsibility to exercise domination necessary to protect this country against dangers to the security of its people incident to the fact that the United States is located adjacent to the ocean. The Government also is responsible for conducting United States relations with other nations. It asserts that exercise of these constitutional responsibilities requires that it have power, unencumbered by State commitments, always to determine what agreements will be made concerning the control and use of the marginal sea and the land under it."

In this welter of contradictions there is a ray of hope, the still-pending action of Arkansas in a lower Federal court, challenging the right of coastal States to the submerged oil and to impounded funds.

But if the court majority stands on the assertion that Congress has power to dispose "without limitation," that seems a small hope indeed.

Will the Supreme Court one day reverse this decision? Will it decide with Justice Black, that whatever the eventual outcome, so "grave and doubtful" an issue deserves "a more careful consideration than the Court has afforded"?

Or will the aggrieved States be compelled to wait, for a redress of their grievances—or for so much as a hearing of them—upon a change in the prevailing opinion of Congress?

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

Mr. DOUGLAS. I shall be glad to yield for a question.

Mr. DANIEL. I should like to ask the Senator if his bill would undertake to repeal that part of the Submerged Lands Act which confirms in the State of Illinois the ownership of nearly a million acres of land beneath the Great Lakes?

Mr. DOUGLAS. No; because the lands are in inland waters. The bill would cover only the submerged lands seaward from the low-water mark.

Mr. DANIEL. I was sure the Senator would make his bill apply only to the coastal States.

Mr. DOUGLAS. Those were really the only matters under dispute.

Mr. MORSE. Mr. President, will the Senator from Illinois yield?

Mr. DOUGLAS. I shall be glad to yield.

Mr. MORSE. Mr. President, I am very proud to associate myself with the bill introduced by the distinguished Senator from Illinois, and with the statements he has made, as again illustrating that when we are trying on the floor of the Senate to fight to protect the interests of all the people of the country, we must never say die; we must fight on.

Mr. DOUGLAS. I thank the Senator from Oregon.

Mr. MORSE. Mr. President, will the Senator from Illinois yield further?

Mr. DOUGLAS. I yield.

Mr. MORSE. Does the Senator agree with me that the language in the bill to which the Senator from Texas has referred is entirely surplusage in that it has no real legal relevancy to the issues involved, and that it really constituted nothing but political bait by which it was thought some voters could be caught?

Mr. DOUGLAS. That is correct.

Mr. MORSE. We are talking about land beyond the tidelands.

Mr. DOUGLAS. That is correct.

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

Mr. DOUGLAS. I will yield for a question.

Mr. FERGUSON. No; I want the floor.

Mr. DOUGLAS. No; I will not yield; I have the floor.

But whatever our disappointment, and that of many others in the country, at this ruling of the Court, and whatever the Court may do on the petition for rehearing, one central and undeniable fact stands out, even on the basis of that opinion.

The Court in effect ruled again, and even more clearly than before, that these offshore lands below low watermark were the property of the United States, not of the coastal States.

This makes it crystal clear that what was attempted in the offshore oil bill was, in fact, a giveaway of vast Federal resources, as we who were its opponents argued, and its proponents denied.

An editorial writer for the Washington Post has stated the situation succinctly.

Mr. President I ask unanimous consent that the editorial from the Washington Post be printed at this point in my remarks.

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

The clear implication of the Court's conclusion is that the marginal sea was, after all, property of the United States, although foreign governments may think differently. This reduces to its inherent absurdity the claim made by sponsors of the giveaway legislation that they aimed to take nothing from the Nation but merely to give to the coastal States what was rightfully theirs. "Giveaway" was the correct term for this legislation. And this newspaper retains its conviction that, whatever the constitutional merits of the matter, it was a giveaway of

the most profligate sort, endowing a few favored States with a tremendous national asset which should have been conserved and developed for the protection and benefit of the entire American people.

Mr. DOUGLAS. Mr. President, there is one further consequence of this assumption by the Court, however, which makes it clear that Congress, through the bill I am introducing, has a chance to undo the attempted damage and to maintain the rights of all the States in these great resources.

Our joint resolution points out in a short preamble that by an express exception in section 5, the lands below the low-water mark are taken out from the attempted grant or quiclaim to the coastal States. Section 5 of the Submerged Lands Act provides an exception from the attempted transfer in section 3 of the following:

All of lands acquired by the United States by eminent domain proceedings, purchase, cession, gift or otherwise in a proprietary capacity.

I call attention to those last words.

The Court's ruling is that the United States held these lands under the marginal sea in a proprietary capacity. Therefore, section 3 of the act does not apply to the lands under the marginal sea, as our bill points out. And it is now up to Congress to clear away the fog and haze of the attempted conveyance of this Federal property.

I know that the basis of the Court's ruling in its per curiam decision which upholds the original proprietary rights of the Federal Government in these lands must have been a great disappointment to the proponents of the Submerged Lands Act—particularly as they drafted that act so carefully on the theory that the United States had no such rights. But what the proponents did in drafting section 5 of that statute in an attempt to avoid or rebut the argument that this was an attempted giveaway of vast Federal resources—or in what may have been regarded as an astute move to protect those supporting the bill from a charge that they were voting to give away United States property—now is clearly the lifeline by which the interest of all the people of the 48 States in these gigantic oil and mineral resources may yet be saved.

I wish to thank these gentlemen for section 5. It may yet turn out to be our salvation, and the phrase from Hamlet may prove appropriate, that they will be "hoist with their own petard."

This joint resolution, I hope, may be the means of applying the principle of Federal ownership adopted by the Court in its brief per curiam decision, and explicitly excepted by Congress in section 5 of the Submerged Lands Act. It would, therefore, repeal any provisions of that act which might purport, contrary to section 5, to give away those natural resources. It would further permit the rapid Federal development of these resources under the Outer Shelf Act.

I have heard the technical argument made that these great resources have been given away to coastal States and cannot be taken back without giving them "just compensation." In other words, Uncle Sam, having been cajoled and pushed and persuaded into making the grant on the basis of an argument that it was not a gift at all, now—when it develops it is a gift—must whistle, or else pay, for his oil resources under the marginal sea. If the result is inequitable—and is the creation of a great hoax on a lot of people—it is just too bad. The giveaway, we are told, is irrevocable.

As the Senator from Oregon [Mr. MORSE] said, I refuse to accept this defeatist argument. I believe Congress and the people and the States must use every legitimate, legislative, and technical means to defeat any such result, and to give effect to the exception written into the Submerged Lands Act, providing that lands acquired by the United States in a proprietary capacity shall not pass thereunder.

Now that the Court has again made it clear that these submerged lands were property of the Federal Government, surely the proponents of the measure should admit that it is an attempted giveaway and do one of two things; either, first, tell the American people in clear terms why their assets estimated at between 8 to 50 billions of dollars in value should be passed out to three or four coastal States; or second, join us in repealing and revoking those attempted transfer provisions as a wanton gift of national resources. And those who were led into support of the measure by the argument that is merely confirmed to the coastal States what was rightfully theirs now have the true legal status of the submerged lands made clear to them again by the Supreme Court and will know better how to protect the legitimate national interests of all the people.

Ignorance of the law, which was never legally an excuse anyway, can no longer be pleaded in justification or extenuation of the attempted giveaway if this bill should be rejected now.

Perhaps it will require another mandate of the people in an election before the administration and Congress are willing to do their plain duty in this matter. But now at least the Court has made clear that it was a giveaway of Federal property that was attempted, and the people will be able to judge the issues more clearly.

THIS BILL GIVES NOTICE TO ADVERSE CLAIMANTS THAT FEDERAL RIGHTS ARE NOT SURRENDERED

In the meantime, the introduction of this bill may also serve notice on those coastal States and would-be claimants from the States under the Submerged Lands Act, that the fight against this attempted raid on national resources is going to be carried on right here in Congress, and any claims or interests they may acquire are subject to being upset by the action of Congress now that the Court has reiterated and clarified the Federal proprietary right and taken away one of the principal grounds of the proponents for the give-away act.

I hope that action on the measure may be swift and favorable. It cannot come too soon. I note from an article in the Miami Herald for March 19, 1954, that there is grave doubt in the case of one of the coastal States, Florida, that even the people of that State will get the full measure of the value of the attempted giveaway.

It is clearly up to Congress, despite the further steps in the Court, to preserve and defend the rights of the people of the United States. Those of us who join in sponsoring this bill hope it may be the means of accomplishing that result.

Mr. President, I ask unanimous consent that the text of the joint resolution I am introducing, together with several editorial comments on the recent Supreme Court decision be printed in the RECORD at this point.

The PRESIDING OFFICER. The joint resolution will be received and appropriately referred, and without objection the joint resolution and editorials will be printed in the RECORD.

The joint resolution (S. J. Res. 145) to subject the submerged lands under the marginal seas to the provisions of the Outer Continental Shelf Lands Act, and to amend such act in order to provide that revenues under its provisions shall be used as grants-in-aid of primary, secondary, and higher education, introduced by Mr. DOUGLAS (for himself and other Senators) was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Whereas as a result of the per curiam opinion of the Supreme Court of the United States of March 15, 1954, it is clear that the United States acquired in a proprietary as well as sovereign capacity the submerged lands beyond the ordinary low-water mark extending seaward from the coasts of the United States and outside of the inland waters (hereinafter referred to as "the submerged lands under the marginal seas"); and

Whereas section 5 of the Submerged Lands Act provides that there is excepted from the operation of section 3 thereof "all lands acquired by the United States by eminent domain proceedings, purchase, cession, gift, or otherwise in a proprietary capacity", and in consequence of this exception, the provisions of section 3 of that act are inapplicable to the submerged lands under the marginal seas: Now, therefore, be it

Resolved, etc., That this joint resolution may be cited as the "Submerged Lands Under the Marginal Seas Act".

SEC. 2. The provisions of the Outer Continental Shelf Lands Act are hereby made applicable to the submerged lands under the marginal seas as if such lands were a part of the outer Continental Shelf, as defined in such act, any provision in the Submerged Lands Act to the contrary notwithstanding, and any provisions in the Submerged Lands Act to the contrary are hereby repealed.

SEC. 3. The Outer Continental Shelf Lands Act is amended by deleting section 9 and inserting in lieu thereof the following:

"SEC. 9. Disposition of revenues: (a) All rentals, royalties, and other sums paid to the Secretary or the Secretary of the Navy under any lease on the outer Continental Shelf for the period from June 5, 1950, to date, and thereafter, shall be deposited in the Treasury of the United States and held in a special account and, except for the payment of refunds under the provisions of section 10 of this act, such moneys shall be appropriated exclusively for the purpose of promoting the national defense and national security through grants-in-aid of primary, secondary, and higher education.

"(b) An Advisory Council on Education for National Security is hereby created to be composed of 12 persons to be appointed by the President of the United States with regard to their experience in the relationship of education to national defense and national security, of whom 6 shall be from the fields of education and research in the natural and social sciences. It shall be the function of such Council to recommend to the President of the United States for submission to the Congress not later than January 1, 1955, a plan for the allocation of the grants-in-aid of primary, secondary, and higher education provided in paragraph (a) of this section in such manner as will contribute most effectively to meeting the immediate and long-range requirements of education as it relates to national defense and national security."

The editorials were ordered to be printed in the RECORD, as follows:

[From the Miami Herald of Friday, March 19, 1954]

TIDELAND SEWED UP—1944 GIVEAWAY OIL LEASE COSTS FLORIDA MILLIONS

(By Stephen Trumbull and John Kilgore)

TALLAHASSEE.—Final Supreme Court decision giving the States their tideland oil currently means millions of dollars to Texas, California and Louisiana—and peanuts to Florida.

This is because one oil company—Coastal Petroleum—has the entire gulf coast from Marco Island to Apalachicola sewed up under an old lease given by the State back in 1944.

At the time of the lease, the State's position was that it wanted oil exploration to proceed, and the matter of rent was secondary.

Nearly 4 million acres are thus tied up, more than half of it in offshore lands—and for this offshore land Coastal pays only 1 cent an acre a year. It pays but 2 cents an acre a year for what is known as intracoastal and bay bottoms. For river and lake bottoms, the rate is 3 cents.

This means that for this vast stretch of coastland, plus bay bottoms, river mouths and much upland acreage, Florida is receiving less than $50,000 a year—$49,615.40, to be exact.

Benjamin W. Heath, of Hartford, Conn., is president of the company. Ex-Gov. Millard Caldwell is attorney. Caldwell's law partner, Julius Parker, is on its board of directors.

Barring the short remainder of the Gulf coast westward from Apalachicola, and the southern tip, this is just about all there is of Florida's tideland oil possibilities. The deep waters just off the Atlantic coastline lend themselves not at all to oil exploration.

Since it became apparent that the States would get their offshore oil, the State signed a far smaller offshore oil lease in the Santa Rosa-Pensacola area for $1 an acre a year—but it appears to be stuck forevermore with the 1 cent deal on the lion's share of the State's offshore oil potentialities.

To keep that lease at that bargain counter rate, Coastal needs to drill but 1 well every 5 years in each of the 8 blocks in which the lease is divided. And that well need be but 6,000 feet deep.

Caldwell and Parker, appearing before the Internal Improvement Board here—the custodian of State-owned lands—got a free ride for these offshore acres during the 4½ years in which it appeared that the Federal Government, not the States, would get all offshore oil. They saved the company approximately $140,000 in rentals.

The lawyers were able to do this through a clause in the lease which said that payments would stop if the title was clouded by a California case then in the courts. They argued—and successfully—that since they could not drill they should not pay during those years.

Attorney General Richard Ervin, a member of the II board, voiced the opinion that if they were not playing in the game they should fold their cards, throw in their chips, and let the lease lapse. Fred Elliot, veteran II board secretary, also held to that view—but he isn't a voting member.

Ervin cast the lone "no" vote against a move that gave the company one $31,350 credit on future payments for lease money they had paid in after the California case had started.

The original lease was given to the Arnold Exploration Co. on December 27, 1944. The company was headed by J. Ray Arnold of Groveland. Other officers were members of his family. They were not oilmen, had had no past active connection with oil development. A second lease went to them on March 27, 1946. These are listed in the II board records as leases 224–A and B.

J. Tom Watson, attorney general at that time, attacked them in the courts. The assistant handling the case was the same Ervin who is now Attorney General. The Supreme Court upheld the leases.

The company was reorganized as Coastal Petroleum on February 27, 1947, with the Arnold name dropping out of the picture. William F. Buckley of Sharon, Conn., was the first president. Heath, who now heads it, was vice president. J. E. FitzPatrick, Fort Worth, Tex., oilman, appeared on the board of directors.

Parker's name appears on the director roster since May 25, 1953. Joseph E. Banks and Wendell Roberts, both of Tallahassee, now are officers—vice president and secretary, respectively.

The company holds other leases throughout the State, including an interest in the new well on the north side of the Tamiami Trail near Forty Mile Bend. This is the well the promotors ballyhooed as having a potential of from 400 to 600 barrels a day but which more conservative sources list at nearer 200 barrels a day.

Unless far more imposing wells than that are found in the offshore field—some downright gushers of which there yet have been no indications—Florida will continue to hold a bag on the offshore deal.

An interesting sidelight cropped up here in checking these lease figures Thursday. For all its leased land, plus the tax on all oil produced here over the past 7 years, the State has received but $1,104,051—$861,110 on the leases and $242,941 on the tax on the produced oil.

[From the Washington Post and Times-Herald of March 22, 1954]

TITLE TO THE OCEAN

It is a disappointment, and something of a surprise, that the Supreme Court entered a decision on the merits of the marginal sea controversy after hearing oral argument on only preliminary and procedural aspects of the Rhode Island Alabama complaints. In sweeping terms, the Court upheld the constitutionality of last year's congressional act confirming coastal States' title to and ownership of submerged lands within their historic boundaries. In all probability, as Senator KUCHEL, of California, declared jubilantly, this writes finis to the issue.

The Court's brief per curiam opinion makes it appear that the only question raised was whether Congress had power to dispose of property belonging to the United States. Indubitably Congress has such power without limitation. But this begs the question whether land under the open ocean can be considered property belonging to the United States. The Court carefully and conspicuously refrained from calling it so in the California case when it ruled explicitly that California had no title to the marginal sea off its shores. It is hard to understand how Congress can either confirm California's title to property which that State never possessed or transfer to California what never belonged to the United States. Difficult questions of international law are cavalierly glossed over.

The clear implication of the Court's conclusion is that the marginal sea was, after all, property of the United States, although foreign governments may think differently. This reduces to its inherent absurdity the claim made by sponsors of the giveaway legislation that they aimed to take nothing from the Nation but merely to give to the coastal States what was rightfully theirs. "Giveaway" was the correct term for this legislation. And this newspaper retains its conviction that, whatever the constitutional merits of the matter, it was a giveaway of the most profligate sort, endowing a few favored States with a tremendous national asset which should have been conserved and developed for the protection and benefit of the entire American people.

[From the Louisville Courier-Journal of March 17, 1954]

THE SUPREME COURT DOES A RUSH JOB

The Supreme Court—the present Bench, that is—was its characteristic self in deciding, 6 Justices to 2, that Congress had a right to give offshore oil lands to the coastal States. Members of the majority took their stand on the narrowest legalistic point, unilluminated by thoughts of general welfare or national obligation.

It was as if the Court's majority spokesman thumbed the book, found article IV, section 3, clause 2 of the Constitution, and read therefrom. Nobody had ever doubted the words were there: "The Congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.* * *"

However, are lands beneath the coastal waters just another form of real estate? Are they not rather an element of national sovereignty, extending out to the Continental Shelf, to be defended in disputes of international jurisdiction and freedom of the seas?

Former Solicitor General Perlman gravely questioned the right to cede an area of total responsibility to a single State or a small group of States. Attorney General Brownell was so bold in the first few weeks of his incumbency as to raise likewise a serious constitutional question in the matter, seeing the offshore waters as something more than mere property.

In vesting title to offshore lands in the States, out to the uncertain edges of the Continental Shelf, Congress actually has given to the latter greater rights in the territorial sea than the Nation itself has claimed from other countries under international law. Few indeed may say that the Supreme Court's brief and facile decision has touched more than the surface of the profound constitutional questions involved.

The Court's cavalier treatment of the question may easily be seen as leading to more disputes. The decision merely quoted the Constitution on the rights of Congress. In doing so, it opened the gates to other demands, other pressures. The mischief lay in the Court's failure to discuss principle or to utter words of proper national policy. The Court merely said that Congress has a right to dispose of public property. Here was a virtual invitation for others to move in.

Nobody may be unmindful of the bills which have bobbed up from time to time in Congress. One, introduced in this session, would give to States all mineral rights in the public domain within their borders. Lumbermen and cattlemen notoriously have had their eyes for years on national forests and grazing lands in Government preserves. Former President Hoover is not the only

archetypical member of the party now in power who advocates turning over to private enterprise the power developments of the great dams, built at expense of all the people for the service of all the people at antimonopoly prices.

Is it to be suggested that these consequences of the Court's decision on offshore oil lands are unthinkable? Why? The Court's majority members failed to qualify their action by the faintest word of dictum, warning or doubt. They practically pointed the way to opportunity. Congress, they said in effect, is the agency for you to apply to; your license is in the Constitution.

It was left to the two dissenters, Justices Black and Jackson, to remind the country of the dangers of this narrowly limited decision. There is pertinence in Justice Black's wry comment on the right of Congress to sell the Mississippi River. To be sure, the decision was based on a more or less technical question. It merely refused to the States of Alabama and Rhode Island the right to contest the act of Congress. Perhaps the majority justices deemed it unnecessary to do or to state more. But the questions are still there, and they lie a little deeper than the letter of the law.

[From the Madison (Wis.) Capital Times of March 16, 1954]

THE SUPREME COURT AND TIDELANDS OIL

The United States Supreme Court has ruled, by a 6-to-2 decision, that the States of Alabama and Rhode Island do not have the right to file suits testing the constitutionality of the act by which Congress gave away the oil-rich regions in submerged areas off the coasts of this country.

Arkansas has a similar petition before the Court and until it is disposed of the question will not be finally settled.

Although Justices Black and Douglas, the two remaining liberals on the Court, dissented, there seems little hope that the outrageous giveaway put through by Congress and signed by the President will be changed. The majority of the Court, with Chief Justice Warren disqualifying himself, held that the Constitution clearly provides that Congress has the authority to dispose of public lands and that this authority is unlimited.

This raises the point of whether there is not a basic weakness in our Constitution on this point of failure to provide a check against acts of Congress which so clearly violate the public welfare. In this case vast wealth belonging to all the people of the country was given away to four States, largely because of the enormous political power wielded by the oil lobby which has spent large sums of money in various States to elect friendly Members of Congress.

As the Constitution now stands it seems that the people of the Nation as a whole have no protection against arbitrary and capricious use of authority by Congress in this respect. The responsibility rests with Congress and if Congress fails in that responsibility, as it did in the passage of the tidelands oil bill, the responsibility then passes to the people to do something about amending the Constitution and removing from positions of responsibility those Congressmen who betrayed the public welfare.

[From the Raleigh (N. C.) News and Observer of March 21, 1954]

OIL RIDING HIGH

Oil is riding high. The act of Congress granting the offshore oil lands to the States (which for all practical purposes means to the oil companies, with the four States concerned getting small royalties and exercising little control) is the only one of the important Eisenhower campaign pledges yet redeemed.

Not only that, the Supreme Court has with rare speed upheld the law by a 6-to-2 vote which knocked out the effort of the States of Alabama and Rhode Island to challenge the constitutionality of the law, which no one else is in a position to challenge.

That is not all. The present Secretary of the Treasury is the only one since the late Andrew Mellon who has not sought to reduce the inexcusable high depletion allowance of 27.5 percent which oil companies and individuals owning oil wells enjoy and which reduced their income tax burden to a fraction of the amount paid by other comparable corporations and individuals.

Oil is riding high, wide, and handsome, and seems to have the full support of the present administration and the present Congress.

[From the Washington Evening Star of March 19, 1954]

GIVEAWAY POLICY ENCOURAGED—SATISFACTION FOR ADMINISTRATION IN HIGH COURT DECISION IN THE SUBMERGED OIL LANDS CASE; TWO NOTABLE DISSENTS

(By Lowell Mellett)

If the present administration were not so harassed by the developing moral mess in Washington, by its tax problems, and by the threatening economic situation, it could take unbounded satisfaction in a decision rendered on Monday by the United States Supreme Court. For the High Court granted to the administration, through Congress, the unbounded right to give away anything it may wish to give away. Certainly welcome news to an administration which has revealed a willingness to become known as the giveaway government of all time.

The Court, by a vote of 6 to 2, denied the right of Alabama and Rhode Island to challenge the constitutionality of the Submerged Lands Act of 1953. This is the act under which Texas, Louisiana, and California take title to underwater oil lands estimated to be worth many billions of dollars. The Court held that Congress has the right without limitation to dispose of property belonging to the United States; that it may deal with such lands precisely as a private individual may deal with his farming property.

Any 1 of the 8 judges participating in this matter (Chief Justice Warren did not take part) may properly be presumed to be a better constitutional lawyer than any average layman. And 6 judges may know more law than 2. But there is nothing to prevent any layman from being more impressed by the reasoning of the two dissenters in this case than by that of the majority. After all, some of our great Justices are principally remembered as great dissenters—the most recent, Holmes and Brandeis.

As one United States citizen, I believe my rights would be better protected had the views of the dissenters, Black and Douglas, prevailed. Said Justice Black:

"Ocean waters are the highways of the world. They are no less such because they happen to lap the shores of different nations that border them. Freedom of the seas everywhere is essential to trade, commerce, travel, and communication among the nations. These far-flung international activities have frequently led to conflict and war. * * * In ocean waters bordering our country, if nowhere else, day-to-day national power—complete, undivided, flexible, and immediately available—is an essential attribute of Federal sovereignty.

"The act's language purports to convey 'all right, title, and interest of the United States' to immense ocean areas as though the ocean could be divided up and sold like town lots. If valid, the act grants to States all 'proprietary rights of ownership, or the rights of management, administration, lease, use and development of the lands and natural resources' of the ocean. The result is that some favored States can say how, when, for what purposes, and to what extent other States and their citizens can use the ocean or its resources. This raises serious and difficult questions with respect to the authority of Congress to relinquish elements of national sovereignty over the ocean."

Said Douglas: "* * * we are dealing here with incidents of national sovereignty. The marginal sea is not an oil well; it is more than a mass of water; it is a protective belt for the entire Nation over which the United States must exercise exclusive and paramount authority. The authority over it can no more be abdicated than any of the other great powers of the Federal Government. It is to be exercised for the benefit of the whole."

Yet the act—and the court's decree—will stand unless and until some Congress decides it should be repealed. Senator MORSE, of Oregon, proposes to make it a campaign issue this year and in 1956. This could result in a repetition of the expensive and misleading propaganda that brought about the enactment of the law, but also perhaps a better understanding by the American people of what has happened to one of their basic rights.

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

Mr. DOUGLAS. I yield.

Mr. DANIEL. Does the Senator from Illinois really believe that the proponents of the submerged-lands legislation are disappointed with the Supreme Court decision?

Mr. DOUGLAS. I think they must have been disappointed in the way in which the Court made its decision, because the proponents had been arguing that the lands were not the property of the United States, and were not being given away; whereas the Supreme Court said that they were the property of the United States and were being given away. Yet since the able proponents of the bill had written in section 5 that it did not alienate any land in which the Federal Government had a proprietary interest, and since the decision of the Supreme Court, in effect, said that they have a proprietary interest, I should imagine that the proponents of the measure view the decision of the Court with something less than overwhelming enthusiasm.

Mr. DANIEL. I may say that so far as this proponent of the submerged lands act is concerned, I was so pleased with the opinion of the Supreme Court that I hurried from the Court to the Senate floor, in order to announce the decision and to insert the opinion of the Court in the RECORD. It is certainly in accordance with the position taken by the junior Senator from Texas that, although the States had claimed ownership of this land in good faith under many Supreme Court opinions for more than a hundred years, the Supreme Court opinions of 1950 against three States were to the effect that the proprietary rights were in the United States; but that was for the first time. The 1950 decisions overruled prior decisions which had indicated that the States own the land.

This year's opinion of the Court upholding the submerged lands act is fully in accordance with the contention which has always been maintained by the junior Senator from Texas, namely, that proprietary rights exist in these lands. This is quite to the contrary of the argument made last year by the Senator from Illinois, that only political rights and sovereignty are involved. The junior

Senator from Texas has always argued that proprietary rights are involved, and that the 1950 decisions of the Supreme Court stated for the first time that the Federal Government had those rights, and that Congress could constitutionally restore them to the States which had claimed them in good faith for more than 100 years.

I was pleased with the opinion of the Supreme Court; pleased that, once again, the Court has said that proprietary rights in these lands do exist, and that Congress has the right to confirm them, to give them away, or to do with them whatever it wishes; to give them back to the States which have claimed them in good faith for more than 100 years.

In that way, the coastal States are treated like the State of Illinois and other inland and Great Lakes States. The Senator from Illinois wishes to claim for Illinois the submerged lands of that State and all that is in them.

Mr. DOUGLAS. There has never been any question about that.

Mr. DANIEL. The coastal States, under this bill, are permitted to have their lands within their original boundaries the same as the Senator's great State of Illinois.

At least this proponent of the Submerged Lands Act, and I am certain all the others would say the same, is happy about the opinion of the Supreme Court. We believe the Supreme Court has rendered a proper decision, a good opinion, and I am surprised to hear the Senator from Illinois criticize it. So often last year in the debate he criticized some of us who questioned the 1950 opinions of the Supreme Court. The Senator seemed to think better of court opinions last year.

Mr. DOUGLAS. I may say that I have pointed out that the proponents of this measure have, either wittingly or unwittingly, written into the act section 5, which specifically provided that the Federal Government did not cede title in any submerged land in which it had a proprietary interest.

Mr. DANIEL. That section refers to a proprietary interest acquired from a State or individual. The Senator knows the intention of that section, and for the Senator from Illinois to stand on the floor of the Senate and contend that we wrote that section in the act with any other intent or for any other purpose seems to me almost absurd. The Senator from Illinois knows the purpose of the paragraph as well as does the Senator from Texas.

Mr. DOUGLAS. I like the quotation from Hamlet, "Hoist with his own petard." Our good friends thought that section 5 was merely an indication that the States were merely getting that which was their property, and that the Federal Government was not yielding any proprietary rights, but now since the Supreme Court has said in effect that the bill did give the States proprietary rights, it turns out that, by reason of section 5, section 3 did not give away submerged lands seaward from the low water mark, and this is still the property of the Federal Government, which we are seeking to reclaim. The stone which the builders rejected has become the cornerstone of the temple.

Mr. DANIEL. If the Senator is correct, there is no need for his bill; is that not true?

Mr. DOUGLAS. Oh, no. The bill confirms the principle.

Mr. President, I yield the floor.

DEFENSE PROGRAM

Mr. FERGUSON. Mr. President, recently the junior Senator from Missouri [Mr. SYMINGTON] presented his views on a number of matters affecting the defense programs of the Nation.

Unfortunately, a number of the statements made by Mr. SYMINGTON are apt to cause misunderstanding and confusion in the minds of the American people if they are not clarified and corrected. Let us examine some of the misunderstandings which might result from the figures used by the junior Senator from Missouri.

The first of these is the myth that the Air Force would have had 143 wings by June 30, 1955, if it had not been for decisions made by those whom he described as the "money men", and further that the decisions of the past year delayed our air readiness by two years.

The falsity of this statement was clearly demonstrated last year during hearings and debate on the Air Force budget for the fiscal year ending June 30, 1954. Facts were presented and admitted, by the proponents of more money for the Air Force, proving beyond doubt that the Air Force program had been seriously lagging, out of balance, in that easy-to-get soft goods were piling up, but actual aircraft production was lagging badly, to the extent that the buildup of 143 wings could not possibly be accomplished on the time schedules mentioned.

By concentrating on realistic accomplishment, this administration has accelerated the buildup of real air strength. The record readily demonstrates the difference between the illusionary goals and promises of the past and the realistic acomplishments of the present.

Last spring, Secretary Wilson notified the House Appropriations Committee, that a review of the Department of Defense programs undertaken when the new administration took office "quickly indicated that the provision of equipment, the construction of bases, and the training of personnel were out of phase in some respect. Our review also made it perfectly clear that the military forces and stocks of mobilization reserves which previously had been held out as a goal could not be attained within the time contemplated and within the concept of a reasonable balance between Federal expenditures and revenues."

In testifying before the Senate Appropriations Committee, Secretary Wilson stated that—

> In going over the matter carefully we found some surprising things besides the paper wings. The moneys requested and appropriated, the estimates of expenditures, the production schedule for aircraft and money actually spent for them, as well as personnel in the Air Force, were not coordinated and in balance.

Unrealistic planning and unresolved production problems presented us with an inadequately equipped Air Force. As an illustration, during the 1952 hearings on the fiscal year 1953 Air Force budget, following a statement by the Under Secretary of the Air Force that actual deliveries had slipped 15 percent from the schedules presented by the Air Force a year earlier in justification of the fiscal year 1952 budget, the Secretary of the Air Force stated that the production schedule which he was then presenting, called the A–16 schedule, was one which could achieve the 143 wing force, and was an attainable schedule. Despite this reassuring statement, between January 1952 and April 1953, the Air Force only received 71 percent of the bombers and fighters scheduled for delivery in this period, a 29 percent slippage. The aircraft schedule approved in November 1952, the A–19, was used as the basis for the original fiscal year 1954 budget request. Within 6 months, deliveries of combat planes had fallen 23 percent behind this schedule, a fact possibly not realized by some of those who desired the early achievement of increased air power and who assumed that previously announced goals were being met.

During the past year the overall combat readiness of the Air Force has been vastly improved by concentrating on the manning and equipping of the wings and other units already activated, as well as increasing their number. We are well on our way with the orderly buildup to a revamped Air Force wing program designed to implement the dynamic military programs recently unanimously recommended by the Joint Chiefs of Staff, which give increased emphasis on effective forces for continental defense.

It is important for the American people to realize that it had become obvious to discerning individuals within the Air Force itself that the 143 wing goal would not, and could not, be accomplished on the dates set. Nevertheless, this magic number had become a fetish to those advocating increased funds for the Air Force program, and they refused to recognize the increasing slippages and distortions in the program. The refusal to recognize the slippages in key aspects of the program meant that emphasis was continuing to be placed on building up mountains of "easy to get" items on the original time schedule.

If this had been continued, our warehouses would now be bulging with soft goods and supplies for 143 wings—but they would not be flying; they were not that kind of goods—even though the aircraft, bases, and trained personnel for such a force were obviously not going to be available.

Any belief that our air readiness has been delayed 2 years, or that we could have had 143 wings by June 30, 1955, is based on the dreams of 3 years ago and not on the realities of the situation then, or any time since then. What we have now is a solid program which is making real headway.

CURRENT OBLIGATIONS

The Senator from Missouri [Mr. SYMINGTON] also expresses concern, and I may even say shock, at the fact that only $100 million has been obligated since last July, out of the $5 billion made available for aircraft procurement in the Air Force.

His statement is correct, but it does not represent a full statement of the facts. Let me say, first, that $100 million is a net figure, not a gross figure. Here is one of the major reasons for the size of that figure:

Last fall the chairman of the House Committee on Appropriations requested the General Accounting Office to determine the validity of obligations reported by the Navy and Air Force for aircraft and related procurement. The General Accounting Office survey revealed that between the fiscal years 1948 through 1953, the Department of the Air Force had recorded a total of $31.2 billion in obligations for aircraft and related procurement. It also reported expenditures of $14.6 billion during this period, and a balance of unliquidated obligations, as of June 30, 1953, of $16.6 billion. Mr. President, those amounts were purported to be contract obligations unliquidated, as of June 30, 1953.

After auditing a substantial portion of these $16.6 billion in reported unliquidated obligations, the General Accounting Office concluded that approximately $5 billion, or almost one-third of this total, consists of questionable obligation items.

The General Accounting Office has observed:

> In considering the annual budget which is a compilation of appropriation requests, the Congress before granting an appropriation should know exactly what balances of prior years' appropriations are available for obligation at the beginning of the fiscal year.

The report also stated:

> In order to report obligations as soon as possible, the concept, over a period of years, of when to obligate, and for how much, has been stretched and distorted to cover many questionable types of transactions. * * * Both Departments (Air Force and Navy) resorted to reporting to Congress as obligations amounts which were only administrative reservation of funds.

In other words, both those departments, but particularly the Air Force, had reported those amounts to the Congress as if they were amounts of actual obligations under contracts for the construction of aircraft. However, that was not actually the fact. Actually, those amounts were only for certain administrative reservations of funds.

I read further from the report of the General Accounting Office:

> Thus, only administrative control was maintained over unobligated appropriations which otherwise may have been used by Congress to apply against subsequent years' request for appropriations.

In other words, during past years the anticipation of an obligation was in some cases sufficient basis for the Air Force to record the amounts as if they were actually obligations—in other words, contracted for. During the past months, it has been necessary to delete from the obligation records many of the amounts previously recorded as obligations.

The present policy of the Department of Defense is that new obligations are not to be recorded until they are legitimate obligations, rather than an anticipatory gleam in someone's eye. This, together with the elimination of items found to be not needed now, are the main reasons why only one-tenth of a billion dollars in net obligations have been recorded by the Air Force for aircraft and related procurement since July.

COMPARATIVE JET STRENGTH

The junior Senator from Missouri [Mr. SYMINGTON] observed that the Soviet air force is now more than one-half jet-equipped, and he charged that "under the administration's new air power program, our own air units of the Army, Navy, and Air Force will not be 50 percent jet powered until 1957—3 years from now." This statement also is misleading and incorrect. Our Air Force combat wings today are 80 percent jet-equipped, and will be 94 percent jet-equipped by the end of fiscal year 1955. Similarly, the Navy and Marine Fleet combat units are currently 50 percent jet-equipped, and this proportion will increase materially during the next several years. It is obvious that our total air power may never be fully jet-equipped, since there are large numbers of transports, trainers, and helicopters in the program.

Mr. President, I do not believe helicopters have become jet equipped; and helicopters are included in the program.

The Senator from Missouri in his statement blamed the officials of the Defense Department for a cut of 950 planes out of the program, including 748 combat planes, shortly after Congress approved the Air Force budget last year on the basis that no combat planes would be cut from the program.

Let me give the facts:

First. The cut of 965 planes—instead of 950, as stated by the Senator from Missouri—was made by the Air Staff of the Air Force—I emphasize that the cut was made by the Air Staff of the Air Force—because the planes were found to be excess of the needs of a full 143-wing program. That is what I was discussing before. In short, the program was not properly arranged. Certain things which were not needed were provided for, and certain things which were needed were not provided for; and the Air Staff found the 965 planes to be in excess of the needs of a full 143-wing program.

Second. The cut was made during a normal periodic appraisal of the extensive Air Force procurement program. These revisions were worked out by the Air Staff, approved by the Air Force Council and the Air Force Chief of Staff.

The rest of this story is also interesting:

The bulk of the funds which had been programed for the planes eliminated has been channeled into increased procurement of our latest and finest long-range heavy jet bomber, the Boeing B–52, and the most advanced day fighter that is ready for production, the North American F–100, a faster, more powerful version of the F–86. The balance of these funds will be used for the procurement of even more modern aircraft. Why should not the air staff and those in charge of the program eliminate the 965 planes which were found to be in excess of the requirements for 143 wings, and put the money into the Boeing B–52 and the North American F–100? Whatever cannot be invested in those planes for the time being will be devoted to the procurement of even more modern aircraft.

The new program was largely made possible by a reduction of attrition rates based on better experience as regards loss of aircraft and damage resulting from accidents; reduced fighter combat losses as a result of the end of Korean fighting; shortening of manufacturer's reorder lead time; termination of models of questionable usefulness; and a further change in training procedures involving a shift of responsibility and certain activities from the Training Commander to the Strategic Air Command.

AIRPOWER BELIEFS

I would like to make one final point on this matter. The Senator from Missouri has declared that the present administration is not really pushing the development of airpower and that the build-up of airpower has been impeded by some of the financial decisions that have been made.

Mr. President, appropriations of money alone do not produce airplanes. In my opinion the premise of the Senator from Missouri is wholly false, and I should like to take just a minute more to lay it to a final rest.

This administration has consistently emphasized the importance of airpower and has made the development and maintenance of airpower a primary objective. We must not be misled into thinking that the effort to reduce the overfunding of the Air Force last year by the elimination of $5 billion of unnecessary funds means that any cut was made in effective airpower. I wish to emphasize that on the contrary, the realinement of the Air Force program that was undertaken last year has resulted in substantial increase in the actual strength of the Air Force.

In the spring of 1953, shortly after the present administration took office, the Air Force had a total strength of 103 activated wings. Only 93 of these wings, however, were equipped with aircraft, and only a distressingly low proportion of these wings had modern equipment or were combat ready. They called an activated wing a wing which did not have any airplanes in it.

In addition, the various aspects of the Air Force program were in such serious imbalance as to hinder a real buildup of strength.

Against this background it was decided that it would be necessary to take immediate steps to bring the various aspects of the program into balance, and an interim goal of 120 wings was established pending the review and new recommendations by the Joint Chiefs of Staff as to the composition and size of the desired forces. At no time was this 120-wing

program described as anything but an interim goal—one which would require considerable effort to accomplish.

When this interim goal of 120 wings was established, the administration announced that it planned to have 114 wings by June 30, 1954. The Air Force, however, stated that it would be able to build up to only 110 wings by June 30, 1954, and hoped to have 115 wings in another year which would be by June 1955. That statement refers to the Air Force, which is different from the administration. Actually we now expect to have 115 wings by June 30, 1954, of which at least 110 wings will be operationally ready at that time, with the remaining 4 or 5 wings becoming operationally ready shortly thereafter. This is a full year earlier than the Air Force had previously thought possible.

Despite the $5 billion reduction, the Air Force has had adequate funds to finance its requirements during the 1954 fiscal year.

In this connection, let me read a few paragraphs from a recent speech by Admiral Radford, Chairman of the Joint Chiefs of Staff. Admiral Radford said:

> Today's emphasis is actually pointed toward the creation, the maintenance, and the exploitation of modern airpower. Today, there is no argument among military planners as to the importance of airpower. Offensively, defensively, and in support of other forces, it is a primary requirement. Its strength continues to grow, both through increases in combat air units, and through better equipment.
>
> The President of the United States, the Secretary of Defense, and the Joint Chiefs of Staff are of one mind on that matter; this Nation will maintain a national airpower superior to that of any other nation in the world.

In his budget message of this January, President Eisenhower clearly indicated his recognition of the necessity of adequate airpower.

The President said:

> Our military planners and those of the other nations of the free world agree as to the importance of airpower. It (the budget) points toward the creation, maintenance, and full exploitation of modern airpower.

In the final analysis, the Senator from Missouri appears to present as his major thesis the view that this Nation is not adequately defended from the standpoint of airpower and that our air program is not adequate to the Nation's needs.

He may be an authority on the subject, but his views are in direct conflict with the publicly expressed views of the President of the United States and the Chairman of the Joint Chiefs of Staff, Admiral Radford. I for one, intend to place reliance on their views.

Mr. President, I have the privilege of being chairman of the subcommittee of the Committee on Appropriations which has charge of the defense program. A short time ago Admiral Radford, the Chairman of the Joint Chiefs of Staff, appeared before the Armed Services Subcommittee of the Senate Appropriations Committee and made a statement. I ask unanimous consent to have that statement printed in the RECORD at this point as part of my remarks.

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

STATEMENT BY ADM. ARTHUR RADFORD, UNITED STATES NAVY, CHAIRMAN, JOINT CHIEFS OF STAFF, BEFORE THE ARMED SERVICES SUBCOMMITTEE OF THE SENATE APPROPRIATIONS COMMITTEE, MARCH 15, 1954

BUDGET HEARINGS, FISCAL 1955

Mr. Chairman and members of the Armed Services Subcommittee of the Senate Appropriations Committee, I appreciate this opportunity, which is my first as Chairman of the Joint Chiefs of Staff, to appear before this committee.

In my statement today I plan to give you as much information as is feasible in an open hearing about our security planning for the future. In this endeavor I hope that I shall be able to clarify some of the misunderstandings which currently exist regarding this military program, which I have termed our "Security Program for the Long Pull."

Before going into details of this program I would like to review with you a little of the historical background of the conditions under which our past planning has taken place. A diagram indicating the state of military preparedness of our Armed Forces for the past 20 years would show many peaks and valleys. This was undoubtedly the result of a series of attempt to follow, in a new and different age, the earlier philosophy of maintaining during peacetime only the smallest nucleus of standing forces and relying on an indefinite period of time after a declaration of war to build up needed forces. Although such a system was originally adequate, it has become increasingly dangerous. As the destructive power of weapons and the range and speed of aircraft increased, the period of time on which we could rely after D-day correspondingly decreased. The earlier system of a tiny nucleus is obviously not an acceptable answer in this day and age. In fact, it is completely antiquated.

In analyzing these peaks and valleys of military preparedness we find that they are most expensive. Waste and inefficiency under such circumstances are the inevitable result. Besides being more expensive, such a system is dangerous. Planning based on such programs can no longer be accepted as a justifiable risk, because never again in a global war will we have the same amount of time which we had in World War II to build up our forces. Another serious disadvantage that adds to the infeasibility of such a system is that these valleys of preparedness constitute an invitation to aggression.

To continue a system of peaks and valleys would be bad enough in this modern world if we faced an orthodox enemy. However, the very nature of the Communist threat makes such planning even more infeasible. We are up against a relentless, powerful and clever adversary. At no time in the history of our country have we faced a more dangerous threat than that posed to us by the leaders of the Soviet Union. Here I would like to consider with you for just a moment the nature of this threat.

The ultimate objective of the leaders of the U. S. S. R. is a Communist world dominated by the Kremlin and controlled from Moscow. In their unrelenting efforts they follow a multi-pronged system of operations, only one of which is military. This system includes, in addition to the military prong, a political prong, an economic prong, and a psychological-propaganda prong. The Soviet leaders are apparently unconcerned as to which particular prong gains for them their goals. When they receive a setback along one prong, they merely push hard along the others. Thus, in our overall plans we had to consider how to best counter all these threats.

Furthermore, they have no urgent timetable for the accomplishment of this objective. In my opinion, for instance, the Soviet leaders would be quite content to await the inevitable were we to embark on a program of maintaining forces in being in such numbers as to insure our eventual economic collapse. In such a case they would then be in a position to attain their objective without firing a shot. It is for just such reasons that we of the military view the economy of this country as a factor of military importance.

Prior to 1950 the United States liquidated the most powerful military machine ever built up in American history, and almost overnight reduced it to such a low level as practically to invite aggression. When the Korean war began, no one knew whether it would be confined to Korea or whether it portended a global war. We had no choice but to generate military strength as quickly as possible. This we did. Again we embarked on our journey from the valley toward the peak. Our Armed Forces were expanded hastily to a strength of 3½ million men and women.

It was now the summer of 1953 and since 1950 we had been building our forces for a particular peak year of crisis. The military armistice in Korea had become effective on July 27, 1953. An important question would have to be answered sooner or later. What was to be the future pattern? What size and deployment of Armed Forces should we have in the light of the Soviet threat, the existence of atomic weapons, United States commitments, the collective-security arrangements of the free world, our limited manpower, and the national economy?

That was the question facing the new Joint Chiefs of Staff when they took office last August. It most assuredly would have faced any set of Chiefs at that time.

It was in recognition of the Communist objective and their methods for attaining it that the President directed that miliary planning no longer be based on the year-of-crisis theory, but on preparations for the long pull.

In formulating our plans we first of all decided that we must be ready for all the essential tasks to be performed in the initial phases of a global war, with emphasis on our ability to launch devastating offensive counter blows; and we must also be ready for lesser military actions short of all-out war.

In view of the nature of the Soviet threat, Secretary Wilson and the Joint Chiefs of Staff agreed that we must fulfill these requirements with due regard for not only military factors, but also a wider range of political and economic factors, as well as the latest technological developments.

Since it is impossible to forecast precisely the year and the amount of maximum military danger, part of the answer was to provide a sturdy military posture which could be maintained indefinitely over an extended period of cold war. Part of it was to take advantage of new weapons and technological developments. Part of it was to enhance and accelerate the program for continental defense. Another part was to improve the readiness of our Reserve forces to meet today's requirements for rapid mobilization. Still another part was to adjust the balance of United States forces so as to fit into the larger system of collective allied forces.

Early last December we unanimously agreed to, and submitted a program for, military forces through fiscal 1957 which will provide for the security of the United States; forces which will deter aggression in consonance with the concept of collective security with our allies in Europe and the Far East; and forces which would provide the basis for winning a war—an all-out war or a limited war—if war is forced upon us. The budget for fiscal year 1955 is based on and is the first step in the attainment of this new program. The ultimate force levels, which we have recommended, and

which we hope to reach by the end of fiscal year 1957 are actually for planning purposes only. They are not inflexible either as to time of achievement or as to ultimate quantity of forces. The only firm plans in attaining these ultimate goals are those represented by the force levels on which the current annual budget is based.

In formulating these plans we took into consideration the modern weapons now available to the United States. President Eisenhower, in an address on the atomic age last December, described the tremendous potential destructive power of our atomic weapons. He said that today's stockpile exceeds by many times the explosive equivalent of the total of all bombs and all shells that came from every plane and every gun in every theater of war through all the years of World War II. The destructive power, presently and prospectively available to each branch of the Armed Forces, dwarfs that ever experienced in the history of warfare.

We took into consideration the preeminence of the United States in modern air and naval power. As I use the term, airpower includes the Air Force, naval aviation, Marine Corps aviation, Army aviation, and the tremendous aircraft industry and civil air transportation systems of the United States. Some people do not fully comprehend the true magnitude of today's United States national airpower, and I would like to state unequivocally that it is superior to that of any other nation. Furthermore, the United States has so developed certain segments of its airpower as to achieve a strategic air force and a naval carrier striking force which are without peer in this world.

We decided that continental defense programing is an increasingly important part of our national security planning. We want to see continental defense programing continue on an orderly basis, with phased increases in forces and facilities to improve our defenses against bombing attacks. However, the Joint Chiefs of Staff feel that it would be a serious mistake to divert all or a disproportionate part of our energies and resources toward setting up a purely defensive system. We must not forget that the greatest single deterrent of a Soviet air attack against the United States is the tremendous counterattack which she knows will immediately follow. We feel that the programing of this project should be achieved in relation to the budgeted support available for other essential commitments.

We also readily accepted the fact that our plans and programs could not be developed by the United States for ourselves alone. They must be worked out in cooperation with our allies and each should furnish forces that constitute its most effective contribution to the whole.

Our security today is inexorably tied with that of the other nations of the free world. We must have allies. We recognize that the safety of the United States cannot be assured by the United States alone, indispensable as that is.

In connection with our collective security arrangements we have spent a great deal of money on our military assistance programs. However, I assure you that great progress has been made since 1950 in the development of increased collective strength amongst our allies. For example, only 1 year ago the Republic of South Korea had 14 divisions, 4 of which had been recently organized. Today they have 20 divisions. Incidentally, from the title of General Van Fleet's article, "25 Divisions for the Cost of 1" you get an idea of the relative expense of maintaining a man in uniform by some of our allied countries as compared to that of the United States.

In order for the United States and her allies to be adequately prepared and at the same time maintain a stable economy for the long pull, we cannot ignore the fact that together these nations of the free world provide a pool of collective strength. It is only natural that each nation should contribute to that pool those forces that it is most efficient in developing.

In view of our vast industrial capacity, technological ability, and limited manpower, we believe that our most effective contribution consists of complex technical weapons and equipment, modern air and naval power, and highly mobile offensive combat forces backed up by ready reserves, not for any one date, but for now and the indefinite future. We feel that the other free nations can most efficiently provide in their own and adjacent countries the bulk of the defensive ground forces and local naval and airpower.

We are doing everything possible to encourage and assist the anti-Communist countries overseas to build up and increase the effectiveness of their ground forces. For example, the United States at the present time is making every effort to get a German contribution to the NATO forces in the form of ground troops.

In the plans for our own standing forces, that is United States forces on active duty for the long pull, we took into consideration, in addition to the collective strength of the Free World, the state of readiness of our own Reserve forces. In our plans we fully recognize the infeasibility of relying in the future on long periods of time in which to mobilize our available manpower. Never again will we have 3 years to get ready. Therefore, an essential part of our security program includes plans for attaining an improved state of readiness of our Reserve forces to meet today's requirements for rapid mobilization. We are fully aware of the necessity for improving the Reserve programs for all of our services in order to make them more realistic and more responsible to current and future needs. The development of this program has been assigned the highest priority by the Department of Defense.

In other words, there is no disagreement as to the importance and necessity of ground forces. However, the Joint Chiefs of Staff feel that the United States standing Army can, by careful planning, be safely reduced to a level that, when combined with other United States forces, the total will constitute an effective and efficient contribution to the collective strength of the free world as a whole, and at the same time, will constitute force levels which the United States can maintain not just 1 year or 10 years but for the duration of the cold war.

In view of certain misunderstandings, I would like to take just a moment here to assure you that: Our planning does not subscribe to the thinking that the ability to deliver massive atomic retaliation is, by itself, adequate to meet all our security needs. It is not correct to say we are relying exclusively on 1 weapon, or 1 service, or that we are anticipating 1 kind of war. I believe that this Nation could be a prisoner of its own military posture if it had no capability, other than one to deliver a massive atomic attack.

We are fully agreed that we must have strong, mobile, combat-ready units capable of being projected wherever required. It certainly should be evident from the forces we intend to maintain that we are not relying solely upon air power. We shall continue to have over a million men in our Army, and we shall continue to have a Navy that is second to none. We have never before attempted to keep forces of this size over an indefinite period of time.

Our program for the long pull is more a matter of emphasis. We are putting emphasis on our advantages * * * our long suits * * * in other words, on modern air and naval power, on new weapons, on a highly mobile and offensively equipped strategic reserve. We are placing emphasis on a high state of combat operational readiness and on a Ready Reserve. We are counting on mobility and flexibility.

In summary, our security program for the long pull consists of a plan for attaining and maintaining indefinitely thereafter, in an improved state of readiness, selected United States forces which give us a sturdy military posture and which constitute the most effective contribution to the balanced collective strength of the free world. It is a military reassessment based on national objectives, the world situation, preparations for the long pull, our improved weapons, the increased strength of our collective forces, an evaluation of the existing threat, and a considered estimate of future trends and developments. It provides for an improved readiness in our Reserve forces to meet today's requirement for rapid mobilization. It involves our allies and the United Nations. It envisages certain military assistance and advice in the development and maintenance of allied forces where needed and requested. It involves military strategy, timing, logistics, and economy. It involves United States policies, commitments, and risks. In other words, it is a searching review of this Nation's military requirements for security.

The Joint Chiefs of Staff have no preconceived ideas as to what our Armed Forces will look like a decade from now. Our present plans are based upon what we see today as being in the best interest of the United States and the free world. They are based on a searching estimate of the world situation and a thorough analysis of the existing threat projected into the foreseeable future. Naturally any changes in the situation on which the present plans are based would necessitate reevaluation and reconsideration.

Mr. FERGUSON. Mr. President, I believe this statement to be a lucid presentation of the position of the military authorities, the President and the Department of Defense as it is today and as it will be in the foreseeable future. It answers many of the questions as to what has been termed the "New Look." It demonstrates that we are laying plans, if attacked, in any kind of war—economic, propaganda, large or small—to insure the safety of the United States and the free world. It will relieve the minds of many people, and I wish to thank him for his fine statement.

REPORT OF THE INDEPENDENT PARTY

Mr. MORSE. Mr. President, I have a very brief report to make this afternoon in behalf of the Independent Party. It will confine itself to two subjects.

The farmers of Oregon, particularly those who operate the family-type farms, which are so essential to a sound economy in our country, have been writing to me in growing numbers telling me of the serious financial problems now confronting them. With typical American frankness they point out that they are being put through an economic wringer by this administration. Some of these letters come from farmers who produce the so-called basic crops, others are from those engaged in stock raising, and many come from dairymen.

Lately, farmers who produce perishable commodities are adding their voices to this long list.

These farm people have begun to suspect that some of the things that were

said about the farm situation by Republican candidates in 1952 were a little less than sincere. In fact, they suspect that they were given an overdose of doubletalk.

For example, what were some of the promises made by Candidate Eisenhower to the producers of perishable farm crops?

As of the present time they are extremely interesting. They bear repetition at this point.

At Kasson, Minn., on September 6, 1952, the Republican candidate said:

> We must find methods of obtaining greater protection for our diversified farms, our producers of perishable foods. They yield the rich variety of meat, milk, eggs, fruits, and vegetables that support our nutritious national diet. As provided in the Republican platform, the nonperishable crops so important to the diversified farmer—crops such as oats, barley, rye, and soybeans—should be given the same protection as available to the major cash crops. The Democrat planners have made the diversified farmer the forgotten man of agriculture. They keep saying, "There is no way of protecting perishable except through the Brannan plan." We can and will find a sound way to do the job without indulging in the moral bankruptcy of the Brannan plan.

From the mail I am receiving from the producers of perishable crops in my State, I judge that they have reached the conclusion that the new Republican President has become lost in his search for a plan, because to date he has not submitted to the producers of perishable crops any program that will give them the protection he promised to them, for example, in the Kasson, Minn., speech and in other speeches, from which I shall now quote briefly.

At Fargo, N. Dak., on October 4, 1952, the great crusader made this promise:

> It is in the record as to what the Republican Party expects to do, proposes to do * * * with all of those things that mean so much to farm life today. And that means perishable products as well as nonperishables.

The promise became more emphatic as the candidate moved westward. It was couched in this language at Spokane, Wash., on October 6:

> In addition to the kind of things that you have heard from the opposition, those supplies that have been called perishables are going to get the same kind of treatment as do the nonperishables, and we are going to do it so that it preserves the independence of the farmer.

Finally, on October 9, in Fresno, Calif., the general-crusader said:

> We insist that reasonable programs must be extended to perishables, other kinds of products other than the six basics that are covered in farm support programs.

Apparently farmers throughout the Nation accepted these glowing promises at face value. But now they have begun to realize that the administration is not delivering on these very tempting vote-getting lures. The other day an Oregon farmer who has long engaged in raising potatoes sent me a copy of a letter that he addressed to Agriculture Secretary Benson on March 23. I ask unanimous consent that this letter be printed at this point in my remarks.

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

MALIN, OREG., *March 23, 1954.*

The Honorable Mr. BENSON,
Secretary of Agriculture,
Washington, D. C.:

I seldom do any writing anymore, but I felt it my duty to let you know what is happening to the potato industry in the Klamath Basin. I am an old resident of Malin, Oreg., as I came here in 1915. My first crop of potatoes was grown in 1916 and ever since I have been in the potato growing business. My two sons have been farming with me in a father and sons partnership since their graduation from Oregon State College. Incidentally, I, too, am a college graduate. I taught school for 6 years, but my heart was in farming, and I couldn't stay away from the soil. I still love to work in the fields and watch the crops grow. My words here are in behalf of the potato industry and, of course, the farmers who grow the potatoes. Well, so much toward introducing myself to you.

During our long years of growing potatoes, we have had tough years, too. In 1932, we got as low as 19 cents for No. 2's and 23 cents for No. 1's. That was a depression year and the cost of production was comparatively low. Of course, we went in the red. There were many other years, too, when the returns were abnormally small. But, never in all our growing history did we get a price such as this year, barring none.

Here is a sample of what happened to us, and it's so good a case that I believe it should be more generally known. Mind you, I feel somewhat humiliated to let the cat out of the bag, for many will say that we who are college graduates should not permit such a thing to happen to us. Well, it just did happen. We consigned two cars of U. S. No. 1 A's, washed and graded by a commercial concern and inspected by a Federal-State inspector, who was at the grading shed and saw the potatoes going over the grader and then tested the grade in the sacks, also. The quality of the potatoes couldn't have been too bad. In fact, our experience in the Klamath Basin this season is that the inspection requirements are tougher than in past years. We shipped these two cars to a San Francisco, Calif., broker on consignment, hoping that we would at least get the price we were selling locally, which at the time was 80 cents to $1 on Army orders. The Army orders were filled at the time, and we wanted to move them. For the first car sold in the San Francisco Bay area we got net returns of 60 cents f. o. b. our cellar. The San Francisco broker diverted the other car to Los Angeles, to another broker, who reported that the car of potatoes just covered the freight and other expenses connected with handling. We received absolutely nothing for the 360 sacks of Klamath Basin spuds. Now, this car of potatoes cost us 30 cents grading and hauling, 20 cents for sacks and 5 cents for twine and inspection—or 55 cents a sack. In other words, besides the cost of growing and placing them in storage, we had to pay 55 cents a sack out of our own pocket in order to give the potatoes away. Can you picture a situation so absurd?

Now, these potatoes cost us $2.30 f. o. b. car in our sacks. The field on which these potatoes were grown yielded 280 sacks per acre, which was over a hundred sacks less than grown on such land in other seasons. They graded out 80 percent United States No. 1 A, which is far above the average for this season. The fact is that the average United States No. 1 A is 50 to 55 percent. Our loss on the car shipped to Los Angeles was $828. Of course, this case is out of this world and I don't want you to conclude that all the potatoes in our valley are a total loss. This, however, may be about right that the production costs play around the $2 mark, but in extreme cases where the production of 1's dropped low the cost is $3 and more.

Those that sold last fall got $1.80 to $2.20 for their potatoes and consider themselves lucky, or some even take the attitude that they were smarter than the rest of the farmers. But, remember this, that all of us cannot sell at one time. We supply the market over a period of 8 months. Granting that the early sales brought $2, the cost of raising potatoes still exceeds that amount in most cases. It is evident that the farmer still had no profit. Now when he is getting around $1, he surely is going deep in the hole.

It seems to me that growing potatoes is going to be more and more a matter for the buyer-grower. In our basin many of the buyers are growers also and they have the advantage of knowing better what the production is and when their spuds should be marketed. Furthermore, they ship their crop when the market is right and after their crop is moved, they start buying from the other growers at any price they wish to pay. You either sell to them or consign to a broker—which can be worse. Of course, you can lock your cellar and go fishing. But, a potato grower, whose crop must be marketed within certain time limits cannot hold his crop beyond those limits, as can growers of grain, cotton, etc. Therefore, he is in a precarious position. Reports of a surplus crop puts fear into the potato grower and he presses his produce on the market desperately. Buyers buy cheap and try to sell with a margin of profit. Other buyers buy cheaper from other growers and undersell the previous buyer. The price of spuds goes down and down. This happens every time fear and surplus, real or calculated, hits the country.

Before the Marketing Agreement came into effect, potato growers could dispose of a limited amount of their B's and 2's to 8 ounces. After that went into effect, these potatoes became cattle feed. Oregon continued that remedy to reduce supplies, but Idaho, a large growing area, reneged on part of their agreement and sold smaller 2's. To us here it seems that our restrictions have helped our neighbor State, but not Klamath farmers. Culls, B's and 2's to 8 ounces are bringing from 10 to 25 cents a hundred, delivered, but there is fear that when the stockmen get their needs supplied they will quit buying. I know one cattle concern that bought four cellars of ungraded potatoes, some 60,000 sacks, for cattle feed, delivered at the silo pit at 25 cents a hundred. Even that is better by far than we got for our No. 1's shipped to Los Angeles.

To date Klamath Basin shipments were 9,121 cars as against 10,015 cars last year, or a decrease of about 900 cars. Acreage planted in 1953 was 24,355 as against 19,961 in 1952. Income from potatoes for 1952 was $16 million and the county agent reports that the income for the 1953 crop will be about $7 million. To grow 24,355 acres of potatoes surely cost the farmers much more than the 19,961 acres in 1952. Everything going into growing potatoes was higher per acre and there were more acres. But, the farmers got $9 million less than the previous year. Last year, with no support, we got from $3 to $4 a sack, which was perhaps near parity.

The farmers of the basin increased the acreage, it is true, but the yield was surely less by a very large percentage. If we had had a normal yield, we surely would have been in a still greater predicament. But as the picture stands, when the balance of our 1953 crop is shipped, the total will be about the same as the 1952 crop. But the fact remains, if Klamath Basin had produced no potatoes at all, the price picture would still be the same.

Yes, we farmers can take a lot of abuse. During the years that the supports were on

potatoes, the consuming public was bitter about reports whether the farmer got paid for potatoes by the Government while pictures showed mountains of potatoes going to waste. The program followed at the time had loopholes and the estimates of yield and needs were in error. Another fault was the fact that the allotments controlled only the growers under the program. Others planted all they wanted to. These growers knew they would sell their crop, perhaps at a few cents less than the support price. Those under support would have been foolish to sell for less. When all the potatoes grown by the out-of-the-program growers were sold, the other growers sold the consuming public the balance they needed, but the remainder had to be taken by the Government. This, indeed, was not fair to the consumer nor to the grower under the program. I don't blame the consumer for being bitter.

But, I am not so sure that we potato farmers will get a fair deal without any program at all. In a great civilization such as ours is today, where labor is organized and wages are protected, where merchants are united and prices controlled, where competition has ceased in public utilities and increased rates have been granted to telephone companies, electric companies, railroad companies, etc., where manufacturing is largely done by great concerns, able to curtail production or increase it as markets demand, we get the feeling that several million farmers competing with each other cannot long survive. Yet, without the farmer the rest of our great economy will fail, too. Everyone is aware of that fact.

The farmer deals with acres, crops, production, and prices. But regardless of what he does, he has no control over prices. The Government reports warn of intended plantings which may cause surpluses, but who is going to cut his acreage of potatoes voluntarily when he knows others will not. The cut in acreage must be made or a surplus is a certainty unless nature comes to the rescue in a big way. Without a control program, we either produce too much or too little. Either extreme is undesirable. Under the present setup the potato farmer is doomed. He will soon be forced to leave his farm and join the multitude in the cities. "Do nothing" on the part of the Government will reduce the farm population sooner than we think.

Now, the farmer is not seeking donations from the Public Treasury—far from it. He wants no dole. He only asks that the disastrous surpluses be prevented. This can be done by the Government agency following the right program. The Department of Agriculture should be able to work out a satisfactory remedy for the No. 1 enemy of the farmer—surplus. To put into effect a workable program should not require much additional personnel on the part of the Department.

Really, there is no sense that we farmers produce more than is needed for consumption. The surplus surely is wasted and the soil is depleted. For this surplus someone has to pay. Potato growers this year are paying dearly. But when the farmers go broke, the rest of society suffers likewise. The farmer no longer buys the products or the services of the consumer.

I offer this plan to you:

1. Establish acreage control on an equitable basis.
2. Forbid plantings outside of acreage allotments.
3. Regulate the grades to be marketed.
4. Set the minimum price at which a farmer could sell.
5. Expense of the administration to be borne by the potato industry on a per-sack basis.
6. If unreasonable surpluses resulted due to excessive allotments, the Government would be required to take care of the surplus at its own expense.

I believe the program would work and it should not cost the Government any money if properly administered.

Instead of the acreage-allotment program, there is what is known as the stamp plan. Each grower would be issued his allotted stamps, entitling him to grow a specific amount of potatoes. If he grew more than he had stamps for, he would be required to purchase additional stamps at perhaps $1.50 each from the post office before he could market any more sacks of potatoes. It would not pay individual farmers to overplant except when the United States crop would be very short. This plan might work satisfactorily, too.

I have just partly brought out the potato farmer's dilemma, but I hope you will give this matter your sincere study. Surely, there must be some sane way to handle our agricultural problems. You men who devote your time to these problems should be able to figure out a plan that would be fair to the farmer, the public, and to the consumer.

I feel that you can give us little relief regarding the 1953 crop. It is too late. But the time is very short if you wish to do something for the potato grower this coming season. In 2 months planting will again be in full swing on the late-crop potatoes and results may again be disastrous. It's up to you and Congress really to get busy at once.

I have been a Demorcat for many years, but I voted for Eisenhower, and I think he is a wonderful man, and a good President. However, I am sure something must be done for the potato farmers if his administration is to be a success.

Very truly yours,

M. M. STASTNY.

P. S.—Just received the final statement from the Los Angeles broker, indicating a deficit of $17.05 with a request for payment.

M. M. S.

Mr. MORSE. Mr. President, the foregoing letter sets forth a situation that is truly astounding. Possibly the facts are exceptional, but, if so, such exception should never be permitted to occur in our country today.

In the 1890's, when farmers had to cope with a laissez faire economy and all the evils attendant under such a system, it was understandable that a farmer might ship a carload of perishable produce to market and later be advised that instead of having money coming to him, he owed some third person money on a transaction which had become an involuntary gift on his part. If the foregoing transaction represents Mr. Benson's program for the farmers, or even the faintest resemblance to the Benson program, I am sure that farmers want no part of it. Despite Republican assurances to the effect that growers of perishable crops had nothing to fear from the Republican farm program, it now develops that they have much to fear from that program.

For months Secretary Benson did nothing to assist the potato growers. Then Congress gave the Secretary an expression of its impatience when it included potatoes in recent legislation covering cotton acreage. This legislative action on potatoes did prompt the Secretary to announce that he would buy limited quantities of potatoes for distribution to eligible institutions and welfare agencies and that payment would be made for diversion of potatoes to starch and flour manufacturers at the rate of 35 cents per hundredweight, but the quantity the Secretary intends to buy is apparently so small that it was not disclosed and the announcement has given potato growers little encouragement.

It is high time that the President of the United States gives some very serious consideration to the plight of small farm owners, including the producers of perishable farm crops. It is evident that relief is not to come through the Secretary of Agriculture, and it is up to the President to make clear to such farmers, by actions, not words, whether he was kidding them in 1952 or really meant what he said.

Mr. President, I am satisfied that he was merely engaging in vote-getting political talk when he made such specific promises in a series of farm speeches. So I must say to the farmers of America there is only one course for them to follow, and that is to proceed in the 1954 election to place a check upon the President by electing a Democratic Congress which will place on the doorstep of the White House an agricultural bill that will give the farmers the protection to which they are clearly entitled. Then we shall see whether the President will sign a bill in keeping with his campaign promises, or face a fight in the Senate on overriding his veto.

Mr. President, I now turn my attention to another subject.

The PRESIDING OFFICER. The Senator from Oregon has the floor.

THE DISTRICT OF COLUMBIA PUBLIC WORKS BILL

Mr. MORSE. Mr. President, the second topic I wish to take up this evening is a very brief comment with regard to the action taken by the Committee on the District of Columbia today on the public works bill.

The Committee on the District of Columbia voted to report the bill, as amended, by a 5-to-2 vote, with the understanding that all members had a perfect right on the floor of the Senate to urge the adoption of some amendments which were defeated in committee. I wish to speak about a few of the amendments.

Mr. President, I voted against the public works bill in committee, as did the Senator from Montana [Mr. MANSFIELD], because in my judgment it is an unfair bill. It is a bill which discriminates against people of the District of Columbia who do not have any political recourse, because they are truly taxed without representation. It is a bill which, in my judgment, many Members of Congress would not vote for if it were to be applied to their own States. Let me tell you, Mr. President, if Members were to apply the bill to their own States they would find themselves in such political hot water that they would boil in their own political indiscretion.

In my judgment, the bill is dangerous because it may be the forerunner of a national sales tax. What frightens me about the bill is that its application to a jurisdiction over which the Federal Government exercises authority is likely to be used as an argument for going further and adopting various phases of the bill as a national sales tax bill.

My record is one of unalterable opposition to a sales tax, either on the State level or on the national level, because it has no relationship whatever to ability to pay. It is a device for transferring onto the backs of people who are least able to pay the tax burden which ought to be assumed by the people of high income.

There is no escaping the fact that an income tax is the fairest of all taxes so far as taxes upon individuals are concerned. I shall not spoil my record in the Senate by voting to impose in the District of Columbia a tax on the groceries purchased by housewives.

I shall not spoil my record in the Senate of seeking to protect the interests of the American people by voting for a bill which places a tax upon meals in restaurants in the District of Columbia. I think, Mr. President, when we have reached the point where we undertake to place a tax on the very sustenance of life which taxpayers have to take into their stomachs in order to live, we have gone a long way in forgetting our obligation under the Constitution to follow a course of action in the Senate of the United States aimed at promoting the general welfare. In fact, the basic tenet of my philosophy of constitutional liberalism is to find an answer to each question which comes before me in the Senate on each side of an issue based on the general welfare.

In my judgment, Mr. President, a vote for the bill which was reported from the District of Columbia Committee today is not a vote for promoting the general welfare. We tried in committee, but lost by a vote of 4 to 3, to adopt my amendment which sought to strike the provision of the so-called public-works bill which included the so-called sales-tax provision, and to substitute therefor an increase in the Federal appropriation to the District of Columbia budget of $5,225,000 a year.

In my judgment, that is a sound amendment. It is sound for many reasons, but I wish to mention only 1 or 2 of the major reasons tonight, because I intend to discuss the question at greater length when the bill is before the Senate for debate.

The industry of the District of Columbia and the economic business of the District of Columbia are predominantly the industry and the business of Government. This is the Nation's Capital, and, for the most part, the economic life of the District takes the form of carrying on the activities of Government. I care not where we prick the economic life of the community, whether it is at the sewage level or whether it is at the level of maintaining the streets or the buildings or the Fire Department or the Police Department or whatever governmental function may be selected for consideration, the major cost of that function must be attributed to carrying on the business of the Federal Government in the District of Columbia.

Take, for example, the sewerage cost. Taking into account the total cost of the sewer system in the District of Columbia, most of it can be attributed to the carrying on of the functions of Government. In my judgment, any breakdown of the costs of operating the District of Columbia in respect to the sewerage system will show that we have not been and are not now contributing a fair share of the cost out of the Federal Treasury.

With reference to the operation of the streets and the building of a bridge or bridges across the Potomac River, there is talk on the part of politicians in the Congress that the taxpayers of the District of Columbia should pay a substantial portion of the cost of such bridges. I do not share that view. The bridges happen to be essential to the operation of the people's business in carrying on the functions of the Government. In my opinion, most of the cost of the bridges should be paid by the taxpayers of the Nation as a whole, through Federal appropriation, just as we pay most of the cost of carrying on Federal functions outside the District, functions which are vital to the transaction of the Federal business both here and overseas.

I believe that for a long time past we have been imposing upon the residents of the District of Columbia an undue share of the cost of maintaining these governmental services under the guise of saying that they really are municipal services. They are in fact true functions of the Federal Government, without the carrying on of which the Government itself would break down in the District of Columbia. The same statement applies to the maintenance of the Police Department, the Fire Department, and every other District of Columbia government cost.

Therefore, I think we should consider such items as a part of the cost of operating the Federal Government and make a much more substantial contribution to pay for them. That is why in committee I moved to strike the provisions of the bill which seek to raise a large part of the money by the imposition of sales taxes. My effort was to eliminate the proposed new taxes and to substitute in lieu thereof an out-and-out appropriation of $5,225,000. The vote, as I say, was 4 to 3, the motion losing by that close a margin.

The Senator from Montana [Mr. MANSFIELD] took my amendment and broke it up into its integral parts by offering single motions with reference to each one of the proposed increases in taxes in the District of Columbia bill. We lost again on each one of the motions by a vote of 4 to 3. We then lost on the final vote on the bill by a vote of 5 to 2. However, the Senator from West Virginia [Mr. NEELY], who had voted with the minority on all the other motions, made it clear that he reserved the right to support the individual motions on the floor of the Senate when they are raised, as they will be raised.

Then, Mr. President, we considered the tax on beer. The bill which the committee received from the House proposed to increase the tax on beer, the poor man's drink, to $1.75, as I recall. Some members of the committee proposed that it should be cut to $1.50, while the District Commissioners proposed the very high tax of $3 a barrel.

I moved to substitute for the $1.50 tax a provision which would levy the tax at the present rate of $1. I wish to review very quickly the three arguments I used in support of my motion.

First, the evidence is accumulating fast that there is a nationwide tendency to increase taxes on a very politically vulnerable group in the Nation, namely, the manufacturers of intoxicating liquors, which is resulting in a great increase in the illicit manufacture of alcoholic beverages. The evidence is very clear that home brew is on the increase in those jurisdictions in which, in recent times, there has been a substantial increase in the tax on the poor man's drink—beer.

As I said in committee, I can discuss this matter quite objectively, certainly with respect to any question as to whether I am speaking from the standpoint of appetite, because I have never consumed two jiggerfuls of alcoholic liquor in my life. I drink neither hard liquor nor so-called soft liquor—beer. Yet I have always tried to look at this subject from the standpoint of public policy. I have felt that the inhibition or restriction of the consumption of alcoholic liquor should come about through educational processes, through persuasion, and through appeal to the intellect, rather than to use the tax structure as a device for imposing penalties and seeking indirect prohibition.

I have always said, quite good naturedly, that if anyone wishes to insult the divine gift which the Creator gave to us when he endowed us with the wonderful mechanism we call the human body—if anyone wishes to insult it or abuse it by drinking intoxicating liquor, he will have to answer to himself for that, and he will get his answer, as we see from daily observations, and as we notice what the effects of overdoses of alcohol are on associates. He must also answer for his conduct which, in my judgment, really amounts to a form of sacrilege.

But, be that as it may, as a public servant, as the elected representative of a free people, I do not think that I am following a sound public policy when I seek to misuse the tax laws by imposing a penalty upon a group of manufacturers who, by law, are manufacturing a perfectly legal product, although it is a product I do not wish to use.

Neither do I think, Mr. President, that, as a public servant, I am following a very sound public policy when I use the tax device as a means of seeking to impose a form of prohibition, at least, upon those who cannot pay the increased prices which will result from what I believe to be unjust taxes.

I have taken this position before, and I have been criticized for it by various prohibition groups, who sometimes make the mistake too, as do other groups in our citizenry, of yielding to the temptation of following the fallacious argument that the end justifies the means. I do not accept that notion.

In connection with legislation involving the formation of any public policy, I consider the argument that the end justifies the means to be a dangerous one, and I shall never be a party to its use, even though it might be politically wise for me to do so, if I wished to free

myself from misunderstanding on the part of very sincere prohibition groups which think I ought to stay here and, because I am a teetotaler, be of assistance to them in imposing what I consider to be unfair, inequitable, unjust taxes upon an industry which is manufacturing what the Government, at least to date, has determined to be a perfectly legal product. If it is desired to make the product illegal, let us approach the question directly, and not through the indirect back door of inequitable, unfair, unjust tax imposition.

So I said in the committee today that I would not vote for higher taxes on beer, for a second reason, namely, that I thought it was an unfair tax.

Lastly, I think it is a highly discriminatory tax. I think it carries forward, but in an accentuated degree, the kind of discrimination which is to be found in the excise tax bill which has been sent to the White House to be signed by the President, a bill which, in my estimation, has failed to eliminate some of the unfair discrimination against manufacturers of products which now have to assume an excise tax, although manufacturers of other products have been, by the bill, freed from the tax or will have their tax reduced. In the whole field of durable goods, including automobiles, radios, television sets, and similar articles, I think the movement ought to have been toward a reduction of the taxes.

In my judgment, that principle likewise is sound in connection with what amounts, in effect, to an increase in the excise tax, on a local level, on beer.

So I wanted the RECORD to show today, immediately following the action of the Committee on the District of Columbia, that I believe there has been sent to the floor of the Senate a very unfair and very unjust bill; a bill which discriminates against the equitable interests of the residents of the District of Columbia; a bill which, in my judgment, would not have been reported if the people of the District of Columbia were not so politically vulnerable as they are. Would that they had a couple of United States Senators to represent them; or that they were in a position to vote for a couple of United States Senators to represent them; and, similarly, that they had a Representative or two in the House to speak for them.

I think that once the citizens of the District of Columbia were granted the voting privilege, once they were given true home rule, it would be found that the District of Columbia legislation passed by Congress would be greatly modified from the kind of legislation which too frequently passes Congress. After all, there is nothing the people of the District of Columbia can do about the situation, as citizens of the United States, politically speaking, because they are disfranchised citizens.

I shall not be a party to that kind of unfair legislation which is proposed for the District of Columbia.

Therefore, I shall stand on the record I made in the committee today, and upon the argument I have just completed on the floor of the Senate.

ADJOURNMENT TO MONDAY

Mr. FERGUSON. Mr. President, in acordance with the unanimous-consent agreement already entered, I move that the Senate now adjourn until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 58 minutes p. m.) the Senate adjourned, the adjournment being under the order previously entered, until Monday, April 5, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate April 1 (legislative day of March 1), 1954:

DIPLOMATIC AND FOREIGN SERVICE

Edward B. Lawson, of the District of Columbia, a Foreign Service officer of the class of career minister, now Envoy Extraordinary and Minister Plenipotentiary to Iceland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Israel.

RECONSTRUCTION FINANCE CORPORATION

Laurence Ballard Robbins, of Illinois, to be Administrator of the Reconstruction Finance Corporation.

UNITED STATES DISTRICT JUDGE

Bailey Aldrich, of Massachusetts, to be United States district judge for the district of Massachusetts, to fill a new position.

CONFIRMATIONS

Executive nominations confirmed by the Senate April 1 (legislative day of March 1), 1954:

POSTMASTERS

ALABAMA

Marjorie C. Joyner, Garland.
Frances J. Davis, Repton.
William F. Gregory, Rutledge.

CALIFORNIA

Joseph A. Grabill, Boulder Creek.
Catherine E. Warden, Carlotta.
Ernest L. Layton, Lower Lake.
Willis R. Jones, Olivehurst.
Boyce T. True, Pauma Valley.
Lucile A. Ingraham, Rio Dell.
Ada V. Keener, Rockport.
John F. Phillips, San Clemente.
Elmer H. Dean, Santa Monica.
Leon P. Scammon, Saugus.
William H. Wolf, Sharp Park.

CONNECTICUT

Helen C. Evangelist, Candlewood Isle.
Ruth Y. Lewis, Eastford.

ILLINOIS

Vernon F. Otto, Alhambra.
Alfred G. Waffle, Moline.

IOWA

William E. Boyd, Liscomb.
Fred E. Smith, Marble Rock.

KANSAS

James S. McCormick, Burr Oak.
Frederick H. Boyd, Fowler.
Wesley V. Joy, Narka.
Ivan D. Holland, Olathe.
Edward J. Spineto, Pittsburg.

KENTUCKY

John R. Lawton, Central City.

MASSACHUSETTS

Joseph E. Yelle, Norton.

MICHIGAN

Lawrence J. Brautigan, Grosse Ile.
William A. Munroe, Saginaw.
John A. Dickey, Whittemore.

MINNESOTA

Charles V. Miller, Jr., Darwin.
Bertha S. Bosin, Rapidan.

MONTANA

Gordon G. Garrick, Outlook.

NEW JERSEY

Allan B. Nixon, Moorestown.
Clifford C. Cooper, Navesink.
William L. Kessler, Normandy Beach.

NEW YORK

Ralph Britton, Rensselaerville.

OHIO

Theodore Buehrer, Archbold.
Arthur E. Cornwell, Athens.
Elizabeth S. Donnett, Bidwell.
Edwin W. Kerr, Big Prairie.
Albert F. Bilek, Brecksville.
James W. Overholt, Bucyrus.
Paul F. Ralston, Chillicothe.
Willard Alton Drown, Clyde.
Robert A. Pouttu, Gates Mills.
Olive E. Starkey, Glenford.
Russell W. Carter, Mason.
William K. Wobbecke, Jr., Newark.
John E. Singleman, New Weston.
Albert Russell, Pomeroy.
Dorsel C. Riebel, Reedsville.
Russell L. Lorenzen, Sandusky.
Edwin S. Naus, Upper Sandusky.
Lyle M. Shumaker, Wauseon.
Sherman O. Kreischer, Westerville.
William H. Maxwell, West Lafayette.
Robert E. Hensel, West Manchester.

OREGON

Bill G. Crowther, Banks.
George L. Evans, Central Point.
Walter J. Beumer, Depoe Bay.
John R. Metsger, Sandy.

PENNSYLVANIA

Francis J. Yanes, Brockton.
Edwin J. Carr, Hartsville.
Michael B. Krell, Lansford.
Doyle H. Brewer, Orangeville.
Harry L. Schaefer, Ralston.

SOUTH DAKOTA

Orvis M. Gantvoort, Castlewood.

TENNESSEE

James B. Garner, Alcoa.
Samuel Shelton Crass, Jr., Oliver Springs.
Daniel B. Shofner, Shelbyville.

UTAH

Frances P. Russell, Wendover.

WISCONSIN

Benjamin C. Hoffman, Helenville.
Mac Marshall, Jr., La Farge.
Frank W. Ocain, Redgranite.

HOUSE OF REPRESENTATIVES

THURSDAY, APRIL 1, 1954

The House met at 11 o'clock a. m.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

O Thou who art the God and Father of us all, we thank Thee for the privilege of communing with Thee in the fellowship of prayer.

We pray that Thou wilt come nearer unto us with Thy companionship and counsel than we have ever known.

May we be inspired with a new and greater faith in Thy divine power and wisdom, for we are very conscious of our own limitations as we face hard tasks and heavy burdens.

Wilt Thou bless every effort that the Congress is making to bring more of the