There follows now a preliminary memo on the problem prepared at my request by the American Council of Learned Societies:

"LANGUAGE PREPAREDNESS FOR NATIONAL SECURITY

"(A preliminary statement prepared by the American Council of Learned Societies, August 11, 1954)

"One of the aspects of a cold war is the constant danger of having one's opponent always prepared to take advantage of a local situation to further his own ends. For example, during the last 5 years Russian training centers have been producing graduates in Arab dialects spoken from Morocco to Indonesia. In this way, the Russians have produced persons capable of representing their government, and—even more important—their ideology, to millions of people. Meanwhile, America is incapable of waging this type of war for men's minds.

"This aspect of national defense has been woefully neglected. The newspapers the last few days have been headlining a crisis in Morocco. Who is competent either to report this situation accurately or to foresee developments vital to American interests? With the exception of the too few trained specialists, unable to work 24 hours a day for more than a few days at a time, there is no one.

"How can we best overtake the Russian lead in this race for the confidence and understanding of other peoples? Only by recognizing our weakness immediately and bracing ourselves to meet it. Fortunately, we are not entirely without resources. The American Council of Learned Societies before and during the Second World War spearheaded a language offensive. At that time the council had the vision to predict the importance of foreign-language training not only as a weapon for war but also as a potential weapon for peace.

"With the impetus of a crisis situation, support was forthcoming from the War Department and 30 textbooks, as well as recordings and dictionaries, were prepared and hundreds of persons received basic language training. This effort was new and was, in large part, experimental. Just as the techniques were beginning to prove themselves—and just as a Korean-English dictionary was ready for publication—the war ended. And so did Government interest in language training; the work was stopped, and that Korean dictionary has never been printed. As a result, the outbreak of the Korean war caught the United States in a little publicized but severely felt state of language unpreparedness; most of the nonnative knowledge of the Korean language was concentrated north rather than south of the Yalu River.

"The year 1954 found America deeply concerned with Vietnam. Who in the United States could read and understand any of the languages of Indochina? With one or two exceptions, only a few emigrees from those countries. How long can this Nation afford this type of ignorance? At the end of 1952 the Department of State had exactly one Thailand expert. In 1953 its man in charge of Thai language training was the victim of reduction in force. Last week, following the Vietnam armistice, we learned that Thailand was next in line. Is this economy?

"Recent elections in Andhra (south India) resulted in substantial gains for the Communist element and put it in opposition to a coalition group which is at least temporarily in power. The United States is greatly handicapped in this connection since no one connected with our Government can read Telegu, the language of the area.

"American inferiority in the language field cannot be remedied overnight through intensive training of a large number of persons in little-known languages. We are further behind than that in that we lack the necessary tools—textbooks, graded readers, and dictionaries which are indispensable to such training. What is even worse, we have an extremely limited reservoir of specialists capable of producing these tools. Mere knowledge of a foreign language does not qualify a person for this. Special training is an essential. For example, the American Council of Learned Societies, with limited private support, is making three dictionaries: Korean-English, Indonesian-English, and Burmese-English. Even with more money, what more could be done at this time? A fourth dictionary could be started, say for Arabic, or Persian, or the language of Afghanistan; and, with great difficulty, perhaps a fifth, but that would be the limit under present conditions. The only way that the situation could be improved, even during the next 10 years, would be the immediate establishment of a long-range program carrying adequate support.

"And where must this support come from? The task is so tremendous that no private source of funds, such as a foundation, no matter how interested and how generously inclined, can make more than a dent on it. The process is so expensive that no commercial organizations could or would attempt it. It is a national responsibility and, as such, must be nationally supported. Unfortunately, the Russians have found this out. They have recognized the production of language tools as being comparable in importance to the production of armaments and have made government funds available for this purpose. Hence, they have reached a point where they can report in Pravda as having 80 dictionaries in process.

"We should not make the mistake, however, of thinking that if sufficient funds could be made available tomorrow that we could begin making 80 dictionaries. With our limited resources of trained specialists, we must begin by the wise use of comparatively modest funds to be expended almost entirely for training. This training should, in the first instance, be directed toward those areas of most obvious strategic importance to American security—southeast Asia and the Arabic world. Recognition by the Congress of the urgency of this aspect of the national defense would go far toward mending the roof before the present showers become a cloudburst."

New Assistant Secretary of Health, Education, and Welfare, Mr. Bradshaw Mintener

EXTENSION OF REMARKS

OF

HON. WALTER H. JUDD

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, August 11, 1954

Mr. JUDD. Mr. Speaker, the President and Secretary Hobby are to be congratulated on securing Mr. Bradshaw Mintener, of Minneapolis, as Assistant Secretary of Health, Education, and Welfare, with special responsibility for Federal-State relations. This is a very important post because so many of the activities of that Department are joint operations of the Federal and local governments—such as, social security, vocational education and rehabilitation, hospital construction, food and drug administration. Mr. Mintener has had a distinguished career as vice president and general counsel of Pillsbury Mills—and, like so many other officials of this administration, is making a great personal sacrifice to accept this appointment. That is in harmony with the public-spiritedness we in Minnesota have seen Mr. Mintener demonstrate in the many church, interracial, and civic tasks he has accepted in the past and always discharged with distinction. Under leave to extend my remarks, I wish to include an editorial from the Minneapolis Star of August 6, 1954:

THE ABLE MR. MINTENER

Bradshaw Mintener was a key figure in the movement which resulted in a clear call from Minnesota for the nomination of Mintener's old friend, Dwight D. Eisenhower, for the Presidency. Now the President has summoned his good friend to Washington to be Assistant Secretary of Health, Education, and Welfare. But this is no mere paying off of a political or personal debt. The President knows the fine legal and human qualities of the Minneapolis attorney. This city and this State long ago learned that important projects entrusted to Mintener's care were quickly and competently handled. The National Government soon will learn the same.

SENATE

THURSDAY, AUGUST 12, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

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

Eternal God, Father of our spirits in whose peace our restless, feverish hearts are quieted, from the flickering torches of our own understanding, we would lift the perplexing decisions of the public service and of the Nation's welfare into Thy holy light. Make us, in the purity and integrity of our inner lives, such men that Thou mayest speak to us and through us to this bewildered and groping generation.

In these anxious days, when the destinies of nations hang in the balance, when the tensions of human relationships are like waters tossed and troubled, great God of all the earth, lead us to know the worth of sympathy. May brotherhood increase. May all contentions cease, and nations dwell in peace and unity. In the dear Redeemer's name we pray. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, August 11, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed a joint resolution (H. J. Res. 118) to designate the 1st day of May 1955 as Loyalty Day, in which it requested the concurrence of the Senate.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

COMMITTEE MEETING DURING SENATE SESSION

Mr. KNOWLAND. Mr. President, after consultation with the minority leader I ask unanimous consent that the Senate Permanent Subcommittee on Investigations of the Committee on Government Operations be given permission to meet during the session of the Senate today.

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

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.

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

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

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

The Chief Clerk proceeded to call the roll.

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

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

Morning business is in order.

LAWS ENACTED BY MUNICIPAL COUNCIL OF ST. THOMAS AND ST. JOHN, V. I.

The PRESIDENT pro tempore laid before the Senate a letter from the Assistant Secretary of the Interior, transmitting, pursuant to law, copies of laws enacted by the Municipal Council of St. Thomas and St. John, V. I., which, with the accompanying papers, was referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LONG, from the Committee on Finance, with amendments:

S. 3447. A bill to amend the Internal Revenue Code to permit the filling of oral prescriptions for certain drugs, and for other purposes (Rept. No. 2471).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, without amendment:

S. 3108. A bill to modify the act of October 8, 1940 (54 Stat. 1020) and the act of July 24, 1947 (61 Stat. 418) with respect to the recoupment of certain public-school construction costs in Minnesota (Rept. No. 2483);

H. R. 2154. A bill authorizing the issuance of a patent in fee to Leona Hungry (Rept. No. 2473); and

H. R. 7813. A bill authorizing the Secretary of the Interior to adjust or cancel certain charges on the Milk River project (Rept. No. 2481).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, with an amendment:

S. 2153. A bill to authorize the transfer of certain property to the State of Minnesota, and for other purposes (Rept. No. 2484).

By Mr. WATKINS, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 5301. A bill to supplement the Federal reclamation laws by providing for Federal cooperation in non-Federal projects and for participation by non-Federal agencies in Federal projects (Rept. No. 2472).

By Mr. DWORSHAK, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7881. A bill to validate a conveyance of certain lands by Southern Pacific Railroad Co., and its lessee, Southern Pacific Co., to Morgan Hopkins, Inc. (Rept. No. 2474); and

H. R. 8205. A bill to authorize the conveyance by the Secretary of the Interior to Virginia Electric & Power Co. of a perpetual easement of right-of-way for electric transmission line purposes across lands of the Richmond National Battlefield Park, Va., such easement to be granted in exchange for, and in consideration of, the conveyance for park purposes of approximately 6 acres of land adjoining the park (Rept. No. 2475).

By Mr. BARRETT, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 9981. A bill to provide for the construction of distribution systems on authorized Federal reclamation projects by irrigation districts and other public agencies (Rept. No. 2476).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, without amendment:

H. R. 7229. A bill to provide for the conveyance to T. M. Pratt and Annita C. Pratt of certain real property in Stevens County, Wash. (Rept. No. 2477).

By Mr. KUCHEL, from the Committee on Interior and Insular Affairs, with amendments:

H. R. 8498. A bill authorizing construction of works to reestablish for the Palo Verde Irrigation District, Calif., a means of diversion of its irrigation water supply from the Colorado River, and for other purposes (Rept. No. 2482).

By Mr. CARLSON, from the Committee on Post Office and Civil Service, without amendment:

H. R. 5718. A bill to limit the period for collection by the United States of compensation received by officers and employees in violation of the dual compensation laws (Rept. No. 2478);

H. R. 7785. A bill to amend the Civil Service Retirement Act of May 29, 1930, to make permanent the increases in regular annuities provided by the act of July 16, 1952, and to extend such increases to additional annuities purchased by voluntary contributions (Rept. No. 2479); and

H. R. 9825. A bill to authorize the Postmaster General to prohibit or regulate the use of Government property under his custody and control for the parking or storage of vehicles (Rept. No. 2480).

BILLS INTRODUCED

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

By Mr. BARRETT:

S. 3861. A bill for the relief of Theresa Pok Lim Kim; to the Committee on the Judiciary.

By Mr. MUNDT:

S. 3862. A bill to authorize the Secretary of Agriculture to exchange certain lands in Pennington County, S. Dak.; to the Committee on Agriculture and Forestry.

HOUSE JOINT RESOLUTION REFERRED

The joint resolution (H. J. Res. 118) to designate the 1st day of May 1955 as Loyalty Day was read twice by its title and referred to the Committee on the Judiciary.

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

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

By Mr. REYNOLDS:

Letter written by him in response to requests for Government assistance in connection with certain practices in the automobile industry.

FARMERS HOME ADMINISTRATION—LETTER FROM THE ADMINISTRATOR

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD a letter dated August 9, 1954, which I received from the Farmers' Home Administration, United States Department of Agriculture.

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

UNITED STATES
DEPARTMENT OF AGRICULTURE,
FARMERS HOME ADMINISTRATION,
Washington, D. C., August 9, 1954.

Hon. GEORGE D. AIKEN,
United States Senate.

DEAR SENATOR AIKEN: I do not believe it would be proper for me to see this Congress adjourn without expressing to you and members of your committee and to all of the Members of the Senate my sincere appreciation for the wonderful cooperation which I have received as Administrator of the Farmers' Home Administration during my first year in that capacity.

The action which you have taken in this session to extend and enlarge the water facilities and conservation loans as well as the amendment to the Bankhead-Jones Farm Tenant Act are very significant. These acts will make a major contribution to a stable agriculture in the United States and its Territories.

I think it outstanding and should so be expressed that at no time in any single instance has undue pressure been exerted upon me or any member of my staff by any Member of Congress toward the making of any loan. In many instances Members of Congress have properly requested information regarding the status of loan applications from their constituents. We hope that in all cases we have delivered this information properly and sufficiently.

My staff joins me in expressing sincere thanks for this cooperation and to assure you as well as every Member of Congress that it's fully appreciated.

Sincerely yours,

R. B. MCLEAISH,
Administrator.

FARM LEGISLATION

Mr. AIKEN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an editorial entitled "A Major Triumph," published in the New York Times of August 11, 1954; an editorial entitled, "Two Victories for Sense Over Nonsense," published in the Baltimore Sun of August 11, 1954; and an editorial entitled "The Farm Victory," published in the New York Herald

Tribune of August 11, 1954, all of which relate to the farm situation.

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

[From the New York Times of August 11, 1954]

A MAJOR TRIUMPH

When the Senate voted, 49 to 44, on Monday night, to substitute a system of flexible price supports for the rigid 90 percent supports obtaining on 5 of the Nation's so-called basic farm commodities, it recorded a victory for the administration in one of the most difficult and most important struggles of its entire legislative program to date.

Up to 1942 flexible price supports were established farm policy for this country. In the prewar years the Secretary of Agriculture could determine at his own discretion each year what percentage of parity would be regarded as a reasonable floor to be maintained under each of these commodities. He was limited only by a minimum of 52 percent of parity and a maximum of 75 percent. In selecting the support level for a commodity for any given year, he was guided predominantly by the supply situation in that commodity. In 1942, however, during World War II, American agriculture, like American industry, was faced with an unprecedented production challenge. It had to meet not only the needs of the civilian population at home but also a large part of the requirements of our own Armed Forces and those of our allies.

In order to stimulate agricultural output, the Government underwrote this production effort through emergency legislation which, among other things, set 90 percent of parity as the fixed floor under basic commodities for the duration of the war. Foreseeing that the farmer would require a reasonable amount of time to readjust production to peacetime conditions, Congress provided that the 90 percent supports should continue in effect for 2 years after the President had declared the war emergency at an end. President Truman issued that proclamation December 31, 1946, so the emergency supports should have gone out of existence beginning with the crop year 1949, or 5 years ago. But the powerfully entrenched farm bloc has succeeded up to now in postponing the effective date for this provision of the law every time it drew near. The last such postponement came in midsummer 1952 on the eve of the Democratic Convention.

In this week's Senate debate, as well as many times before, advocates of 90 percent supports have charged that President Eisenhower campaigned on a promise to continue 90 percent supports, and that he has since broken that promise. This is a complete misrepresentation of Mr. Eisenhower's position. In reply to opponents who suggested that if elected he would demand the repeal of the 2-year extension voted in 1952 he denied that he had any such intention. He recognized, he said, a legal and moral obligation to administer that legislation so long as it was on the statute books. However, he made it clear at the same time that he would use that interval to study the farm problem in consultation with the farmers themselves and with the country's best experts in the field.

This is precisely what he did, and as a result, last January 11, in a special message to Congress he outlined his program, which, like the measure sponsored by Senator CLINTON P. ANDERSON in 1949, included provision for flexible supports for the basic commodities, within a range of 75 to 90 percent of parity. As had been expected, the measure emerged from the Agriculture Committees of both Houses with the 90 percent support level restored. In the House the administration succeeded in knocking that provision out in favor of a flexible provision ranging from 82½ to 90 percent of parity. Since the formula agreed on now in the Senate is identical with the House provision, this means that it can't be tampered with in conference committee.

Following its action in upholding the administration in its fight for flexible supports the Senate on Monday night and yesterday voted down the only two other seriously undesirable provisions that had been tacked on by the Agriculture Committee. It upheld the decision of Secretary of Agriculture Ezra T. Benson, who, exercising his discretion under the law, had reduced the support level of dairy products this year to 75 percent of parity. It also rejected a proposed committee amendment which would have made supports mandatory for small feed grains—oats, rye, barley, and grain sorghums.

The breakaway from 90 percent farm price supports is not going to produce any miraculous changes in the farm situation overnight. But it was a step that had to be achieved before any real progress could be made in ridding the Nation of the incubus of the continuously mounting farm commodity surplus. It represents a basic change of direction in economic policy whose long-term importance can hardly be exaggerated.

[From the Baltimore Sun of August 11, 1954]

TWO VICTORIES FOR SENSE OVER NONSENSE

As of this writing, the Senate has gone along with the House of Representatives and accepted the principle, at least, of flexible support for the prices of five basic farm commodities. The outcome constitutes a major victory for President Eisenhower, one comparable to the vote which admitted that it was unjust to subject the dividends of corporations to double taxation.

In both cases, the victory is a partial one. The flexibility in support prices will be sharply limited in range and the tax abatement on dividends will prove, for most owners of common stocks, to be something more like a sprinkle of dollars than a downpour. Still the principle is established and that is what honest men are thankful for.

It is not easy, in matters like these, for commonsense and decency to win out over demagoguery. It has not happened often in the last twenty-odd years. In the matter of double taxation, the demagogs really went to town. All the old bugaboos—Wall Street, princes of privilege, grinding the poor, taking bread out of the mouths of women and children—were dusted off and waved around in the Halls of Congress. The journals which specialize in such play-acting are still shrieking. But a majority of both Houses stood firm in support of the President and he had his way.

When the problem of flexible supports came up, the breastbeaters had another week or so of the same kind of stuff. Senator LEHMAN, of New York, probably with one eye on the upstate farm vote and with full knowledge that his New York City supporters would vote for him regardless, forgot about the taxpayers and consumers he pretends to protect and rushed to the support of the tillers of the soil.

Of course, he wasn't the only one. From the speeches made one would have supposed that every farmer in the United States would be forced into bankruptcy and that all the rest of us would soon be brought face to face with starvation. Some Senators even went so far as to argue that the vast surpluses produced by the rigid support system were a good thing for farmers, instead of threatening the whole farm price structure with collapse as they do.

But despite all this rodomontade, commonsense and common fairness won again. Two victories in a row over the demagogs is not a bad record for Mr. Eisenhower. Maybe it means that the country has finally concluded that 2 and 2 don't make 5.

[From the New York Herald Tribune of August 11, 1954]

THE FARM VICTORY

It was a tight squeeze, but the Senate has voted 49 to 44 to establish lower and flexible price supports for the major farm products. The House has already accepted the principle; the victory is now complete. Economic sense has triumphed over shortsighted political considerations. At last it is agreed, despite all the chronic obstructionism, that high rigid supports cannot be allowed to endure.

The proposition is simply that this country's agriculture should not keep on producing price-propped surpluses which become increasingly unmanageable. The aim is to achieve a better balance between production and consumption, to provide better markets and to lead the way toward fewer controls. Sensible people have long recognized the wisdom of flexible supports—that sooner or later the step toward diminished subsidy had to be taken. But each year since the war Congress has regularly clung to one extension after another, all the while knowing the idea was wrong and that gradual adjustment would have to be applied eventually. The consumers needed relief, the taxpayers needed help, and the farsighted farmers were also well aware of the essential injustice of being overly protected. Yet it takes a lot of courage to resist organized pressure, and the easy way out was to tolerate subsidy and more surpluses.

There comes a time, however, when sanity and determination assert themselves, when leadership insists upon a corrective program, moderate in details, which is for the good of all the people. That is what President Eisenhower has done, with the valiant assistance of Secretary Benson. Government will continue to help agriculture over the rough spots, but not so blindly that the rest of the population is made to suffer. It is a tremendous accomplishment, one that was boldly conceived and energetically driven through.

THE FLEXIBLE PRICE-SUPPORT PROGRAM

Mr. WATKINS. Mr. President, it is with a great deal of personal satisfaction that I view the Senate's action of Tuesday supporting President Eisenhower's flexible price-support program. The institution of a system of flexible price supports, instead of fixed 90 percent price supports, which have resulted in unmanageable surpluses, clearly represents a long overdue and far-reaching change in agricultural policy.

It not only offers reasonable price protection to the growers of basic commodities, but it also provides a realistic method of adjusting farm production of the basic commodities to our consumptive needs. This it does by permitting the law of supply and demand to function more freely, with market price the regulator. Given time, it will result in production for consumption, instead of for Government storage. It also ultimately means less Government control of individual farming operations, since once the market influence is felt, production controls will not be needed.

Secretary Benson is to be congratulated for the statesmanlike manner in which he has presented to the American public the case for a flexible price-support program. We in Utah are very proud of him, as are all thinking farmers throughout this great country.

A timely editorial from the New York Times of August 11, 1954, depicts the Senate action of Tuesday as a major triumph not only for this administration, but the American farmer as well. This editorial is printed in today's RECORD as part of the remarks of the Senator from Vermont [Mr. AIKEN].

PROPOSED TREATY RESTRICTIONS—STATEMENT BY SENATOR WILEY

Mr. WILEY. Mr. President, I shall take the time of the Senate for but a few minutes to comment on the issue of treaty law and the United States Constitution.

It had not been my intention to take the time of the Senate during any of the remaining days of the session for a discussion of this subject. We had already taken a considerable proportion of this entire session in debating Senate Joint Resolution 1. The pros and cons have long since been set forth so completely as probably not to require much, if any, elaboration.

However, last Thursday, August 5, my distinguished associate, the senior Senator from Ohio, commented at length on this subject at the time he introduced Senate Joint Resolution 181.

I feel that comments which he made at that time and as are recorded on pages 13456–13460 of the RECORD, should not go unanswered. For brevity's sake, I shall ask consent that certain material in my statement which follows merely be printed in the RECORD; it is not my purpose to resume now full oral debate on the amendment which bears my colleague's name. I think that both he and I have long since made known our record. Moreover, the Senate, confronted as it is, in these closing days, by a mass of other legislation, should not be faced with another verbal marathon on this subject.

AMERICANS SHOULD REPUDIATE SENATE JOINT RESOLUTION 181

My colleague from Ohio stated that he was introducing his resolution in order to "facilitate the educational and political activity of patriotic Americans in the months ahead."

It is my earnest hope that there will indeed be "educational and political activity" carried on prior to the onset of the 84th Congress. I trust and believe that the American people will register decisively their enlightened repudiation of Senate Joint Resolution 181. I trust they will show definitely that they are not in favor of emasculating the United States Constitution under the guise of defending the Constitution.

They are not in favor of shackling the hands of the President of the United States under the guise of protecting us from some future President. They are not in favor of altering the historic system of checks and balances between the three branches; specifically, they are not in favor of depriving the Chief Executive of our country of authority which, since the beginning of our Constitution, has historically been lodged within the executive branch.

My colleague from Ohio said that, "the fight for protection against treaty law has only just begun."

I can assure him that the fight to protect the United States Constitution has indeed only just begun. It has only just begun against those who for high, patriotic, but misguided motives, would violate the basic spirit of the Constitution.

Were the hour not so late in this session, I would refute in detail each of the hobgoblin arguments raised by my colleague from Ohio—each of the false scares designed to frighten the American people into believing that they are the victims of certain imaginary dangers.

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

THE MISREPRESENTATIONS OF "INTERNATIONALISM"

One notes, for example, in every defense of Senate Joint Resolution 1 and its offspring—repeated used of such scare-words as "world government," "violation of United States sovereignty," "rabid internationalism," etc.

Proponents of the resolution consistently try to conjure up panicky fantasies of an "army" of internationalists, on Capitol Hill and throughout America, seeking to destroy the United States Constitution through various treaties and agreements.

I say, however, that such characterizations are totally unfair and totally misrepresent the issue.

Why? Because the issue today is not fantasy; it is war or peace, progress or destruction of civilization.

If there is anything which recent events on the world scene have proven, it is that the United States must collaborate against the danger of international communism in a spirit of partnership and friendship with all like-minded nations.

This view was most recently expounded by the President of the United States in his splendid emphasis on "the good partner."

I might point out incidentally that my colleague from Ohio was significantly silent with regard to the position of the President of the United States against his own resolution. Why? Because no one more keenly understands the need for progress in international cooperation than the Chief Executive of our country, and that is why he has time after time reiterated his "unalterable opposition" to the basic resolution offered by the gentleman from Ohio.

The current offshoot, Senate Joint Resolution 181, does not differ from the basic formula of previous versions which had been offered and defeated.

The spirit of the infamous "which" clause remains, although the "which" phrase as such, has "conveniently" been omitted. "A rose by any other name smells as sweet" but a very unrosy amendment, in spite of minor language changes, is just as unpleasant and objectionable.

Lest my remarks be misunderstood, I can assure one and all that there is nothing personal in differences between my friend from Ohio and myself. We happen to differ strongly on this issue, but I have never questioned the patriotism of his motives nor the zeal with which he has defended what he sincerely feels to be in the best interests of our country. I wish that we could always debate this issue on the high plane of principle.

I wish, moreover, that with my friend's great ability he could devote himself to more meaningful problems of international relations to the extent that his diligent labors as chairman of the Commerce Committee will permit.

WE ARE NOT MENACED BY "INTERNATIONALISTS"

After all, we are not genuine menaced by so-called "internationalists."

The actual number of people who believe in world government, world currency, world taxes, world legislation, and the like, are very, very few; and certainly they do not include the senior Senator from Wisconsin nor any responsible individual in the executive branch of Government.

No, we are not menaced by the "internationalists."

We are menaced by the Soviet Union, and by the terrible danger of the A-bomb and the H-bomb in Soviet hands. What is the answer of my colleague from Ohio to that latter menace? Why does he not direct his great talents toward a meaningful solution to that problem?

He had been a long-time, highly esteemed chief executive of a great sovereign State. Why does he not assist America's Chief Executive in tackling current specific grave international problems?

Thus, what is my Ohio friend's answer to the problem of the Communist conspiracy against Thailand, against Burma, against Malaya?

What is his answer to the problem of the unsettled Middle East, of improving our relations with Latin America? What is his answer to the need for an enforcible system of international control of the most violent instruments of destruction, if it is obtainable with genuine security for ourselves and others? What is his answer to these and a score of other pressing problems on the world scene, most of which will require treaties and agreements and other instrumentalities? And what is the answer of the supporters of his resolution?

With all the world aflame, is their answer that America should stick its head in the ground like an ostrich?

What kind of an answer is that? How frightened do you think the Russians would be by news that the United States Constitution had been amended so that the United States will have retreated from world affairs?

Is that the message which supporters of Senate Joint Resolution 181 want to convey to the troubled world?

Do the supporters of Senate Joint Resolution 181 want us to forget the Soviet Union and remember only the so-called internationalists?

If so, the situation is analogous to a scene where a city is burning up, just as the world today is aflame. But a few misguided individuals run through the burning streets, yelling, "Beware of the fire department. Beware of the friends of the fire department. They seek expanded power against fires."

Yes, these misguided individuals complain not against the arsonists who have set the fire, but against forces of law and order—against the United Nations, against Allied diplomacy—all of whom are trying to strengthen international law and collaboration so that the arsonists cannot burn down the world.

Judging from certain propaganda literature of many of the more extreme supporters of Senate Joint Resolution 181, in their unreal world of myth and fantasy, it is not Communists who are the aggressors today but internationalists.

And strangely enough, the very patriots who are striving hardest against international communism are curiously lumped together with the Communists as allegedly favoring internationalism.

In this extremist literature, we read that every international treaty is a plot; every agreement is a cabal; every international meeting is a conspiracy. The fire department is purported to be the menace, and not the fire or the arsonists.

This is twisted logic indeed, and it is not the sort of thinking which will appeal to the American people.

Fortunately, there has been a great awakening among the American people on the issue of Senate Joint Resolution 1 and its companion resolutions.

The issue has always had a certain sort of surface appeal, a certain type of glamor. After all, who is not for United States sovereignty?

But the issue is not our sovereignty; the issue is our survival. Dwight D. Eisenhower is not abandoning our sovereignty; he is ably fighting for our very survival as a Nation and a people.

It is the good fortune of America that the Senate during the 83d Congress has not blotted its record by adopting Senate Joint Resolution 1 or 181 or their offshoots.

NUMEROUS CONSERVATIVE SENATORS OPPOSED BRICKER AMENDMENT

I remind the Senator from Ohio that on February 26, 1954, after weeks and weeks of debate even a greatly restricted version of Senate Joint Resolution 1 failed of the necessary two-thirds vote.

And I ask him frankly, do his supporters question the patriotism of the 31 Senators who voted against the amendment?

Does anyone purport to denounce as a so-called internationalist, the senior Senator from Arizona [Mr. HAYDEN] or the senior Senator from Michigan [Mr. FERGUSON], or our colleagues from Maryland [Mr. BEALL], or New Hampshire [Mr. UPTON], or Connecticut [Mr. PURTELL], or Massachusetts [Mr. SALTONSTALL]?

These distinguished Senators, like the others in whose ranks I was pleased to vote, are men who love the Constitution as readily as do the Senators who voted on the opposite side of this issue. They respect United States sovereignty as devotedly as does the universally esteemed senior Senator from Georgia [Mr. GEORGE], who had contributed so significantly to the debate on this as on every other major foreign policy problem, even though many of us on this one particular occasion found that, sadly and unfortunately, we could not agree with him.

I remind the senior Senator from Ohio that the amendment offered by the Senator from Georgia and approved on February 26 had, in section 2, dropped all reference to treaties, and merely provided that "an international agreement other than a treaty shall become effective as internal law in the United States only by an act of the Congress."

Thus the modified George amendment omitted treaty reference, aside from section 1, yet the proponents of Senate Joint Resolution 1 had been going up and down the land, denouncing treaties. Yet when it came to a showdown, restrictions on treaties were dropped by the wayside, and justifiably so.

ETERNAL VIGILANCE ALONE WILL SAVE AMERICA

Now, there is nothing in Senate Joint Resolution 181 or in any of its forms which cannot be achieved by the eternal vigilance of the American people.

It is conceivable that some day a dangerous treaty or agreement may be offered and signed. At that time, unless the American people are vigilant, neither the pending amendment to the Constitution nor a hundred such amendments would protect America's liberties.

There is no such thing as a "built-in automatic" insurance against unwise foreign policy or against tyrannical government. Either our people are alert to dangers, or they fall asleep.

The treaty amendment is therefore totally unnecessary at the least, and extremely dangerous, at the most.

SCARE PROPAGANDA WELL FINANCED

The fact of the matter is, however, that a great many well-respected American groups have become unduly aroused on this treaty issue, and are needlessly fearful that somehow their liberties are being endangered by treaty law.

Accordingly, they have devoted a great deal of misspent energy and vast amounts of finances toward flooding the country with scare propaganda.

There is hardly a single American group which has not been impacted by hobgoblin literature designed to frighten Americans out of their wits and panic them into isolationist frenzy.

I urge, therefore, all thinking Americans who have perceived the problem clearly, to mobilize their energies, to mobilize their resources so as to dispel the smokescreens, the fear propaganda which permitted the modified amendment to come within one vote of ominous victory in the Senate.

I urge all thinking Americans to organize at the grassroots against those who would worsen the George substitute and who would panic America into violating the United States Constitution.

MISREPRESENTATIONS OF STATUS OF FORCES AGREEMENT

Much of the scare propaganda has been directed against the NATO Status of Forces Agreement. My colleague from Ohio has had a good deal to say on that issue and has inserted in the RECORD a considerable body of material, as is his right. To clarify a subject which has become considerably clouded, let me state that the agreement, which is incidentally a treaty, even though it is termed an "agreement," was ratified by President Eisenhower on July 24, 1953. The United States Senate gave its consent 9 days earlier by a resounding vote of 72–15. The agreement was wholeheartedly endorsed by the President, and by all of our leading military spokesmen.

Yet a tremendous amount of phony propaganda has been deluging the people of the United States to the effect that under this Status of Forces Agreement, we somehow "gave up" the liberties of our American servicemen abroad. Nothing is further from the truth.

The agreement definitely did not give foreign governments new powers over our overseas forces. It actually modified powers which foreign governments already had. It should be borne in mind that foreign governments ordinarily, in the absence of a treaty or agreement, have jurisdiction over alien nationals within their territory. But under the agreement, a large measure of jurisdiction over our forces was given to ourselves. As the report of our Senate Foreign Relations Committee showed, under the agreement, "The United States will acquire a number of new rights in the field of criminal jurisdiction." And, "The United States gives up no rights over our troops in Europe which we now have in respect to criminal jurisdiction or to any other matter."

If we were to abandon the agreement, as some people unwisely propose, foreign governments would regain full jurisdiction over American troops, rather than having the present partial jurisdiction.

If we were to abandon the agreement, American troops would lose all the many other benefits of the agreement, among which are exemption from passport and visa requirements, exemption from immigration inspection, exemption from certain taxes, the right to import free of duty personal effects and vehicles.

Yet, a great many misguided individuals are trying to propagandize for abandonment of the agreement. They are trying to spread inaccurate sensational reports about the case of two American servicemen who were guilty of offenses in a foreign land. These boys were given competent counsel during the trial; they were assured every single fundamental safeguard that they would have received in a United States court, their rights were not jeopardized in the slightest. The men did not even desire to appeal the sentences which they received; for after conviction they did not receive the maximum punishment.

But, according to the scare propaganda which has been spread, one would think that because of the status of forces agreement, the rights of these and other Americans had been prejudiced, which was definitely not the case.

SECTION BY SECTION ANALYSIS OF SENATE JOINT RESOLUTION 181

Now, let us take a direct look at the provisions of the amendment which my friend from Ohio says that he is going to readvocate next year.

The first section reads as follows:

"SECTION 1. A provision of a treaty or other international agreement which conflicts with this Constitution, or which is not made in pursuance thereof, shall not be the supreme law of the land nor be of any force or effect."

Senator BRICKER says that "this section has been endorsed in principle by the Eisenhower administration."

I am very glad that he added the words "in principle." The texts of his various versions of section 1, although similar in language, would have had very different effects if they had ever been adopted. I have not had time to examine all of the possible consequences of this section. It is possible that the Eisenhower administration might acquiesce in such a single section alone.

The important point that President Eisenhower has repeatedly made is that he is unalterably opposed to any amendment which would hamper his effective control over the foreign relations of this country. I do not know whether the new section 1 would be agreeable to the White House or not. However, I do know it contains certain features that require very careful comment.

Senator BRICKER has added a phrase "made in pursuance thereof." During the months of debate this past session, no one was able to explain very clearly what, if anything, these words added.

It was pointed out during the debate that the words were inappropriate because many treaties might be made which would not conflict with the Constitution, but which were not made "in pursuance thereof," in the dictionary sense of the word "pursuance." The addition of these words may simply be so much verbiage.

SECTION 2—THE "DISAPPEARING-REAPPEARING" WHICH CLAUSE

"SEC. 2. A treaty or other international agreement shall become effective as internal law in the United States only through legislation valid in the absence of international agreement."

Senator BRICKER certainly made the understatement of the session when he said that "this section represents the area of disagreement between myself and administration spokesmen." This section contains in effect the famous and infamous "which" clause.

However, we should note in passing that the word "which"—which—has been omitted. Now you see it, now you don't. The specific "which" may have been eliminated, but its unworthy spirit lingers on. With all due respect, I say the unfortunate "which" or "witch" concept reminds one of Halloween mumbo-jumbo uttered in a world of hobgoblins and boiling caldrons of suspicion and fear. Maybe we should now label section 2 the "hidden witch" clause.

This new section 2 is almost identical with the one that Senator BRICKER started with 2 years ago.

It has all the fallacies and drawbacks which have been pointed out in 2 years of debate. For example, in a speech in August 1953, Secretary of State Dulles said with respect to similar language in Senate Joint Resolution 1 that it "would cut down the Nation's treaty power so that no treaty could bind the Nation in respect of matters which, under our Federal system, fall within the jurisdiction of the States. This would set the clock back to an

approximation of the condition which existed under the Articles of Confederation. Then, that condition was so intolerable and it so jeopardized the Confederation that the present Constitution was adopted to give the Federal Government authority, in international matters, to act for all the Nation, including the States."

It would also require that all treaties be passed by two-thirds of the Senate and then by a majority of the Senate and of the House.

It was for these and a number of other pressing reasons that section 2—even without the which clause—only received the support of 42 Senators.

SECTION 3—RULES CHANGE

Section 3 of the proposed amendment reads as follows:

"SEC. 3. On the question of advising and consenting to the ratification of a treaty, the vote shall be determined by yeas and nays, and the names of the persons voting for and against shall be entered on the Journal of the Senate."

As we all know, the purpose of this section could be achieved by a simple change in the rules of the Senate. The Rules Committee has already approved such a change and it could be adopted at any time by the Senate.

So far as a constitutional amendment is concerned, section 3 is just so much window dressing.

FOUR SO-CALLED NEW DEVELOPMENTS

Now, in his August 5 remarks Senator BRICKER made mention of "four important new developments [that] have strengthened the position of the proponents of the amendment."

Let us examine—very briefly—these so-called new developments to see if they in fact really strengthen the position of the proponents, or if they are the same old hash, warmed over.

Senator BRICKER referred first to the fact that the Human Rights Commission "'has refused to insert a provision in the Human Rights Covenants recognizing the right to own property and to have it protected against arbitrary interference by government."

This statement on his part is relevant to something, but I can see no relevancy whatever to the question of whether or not we should take the solemn step of amending our Constitution.

Since when do we amend the Constitution simply because some international instrument contains a provision we do not like or omits one that we do like? We Americans believe, thank God, in private property. Our view unfortunately did not prevail in this respect as regards this particular covenant. Is that an excuse for amending the Constitution?

The Secretary of State has said upon numerous occasions that the United States has no intention of becoming a party to the Human Rights Covenants. Even if some future Secretary and President changed their minds about this and signed the covenants, it would take two-thirds of the Senate to approve its ratification, unless, of course, we were unwise enough to accept the George amendment, which would permit the President and a simple majority of both Houses of Congress to commit us to the covenants.

Thus, Senator BRICKER'S first important new development turns into a pure smoke screen upon examination.

PRESIDENT'S POWER AS COMMANDER IN CHIEF

His second important new development is Mr. Dulles' statement that "the President can now wage war without a declaration by Congress in the event of attack on one of our treaty allies in Europe or South America," thus reaffirming his Louisville speech of April 1952 before the American Bar Association that a treaty can take powers from Congress and confer them on the President.

I should think that it would be unnecessary to point out to any Senator that the Constitution deliberately provides that it is the Congress that has the power to declare war but the President, as Commander in Chief under the Constitution, has the power, in an emergency and without a congressional declaration, to make war. This is nothing new at all.

What Secretary Dulles announced is the mere reiteration of a well-founded constitutional doctrine. There are numerous examples in the past of Presidents—of various parties—making war without any congressional declaration. In this atomic and hydrogen age when we may be blitzed in a matter of hours the necessity for the possession of this defensive-offensive power should be obvious to even the blindest.

So, there is no queston, as the Senator tried to assert, of taking power from Congress and conferring it on the President; it is a power that he has always possessed. Let no one, however, conjure up the notion of a President willy-nilly starting a third world war; that is Soviet claptrap; it is unworthy of any thinking American.

THE UNITED STATES-BRITISH ATOM AGREEMENT

The third development is the reference to the secret executive agreement of President Roosevelt and Prime Minister Churchill relating to the control of atomic energy.

This agreement was concluded on August 19, 1943, and is a short one. I have a photostatic copy of the agreement here, and, in order that no one will be confused as to exact terms, I would like to have it incorporated into the RECORD at this time. As you will note, the code name "tube alloys" is substituted for the words "atomic energy." The document has been published by the British and is now being published by the United States. No security problem is involved. The text of the agreement is as follows:

"THE CITADEL QUEBEC—ARTICLES OF AGREEMENT—GOVERNING COLLABORATION BETWEEN THE AUTHORITIES OF THE UNITED STATES OF AMERICA AND THE UNITED KINGDOM IN THE MATTER OF TUBE ALLOYS

"Whereas it is vital to our common safety in the present war to bring the tube-alloys project to fruition at the earliest moment; and whereas this may be more speedily achieved if all available British and American brains and resources are pooled; and whereas owing to war conditions it would be an improvident use of war resources to duplicate plants on a large scale on both sides of the Atlantic and therefore a far greater expense has fallen upon the United States:

"It is agreed between us—

"First, that we will never use this agency against each other.

"Secondly, that we will not use it against third parties without each other's consent.

"Thirdly, that we will not either of us communicate any information about tube alloys to third parties except by mutual consent.

"Fourthly, that in view of the heavy burden of production falling upon the United States as the result of a wise division of war effort, the British Government recognize that any postwar advantages of an industrial or commercial character shall be dealt with as between the United States and Great Britain on terms to be specified by the President of the United States to the Prime Minister of Great Britain. The Prime Minister expressly disclaims any interest in these industrial and commercial aspects beyond what may be considered by the President of the United States to be fair and just and in harmony with the economic welfare of the world.

"And fifthly, that the following arrangements shall be made to ensure full and effective collaboration between the two countries in bringing the project to fruition:

"(a) There shall be set up in Washington a Combined Policy Committee composed of the Secretary of War (United States); Dr. Vannevar Bush (United States); Dr. James B. Conant (United States); Field Marshal Sir John Dill, G. C. B., C. M. G., D. S. O. (United Kingdom); Colonel the Right Honorable J. J. Llewellin, C. B. E., M. C., M. P. (United Kingdom); the Honorable C. D. Howe (Canada).

"The functions of this committee, subject to the control of the respective Governments, will be—

"(1) To agree from time to time upon the program of work to be carried out in the two countries.

"(2) To keep all sections of the project under constant review.

"(3) To allocate materials, apparatus and plant, in limited supply, in accordance with the requirements of the program agreed by the committee.

"(4) To settle any questions which may arise on the interpretation or application of this agreement.

"(b) There shall be complete interchange of information and ideas on all sections of the project between members of the Policy Committee and their immediate technical advisers.

"(c) In the field of scientific research and development there shall be full and effective interchange of information and ideas between those in the two countries engaged in the same sections of the field.

"(d) In the field of design, construction, and operation of large-scale plants, interchange of information and ideas shall be regulated by such ad hoc arrangements as may, in each section of the field, appear to be necessary or desirable if the project is to be brought to fruition at the earliest moment. Such ad hoc arrangements shall bbe subject to the approval of the Policy Committee.

"FRANKLIN D. ROOSEVELT.
"WINSTON S. CHURCHILL.

"Approved August 19, 1943."

That is the end of the text.

The agreement I point out, was concluded almost 2 full years before the end of that frightful global conflict. The agreement dealt with the most secret item that the Allies possessed.

It would have been the sheerest kind of folly—if not criminal nonsense—to have put the agreement in the form of anything other than a secret agreement. Would my colleague from Ohio have asked that the agreement be printed in the newspapers so that Julius and Ethel Rosenberg and Klaus Fuchs and others could have been helped in their spy work? America was at war; the tide had not yet turned; we vitally needed some agreement with the British, with whom we were collaborating in the development of the bomb.

PRECAUTIONARY PROVISION IN NEW ATOMIC BILL

Now, I do not presume to be an expert in the field of atomic energy.

It is a fact that there have been those who strongly disputed certain terms of the Quebec Agreement.

Certainly, we Americans feel today in the present perspective of history that we cannot and should not shackle the hands of our Government in making life and death precommitments to others, involving the A-bomb or the H-bomb.

I point out that on July 26 in the CONGRESSIONAL RECORD, on page 11954, our associate, the able senior Senator from Iowa, Mr. HICKENLOOPER, carefully described a precautionary provision in the new atomic energy bill which expressly provides that "in the performance of its functions under this act, the Commission shall give maximum effect to the policies contained in any international arrangement made after the date of enactment of this act."

The key words are, of course, "* * * after the date of enactment of this act."

The Joint Atomic Energy Committee—of which our Ohio friend is a most active member—unanimously approved this provision. In committee there was no objection to it whatsoever.

In other words, the expert committee refused to require the Atomic Energy Commission to give effect to policies contained in any international arrangement made previous to the date of the present bill. But if the so-called internationalists are so strong—if the supporters of secret agreements are allegedly so strong and if the issue is so simple, why did not the internationalists prevail in validating any and all previous arrangements which may have been made?

The answer is, of course, that by means of the pending atomic energy bill, an overwhelming majority of the Congress is taking a position clearly based upon the best interests of the United States, but in a manner consistent with our future international obligations. So, too, in other bills affecting our country as a sovereign power, we will not prejudice our sovereign rights, but we will fulfill the letter and spirit of those international arrangements which we know to be in the best interests of our country and of the world. Certainly no constitutional amendment is necessary under these circumstances when we can write precautions into regular legislation.

U. N. CHARTER HEARINGS STILL UNDERWAY

The last important new development is that allegedly the current debate on the subject of United Nations Charter revision "has revealed a determined effort on the part of influential persons and organizations to scuttle the sovereignty of the United States at the proposed U. N. Charter Review Conference in 1956 in favor of some form of limited or full world government."

In the first place, the question of whether there will even be a conference to review—not necessarily revise—the charter will not be finally decided until the 10th session of the General Assembly in 1955.

I don't see how the conference could take place before 1956 at the earliest. In other words, there is no urgency in this matter.

Moreover, the Senate subcommittee, of which I have the honor to serve as chairman, has, as my colleague so well knows, been holding extensive grassroots hearings on this subject. We have heard all sorts of suggestions from all shades of opinion.

Throughout the Nation the press has given heart-warming support to our study. No one has been turned away from our hearings. The most fervent partisans of my Ohio friend have had their say.

Why should he fear that the views of commonsense will not prevail in that subcommittee forum?

The fact that we hold hearings doesn't mean that we are going to accept any particular suggestions. Neither the subcommittee nor the full committee is anywhere near ready to make any suggestions to the Senate. Nor is the State Department at the decision-making stage.

I believe that we can have confidence in ourselves and in Secretary Dulles not to make unsound suggestions for revision. In addition, the United States has a veto power over any possibly unsound amendments suggested by other states at a review conference, if one is held. Thus, we are fully protected. Why the fear, why the panic, why the slightest aspersions on a conscientious, careful, diligent review?

My colleagues on the subcommittee have repeatedly pointed out that all the repeated isolationist references to so-called pressure for world government completely ignore the overwhelming bulk of testimony which our subcommittee has received. My colleagues have cited that not a single member of our subcommittee has shown the slightest disposition toward any so-called world government proposal.

Now, in conclusion, let me point out the following:

Senator BRICKER has said that "this revised treaty-control amendment is not introduced with any expectation of action in this Congress."

For this assurance I express my heartfelt gratitude to the Senator.

I am sure that my colleagues and I would not relish debating this issue until Christmas, 1954. However, if need be, and if our energetic Ohio friend wants again to join the issue now on the Senate floor (which we have reason to doubt), we will not shrink from the task.

The mission of defending the Constitution against tinkering is one which merits the fullest possible effort on the part of any United States Senator, including myself.

1954 CANDIDATES SHOULD FIGHT AGAINST THE AMENDMENT

I know that my friend from Ohio is hoping that the elections of this coming November will establish a trend in which the American people indicate their support of his joint resolution.

It is my own earnest hope and prayer that the American people will make known that they want the winning candidates of November 2, 1954, to protect, preserve, and defend the Constitution against those who would wittingly or unwittingly violate it.

The issue is not a partisan one.

Many distinguished representatives of both major political parties have contributed to the defense of the Constitution against this dangerous amendment.

As for the members of my own party running this November, I earnestly hope that, if they have shown any faint-hearted inclination toward voting for this amendment, that they will think the matter over. I hope that they will not irrevocably commit themselves to emasculating the Constitution.

I hope that the Republican Party will never be guilty of having within its ranks a majority of adherents committed to altering the very basis of this Constitutional Republic.

To those Republicans who may campaign on the basis of support of this amendment, I say frankly, that what they would in effect be doing would be to campaign to shackle the hands of the Republican President of the United States. That, to me, is not a sound Republican plank. It is not a sound campaign appeal. It is a path to Republican and national disaster.

Let, therefore, the Republican Party signify in its campaign of 1954 that it does not intend to turn back the clock to the Articles of Confederation days; it does not propose to retreat to a horse-and-buggy era in which America had little, if any responsibility in relation to foreign affairs.

The Republican Party, under the leadership of a great President and a great Secretary of State has been achieving historic new chapters in the record of collective security.

Passage of Senate Joint Resolution 181 would be a step back into the Dark Ages.

It would be a notice to the Soviet Union that we have forgotten about her as a menace, but that we are beginning to think of our own people as menaces. Nothing could delight the Soviets more. They would be happy to have American attack American, question each other's motives, accuse one another of "selling this country down the river, violating its sovereignty," etc.

WHY CAST ASPERSION ON PATRIOTS

Let me say that, totally irrespective of any personality inside or outside the Senate, the entire trend, in which one group of Americans accuses another group of being allegedly less patriotic, simply because it happens to differ on certain foreign policy issues, is, I think, absolutely deplorable. Men who are 100 percent patriotic to the depths of their being, have been smeared in the public print simply because they want to strengthen the United Nations, to strengthen international law, to prevent an endless armaments race leading to an awful Armageddon. These peace-loving men love the American flag, the American Constitution, the American Republic, American sovereignty, as deeply as does anybody else. But they want to spare this country from war. What is wrong with that? For them to be abused, defamed, smeared, vilified, as if they had somehow sold their country out like Benedict Arnold, is to my way of thinking, tragic and unforgivable.

Who are their critics and detractors? Who has the right to besmirch them?

Who are the isolationist superpatriots to claim that only they are the patriots, that they have a complete monopoly on love of country, on love of the Constitution?

In point of fact, many of them seem to demonstrate the least understanding and the least appreciation of the Constitution.

They seem to want to make the Constitution a document of a thousand or more wild-eyed, fear-filled amendments. They seem to want us to pass an amendment every day of the week to guard against some new imaginary danger, some new menace born not out of reality but born out of mistrust and suspicion of our own President, of our own Congress, our own Supreme Court, our own people, and the legislators whom they will elect in years to come.

Let, then, the issue be joined when the hour is ripe, and when the worthy gentleman from Ohio is ready.

Let the issue be joined in the campaign of 1954.

Let it be joined in the 84th Congress next January.

Let the American people register their desire to spare from destruction the beloved document which is the guardian of our liberties.

We do not fear for the outcome.

We have faith in America—in its leadership and its people.

Can our opponents say as much?

A SOUND, SENSIBLE APPROACH TO AMERICAN TARIFF POLICY

Mr. WILEY. Mr. President, I send to the desk a statement I have prepared on the subject of the United States tariff policy. I ask unanimous consent that the statement be printed at this point in the body of the RECORD.

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

STATEMENT BY SENATOR WILEY

PRESIDENT EISENHOWER IS TO BE COMMENDED ON SOUND TARIFF POLICY

In the closing weeks and months of the present session of Congress, there have, as usual, been a considerable number of tariff matters which have come to the attention of the legislative and executive branches.

This is, of course, one of the perennial thorny issues of the American scene. It is difficult; it is complex; it involves the most careful weighing of a great many factors.

I, for one, have always believed in reviewing each particular tariff problem on its own merits.

I oppose restrictions on oil imports

I have spoken out repeatedly against any arbitrary, rigid policy, for example, against setting up Chinese-type tariff walls, obsolete barriers which might do genuine harm to America's good relations with the world.

I have stated that we should not impose restrictions on those imported items where no harm has been inflicted, or is in prospect on a key American industry, and where

the disadvantages of the restrictions outweigh the advantages to us.

Such an instance would be in the case of the proposed restrictions on the import of Venezuelan petroleum. Various proposals to that effect such as the Simpson bill recommendation would have done incalculable harm to our good-neighbor program, and for that reason I have absolutely opposed them.

Lead and zinc merit protection

To cite a second instance, there is the lead and zinc tariff problem. Here, in my judgment, an important and strategic American industry has been dealt very severe blows. A great number of American mines have literally been put out of commission. The modest tariff increases recommended to help relieve their plight is, I believe, justified, particularly from the standpoint of national defense.

Hardboard should be reclassified

Still another phase of the tariff problem has come up in conjunction with legislation to correct the present tariff classification of hardboard from wood (dutiable at 7½–15 percent ad valorem) to paper (dutiable at a straight 16⅔ percent.)

I had hoped that the Senate Finance Committee would very definitely act upon a bill for this purpose which the House of Representatives has approved, H. R. 9666. Now, however, the committee has deferred action until the Tariff Commission can make an overall study of the hardboard industry and submit recommendations to the committee.

It is a fact that upon this hardwood decision depends the future of a great many companies and employees, including many in my State. In any event, I believe—on the merits—that the facts have long since been available, justifying a favorable decision on this problem, and I am sorry to see the committee's decision for delay. I believe in study, but not when the issue has been studied and studied and harm has already been experienced.

I have in my hands a considerable number of messages from my own and neighboring States: from Mr. D. C. Everest, one of the great figures of the vital Wisconsin paper industry; from Mr. R. W. Pruden, executive manager of the Superior Association of Commerce; from Mr. D. C. Mac Donald, president of the Superior Wood Products Co. of Duluth; from Neils Hedvall, president of the International Brotherhood of Pulp Sulphite and Paper Mill Workers, local at Duluth, all urging prompt action on H. R. 9666. Their position is, I feel, sound. The reclassification is merited.

Sound decision in watch case

A final tariff instance which I shall cite is the notable decision already announced, and that is of course the forthright position of the President in the watch tariff case.

In my judgment, the President's position was eminently fair and wise.

It was quite clear that there was very definitely a grave danger that the domestic watch and clock industry would soon disappear beyond recall unless it were granted relief under the escape clause provision of the Trade Agreements Act.

The Commander in Chief of our Armed Forces well knew from his lifetime of military experience that modern warfare depends on precision timepieces, timing devices, ammunition components, and countless delicate instruments to which the skills of the American watch and clock industry must contribute.

My personal position on behalf of watch tariff relief was primarily based on what I, too, regard as the national defense aspects of the problem. My own State was definitely not involved directly in this issue, unlike various other States which are centers of the watch industry.

Some press comment distorted watch decision

I spoke therefore from a position which I feel was objective and impartial.

I should like to refer now to an interesting aspect of this matter—the comments in the press—before and after the watch decision.

All in all, I think that some press comments on the watch decision offer a good illustration of how the meaning of an issue can be inflated and exaggerated out of all proportion.

The President's decision has of course been praised by many, condemned by others.

Some of those who have condemned it have tried to use it as an excuse to portray the Republican administration and the Republican Party as allegedly "insensitive to world opinion," "unalert to the need for world trade," "unmindful of the fears in the minds of many nations concerning future United States economic policy."

The fact of the matter is, however, that the Republican Party and the Republican administration are very definitely sensitive to each and every one of these problems. The Republican Party and administration know that trade is a cornerstone of world prosperity. We know that nations cannot buy unless they sell.

At the same time, the Republican Party believes in a commonsense approach to this problem. It believes that if every Tariff Commission recommendation for a tariff increase is to be absolutely ignored, then we might just as well not have a tariff commission.

If we are going to take the position that every single tariff increase must be uniformly opposed because it might be regarded as a symptom of so-called Smoot-Hawley protectionism, then we should abandon the whole procedure of tariff hearings.

In the watch tariff instance, the very considerable and well-financed propaganda forces of the Swiss industry had conducted a tremendous campaign to convince everyone that world trade would practically come to an end if the President granted tariff relief; that the entire free world alliance would be practically ripped asunder if the President accepted the Tariff Commission's recommendation for the increase.

Now, of course, nothing of the sort resulted from the President's wise decision.

Although many foreign sources (totally irrespective of the watch industry) would no doubt have preferred an opposite decision, most observers recognized that the problems involved in the watch industry were unique and did demand sympathetic attention.

Of the principal public reaction which came from abroad, virtually all seems to have originated in or been inspired by Swiss sources. Neither the Associated Press nor the United Press reported any special reaction from any of their bureaus located elsewhere in the world, outside Switzerland and West Germany.

The fact of the matter is that most keen-eyed American and foreign observers know that the Swiss watch cartel is not the innocent lamb that it pretends to be.

It has knocked out so many watch industries in so many countries, controlling as it does 95 percent of world markets, that it could hardly hope to arouse any particular sympathy on our part. What our Swiss friends choose to do in their own country—as regard cartel restrictions—is, of course, their own prerogative. We have a very high regard for the Swiss Government and the Swiss people. We admire their diligence, their democracy, their fortitude.

But what we choose to do in our country in order to protect a defense industry from destruction by that cartel is of course our prerogative.

And frankly, some of us get a little tired at wild criticisms of President Eisenhower, simply because on this particular case, on its merits, he came to a decision which his own conscience told him was sound, and which I believe the American people very definitely recognize as such. And, I might add, it was a decision on a vital industry whose importance has been stressed by the Department of Commerce, the Office of Defense Mobilization, our own Senate Armed Services Committee, the Department of Defense, and other agencies.

To be sure, there are some American editors and newspapers who have chosen to misconstrue the President's action as constituting a so-called reversal of previous administration policy aimed at greater trade. It is no such thing.

The tariff subject is definitely not one in which the President can or should take an arbitrary, rigid position for, let us say, either free trade or for high tariff barriers, irrespective of any and all defense and other considerations which prevail in given situations.

As the New York Herald Tribune remarked in its editorial of Thursday, July 29:

"The President's action, painfully difficult as it had to be, cannot in the nature of things stand alone. Foreign friends know well that American trade policy is the product of a balance among multiple and often competing interests. Our foreign-aid program, our unrestricted currency and all of our trade concessions to other countries are also part of our national policy. Our military program provides sinews of free-world defense as well as creating particular economic problems."

This is precisely what I am urging today: a better understanding of our United States position. I am urging that United States policy not be misrepresented; that our country not be criticized every time we choose to take some independent action.

My own deep interest in promoting sound relations with the world needs no reiteration at this point.

On this very day in the pages of the CONGRESSIONAL RECORD will be found an appeal which I am making for rejection of a particular proposal which I regard as contrary to sound American foreign policy; namely, the amendment imposing arbitrary restrictions on the treatymaking process.

Therefore, I hope that on the economic side of our policy, we will continue to adopt a commonsense attitude—one which carefully evaluates the pros and cons, the assets and debits, the advantages and disadvantages, to our own people and to foreign peoples, and with calmness, comes to a fair decision. And I hope that our decision will be understood abroad.

ACTIVITIES OF THE FOREIGN RELATIONS COMMITTEE DURING THE 83D CONGRESS

Mr. WILEY. Mr. President, since the enactment of the Legislative Reorganization Act of 1946, it has been the custom of the Senate Committee on Foreign Relations to prepare an account of its activities during each Congress. This is in the nature of a report to the Senate and the people on the fulfillment of our responsibilities and duties. The report is now being prepared by the committee staff. It will be quite comprehensive. However, since bills and joint resolutions will continue to be signed by the President for a few days after Congress adjourns, and since the committee wants to show such final actions in the report, I shall be unable to file it while the Senate is still in session. I therefore ask permission to file the report, entitled "Legislative History of the Committee on Foreign Relations, United States Senate, 83d Congress," after the adjournment of

Congress, and to have it printed as a Senate document. In the past, these reports have run between 60 and 80 pages; and I expect that this will be approximately the length of the one now under preparation.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? Without objection, it is so ordered.

The PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

GRANT OF CERTAIN LANDS IN NEVADA TO LAS VEGAS VALLEY WATER DISTRICT

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3302) granting to the Las Vegas Valley water district, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada, which was, on page 2, line 2, after "purposes", insert "only to the extent required for such development, production, storage, transmission, and distribution of water."

Mr. McCARRAN. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

GRANT OF CERTAIN PUBLIC LANDS IN NEVADA TO BASIC MANAGEMENT, INC.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3303) granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada, which was, on page 2, line 3, after "purposes", insert "only to the extent required for such development, production, storage, transmission, and distribution of water."

Mr. McCARRAN. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

INCORPORATION OF NATIONAL FUND FOR MEDICAL EDUCATION

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1748) to incorporate the National Fund for Medical Education, which was, to strike out all after the enacting clause and insert:

That the following persons: Donald C. Balfour, M. D., Rochester, Minn.; Louis H. Bauer, M. D., Hempstead, N. Y.; Margaret Culkin Banning, Duluth, Minn.; E. N. Beesley, Indianapolis, Ind.; James F. Bell, Minneapolis, Minn.; Elmer H. Bobst, New York, N. Y.; Earl Bunting, Washington, D. C.; Carl Byoir, New York, N. Y.; James L. Camp, Jr., Franklin, Va.; Champ Carry, Chicago, Ill.; Robert S. Cheek, Nashville, Tenn.; Colby M. Chester, New York, N. Y.; Frank A. Christensen, New York, N. Y.; Paul F. Clark, Boston, Mass.; Lucius D. Clay, New York, N. Y.; S. Sloan Colt, Westhampton Beach, N. Y.; George H. Coppers, New York, N. Y.; William E. Cotter, Scarsdale, N. Y.; C. R. Cox, New York, N. Y.; Howard S. Cullman, New York, N. Y.; Walter J. Cummings, Chicago, Ill.; Willard K. Denton, New York, N. Y.; Raoul E. Desvernine, Washington, D. C.; Michael Francis Doyle, Philadelphia, Pa.

Victor Emanuel, New York, N. Y.; Peter M. Fraser, Hartford, Conn.; Bernard F. Gimbel, Greenwich, Conn.; William B. Given, Jr., New York, N. Y.; Robert M. Hanes, Winston-Salem, N. C.; David M. Heyman, New York, N. Y.; Oveta Culp Hobby, Houston, Tex.; Herbert Hoover, New York, N. Y.; B. Brewster Jennings, Glen Head, N. Y.; Eric A. Johnston, Washington, D. C.; Devereux C. Josephs, New York, N. Y.; Meyer Kestnbaum, Chicago, Ill.; Edgar Kobak, New York, N. Y.; Allan B. Kline, Chicago, Ill.; Robert Lehman, New York, N. Y.; Samuel D. Leidesdorf, New York, N. Y.; Leroy A. Lincoln, New York, N. Y.; Ralph Lowell, Boston, Mass.; Benjamin E. Mays, Atlanta, Ga.; Neil McElroy, Cincinnati, Ohio; George W. Merck, West Orange, N. J.; Don G. Mitchell, New York, N. Y.; George G. Montgomery, San Francisco, Calif; Seeley G. Mudd, M. D., Los Angeles, Calif.

Charles S. Munson, New York, N. Y.; Herschel D. Newsom, Washington, D. C.; Edward J. Noble, New York, N. Y.; William S. Paley, New York, N. Y.; Thomas I. Parkinson, New York, N. Y.; F. D. Patterson, Tuskegee, Ala.; Joseph M. Proskauer, New York, N. Y.; B. Earl Puckett, New York, N. Y.; Victor F. Ridder, New York, N. Y.; Owen J. Roberts, Philadelphia, Pa.; Winthrop Rockefeller, Little Rock, Ark.; Anna M. Rosenberg, New York, N. Y.; T. J. Ross, New York, N. Y.; Howard A. Rusk, M. D., New York, N. Y.; Frank P. Samford, Birmingham, Ala.; Lester N. Selig, Chicago, Ill.; Eustace Seligman, New York, N. Y.; Spyros P. Skouras, New York, N. Y.; Alfred P. Sloan, Jr., New York, N. Y.; George F. Smith, New Brunswick, N. J.; Harold V. Smith, New York, N. Y.; Harold E. Stassen, Washington, D. C.; John P. Stevens, Jr., New York, N. Y.; William C. Stolk, New York, N. Y.; Harvey B. Stone, M. D., Baltimore, Md.;

Reese H. Taylor, Los Angeles, Calif.; Juan T. Trippe, Greenwich, Conn.; Thomas J. Watson, New York, N. Y.; Ernest T. Weir, Pittsburgh, Pa.; George Whitney, New York, N. Y.; Robert E. Wilson, Chicago, Ill.; R. W. Woodruff, Atlanta, Ga.; Wilson W. Wyatt, Louisville, Ky.; J. D. Zellerbach, San Francisco, Calif.; and John S. Zinsser, Philadelphia, Pa.; and their successors, are hereby created and declared to be a body corporate of the District of Columbia, where its legal domicile shall be, by the name of the National Fund for Medical Education (hereinafter referred to as the corporation) and by such name shall be known and have perpetual succession and the powers, limitations, and restrictions herein contained.

COMPLETION OF ORGANIZATION

SEC. 2. A majority of the persons named in the first section of this act are authorized to complete the organization of the corporation by the selection of officers and employees, the adoption of a constitution and bylaws, not inconsistent with this act, and the doing of such other acts as may be necessary for such purpose.

PURPOSES OF THE CORPORATION

SEC. 3. The purposes of the corporation shall be to raise from private sources, disperse and administer funds for medical education, and in connection therewith to take other appropriate action to promote and foster the following objectives:

(1) The interpretation of the needs of medical education to the American public;

(2) The encouragement of the growth, development, and advancement of constantly improving standards and methods in the education and training of all medical manpower in the Nation; and

(3) The preservation of academic freedom in the institutions of medical education.

CORPORATE POWERS

SEC. 4. The corporation shall have power—

(1) to have succession by its corporate name;

(2) to sue and be sued, complain and defend in any court of competent jurisdiction;

(3) to adopt, use, and alter a corporate seal;

(4) to choose such officers, managers, agents, and employees as the business of the corporation may require;

(5) to adopt, amend, and alter a constitution and bylaws, not inconsistent with the laws of the United States or any State in which the corporation is to operate, for the management of its property and the regulation of its affairs;

(6) to contract and be contracted with;

(7) to take by lease, gift, purchase, grant, devise, or bequest from any private corporation, association, partnership, firm or individual and to hold any property, real, personal or mixed, necessary or convenient for attaining the objects and carrying into effect the purposes of the corporation, subject, however, to applicable provisions of law of any State (A) governing the amount or kind of property which may be held by, or (B) otherwise limiting or controlling the ownership of property by, a corporation operating in such State;

(8) to transfer, convey, lease, sublease, encumber and otherwise alienate real, personal or mixed property; and

(9) to borrow money for the purposes of the corporation, issue bonds therefor, and secure the same by mortgage, deed of trust, pledge or otherwise, subject in every case to all applicable provisions of Federal and State laws.

PRINCIPAL OFFICE; SCOPE OF ACTIVITIES; DISTRICT OF COLUMBIA AGENT

SEC. 5. (a) The principal office of the corporation shall be located in New York City, N. Y., or in such other place as may be later determined by the board of directors, but the activities of the corporation shall not be confined to that place, but may be conducted throughout the various States, Territories, and possessions of the United States.

(b) The corporation shall have in the District of Columbia at all times a designated agent authorized to accept service of process for the corporation; and notice to or service upon such agent, or mailed to the business address of such agent, shall be deemed notice to or service upon the corporation.

MEMBERSHIP; VOTING RIGHTS

SEC. 6. (a) Eligibility for membership in the corporation and the rights, privileges, and designation of classes of members shall, except as provided in this act, be determined as the constitution and bylaws of the corporation may provide.

(b) Each member of the corporation, other than honorary, sustaining or associate members, shall have the right to one vote on each matter submitted to a vote at all meetings of the members of the corporation.

BOARD OF DIRECTORS: COMPOSITION, RESPONSIBILITIES

SEC. 7 (a) Upon the enactment of this act the membership of the initial board of directors of the corporation shall consist of the present members of the executive committee of the National Fund for Medical Education, Inc., the corporation described in section 16 of this act, or such of them as may then be living and are qualified members of said executive committee, to wit: Earl Bunting, Washington, D. C.; Colby M. Chester, New York, N. Y.; S. Sloan Colt, Westhampton Beach, N. Y.; William E. Cotter, Scarsdale, N. Y.; Victor Emanuel, New York, N. Y.; Willian B. Given, Jr., New York, N. Y.;

Herbert Hoover, New York, N. Y.; Devereux C. Josephs, New York, N. Y.; Samuel D. Leidesdorf, New York, N. Y.; Leroy A. Lincoln, New York, N. Y.; Eustace Seligman, New York, N. Y.; Juan T. Trippe, Greenwich, Conn.; and John S. Zinsser, Philadelphia, Pa.; together with the following members of the medical profession, namely, Donald C. Balfour, M. D., Rochester, Minn.; Louis H. Bauer, M. D., Hempstead, N. Y.; Howard A. Rusk, M. D., New York, N. Y.; and Harvey B. Stone, M. D., Baltimore, Md.

(b) Thereafter, the board of directors of the corporation shall consist of such number (not less than 15 and not more than 25, 4 of whom shall at all times be members of the medical profession), shall be selected in such manner (including the filling of vacancies), and shall serve for such term as may be prescribed in the constitution and bylaws of the corporation.

(c) The board of directors shall be the governing board of the corporation and, during the intervals between the meetings of members, shall be responsible for the general policies and program of the corporation and for the control of all contributed funds as may be raised by the corporation.

OFFICERS; ELECTION AND DUTIES OF OFFICERS

SEC. 8. (a) The officers of the corporation shall be a chairman of the board of directors, a president, one or more vice presidents (as may be prescribed in the constitution and bylaws of the corporation), a secretary, and a treasurer, and one or more assistant secretaries and assistant treasurers as may be provided in the constitution and bylaws.

(b) The officers of the corporation shall be elected in such manner and for such terms and with such duties as may be prescribed in the constitution and bylaws of the corporation.

USE OF INCOME; LOANS TO OFFICERS, DIRECTORS, OR EMPLOYEES

SEC. 9. (a) No part of the income or assets of the corporation shall inure to any of its members, directors, or officers as such, or be distributable to any of them during the life of the corporation or upon its dissolution or final liquidation. Nothing in this subsection, however, shall be construed to prevent the payment of compensation to officers of the corporation in amounts approved by the board of directors of the corporation.

(b) The corporation shall not make loans to its officers, directors, or employees. Any director who votes for or assents to the making of a loan or advance to an officer, director, or employee of the corporation, and any officer who participates in the making of such a loan or advance, shall be jointly and severally liable to the corporation for the amount of such loan until the repayment thereof.

NONPOLITICAL NATURE OF CORPORATION

SEC. 10. The corporation, and its officers and directors as such, shall not contribute to or otherwise support or assist any political party or candidate for public office.

LIABILITY FOR ACTS OF OFFICERS AND AGENTS

SEC. 11. The corporation shall be liable for the acts of its officers and agents when acting within the scope of their authority.

PROHIBITION AGAINST ISSUANCE OF STOCK OR PAYMENT OF DIVIDENDS

SEC. 12. The corporation shall have no power to issue any shares of stock or to declare or pay any dividends.

BOOKS AND RECORDS; INSPECTION

SEC. 13. The corporation shall keep correct and complete books and records of account and shall keep minutes of the proceedings of its members, board of directors, and committees having any authority under the board of directors; and it shall also keep at its principal office a record of the names and addresses of its members entitled to vote. All books and records of the corporation may be inspected by any member entitled to vote, or his agent or attorney, for any proper purpose, at any reasonable time.

AUDIT OF FINANCIAL TRANSACTIONS

SEC. 14. (a) The financial transactions shall be audited annually by an independent certified public accountant in accordance with the principles and procedures applicable to commercial corporate transactions. The audit shall be conducted at the place or places where the accounts of the corporation are normally kept. All books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the corporation and necessary to facilitate the audit shall be made available to the person or persons conducting the audit; and full facilities for verifying transactions with the balances or securities held by depositories, fiscal agents, and custodians shall be afforded to such person or persons.

(b) A report of such audit shall be made by the corporation to the Congress not later than March 1 of each year. The report shall set forth the scope of the audit and shall include a verification by the person or persons conducting the audit of statements of (1) assets and liabilities, (2) capital and surplus or deficit, (3) surplus or deficit analysis, (4) income and expense, and (5) sources and application of funds. Such report shall not be printed as a public document.

USE OF ASSETS ON DISSOLUTION OR LIQUIDATION

SEC. 15. Upon dissolution or final liquidation of the corporation, after discharge or satisfaction of all outstanding obligations and liabilities, the remaining assets, if any, of the corporation shall be distributed in accordance with the determination of the board of directors of the corporation and in compliance with the constitution and bylaws of the corporation and all Federal and State laws applicable thereto.

TRANSFER OF ASSETS

SEC. 16. The corporation may acquire the assets of the National Fund for Medical Education, Inc., a corporation organized under the laws of the State of New York, upon discharging or satisfactorily providing for the payment and discharge of all of the liability of such corporation and upon complying with all laws of the State of New York applicable thereto.

RESERVATION OF RIGHT TO AMEND OR REPEAL CHARTER

SEC. 17. The right to alter, amend, or repeal this act is expressly reserved.

Mr. WATKINS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

TERMINATION OF FEDERAL JURISDICTION OVER ALABAMA AND COUSHATTA TRIBES OF INDIANS OF TEXAS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2744) to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes, which were, on page 2, line 21, strike out "in the State of Oklahoma," and on page 4, line 9, strike out all after "SEC. 7." down to and including "citizens" in line 12 and insert "Nothing in this act shall affect the status of the members of the tribes as citizens of the United States."

Mr. WATKINS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

PARTITION AND DISTRIBUTION OF ASSETS OF THE UTE INDIAN TRIBE OF THE UINTAH AND OURAY RESERVATION, UTAH

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3532) to provide for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and fullblood members thereof; and for the termination of Federal supervision over the property of the mixed-blood members of said tribe; to provide a development program for the fullblood members of said tribe; and for other purposes, which were, on page 2, strike out lines 8 to 11, inclusive, and insert:

(b) "Fullblood" means a member of the tribe who possesses one-half degree of Ute Indian blood and a total of Indian blood in excess of one-half, excepting those who become mixed-bloods by choice under the provisions of section 4 hereof.

On page 2, strike out lines 12 to 15, inclusive, and insert:

(c) "Mixed-blood" means a member of the tribe who does not possess sufficient Indian or Ute Indian blood to fall within the fullblood class as herein defined, and those who become mixed-bloods by choice under the provisions of section 4 hereof.

On page 18, line 21, strike out "effective date" and insert "date of enactment", and on page 24, line 12, strike out all after "SEC. 25." down to and including "citizens" in line 15 and insert "Nothing in this act shall affect the status of the members of the tribe as citizens of the United States."

Mr. WATKINS. I move that the Senate concur in the amendments of the House.

The motion was agreed to.

BRUNHILDE WALBURGA GOLOMB, RALPH ROBERT GOLOMB, AND PATRICIA ANN GOLOMB

Mr. WATKINS. Mr. President, I ask the Chair to lay before the Senate the amendments of the House of Representatives to the bill (S. 1225) for the relief of Brunhilde Walburga Golomb, Ralph Robert Golomb, and Patricia Ann Golomb.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1225) for the relief of Brunhilde Walburga Golomb, Ralph Robert Golomb, and Patricia Ann Golomb, which were, to strike out all after the enacting clause and insert:

That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Brunhilde Walburga Golomb Hartsworm may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of

State or the Department of Justice had knowledge prior to the enactment of this act.

And to amend the title so as to read: "An act for the relief of Brunhilde Walburga Golomb Hartsworm."

Mr. KNOWLAND. Mr. President, this matter has been cleared with the minority side. It will take but a moment.

Mr. McCARRAN. Mr. President, may we have an explanation of the bill?

Mr. WATKINS. Mr. President, this bill, which was passed by the Senate on April 5, 1954, provides for the admission into the United States of the fiance and the two minor children of Sgt. Robert F. Hartsworm, an American citizen-soldier. The fiance's name was listed as Brunhilde Walburga Golomb.

Thereafter, on July 1, 1954, Mr. Hartsworm notified the House committee that he had married his fiance last year, prior to his return to the United States. The House amended the bill accordingly by properly listing the name as Brunhilde Walburga Golomb Hartsworm.

I move that the Senate concur in the amendments of the House.

The motion was agreed to.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 92) favoring the suspension of deportation in the case of certain aliens, which was, on page 6, strike out line 20.

Mr. WATKINS. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. KNOWLAND. Mr. President, I understand that the pending question is on agreeing to the amendment of the Senator from Washington [Mr. MAGNUSON].

The PRESIDENT pro tempore. That is the pending question; and a unanimous-consent agreement has been entered regarding the time available for debate on that question.

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

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

Mr. JOHNSON of Texas. Mr. President, as I understand, the time for this quorum call will not run against the time provided unanimously for debate on the pending measure.

The PRESIDENT pro tempore. As soon as the quorum call is completed, the time will start running.

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

Aiken	Gore	Murray
Bridges	Green	Pastore
Carlson	Hendrickson	Payne
Case	Johnson, Tex.	Potter
Chavez	Johnston, S. C.	Reynolds
Cordon	Knowland	Saltonstall
Crippa	Kuchel	Smith, N. J.
Dirksen	Lehman	Stennis
Duff	Magnuson	Watkins
Frear	Mansfield	Wiley
George	Martin	Williams
Goldwater	Monroney	Young

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

The PRESIDING OFFICER (Mr. PAYNE in the chair). A quorum is not present.

Mr. KNOWLAND. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of absent Senators.

The motion was agreed to.

The PRESIDING OFFICER. The Sergeant at Arms will execute the order of the Senate.

After a little delay, Mr. ANDERSON, Mr. BARRETT, Mr. BEALL, Mr. BENNETT, Mrs. BOWRING, Mr. BRICKER, Mr. BURKE, Mr. BUSH, Mr. BUTLER, Mr. BYRD, Mr. CAPEHART, Mr. CLEMENTS, Mr. COOPER, Mr. DANIEL, Mr. DOUGLAS, Mr. DWORSHAK, Mr. ELLENDER, Mr. FERGUSON, Mr. FULBRIGHT, Mr. GILLETTE, Mr. HAYDEN, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. HILL, Mr. HOLLAND, Mr. HUMPHREY, Mr. IVES, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. KENNEDY, Mr. KERR, Mr. KILGORE, Mr. LONG, Mr. MALONE, Mr. MAYBANK, Mr. McCARRAN, Mr. McCARTHY, Mr. McCLELLAN, Mr. MILLIKIN, Mr. MORSE, Mr. MUNDT, Mr. PURTELL, Mr. ROBERTSON, Mr. RUSSELL, Mr. SCHOEPPEL, Mr. SMATHERS, Mrs. SMITH of Maine, Mr. SYMINGTON, Mr. THYE, Mr. UPTON, and Mr. WELKER entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

The Senate is now proceeding under a unanimous-consent agreement, pursuant to which debate on the pending amendment is limited to 1 hour, divided equally, and controlled, respectively, by the Senator from Washington [Mr. MAGNUSON] and the Senator from Maryland [Mr. BUTLER]; and no amendment thereto which is not germane to the subject matter of the amendment may be received.

How much time does the Senator from Washington yield to himself?

Mr. MAGNUSON. I yield myself 20 minutes.

At the outset, Mr. President, by inadvertence on my part, on the amendment which is now before the Senate in the nature of a substitute the name of the distinguished junior Senator from New York [Mr. LEHMAN] was omitted as a cosponsor. I ask unanimous consent that his name be added as a sponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, before the Senate recessed last night, after the submission of the proposed substitute, I pointed out certain facts for the benefit of the Senate, and for the purpose of saving time of the Senate I placed in the RECORD what could be considered a chronological history of the proposal now before the Senate, and similar pieces of legislation.

I wish to point out again certain facts, which I think form a solid foundation for the contention that favorable consideration should be given to the suggestion made by myself and several other Senators that the Senate should adopt the pending amendment to S. 3706 in the nature of a substitute.

Practically every phase of the bill introduced by the Senator from Maryland [Mr. BUTLER], S. 3706, has been considered by the House of Representatives, which is now in virtual semiadjournment.

After hearings, Mr. President, both on the bill before the Senate now and the other bill which came up, the House Committee on the Judiciary, membership of which is composed of 16 Republicans and 14 Democrats, by unanimous vote in each instance did the following:

First, after hearings the committee by unanimous vote tabled the so-called communistic infiltration organization bill—I so designate the bill, since that was the name given to it—proposed by Attorney General Brownell, a bill which I say is similar to or almost identical to S. 3706.

Second, the House Committee on the Judiciary substituted for the Brownell screening bill a proposal for a study commission, which is suggested in the amendment in the nature of a substitute now before the Senate, which they said was virtually identical to the provisions of the so-called Magnuson proposal.

They point out in their report what is also set forth in the minority views in connection with the so-called almost "end around play" that was made later by the House Committee on Un-American Activities, in reporting a bill similar to Senate bill 3706, that the substitute proposal for a study commission was merely an extension of provisions of a bill which I am sure the Senator from Maryland [Mr. BUTLER] and I supported, the other so-called Magnuson screening bill, relating to waterfront and maritime matters. That statement appears in their report.

So the House Committee on the Judiciary, which is the permanent committee of the House which is now in virtual adjournment, to which bills of this character will have to be referred if they pass the Senate, considered these bills after long hearings, and took the action I have stated. That committee reported a bill virtually identical to the amendment in the nature of a substitute which is before the Senate.

I am stating these facts because I am sure all of us want to do something about Communist infiltration. But as a practical legislative matter, if the Senate passes the pending bill, in my opinion, in view of the House action on similar bills, we will finally have no bill at all, and we will not move along toward our chief goal.

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

Mr. MAGNUSON. I yield for a question.

Mr. McCARRAN. Is it not true that Mr. VELDE, the chairman of the House Committee on Un-American Activities, now has an identical bill under consideration?

Mr. MAGNUSON. I will say to the Senator from Nevada that I pointed that fact out. That is correct; but I am relating what the permanent committee of the House did.

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

Mr. MAGNUSON. I have only 20 minutes, and the Senator from Maryland has a half hour.

I have stated what the House did. It is my firm opinion that as a practical matter the House will not accept these two bills, judging from its previous action. This is not speculation. I have stated what the House actually did.

It is true, let me say to the Senator from Nevada, that the House Committee on the Judiciary, which is a permanent committee, would have jurisdiction to consider these bills in the House. No one has been a more zealous guardian of the jurisdictional prerogative in this body than the Senator from Nevada [Mr. McCARRAN], so far as the jurisdiction of the Committee on the Judiciary is concerned. The House Committee on the Judiciary considered a similar bill, held long hearings, and came up with the proposal which is now before the Senate in the form of a substitute.

Later on, in what I call some kind of an "end around play," the House Committee on Un-American Activities reported a bill which, I think, is almost identical to S. 3706.

Mr. BUTLER. Mr. President, will the Senator yield on my own time?

Mr. MAGNUSON. Yes.

Mr. BUTLER. Does the Senator from Washington not believe that the Senate should go ahead and legislate, and not try to second guess the House of Representatives, especially after the President of the United States within the past several days has said he desires to have this bill passed?

Mr. MAGNUSON. Is that a question?

Mr. BUTLER. That is a question, yes.

Mr. MAGNUSON. Very well. The President of the United States has been in favor of many bills, but the Congress has the power to legislate, and that is what we are doing.

Mr. BUTLER rose.

Mr. MAGNUSON. I refuse to yield. I am going to answer the Senator's question.

It seems that every time some Member of Congress marches down to the other end of the avenue he comes back with a new list of must bills. In other words, they get orders to pass certain bills.

Some of the legislative proposals are good. Some of them I have opposed. But Congress is the legislative body. I am pointing out the practical situation.

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

Mr. MAGNUSON. No. I refuse to yield, because I have only 20 minutes.

Mr. BUTLER. I will ask my question and have it charged to my own time, if the Senator does not mind.

Mr. MAGNUSON. Let me finish my statement.

Mr. BUTLER. The Senator from Washington did not answer my question.

Mr. MAGNUSON. I will answer it.

Mr. BUTLER. My question was: Does the Senator not think that the Senate should go ahead and legislate on its own responsibility, and not try to second-guess the House of Representatives as to what it is going to do?

Mr. MAGNUSON. I do not think I am second-guessing what the House of Representatives is going to do.

Mr. BUTLER. I think the Senator from Washington is.

Mr. MAGNUSON. I am answering the Senator's question. I think I know what the House of Representatives is going to do.

Mr. BUTLER. I think I know, too.

Mr. MAGNUSON. I think I know. I know the House pretty well. I served in that body for many years. I know what the House is going to do. I know the situation they face now.

I am saying that if the Senate desires to do something about the subject matter of the pending bill—a subject matter which I tackled in 1950 with my own bill, although it related only to maritime matters—the Senate ought to go ahead and act by adopting the amendment I have offered, to which the House will agree because the permanent committee of the House unanimously agreed to it.

It is said that the President of the United States wants this bill passed. There are 16 Republican Members of the House on the Committee on the Judiciary who apparently did not want it. This bill, if passed, will have to be sent to the House Committee on the Judiciary. That is the only place where it can be sent.

The House Un-American Activities Committee did report a bill similar to S. 3706, but without hearings at all, and there were only five members of the committee present at the meeting when the action was taken.

What I have referred to was the unanimous report of the House Committee on the Judiciary, with a membership of 16 Republicans and 14 Democrats.

What else did the House do? This is not second-guessing. I am stating facts. What else did the House do? Instead of going to the country and saying, "Oh, we passed in the Senate some sort of an anti-Communist bill," if we want to do something solid and intelligent about this subject and get something actually accomplished, the pending amendment should be agreed to. We are all trying to reach the same objective.

What else did the House do? After extensive hearings, the House Committee on Education and Labor, which is concerned with this problem because of the question of infiltration of Communists into unions, refused to report favorably the so-called Rhodes bill, H. R. 3993, which is a companion bill to the bill introduced by the Senator from Arizona [Mr. GOLDWATER], and almost identical with the bill introduced by the Senator from Maryland [Mr. BUTLER] which is now before the Senate.

There are two House permanent committees which have refused to report favorably on this bill. It was not because they did not want to accomplish the objective sought, but rather that they thought the bill did not provide the way to go about it.

The third point I have already discussed, but I think the record ought to be clear. This is not second guessing anything. After the two permanent House committees had discussed this very matter, and the House Committee on Un-American Activities, with only 5 of its 9 members present, without any legislative hearings whatsoever, either pro or con, without any advance notice, and after less than 1 hour of committee discussion, reported the bill which is the companion bill to S. 3706.

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

Mr. MAGNUSON. I do not have time. I have only 20 minutes. I shall be glad to yield later if I have any time left.

What did that House Committee on Un-American Activities do? Only 5 of the 9 members were present, and 3 of those members have submitted for the perusal of Congress minority views on a bill very similar to the one now before the Senate.

The minority views are signed by the distinguished, long-time Member of the House, Representative FRANCIS WALTER, of Pennsylvania, who also is and has been for many years one of the senior members of the House Committee on the Judiciary; Representative CLYDE DOYLE, of California, who also is a member of the House Committee on Un-American Activities; and Representative JAMES B. FRAZIER, of Tennessee, who is a member of both the Committee on the Judiciary, and the Committee on Un-American Activities. They signed the minority views, in which they pointed out some of their apprehensions about the bill similar to the one now before the Senate, and strongly suggested that there be adopted a measure such as has been suggested by my proposed amendment in the nature of a substitute.

On June 1, 1954, the Wall Street Journal published an editorial with respect to this matter. I would not say that the Wall Street Journal was an organ of any of the so-called radical left-wingers or of the Communist Party. However, the Wall Street Journal points out in its editorial as follows:

> We recognize the trying task the Attorney General and his law officers face in combating the secret and sinister Communist intrigue. But it is not the part of wisdom ourselves to chip away at the very rights we seek to save from that menace.

Other editorials of the Wall Street Journal which I have placed in the RECORD have pointed out that the best way

to handle the situation is by such a proposal as is contained in my amendment in the nature of a substitute.

The minority views also point out the apprehensions of the good, solid American labor unions. All the labor unions and railroad brotherhoods, including the American Federation of Labor, the Congress of Industrial Organizations, and, I believe, the United Mine Workers, have expressed themselves unanimously to be of the view that although they favor the objectives sought by the pending bill, nevertheless the bill would not accomplish those objectives to any extent whatsoever. It is their belief that there should be some sort of study made—and my proposed amendment in the nature of a substitute would provide for that—and that a report should be made to Congress by January 15, 1955, so that Congress can begin to consider the question in a wise, intelligent way.

The New York Times, also, in a series of editorials, has discussed the matter, and has become concerned about it. Yesterday morning the Times published another editorial, which I believe is either the fourth or the fifth it has published along these lines in the past month. The editorial suggests a measure which is similar to my amendment in the nature of a substitute.

The minority views of the House Committee on Un-American Activities also point out that probably there are certain so-called unions which might be under some form of communistic domination, and undoubtedly the leadership of such unions seeks to promote the interests of those who are engaged in subversive activities. The minority views, however, state:

> Every indication, however, is that this situation is improving rather than growing worse, and that it is being successfully handled by the workers themselves, without Government intervention. The testimony before the House Judiciary Committee on House Joint Resolution 528—and that committee, unlike this one, held hearings—was that out of some 13 unions which in 1949 were Communist-dominated, half of them have by now entirely disappeared, while the others have lost substantial membership. This testimony further showed that this process is a continuing one: within recent weeks the Communist-dominated unions have suffered further substantial loss of membership.
>
> We agree that so long as a single Communist misleader of labor remains in a union office there is no occasion for complacency. But, when the situation is getting better and not worse, neither is there occasion for hysteria.

Mr. President, there are many provisions in the pending bill which, in my opinion as a lawyer, would cause undue harm in connection with the brilliant and almost unending fight which the solid American labor unions are making to rid themselves of any semblance of communism in their ranks, whether by infiltration or domination.

I sometimes think that if Congress were hastily to pass a bill with the provisions contained in the Butler bill, which is similar to the bill that was reported by the House Committee on Un-American Activities with only 5 of its members present, and 3 of those members submitting strong minority views, we might find ourselves not moving along the road toward abolition of Communist infiltration in the United States, but we might be slowing ourselves up.

Again, as a practical legislative matter, and not as a second guess, the House Committee on the Judiciary, to which the Senate bill would be referred if the Senate should pass the bill, is now virtually in adjournment, after having held weeks of long hearings on bills practically identical with the one now before the Senate, and having reported unanimously—14 Democrats and 16 Republicans; not a dissenting vote—a proposal such as is suggested in my amendment in the nature of a substitute.

I want to fight communism. I think I introduced, in 1950, one of the first bills ever to be introduced in Congress to fight the infiltration of communism along the waterfronts of the Nation. My proposal then was for the establishment of a commission representing industry, labor, and the Government itself. That commission has done a very good job along the waterfronts of America, with some rare exceptions, and the commission is still working on those cases. So I bow to no one in my conviction that the Government should do everything it can to abolish communism or the infiltration of communism into the labor unions. I shall continue to work steadily toward that end.

But, as has been pointed out so brilliantly in the editorials which have been published in the Wall Street Journal, the New York Times, and other newspapers throughout the country, there is only one way in which to accomplish this objective. In my opinion, hasty action on a bill such as the one now before the Senate might set us back, no matter how high the motives or how good the intentions of those who sponsor the bill may be in achieving the goal we all seek to reach.

As a practical legislative matter, and as many of us view the situation, I think the amendment in the nature of a substitute should be agreed to. Then I think we shall continue to move along in the fight against communism. But to pass a bill such as the Butler bill in the closing days of this Congress might result in more harm than good and in a failure to accomplish the purpose which is sought to be achieved.

Even yesterday morning the New York Times published another editorial, in which it said:

> The closing days of a legislative session provide hardly the proper atmosphere for considered debate on anything, least of all on such controversial matters as those affecting constitutional rights and civil liberties. That is why an extra word of caution is appropriate now against hasty enactment of laws in this delicate field.
>
> A number of bills are in various stages of passage that have the laudable aim of protecting the Nation against the dangers of Communist infiltration, but in their wide scope and broad phraseology may themselves contain unintended dangers to the American people.

I underscore the words "unintended dangers to the American people." I continue to read:

> For a bill to be desirable, it is not enough that it be merely labeled anti-Communist. In our anxiety to defend ourselves against Communist subversion we do not want to open the way to a comparable subversion of our institutions from a different direction. The path of commonsense and of moderation must be scrupulously followed if we are not to lose everything we seek to preserve.
>
> In some instances during the present session the appropriate committees of House or Senate have shown commendable restraint by withholding or modifying proposals that—however well intentioned—might have proved to be serious infringements on American liberty. For example, the House Judiciary Committee last month shelved two bills that created threats to civil liberties in their efforts to deal with Communist infiltration of industrial plants and of unions. Instead, the commitee proposed a commission to investigate the entire problem. It would be well if both House and Senate acted on this suggestion.

Mr. President, that is exactly what is before the Senate. I am certain that members of the opposite party would not shy away from the suggestion that a commission be appointed to study this question, because the present administration has created commissions to study many things. More commissions have been created in the past 18 months, I think, than were created in the previous 5 or 10 years. Commissions have been appointed to study almost everything—to study trade practices, maritime conditions, aviation, government, and many other subjects. Unfortunately, some of the commissions have not submitted reports, but under the pending amendment the commission provided for would report on January 15. This is what Republican and Democratic Members of the House unanimously said Congress should do and is what they would agree to. If the pending bill is passed, it will go back to the House Judiciary Committee, and will have to buck the unanimous opinion of the committee, despite the fact that there has been a suggestion that this is one of the "must" bills.

The PRESIDING OFFICER. The time the Senator from Washington allotted himself has expired.

Mr. MAGNUSON. Mr. President, I am sure the Senator from Maryland would not object to my continuing.

The PRESIDING OFFICER. The Senator from Washington has 10 minutes remaining.

Mr. MAGNUSON. I thought the half hour had not expired.

The PRESIDING OFFICER. Does the Senator yield himself the remainder of the time?

Mr. MAGNUSON. I yield myself an additional 5 minutes, and then I shall yield 5 minutes to the Senator from New York [Mr. LEHMAN].

Mr. President, I could put into the RECORD well-thought-out editorial opinions from reliable, sensible, and surely anticommunistic newspapers. I could put into the RECORD well-thought-out letters written by persons who might be affected by the bill and who are as anticommunistic and just as good Americans as any Member of this body. We are approaching the problem in the wrong way in the last days of the session. I believe the adoption of the amendment in the nature of a substitute would result in our moving in the right direction.

On July 14, the Wall Street Journal published an editorial on the bill, suggesting that it might become a legal scattergun and might in effect stop us from moving along the path in which we want to move.

Mr. President, I yield the remainder of my time, and will yield to the Senator from New York.

Mr. CASE. Mr. President, before the Senator yields to the Senator from New York, will he yield to me so that I may ask a question?

Mr. MAGNUSON. I yield for that purpose.

Mr. CASE. Is it not a fact that several committees of the Congress, including the House Un-American Activities Committee, during the course of many years have been taking testimony on Communist infiltration in certain labor organizations?

Mr. MAGNUSON. Yes.

Mr. CASE. It seems to me that the time to act has come.

Mr. MAGNUSON. Surely, testimony has been taken on the whole broad question, but it is one thing to take testimony on the broad problem and another thing to take testimony on a specific, legal proposal in a bill. The House Judiciary Committee, which had held hearings on these very same proposals for weeks, unanimously reported the proposal that is now before the Senate in the nature of a substitute.

Mr. CASE. Four or five years ago, when I was a member of the committee, it was taking testimony.

Mr. MAGNUSON. The committee made a broad inquiry, but even then the members disagreed. I suggest to the Senator from South Dakota that he read the very cogent and pointed minority views of the members of the House Un-American Activities Committee.

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

Mr. MAGNUSON. I yield to the Senator from Montana.

Mr. MANSFIELD. Why would it not be better to pass bills which many of us have introduced to outlaw the Communist Party, in order to meet the issue head-on, and make the cleavage sharp and clean once and for all?

Mr. MAGNUSON. I have no objection to that, but I think the whole problem would be better solved at this time by adopting the amendment in the nature of a substitute, particularly in view of the fine work which the American labor unions have been doing. It must be remembered that in some unions the membership runs into millions. As was stated by the Wall Street Journal, which surely is an anti-Communist newspaper, the bill may become in effect a legal scattergun. The proposal is that the Congress should do the job in a manner in which the House Judiciary Committee said it should be done.

Mr. President, I yield the remainder of my time to the Senator from New York.

Mr. LEHMAN. Mr. President, I rise in support of the Magnuson substitute, of which I am very proud to be a cosponsor. I spoke at length yesterday on the pending bill, S. 3706. I pointed out that, in my opinion, S. 3706 was not only a highly dangerous bill, but completely useless.

Mr. President, I wish to say that I do not in the slightest degree minimize the threat of communism, and I yield to no Member of this body or to any person anywhere in my determination to block the nefarious efforts of the Communists, who, as we all know, are taking their orders in the main from a foreign power which is our enemy. However, I think we would be doing an extremely unwise thing if we passed a blunderbuss bill for the ostensible purpose of rooting out Communists from the labor movement, while we overlooked the fact that this bill, which would not, in fact, truly control or limit Communist activities, would instead constitute an extremely serious threat to the great organized labor movement in this country.

This bill would place in the hands of an Attorney General who might be antagonistic to labor, a powerful weapon to cripple labor, to break strikes, to prevent efforts to organize labor in areas where labor is weak or unorganized, and finally would penalize millions of hard-working patriotic men and women who are just as loyal to the interests of this country as is any Member of this body. The bill has the opposition of every branch of responsible organized labor.

I had printed in the RECORD yesterday certain views which were expressed by the great leaders of organized labor. These leaders want to protect this country; they do not want to let Communists hurt this country; but they also want to make certain that in the blunderbuss, hasty efforts to pass a bill, which has already been repudiated by a responsible committee of the House of Representatives, the organized labor movement itself is not made to suffer beyond repair.

I have said that, in my opinion, this bill would be a useless one. It would not hurt the Communists in any way. The bill would give protection by way of court action and appeals and the right to be heard by the legal tribunals, as should be provided; but, Mr. President, such legal procedures might, and probably would, take years and so many years might elapse before there would be any effective control of Communists in labor unions.

We know that under the Internal Security Act, action has been taken against the Communist Party itself. At that time—it was in 1950—I predicted that it would be 2 years before any determination of that action would be made. Mr. President, I was far too conservative, for here we are already approaching 1955—it has been nearly 5 years—and still no determination has been had in that case. As far as I know the case has not even been heard by the Supreme Court of the United States. In my opinion the same situation can and will be duplicated in every proceeding that is initiated under this bill.

Mr. President, this is a highly important matter. Action should not be taken lightly. It should not be taken without weighing the implications and the probable results.

What the Senator from Washington [Mr. MAGNUSON] and I have proposed, and what has been proposed by the Judiciary Committee of the House of Representatives, is that a commission of 12 members be appointed by the President of the United States, consisting of men and women who are outstanding leaders of labor, of business management, and of the general public. Our amendment provides that the commission shall report its findings on or before January 15, 1955, to the President of the United States, the President of the Senate, and the Speaker of the House of Representatives.

The PRESIDING OFFICER. The time of the Senator from New York has expired.

Mr. LEHMAN. Then, Mr. President, I ask unanimous consent to have printed in the RECORD, as a part of my remarks, a memorandum which has been prepared in connection with Senate bill 3706.

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

AUGUST 9, 1954.

MEMORANDUM

SUMMARY OF S. 3706

S. 3706 would amend the Subversive Activities Control Act of 1950 so as to enable the Subversive Activities Control Board on petition filed by the Attorney General to determine whether any organization named in the petition is Communist-infiltrated. It does not in terms apply to unions, but the consequences which follow a determination by the Board that an organization is Communist-infiltrated are such as to apply effectively only to unions.

The bill defines a Communist-infiltrated organization as "any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is serving, or within 5 years has served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces."

The bill lists seven factors which the Board is to take into consideration in determining whether an organization is Communist-infiltrated within the meaning of this definition. These are similar to those presently set forth in subsections (e) and (f) of section 13 of the Subversive Activities Control Act of 1950, and are substantially as follows:

(1) The extent to which the management of the organization is in the hands of one or more individuals who are, or within the past 5 years have been, members, agents or representatives of any Communist organization, Communist foreign government, or the world Communist movement, or have been actively engaged in giving aid or support to the same, with knowledge of the nature and purpose thereof;

(2) The extent to which the policies of the organization are, or within the past 5 years have been formulated and carried out under the direction or advice of any member, agent or representative of any Communist organization, government or movement;

(3) The extent to which personnel or resources of the organization are, or within the past 5 years have been, used to further or promote the objectives of any Communist organization, government or movement;

(4) The extent to which within the past 5 years the organization has received from, or furnished to or for the use of, any Communist organization, government or movement any funds or other material assistance;

(5) The extent to which the organization is, or within the past 5 years has been, affiliated in any other way with any Communist organization, government or movement;

(6) The extent to which the affiliation of the organization or of any individual or individuals who are members of the organization or manage its affairs, with any Communist organization, government or movement is concealed from or not disclosed to the membership of the organization; and

(7) The extent to which the organization or any of its members or managers are, or within the past 5 years have been, knowingly engaged in conduct punishable under the criminal penalties provided for in the Subversive Activities Act of 1950, or under the chapters of the Criminal Code dealing with espionage and censorship, sabotage, and treason, sedition and subversive activities.

The bill provides that whenever the Attorney General has reason to believe that any organization is Communist infiltrated he shall file with the Subversive Activities Control Board a petition for a determination by the Board to that effect. If the Attorney General certifies that the proceeding is one of exceptional public importance, the proceeding is to be expedited to the greatest practicable extent before the Board and in the courts. Generally speaking the procedures before the Board follow closely those provided for in the Subversive Activities Control Act of 1950 with regard to Communist-action or Communist-front organizations. An organization determined to be Communist infiltrated could file a petition with the Board for a determination that such organization no longer is a Communist-infiltrated organization, but such a petition could not be filed until at least a year had passed after a determination that it is Communist infiltrated, nor more frequently thereafter than once each year.

The effect of a determination by the Subversive Activities Control Board that an organization is Communist infiltrated would be to deprive it of its standing as a labor organization for purposes of the National Labor Relations Act, as amended by the Taft-Hartley Act. It would be ineligible to act as representative of any employee for purposes of either section 7 (protecting the right to organize and bargain collectively) or section 9 (providing procedure for the selection of employee representatives for collective bargaining purposes) of that act. And it would also be prohibited from obtaining any hearing before the National Labor Relations Board on any charge of unfair labor practice brought against an employer under section 10 of the act. The organization would be deprived of the right to "exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations."

The bill further provides that a determination that a union which is certified as bargaining representative of the employees in a bargaining unit under the Taft-Hartley Act is Communist infiltrated would have the effect of raising a question of representation within the meaning of section 9 (c) of the National Labor Relations Act as amended. If a petition were filed by not less than 20 percent of the employees in a bargaining unit or by "any person or persons acting in their behalf" the National Labor Relations Board would be required to direct an election in the unit for the selection of a representative for collective-bargaining purposes and to determine whether the employees wish to rescind the authority they previously granted to the proscribed labor organization to represent them in collective bargaining with their employer.

COMMENTS ON S. 3706

The following specific comments may be made on S. 3706:

(1) It is a documented fact (see Senate Document No. 89, 82d Cong., 1st sess., Communist Domination of Certain Unions, being the reports of committees of the CIO executive board on charges brought against 9 unions affiliated with the CIO which resulted in the expulsion of these 9 unions from the CIO) that Communists have infiltrated certain unions and have sought to manipulate these organizations for their own purposes rather than for legitimate trade-union objectives. To the extent that these unions represent employees in plants engaged in activities relating to the national defense, this fact is a matter of great concern, not only to those in the Government whose specific duty it is to protect the national security, but also to every American citizen who is devoted to the maintenance and preservation of our way of life.

(2) The bill seeks to deal with the problem of Communist-dominated unions by utilizing the procedures provided for in the Subversive Activities Control Act of 1950 for their identification as such and by depriving unions so identified of the protection and procedure afforded employees and unions in the National Labor Relations Act, as amended. Its provisions raise questions as to (a) its effectiveness in achieving the purpose for which it is designed, (b) its implications for the labor-union movement in general, which is overwhelmingly loyal and anti-Communist in its beliefs and activities, and for employees the great majority of whom are also loyal and anti-Communist, who are presently represented by Communist-dominated unions, and (c) its effects in broadening and intensifying Government control in an area of activity which is particularly difficult to deal with successfully by legislation and governmental action.

(a) With respect to the effectiveness of S. 3706 in achieving the purposes for which it is designed, it may be pointed out that more than 3 years have elapsed since proceedings were first instituted before the Subversive Activities Control Board for a determination that the Communist Party is a Communist-action organization within the meaning of the Subversive Activities Control Act of 1950. No final determination has yet been reached. There is no reason to believe that a determination that a union is Communist-infiltrated can be reached any more expeditiously.

Both the initiation of a proceeding under the bill and the long period of time that would be required to secure a final determination would, in all probability, be welcomed by the Communist infiltrators of the union, who would use them as proof that the union was in danger and needed the loyal support of all its members. This would be an added barrier that the anti-Communist unions would have to break down in their efforts to persuade their members to throw off the yoke of Communist domination and return to the fold of the free democratic trade union.

The effective way to deal with the problem of Communists in unions is not through legislation, but through the organizing activities of the free democratic unions in the A. F. of L. and the CIO. That this is the most effective method of dealing with this problem is demonstrated by the fact that more than three-fourths of the nearly 1 million members who belonged to the unions expelled from the CIO in 1949–50 have returned to the CIO and are no longer members of those unions. Today those unions are weak and are dwindling in number and importance every day. It would be unfortunate if anything were done which would slow down this healthy process, such as the enactment of the cumbersome procedures provided for in S. 3706.

If any Government action is to be taken in this field, it should be preceded by careful study and thought. The House Judiciary Committee has proposed that a bipartisan commission be established to undertake a thorough review of the problem of Communist dominated or infiltrated unions and of defense plant security. This action has the support of the major labor organizations. It constitutes a far more effective approach to the problem than that proposed in this bill.

(b) With respect to the implications of the bill for the labor movement in general and for the members of unions that may be proscribed under its provisions, the looseness and vagueness of the standards for determining whether a union is Communist-infiltrated are an invitation to antiunion employers and other individuals to use the bill to destroy unions.

Thus, the definition of a "Communist-infiltrated" organization is one which is dominated by an individual or individuals "actively engaged in" a Communist organization, etc. What is meant by "actively engaged in"? Does it include mere membership in a Communist organization?

A union could be proscribed if its "effective management" was conducted by one or more individuals who are, or within 5 years have been, members, agents, or representatives of any Communist organizations, any Communist foreign government, or the world Communist movement, "with knowledge of the nature and purpose thereof." What does "effective management" mean in this context? What "knowledge of the nature and purpose" of "any Communist organization," etc., is required?

To what extent must the policies of a union be carried out "pursuant to the direction or advice of any member, agent, or representative" of a Communist organization, Communist foreign government, or the world Communist movement, as provided in paragraph (2) of the standards, in order to condemn the union? Is a showing of mere coincidence of policies sufficient, or must something more be shown? If so, what else?

The third standard refers to the furtherance or promotion of the objectives of Communist organizations, etc. There have been instances in the past, as, for example, during World War II, when some of the objectives of Communist organizations and of loyal Americans have been the same. Under the bill it is possible that if some of the objectives of a legitimate organization coincide with those of a Communist organization, the organization could be deemed to be Communist infiltrated.

Paragraph 5 of the standards contains a blanket basis for condemnation, namely, affiliation "in any other way" with any Communist organization, etc. This is a wide open provision extending "guilt by association" in such a way as to enable the Subversive Activities Control Board to condemn any organization which the Board, depending on the individual predilections of its members, believes should not be entitled to use the facilities of the National Labor Relations Board.

Finally, the Board is to take into consideration whether or not "the affiliation of such organization, or of any individual or individuals who are members thereof or who manage its affairs" with a Communist organization, etc., "is concealed from or is not disclosed to the membership" of such organization. This would appear to mean that a union officer or agent can deny Communist ties only at the peril of the organization, for if it is alleged that he has such ties, the organization can be proscribed on the ground that he did not make full disclosure to the membership.

The significance of these loose and indefinite standards must be considered in the light of the fact that there still are many persons in certain sections of this country who still look upon unions as alien elements in our society. These are times when even

the most unfounded charges can get a hearing and when an individual with a grudge against the union or one of its active members could subject the union to lengthy proceedings before the Subversive Activities Control Board. The bill would give a weapon to the unscrupulous employer who wished to use it for his own purposes in frustrating the organization of his employees and undermining legitimate trade-union activities.

While unions can be condemned under the bill simply by virtue of the affiliations and activities of alleged "Communist infiltrators," nothing can be done under the bill to penalize or halt the activities of these same infiltrators.

It will be noted, furthermore, that the bill specifically excludes Communist-front and Communist-action organizations. Under the Subversive Activities Control Act these organizations are only required to register. While the Communist Party, therefore, could still lawfully exist, organizations that are "infiltrated" by Communists would be liquidated by denying them access to the National Labor Relations Board. This hardly comports with reasonable national security considerations.

To the extent that the bill is effective in identifying certain unions as "Communist infiltrated" it will have the effect of eliminating for employees who are members of such unions the possibility of resort to the orderly procedures of representation and collective bargaining provided for in the National Labor Relations Act, as amended. While it is probable that many of them may join other unions, many may not, and trade unionism as a whole will suffer. Possibly if this bill afforded the only effective means of dealing with the problem of Communists in unions, this is a cost which could be borne. In the face of indisputable evidence, however, that the bill can hardly be as effective in dealing with this problem as the efforts of the unions themselves have been, it is a cost which the labor union movement could well be spared.

(c) With respect to the matter of Government control of unions, a major effect of S. 3706 would be to place in the hands of the Attorney General and the Subversive Activities Control Board, the power to determine whether a union shall be entitled to the benefits and procedures provided for in the National Labor Relations Act, as amended. One of the fundamental characteristics of a free society is that individuals should be free to join whatever organizations they feel will best promote and protect their interests and that neither they nor those organizations should be subject to Government dictation in this respect. On the other hand, it is one of the hallmarks of dictatorship, whether of the Fascist or Communist variety, that organizations are permitted to exist and function only under the direction and sufferance of the Government.

President Philip Murray, of the CIO, pointed this out in a letter to Senator HUMPHREY in 1952, saying:

"We believe that if the Government undertakes to determine what unions can represent workers in this country it will have embarked upon the long trail toward Government control of unions. In the dictatorships of the world, unions exist at the sufferance of the State. We in America do not want to take a single step in that direction."

This position was reiterated by the CIO executive board at its meeting on March 22 of this year. Its statement on this problem issued at that time said:

"To sacrifice the dividends of fredom now enjoyed by the members of our unions for the very grave disadvantages of Government control and regulation would be as illogical as it is unnecessary. To the same degree, it would be a mighty victory in the Communist efforts to discredit free labor in America and the validity of our American democratic institutions. The masters of the international Communist conspiracy, acting from the standpoint of long-range strategy, would gladly exchange control of a few insignificant and weak Communist-led unions for government shackling of our whole free trade union movement, just as they welcome any setback to America's healthy economy and expanding democracy."

Similar views were voiced by President George Meany, of the A. F. of L., in testimony before the House Judiciary Committee.

This bill could be a very damaging weapon in the hands of an antilabor administration. The mere publication of charges against a union alleging that it was infiltrated by Communists could well be a death blow to the organization, particularly if made in the midst of an organizing campaign or a strike. It would take many months or possibly years before the union could clear itself of the allegation, even if the allegation were wholly without foundation.

Our national policy in the field of labor-management relations is founded on voluntary organization of workers in unions and free collective bargaining. These cannot exist, however, where Government undertakes to regulate, not only the relations between unions and employers, as provided in the Taft-Hartley Act, but even the kind of unions that may maintain such relations.

This bill raises important issues of labor policy. Yet, it has not been considered by our Committee on Labor and Public Welfare. Furthermore, at the hearings held by the Butler subcommittee on proposals for dealing with the problem of subversive activities in labor unions the subcommittee heard testimony only from witnesses who were either ardent advocates of the bills or who represented unions which would be directly affected by the provisions of the bill. No representatives of the A. F. of L. or the CIO testified at the hearing. The views of these organizations are found only in communications to the subcommittee which are printed at the very end of the volume of the printed hearings. The subcommittee was evidently not interested in the views of these representatives of labor who have had long experience in dealing with the problem of communism in unions and who have achieved a remarkable record of driving out of the labor movement those who would subvert it in the interest of the Communist movement.

Mr. BUTLER. Mr. President, has all the time of the proponents of the pending amendment expired?

The PRESIDING OFFICER. It has expired.

Mr. BUTLER. Mr. President, I yield myself 5 minutes.

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

Mr. BUTLER. Mr. President, the proponents of the amendment by way of a substitute have said the pending bill is a hastily conceived one. Last night, I went to great lengths to emphasize to the Senate that such is not correct. I would refer the Senators to my remarks in that regard appearing on page 14097 of yesterday's CONGRESSIONAL RECORD.

Mr. President, the burden of the argument of the proponents of the amendment simply surrounds the proposition that the Internal Security Subcommittee of the Judiciary Committee of the United States Senate, which under the law has the responsibility of determining that the Internal Security Act of 1950 operates justly and satisfactorily, should be displaced by a commission to be appointed by the President of the United States. I object to such a procedure. I think the Senate of the United States is fully capable, through its committees, of conducting its own business and discharging the obligation placed upon it by the Internal Security Act of 1950. So I resent the suggestion that the Congress of the United States should be augmented by a Presidential commission to tell it how to operate one of its duly organized committees. I say to the Senate, most emphatically, this amendment is but a device to postpone consideration of this bill. So I am opposed to it.

As I said to the Senator from Washington [Mr. MAGNUSON], irrespective of what the committees of the House of Representatives may do, irrespective of what the House of Representative itself may do, it is our duty, as Members of this great body, to legislate on our own bills, and not to try to prognosticate what the House of Representatives will do with a bill, after we pass it.

The proponents of the amendment by way of a substitute say the situation is improving, and that we should permit the union leadership and membership to continue to purge itself of communism. Let us examine that contention for a brief moment, Mr. President.

We in the Internal Subcommittee have been holding hearings throughout the country on that very situation. What do we find? We find admitted and avowed Communists at the head of some of the most powerful unions in this country—unions that sit astride our most vital communications; unions that have to do with the mining of our metals; unions composed of electrical workers, that have to do with radar and other sensitive communications equipment which are manufactured in various plants throughout the country. Those men, I say to the Senate, have been known to be Communists year in and year out. They are still Communists, and they are still holding the same offices they held in those unions when we first initiated these investigations.

Much has been said by Senators on the other side of the aisle about how they have been working on this problem since 1950. Mr. President, if they have been working on it since 1950, and have taken volumes of testimony, where are their recommendations? Where is the bill which would correct what all of us know exists today? Where is their proposed legislation?

Mr. MAGNUSON. Mr. President, will the Senator from Maryland yield?

Mr. BUTLER. I am very glad to yield to the Senator from Washington.

Mr. MAGNUSON. What I said related only to maritime matters.

Mr. BUTLER. I am not referring to the Senator from Washington. Furthermore, his bill has been passed.

But we have heard many other Senators say, within the last day, that they held very comprehensive hearings, and that they are very much worried about the problem, and that they know it exists.

I ask the Senate of the United States, where are the fruits of their labors? Where is the legislation?

The PRESIDING OFFICER. The 5 minutes allotted to the Senator from Maryland have expired.

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

The PRESIDING OFFICER. The Senator from Maryland is recognized for an additional 5 minutes.

Mr. BUTLER. Mr. President, I wish to say that this bill has been drafted and redrafted. Parts of this legislation came from as many as 4 or 5 other bills which have been introduced in either 1 or the other of the 2 Houses of the Congress. The bill is not a hastily conceived one. All of us know that we have been taking testimony and holding hearings on this matter for many, many years, in both Houses of the Congress.

This bill may not be a perfect one. If not, as a member of the Internal Security Subcommittee I shall be the first one to come on this floor and offer an amendment to rectify any injustice or any inequity which may develop in its administration. I have no desire to hurt any labor union. I do not think the bill will injure any legitimate labor union. But this bill will hurt a union that is Communist-infiltrated and Communist-dominated, and that should be the aim of every Member of this great body. Communists who control or dominate United States labor unions are the persons we here seek to reach. We wish to eradicate them from the American labor scene.

Mr. President, some Senators contend the bill cannot possibly pass the House of Representatives. I say that we should completely disregard that statement, for the reason that the Senate is traditionally and historically an independent legislative body. It should in its own wisdom pass on the legislative proposals before it, and should not try to forecast the action of the other body.

But, Mr. President, I can tell you confidently that the President of the United States wants the bill. I can tell you confidently that the Attorney General of the United States has approved it; and I do not think the President of the United States and the Attorney General of the United States would endorse and support any bill which would hurt any legitimate labor organization.

Mr. President, in closing these brief remarks, let me say that the Senator from Washington—I am sorry he is not now in the Chamber—last night made reference at page 14164 to a letter which had been written to him by Albert J. Fitzgerald, general president of the United Electrical, Radio, and Machine Workers of America, and introduced into the RECORD a copy of that letter. When Mr. Fitzgerald was before the Internal Security Subcommittee task force of which I am chairman, what was his response when asked whether or not he was a Communist? For the information of the Senate, I refer to page 236 of the hearings on this bill. After having been asked by the Senator from Mississippi [Mr. EASTLAND], "Your officials have never been members of the Communist Party?" Mr. Fitzgerald replied:

Mr. FITZGERALD. So that we will not waste time, and we will get back to it later on when I get to my part of the testimony, for the present time, I suppose you want me to claim the privilege of the fifth amendment, which I will do.

Senator BUTLER. We do not want you to claim anything.

Mr. FITZGERALD. Then I will claim it, sir.

Mr. ARENS. Do you feel that a truthful answer to the question by the Senator from Mississippi will furnish information which might be used in a criminal prosecution of you?

Mr. FITZGERALD. I feel that under the Constitution of the United States that I have the right to claim the privilege of the fifth amendment.

I shall read from page VI of the report of the task force growing out of the investigation of that union in the Pittsburgh area, the conclusions that we arrived at:

The testimony establishes that there exists in the area of Pittsburgh, Pa., a serious potential danger to the security of this Nation. It is unthinkable that a large segment of the heavy industrial area of Pittsburgh, Pa., should be manned by a Communist-controlled organization masquerading as a labor union. All the forces of the Government of the United States must be brought to bear promptly to meet this critical situation.

In addition, the Senator from Washington referred to the fact that the Mine, Mill, and Smelter Workers were opposed to this bill and in favor of his proposed amendment by way of a substitute.

It is commonly known that the officers or some of the officers of that union are avowed and professed Communists. They are not bashful about this affiliation. They even protest when forced to resign from the Communist Party for the purpose of making an affidavit under the Taft-Hartley Act.

The PRESIDING OFFICER. The Senator's time has expired. Does the Senator yield further time to himself?

Mr. BUTLER. Mr. President, I yield myself an additional 2 minutes.

Mr. KNOWLAND. Mr. President, a parliamentary inquiry. How much time is left?

The PRESIDING OFFICER. Eighteen minutes.

Mr. BUTLER. I yield myself an additional 2 minutes.

To point up that situation, let me read the comments and recommendations by the Internal Security Subcommittee after holding hearings on the mine, mill, and smelter workers in Salt Lake City, Utah:

It should be a matter of deep and continuing concern to all patriotic citizens that the International Union of Mine, Mill, and Smelter Workers, which operates in an industry so vital to the security of this Nation, is controlled by officers who have been identified under oath as Communists, and will not deny their membership in the Communist Party.

Those men had been Communists for many, many years. They had been officials of that union for many, many years. I ask my colleagues on the other side of the aisle, Where are the fruits of their labors? Where is the legislation that they would bring forth, after all the hearings that were held, to correct a situation, fully illuminated, like that, in which avowed members of the Communist Party are sitting astride our most vital industries?

We would be most derelict to our trust if we did not take means with which to put an end to that situation.

Mr. FERGUSON. Mr. President, will the Senator yield some time?

Mr. BUTLER. How much time does the Senator desire?

Mr. FERGUSON. How much time does the Senator have?

Mr. BUTLER. Sixteen minutes, if the Senator would like it.

Mr. FERGUSON. Will the Senator yield such part of that time as I may desire?

Mr. BUTLER. That is agreeable.

Mr. FERGUSON. Mr. President, some time ago, at the suggestion of the Attorney General, who is the chief legal adviser of the President of the United States, who has Cabinet status, and who is very familiar with what is going on so far as Communist penetration in America is concerned, I introduced a bill dealing with communism. Anti-Communist legislation is needed in America.

I came to the Senate 12 years ago, and 10 of those years I have spent on the Judiciary Committee of the Senate. One of the jobs of the Judiciary Committee is to look into the question of communism. I came from the bench in Michigan. I had had some experience with Communists in Michigan, but I did not understand communism as I later learned it to be. While I had had Communists before me in my court and had experience with communism, I really did not understand communism until Communist leaders such as Foster and Gates sat across the table from me and told of their Communist activities. I then understood more about communism.

I went to New York City as a minority member of the Internal Security Subcommittee under the distinguished Senator from Nevada [Mr. MCCARRAN] to look into the question of Communist penetration into schools and educational programs. Mr. Dubinsky, the head of the labor union of the clothiers, of New York, wrote an article in the Saturday Evening Post of May 9, 1953, in which he described one of the cases. I ask unanimous consent to insert in the RECORD at this point a portion of his article telling how he dealt with Communists in the union.

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

HOW I HANDLED THE REDS IN MY UNION

(By David Dubinsky, president, International Ladies Garment Workers Union)

(One of the scrappiest labor leaders in America tells the revealing story of how he whipped the Communists in his union, when they were on the point of capturing it. His favorite weapon? The ex-Communist. Author Dubinsky: "Seek them out, expose them, fight them, destroy their capacity for evil.")

For 12 years Dr. Harry G. Albaum, a biology professor at Brooklyn College, had nursed a secret to his bosom and hoped desperately that he would be rid of it before it devoured him. He had been sucked into the Communist Party in 1938 and now he was trapped. When he suggested to a fellow member that he wanted to quit, the latter told him, "Brother, you don't resign from

the Communist Party; you are expelled." He might have welcomed expulsion, except for the fact that the Communists had the goods on him. By order of the party higher-ups he had told a lie under oath to a State examining board, and he knew they would not hesitate to give him away to the authorities once he left them for good. Not only would he risk the loss of his position and rating as a professor but he would also incur the obloquy attendant on disclosure of his secret past. He was desperate, for, although he had drifted away from them and had had no contact with them for 12 years, his past was about to catch up with him. He had just received a summons to testify before the Senate Internal Security Subcommittee.

What was Albaum to do—take refuge behind the evasions and legal subterfuges by which others had sidestepped the truth or make a clean breast of it and take the consequences? He was in a state of emotional collapse as he faced his inquisitors, Senator HOMER FERGUSON, chairman of the hearing at which he was to be examined, and Robert Morris, counsel of the committee, who was to conduct the examination. Finally he pulled himself together and told all. Yes, he had been a member of the Communist Party. He had stayed with them only 2 years and had spent the rest of the time trying to live it down. "This pall," he blurted out, "has been hanging over me for 12 or more years, and I cannot live with it any more."

Senator FERGUSON'S response on that occasion is worth noting, for it holds the key, it seems to me, to the tactics and strategy to be pursued against the native agents of the Moscow hierarchy. Said Senator FERGUSON, "* * * It is very refreshing to realize that there has finally been a place that you could come to * * * (where a man) can come in and testify and free his soul."

Long experience in unrelenting and sometimes harrowing infighting with the Communists has taught me that certain methods will work against them while others will not. It is for this reason that I consider Senator FERGUSON'S remark not only a charitable one but also a sagacious one. It represents the proper approach to the problem of what to do with former Communists and disaffected present adherents of the Reds.

Mr. FERGUSON. We were trying to solve a problem, Mr. President, and that subcommittee has worked for years on that endeavor.

When the Senate considered the internal security bill it was confronted with some of the same maneuvers which are apparent today, seemingly designed to defeat the legislation without an actual vote on it. If anybody understands communism, I think he will want legislation enacted to cope with it.

One of the criticisms of investigations of communism in America is that following them no action is taken. The hue and cry is, "Why do we not leave this problem to the Attorney General of the United States under criminal statutes? Why do we not allow J. Edgar Hoover to investigate Communists?" Then, Mr. President, when we ask the Senate to pass a bill which will enable the Attorney General of the United States and the FBI to make investigations of communism, what do we get? We get the same answer: "Oh, let us refer it to a commission. Let us have another year's study of it."

Mr. President, I am for studying a problem. I want to get the facts. I do not want to legislate in a smog. However, this issue is clear. We have studied the question of penetration of communism in America long enough. Although we are asking other nations to rid themselves of Communists in their governments and in their labor unions, we are not doing anything about it in America so far as enacting a law is concerned. I believe in law. I believe in equal justice under law. That is what we are trying to do here. If we create a commission to study the question, there will arise the same hue and cry, that we are smearing honest, reliable people, and that we are trying to destroy unions because some of them have been penetrated by Communists.

I rise today to say that the pending bill will do the greatest amount of good for labor unions that they can have done for them. The unions are in favor of it. The CIO, the A. F. of L., the Mechanics Union, and every other honest, reliable union is in favor of the bill, because it will give them the one thing they need, and that is a law under which they can get rid of Communist domination of unions.

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

Mr. FERGUSON. I yield.

Mr. MANSFIELD. Why does not the Senator from Michigan go one step further and support bills like those I have introduced in the House and in the Senate, which would outlaw the Communist Party? Then the line will be drawn sharply, cleanly, and clearly.

Mr. FERGUSON. The reason I do not advocate outlawing the Communist Party in America is that the Communists would go underground, and it would not do an iota of good to outlaw them. That is what the Communists want. They think they can cover up the movement if we outlaw the Communist Party.

We passed the Smith Act. Do we see the Communist Party before the court when individual Communists are being tried on the charge of conspiracy to to overthrow the Government of the United States?

Outlawing the Communist Party will not solve the problem. Why does not the Senator from Montana join with us in this crusade to get at the Communists in America?

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

Mr. FERGUSON. I yield.

Mr. MANSFIELD. The Senator certainly does not mean to say that the Communists are not underground now, does he?

Mr. FERGUSON. Not at all. But they are in labor unions because labor unions cannot cope with the situation. If they were able to cope with the situation they would not allow them in the unions. All the Communists need in any organization is 1 or 2 members of the Communist Party. After 10 years of working in the Senate on this issue, and many years on the bench and at the bar, I know that today wherever the minds of men are called into play anywhere in the world the Communists are attempting to penetrate organizations and influence the decisions of men.

I should like to relate a little story which was told to me as a fact when I was in Tokyo visiting Gen. Douglas MacArthur. He told me about Mr. Malik, who had been Ambassador to Japan prior to the end of the war, before the Russians entered the war. Malik had voted with MacArthur on a certain point that had come up before the Commission in Japan. The General asked him why he had gone along. He said, "Why did you go along with us? We are rather surprised that you should go along with us on that point."

Mr. Malik took out three matches and laid them in a row on the table. He said, "General, the reason we went along is this. The first match is capitalism. The second match is socialism. The third match is communism. When anything moves from the first match, capitalism, along a line to socialism, you will always find us there in favor of that movement, going along with it. It will take time and patience. However, we know that the time is coming when the movement will be over to the third match, communism."

I say that anything that concerns the minds of men will always have around it Communists attempting to move from one point to the next, to communism, and attempting to influence our country to move along the line to communism. That is what we must guard against today.

There was read into the RECORD the other day a resolution adopted by a great labor union. I am not surprised that the Communists are trying to stop this bill. They are in the gallery and in the corridors of the Capitol today. If I were a Communist, I would be trying to stop it, too.

However, let me read what the CIO has said. I defy anyone to say that the CIO is trying to destroy unions in America, or that it is antiunion. This is what the CIO organization said in 1949 in connection with a resolution of expulsion directed against the United Electrical, Radio, and Machine Workers of America, a communications union, whose members handle vital messages which are sent all over the world. They are radio and electrical workers. Their union was expelled from the CIO on November 2, 1949. Let me read the resolution:

> We can no longer tolerate within the family of CIO the Communist Party masquerading as a labor union. The time has come when the CIO must strip the mask from these false leaders, whose only purpose is to deceive and betray the workers. So long as the agents of the Communist Party in the labor movement enjoy the benefits of affiliation with the CIO, they will continue to carry out this betrayal under the protection of the good name of the CIO.

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

Mr. FERGUSON. I am glad to yield.

Mr. BUTLER. Are those men still officers in the union to which the Senator has referred?

Mr. FERGUSON. I understand they are.

Mr. BUTLER. The union still has the same officers?

Mr. FERGUSON. That is correct.

Mr. BUTLER. They are in control of a very powerful union, whose workers

make our most secret radar and radio equipment, are they not?

Mr. FERGUSON. That is correct.

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

Mr. FERGUSON. I yield.

Mr. KNOWLAND. The question was raised a little earlier as to why the Communist Party, as such, was not outlawed. In addition to whatever constitutional questions may be involved, is there not the additional factor that the Communists could very easily call themselves by another name—for example, the L. S. and M. Party, which to the Communists might mean the Lenin-Stalin-Malenkov Party—thus giving an entirely different outward appearance?

Mr. FERGUSON. That is correct.

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

Mr. FERGUSON. What I have read are the words of the CIO. I respect that union because it is trying to cleanse itself of communism. Are we going to help them? Are these the words of a "union-busting" Senator? These are the words of the CIO themselves in connection with an attempted expulsion of Communists. We cannot solve this problem by outlawing the Communist Party. We can solve it only by having laws on the statute books which will give equal protection to all.

Mr. President, Senators stood upon the floor of the Senate for long periods when the internal security bill was under consideration, and in one case a Senator exhausted himself and had to be carried from the floor. This debate should not take a long time. I never was more interested in anything in my life than I am in having communism in America under law. We have investigated sufficiently. Therefore, Mr. President, I raise my voice, and I raise it loudly today, because I want this proposed legislation to pass and not merely to have a study of the subject for another decade.

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

The PRESIDING OFFICER. The time has about expired. The Senator from Maryland has 1 minute remaining.

Mr. BUTLER. Mr. President, I regret that I shall not be able to yield.

The amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON] to the bill is simply a parliamentary device to defeat the pending legislation. I urge Members of the Senate to stand up and be counted on the simple issue which is before the Senate, and not to sidestep that issue by voting for the substitute.

The instant bill is an internal-security measure, designed to protect this Nation against the Communist fifth column. It is not an antilabor bill. It is not a union-busting bill. It is an internal-security measure. It has not been hastily conceived. This bill is a vital and integral part, a much needed part, of the Internal Security Act of 1950.

I hope the Senate will in due time defeat the proposed amendment and pass the bill.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Aiken	Gillette	McCarthy
Anderson	Goldwater	McClellan
Barrett	Gore	Millikin
Beall	Green	Monroney
Bennett	Hayden	Morse
Bowring	Hendrickson	Mundt
Bricker	Hennings	Murray
Bridges	Hickenlooper	Pastore
Burke	Hill	Payne
Bush	Holland	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Reynolds
Capehart	Jackson	Robertson
Carlson	Jenner	Russell
Case	Johnson, Colo.	Saltonstall
Chavez	Johnson, Tex.	Schoeppel
Clements	Johnston, S. C.	Smathers
Cooper	Kennedy	Smith, Maine
Cordon	Kerr	Smith, N. J.
Crippa	Kilgore	Stennis
Daniel	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Lehman	Upton
Duff	Long	Watkins
Dworshak	Magnuson	Welker
Ellender	Malone	Wiley
Ferguson	Mansfield	Williams
Frear	Martin	Young
Fulbright	Maybank	
George	McCarran	

The PRESIDING OFFICER. A quorum is present.

The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON].

Mr. KNOWLAND. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been ordered.

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

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON].

Mr. MAGNUSON. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MAGNUSON. As I understand, this yea and nay vote will be on the amendment in the nature of a substitute which I offer on behalf of myself and other Senators. Is that correct?

The PRESIDING OFFICER. The question is on agreeing to the amendment in the nature of a substitute offered by the Senator from Washington [Mr. MAGNUSON] for himself and on behalf of other Senators.

The yeas and nays having been ordered, the clerk will call the roll.

The Chief Clerk called the roll.

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

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

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "nay."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that on this vote the junior Senator from North Carolina [Mr. ERVIN] is paired with the Senator from West Virginia [Mr. NEELY]. If present and voting, the junior Senator from North Carolina would vote "nay" and the Senator from West Virginia would vote "yea."

I announce further that if present and voting, the senior Senator from North Carolina [Mr. LENNON] would vote "nay."

The result was announced—yeas 31, nays 57, as follows:

YEAS—31

Anderson	Hennings	Long
Burke	Hill	Magnuson
Chavez	Humphrey	Mansfield
Clements	Ives	Maybank
Cooper	Jackson	Monroney
Douglas	Johnson, Colo.	Morse
Fulbright	Johnston, S. C.	Murray
Gillette	Kennedy	Pastore
Gore	Kerr	Symington
Green	Kilgore	
Hayden	Lehman	

NAYS—57

Aiken	Ellender	Payne
Barrett	Ferguson	Potter
Beall	Frear	Purtell
Bennett	George	Reynolds
Bowring	Goldwater	Robertson
Bricker	Hendrickson	Russell
Bridges	Hickenlooper	Saltonstall
Bush	Holland	Schoeppel
Butler	Jenner	Smathers
Byrd	Johnson, Tex.	Smith, Maine
Capehart	Knowland	Smith, N. J.
Carlson	Kuchel	Stennis
Case	Malone	Thye
Cordon	Martin	Upton
Crippa	McCarran	Watkins
Daniel	McCarthy	Welker
Dirksen	McClellan	Wiley
Duff	Millikin	Williams
Dworshak	Mundt	Young

NOT VOTING—8

Eastland	Kefauver	Neely
Ervin	Langer	Sparkman
Flanders	Lennon	

So Mr. MAGNUSON's amendment in the nature of a substitute was rejected.

Mr. FERGUSON. Mr. President, I move that the vote by which the amendment in the nature of a substitute was rejected be reconsidered.

Mr. KNOWLAND. Mr. President, I move to lay on the table the motion of the Senator from Michigan.

The motion to lay on the table was agreed to.

Several Senators addressed the Chair.

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

Mr. IVES. Mr. President, I send to the desk an amendment, ask that it be stated, and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On line 14, page 2, following the words "Armed Forces", it is proposed to insert the following language:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed not to be a Communist-infiltrated organization.

Mr. IVES. Mr. President, the amendment would exempt from the provisions of S. 3706 bona fide labor organizations

whose loyalty to the United States has been proven on innumerable occasions.

I am in full sympathy with the purposes of S. 3706, as I know that certain so-called labor organizations have been and are being used by the forces of international communism to destroy free trade unionism and our democratic form of government. On the other hand, organizations such as the American Federation of Labor, the Congress of Industrial Organizations, and the Railroad brotherhoods deserve a great deal of credit for their unceasing efforts to weed out subversive influences in labor organizations. It is common knowledge that the Communists have infiltrated into labor organizations in every country which has succumbed to the domination of Soviet Russia, because free trade unionism is the greatest bulwark against any form of totalitarianism.

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

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

Mr. MORSE. I know how easy it is, when one starts citing specific organizations, to overlook one and not include it in the list; but I am sure I am correct when I say that the Senator from New York will agree with me that the United Mine Workers organization also has carried on a very effective fight against communism within its ranks.

Mr. IVES. I might well have added that organization. I said organizations such as the American Federation of Labor, and so forth.

Mr. MORSE. That is right.

Mr. IVES. Mr. President, in our efforts to eliminate Communist domination from free trade unionism, we must be most careful not to destroy trade unionism itself.

The bill before the Senate contains broad standards for determining whether or not an organization is a Communist-action or a Communist-front organization. Although there is no present danger that any bona fide labor organization would be construed to fall within these standards, we must be certain that true and tried supporters of democracy, such as those to which I have referred, are not placed in jeopardy.

Therefore, I urge the favorable consideration of my amendment, which would exempt from the coverage of S. 3706 free and democratic labor organizations which have proved their undying loyalty to the United States of America on every occasion when our democratic way of life has been imperiled.

Mr. President, on my amendment, I ask for the yeas and nays, while there are a sufficient number of Senators present to get a yea-and-nay vote.

The yeas and nays were ordered.

Mr. BUTLER. Mr. President, my first reaction is to disagree to the amendment of the Senator from New York. I believe that the great labor leaders deserve a tremendous amount of credit. They have done a creditable job in kicking out Communist-dominated unions. The amendment would prevent them from doing so in the future. If there were such Communist-dominated unions, the parent organizations would not be able to clean them out and we would not be able to clean them out, under the law. It would completely defeat the efforts of labor unions and of those who want to see Communist-dominated unions purged of all taints of communism.

Also, the amendment would place an undue burden on the Attorney General and the Subversive Activities Control Board. I do not believe anyone should have to assume such a burden. I believe we should all help rather than hinder what is proposed to be accomplished by the bill with regard to the labor organizations of America.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New York [Mr. IVES]. On this question the yeas and nays have been ordered.

Mr. KUCHEL. Mr. President, will the Senator permit me to ask him a question?

Mr. IVES. Certainly.

Mr. KUCHEL. I have just read the amendment of the Senator from New York. Does the Senator use the word "presumed" in the legal sense?

Mr. IVES. Yes.

Mr. KUCHEL. So it would be a presumption which, in any instance, if the facts were so developed, could be overcome?

Mr. IVES. That is correct. That was my purpose in using that word.

ORGANIZED INFILTRATION BY COMMUNISTS SO PRONOUNCED BY THE ATTORNEY GENERAL

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

Mr. IVES. I yield to the Senator from Nevada.

Mr. MALONE. I should like to ask the Senator from New York if the bill itself is confined to labor unions in the extended investigation of subversive organizations or are they simply included if and whenever found to be so infiltrated?

Mr. IVES. I have read the bill very carefully. After reading it, I am not sure whether it is or not. I think the bill ought to be amended in certan respects. I am very much disturbed about a provision on page 4, section 13A, which I think is altogether too severe.

Mr. BUTLER. If the Senator will yield, may I ask to which provision the Senator is referring?

Mr. IVES. I refer to the provision that there must be a waiting period of 1 year before the organization can be absolved from the determination that it was a Communist-infiltrated organization. However, that has nothing to do with the amendment I have offered. I was merely replying to the question of the Senator from Nevada.

Mr. MALONE. Mr. President, will the Senator from New York yield further?

Mr. IVES. I yield.

Mr. MALONE. As I read the subsection referred to by the distinguished Senator from New York, section 13A, on page 4 of the bill, neither mentions labor unions nor is it confined to labor unions. They are simply included if so affected. Is that correct?

Mr. IVES. Yes.

Mr. MALONE. It merely refers to any organization the Attorney General may have pronounced as being infiltrated by Communism. Is that correct?

Mr. IVES. That is correct.

Mr. MALONE. It seems to me that there has been an attempt to pinpoint the proposed legislation as being aimed at destroying labor unions. That is the furthest thing from the mind of the junior Senator from Nevada and I believe of every Senator here trying to find a way of reaching Communist-affected organizations.

Mr. IVES. Certainly.

Mr. MALONE. Will the Senator from New York wait until I finish my statement?

Mr. IVES. I was going to agree with the Senator from Nevada.

Mr. MALONE. The Senator from New York may not agree when I complete my statement. Then, am I to believe that the Senator's feeling is that the proposed legislation includes all Communist-front or Communist-infiltrated organizations which have been difficult to reach through existing legislation?

Mr. IVES. I would not say so, no.

Mr. MALONE. Certainly the junior Senator from Nevada does not wish to injure or destroy any labor union that is conducting its business in a proper way, and he likewise does not wish to have destroyed any other organization that is conducting its business in a proper manner. The problem is to reach individuals or groups deliberately organized to injure this Nation—and to assist legitimate organizations to clean up their own house as many of them are trying to do.

But there has been difficulty in dealing with these Communist-front organizations—and in assisting legitimate organizations in destroying Communist infiltration. The pending bill is clearly for the purpose of creating a board or establishing the power to "put the finger" on them when so organized and to destroy their influence.

Mr. IVES. The bill does not create a board, for the Board already exists. The bill will utilize the services of the Board for that purpose.

Mr. MALONE. Then it is not the purpose to injure or destroy the American Federation of Labor or the railroad brotherhoods or any loyal American organization?

Mr. IVES. I do not think it is the purpose to destroy them. I have no thought whatever that the sponsors of the bill intend to destroy labor organizations. I do not think that is their intent. I think that is furthest from their intent.

But under the bill, as it is drafted, I believe a great deal of damage can be done to bona-fide labor organizations. That is why I fear the bill.

Mr. MALONE. We attempt to name legitimate labor organizations. We should also name other law-abiding organizations.

Mr. BUTLER. Mr. President, will the Senator from New York yield to me?

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

Mr. IVES. Mr. President, I am willing to yield, in order to permit the Senator from Nevada to continue, although I should like to have it understood that I have a right to reply to the questions he asks me.

Mr. MALONE. Yes; after I have finished asking the questions.

Mr. IVES. Mr. President, I have the floor; and although I am willing to yield for questions, I wish the Senator who asks a question to give me an opportunity to reply to it.

Mr. MALONE. Then, Mr. President, this is my question: Does not the bill apply to all organizations?

Mr. IVES. It is aimed principally at labor organizations.

Mr. MALONE. I do not think it is aimed at any specific type of organizations, however, I agree that the Senate speeches have been slanted that way.

Mr. IVES. The Senator from Nevada may not think so; but according to all the evidence which has been produced and according to the report of the committee, the bill is principally aimed at such organizations.

Mr. MALONE. Mr. President, will the Senator from New York yield further to me?

Mr. IVES. Certainly.

Mr. MALONE. I should like to point out that in much of the debate, the speeches which have been made—probably for public consumption—would put Senators who vote in favor of the legislation in the position of trying to destroy labor unions when nothing could be farther from the truth.

Mr. IVES. I should like to answer on that point.

Mr. MALONE. I should like to have the Senator from New York do so.

Mr. IVES. I shall construe the Senator's statement as a question. I do not think Senators who vote for the bill tend to destroy labor organizations; I do not think that is their purpose, and I never would construe a vote in favor of the bill to be a vote of that type at all.

Mr. MALONE. Then I shall ask the question again, of the distinguished Senator from New York: If it appears necessary, from the speeches which have been made in the last several hours, to mention certain labor unions that are obviously above reproach, would not it also be necessary to mention certain other organizations which are obviously clear of all suspicion?

Mr. IVES. That could be done, but I do not think that is the chief purpose of the bill. I believe the chief purpose is the elimination of communism from labor organizations; and therefore an amendment of the type I have proposed——

Mr. MALONE. Of course the Senator from New York is entitled to that opinion, but the junior Senator from Nevada does not think the proposed legislation is aimed at any legitimate lawful organization or one not officially designated as Communist infiltrated.

Mr. IVES. I have read the report, and the report seems definitely to indicate that. That is all I know about it.

Mr. BUTLER. Mr. President, will the Senator from New York yield to me?

Mr. IVES. I yield.

Mr. BUTLER. The Senator from New York just voted to have a further study made in connection with the problem.

Mr. IVES. I certainly did.

Mr. BUTLER. But now the Senator from New York brings to the floor an amendment, which no one else has ever seen, which goes directly to the heart of the bill. I do not think that is the way to legislate.

Mr. IVES. Then why did not the Senator from Maryland vote in favor of having a further study made?

Mr. BUTLER. Because I did not think that amendment was sound, and neither do I believe the amendment of the Senator from New York is practicable.

Mr. IVES. I think it is sound.

With regard to the question of making a study, I have had some experience in dealing with labor-management relations and labor-management problems. From long experience in that field, one learns that the way to resolve a question, when there is a conflict of feeling of this type, is to get the groups together, as proposed by the amendment of the Senator from Washington.

For that reason, I voted for the amendment of the Senator from Washington. The amendment itself would have delayed action on this matter for a period of only approximately 5 months, and I think it would be far better to get the parties in interest to sit down and arrive at something on which they would at least be in agreement.

By the way, let me point out that the amendment provided for consultation with Members of the House of Representatives and Members of the Senate. I believe it is far better to legislate in that way than to legislate out of the whole cloth, as we are now legislating.

Mr. BUTLER. We are not legislating out of the whole cloth. This matter has received very careful study. I do not agree with the Senator from New York that this is a question of labor-management relations. It is a question of internal security.

Mr. IVES. I, too, think it is a question of internal security; but I think it has a definite bearing on labor-management relations. The very fact that the Taft-Hartley Act would, in effect, be amended by the bill demonstrates that the bill is dealing with labor-management relations.

Mr. BUTLER. Is it not true that the real foundation of the amendment of the Senator from New York is that if Communists happen to be in good company, there will be a presumption in their favor?

Mr. IVES. Not at all.

Mr. BUTLER. Then what does the amendment mean?

Mr. IVES. It means exactly what it says.

Mr. BUTLER. Then let me read the amendment at this time:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed not to be a "Communist-infiltrated organization."

It might be that the affiliates were completely dominated by communism; but this amendment would give them a cloak of immunity simply because they associate with nice people. That is not the way for us to proceed.

Mr. IVES. Let me emphasize the importance of the words "in good standing." They must be in good standing; otherwise, they are not presumed to fall within the purview of the amendment. That makes a great deal of difference.

Mr. COOPER. Mr. President, will the Senator from New York yield to me?

Mr. IVES. I yield.

Mr. COOPER. Will the Senator from New York read his amendment again?

Mr. IVES. Yes.

Mr. COOPER. At what point in the bill is the amendment offered?

Mr. IVES. It is offered to page 2 of the bill, in line 14, following the words "Armed Forces." The amendment is offered to section 2 of the bill, and it would insert the following words:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation—

And let me emphasize again the importance of the words "in good standing," because all of us know that the great federations of labor, the great labor organizations, have been doing their utmost to get communism out of their affiliates, out of their internationals, and out of their locals. That is why the important words here are "in good standing."

I shall start again at the beginning of the amendment:

Provided, however, that any labor organization which is an affiliate in good standing of a national federation whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed not to be a Communist-infiltrated organization.

Mr. COOPER. I wish to ask the distinguished Senator from New York a question regarding the proper interpretation of the words "shall be presumed."

On page 4 of the bill, we find the section entitled "Proceedings With Respect to Communist-Infiltrated Organizations"; and section 13A sets forth the proceedings which will be followed in arriving at a determination that such an organizaion is a Communist-infiltrated organization.

Does the Senator from New York intend in any way, or does he consider that it would be the purpose of the word "presumed," to prevent the Attorney General from initiating any petition or proceeding to declare any particular organization Communist dominated or Communist infiltrated?

Mr. IVES. No; that is not the intent at all.

Mr. COOPER. Then is it the interpretation of the Senator from New York that his amendment would not prevent the Attorney General from initiating any such action?

Mr. IVES. That is correct.

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

Mr. IVES. I am trying to answer the Senator from Kentucky.

Mr. COOPER. And there would not be any presumption?

Mr. IVES. There is what is known as a rebuttable presumption.

Mr. COOPER. The bill, S. 3706, is an amendment to the Subversive Activities Control Act of 1950. As I understand, the act of 1950 provides for judicial review of the determination of the Board.

Mr. IVES. That is correct.

Mr. COOPER. I assume, as has been brought out by the Senator from California, that the words in the amendment of the Senator from New York simply establish what would be a rebuttable presumption. If upon a determination by the Board itself, and then later, if a review were made by the court, it would be a question whether or not there were sufficient facts to overturn the rebuttable presumption.

Mr. IVES. Exactly.

Mr. COOPER. I wish to ask one or two other questions.

I understand the intent of the Senator's amendment would be to create presumption in favor of a labor union organization, which was a part of a federation whose opposition to communism in unions was well known, such as the American Federation of Labor, the United Mine Workers of America, of the CIO.

Mr. IVES. That is why the words "in good standing" are in the amendment.

Mr. COOPER. But there would be nothing in the amendment which would prevent an inquiry by the Attorney General or a determination by the Board either against the federation or against an affiliate of the federation, if the facts were thought sufficient to require such an inquiry.

Mr. IVES. That is correct. That is definitely the intent of the amendment. Nothing stands in the way of such action by the Attorney General or the Board.

I might as well yield to the Senators one at a time, as they stand in front of me. I yield to the Senator from Maryland.

Mr. BUTLER. The Senator's amendment gives this presumption to an organization or an affiliate "in good standing." In good standing in what respect—that they pay their dues, or that they do good work? What does it mean?

Mr. IVES. In good standing in line with the terms of the bill and the law.

Mr. BUTLER. I do not think that is any way to legislate. I think "in good standing" could mean anything. They are in good standing if they pay their dues. They are in good standing if they live up to the constitution of their parent organization. I do not know what it means.

Mr. IVES. I think the term "in good standing" is very clear.

Mr. BUTLER. I do not agree with the Senator.

Mr. IVES. We are dealing definitely with labor organizations.

Mr. BUTLER. That is true.

Mr. IVES. The Senator knows what is intended by "labor organizations." He knows what is intended by the term "in good standing" with respect to Communist infiltration. We are dealing distinctly with Communist infiltration, and nothing else.

Mr. BUTLER. I do not agree with the Senator from New York.

Mr. IVES. The Senator from Maryland and I just do not agree.

I yield now to the Senator from Massachusetts, who has been trying to get me to yield for some time.

Mr. SALTONSTALL. I think the Senator from Kentucky covered most of the questions I had in mind. It is my understanding that the Senator from New York is trying by this amendment to say, by the word "presumed," that a labor union which is an affiliate of a national organization and which is in good standing with the national organization is presumed not to be a Communist-infiltrated union. That means there is a prima facie case that it is not one; but it does not mean that the Attorney General cannot proceed, if he has facts which will overcome that prima facie case.

Mr. IVES. That is correct. That is what is intended.

Mr. SALTONSTALL. That is the whole purpose of it?

Mr. IVES. That is the whole purpose of it.

Mr. SALTONSTALL. The General Electric Co. is a large organization in my State and in New York State, and in its employ are members of several unions which have been having difficulties with each other continuously. One of those unions is in good standing, as I understand, with the CIO. The other union is not in good standing, and is not connected with the CIO. What the Senator means is that the union which is in good standing with the CIO and concerning which there is no evidence to overcome a prima facie case should come within the proviso; and that the other union, which is not connected with the CIO, and concerning which there is some evidence of Communist infiltration, would not come within the purview of the provision.

Mr. IVES. Definitely it would not. That is correct.

Mr. SALTONSTALL. So "in good standing" means in good standing in connection with the other terminology of the bill; it is not a question whether dues are paid or are not paid.

Mr. IVES. It applies specifically to subversion and communism, nothing else.

Mr. FERGUSON and Mr. BUTLER addressed the Chair.

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

Mr. IVES. I must yield to the Senator from Michigan first, because he has been trying to get me to yield for some time.

Mr. FERGUSON. This morning the Senator from Michigan quoted a strongly worded resolution of the CIO expelling an affiliate for Communist domination.

Mr. IVES. I did not happen to hear the Senator. I assume that was the UE, was it not?

Mr. FERGUSON. Yes. Does the Senator's amendment mean that if a union is not expelled by resolution, it is in good standing?

Mr. IVES. Not at all. It does not have to be expelled to be not in good standing.

Mr. FERGUSON. The next question: The Senator says it is a rebuttable presumption. In law there are two kinds of presumptions. One is known as a conclusive presumption, which evidence cannot overcome. I am glad the Senator has stated and now states that the presumption in this case is not intended to be a conclusive presumption.

Mr. IVES. It is not intended to be a conclusive presumption.

Mr. FERGUSON. It can be rebutted by evidence.

Mr. IVES. That is correct.

Mr. FERGUSON. There would be merely a prima facie case, as we lawyers speak of it, so that if no other evidence were introduced before the Attorney General or the Board, but the union was an affiliate of a national federation which said, "This union is in good standing so far as Communist domination is concerned," then the Board would have no alternative but to say there had been a prima facie case made, and no action could be taken.

Mr. IVES. That is, assuming no other evidence were introduced.

Mr. FERGUSON. That is what I mean.

Mr. IVES. In line with the Senator's statement, yes.

Mr. FERGUSON. If the Attorney General introduced evidence which overcame the prima facie presumption, then action could be taken by the Board.

Mr. IVES. That is the intention of the amendment.

Mr. FERGUSON. I assume the Senator would allow the rules of the Subversive Activities Control Board to control as to the admission of evidence.

Mr. IVES. The Senator will remember that I strongly supported the act back in 1950. I am not trying to get away from it.

Mr. FERGUSON. I think we ought to make the record very clear as to what we are trying to do here today. If the presumption may be overcome, then it is up to the Board to determine whether there has been sufficient evidence introduced to overcome the prima facie case of good standing of the union.

Mr. IVES. I agree to that statement. I want to make clear where I stand. That statement is correct.

Mr. FERGUSON. Of course, the Senator is the author of the amendment, and therefore his interpretation is very material in determining what the courts will consider.

Mr. IVES. I think the interpretation we are developing on the floor is very material.

Mr. FERGUSON. I think the interpretation of the Senator who has offered the amendment is very material to this question.

May I ask what kind of union the Senator has described in his amendment? Were the words, "international union," or what is the exact terminology?

Mr. IVES. No, I do not use the word "international." It reads, "good standing of a national federation."

Mr. FERGUSON. Will the Senator explain, so the record will be clear, what is meant by a "national federation"?

Mr. IVES. I think I covered that in my earlier remarks. What I have in mind are organizations like the American Federation of Labor, the Congress of Industrial Organizations, the Railroad Brotherhoods, and the United Mine Workers. They are four big national organizations.

Mr. FERGUSON. Does the Senator intend to include any labor union which is recognized by the National Labor Relations Board?

Mr. IVES. No.

Mr. FERGUSON. That is not the determination?

Mr. IVES. No; that has nothing to do with it.

Mr. FERGUSON. I wanted to have it clear on the record.

Mr. MORSE. With regard to the meaning of the language of the amendment, the phrase "in good standing" means that if a local union is under investigation by its national organization in connection with financial irregularities, at that time it is not a union in good standing; does it not?

Mr. IVES. Not in that sense of the word; no.

Mr. MORSE. If a union is under investigation at the time for any violation of the international laws of the union, while that investigation is going on, the union is not in good standing; is it?

Mr. IVES. No.

Mr. MORSE. If a union is under investigation by its national organization for Communist activities or for violation of the Communist affidavit requirement, or if it is under investigation on any charge of any subversive activity within the union, that union is not in good standing at that time; is it?

Mr. IVES. It is definitely not in good standing.

Mr. MORSE. What the Senator from New York is doing, if I understand him correctly—and I completely agree with his objective—is seeking to provide by his amendment that the unions, the national federations, are to be given an opportunity to clean their own house in regard to Communist domination as they have been doing?

Mr. IVES. May I interrupt at that point?

Mr. MORSE. Certainly.

Mr. IVES. What I am trying to do is to have the Government cooperate in the efforts being made by the great labor organizations which are trying to clean house, and at the same time preserve the necessary protection to the Government itself and to the country itself.

Mr. MORSE. So far as labor-management relationships are concerned, and so far as the relationships between the Government and labor-management relationships are concerned, would not one of the benefits of this amendment really be that we would impliedly recognize the fact that the national labor federations are trying to do a job with respect to subversive activities problems and that we stand ready as a Government to assist them in connection with any union which is not in good standing, so that they will know they are to have the support of the Government.

Mr. IVES. Yes; and they are also expected to assist the Government. There would be a quid pro quo. Cooperation would extend in both directions.

Mr. MORSE. As so frequently happens, the Senator from New York is one jump ahead of me. That is the next point I wished to inquire about. In other words, we are trying to adopt an amendment which puts the Government and the unions in a cooperative relationship, and we are not placing a black mark upon the unions in advance.

Mr. IVES. No stigma.

Mr. MORSE. We are saying to the unions, "We will give you the benefit of a rebuttable presumption."

Mr. IVES. That is correct.

Mr. MORSE. We are also saying, "But if we have evidence that overcomes that rebuttable presumption we will proceed against any organization in your union."

Mr. IVES. That is exactly the intent of what is contained in the amendment.

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

Mr. IVES. I yield.

Mr. FERGUSON. I realize that all organizations will have the benefit of the presumption of innocence. That is the only way we do business in this country.

Mr. IVES. That is the way we started operations in this country.

Mr. FERGUSON. That is the only way we do business. Everyone has equal protection under the law. We assume that to be the case. Under the circumstances, in accordance with the explanation of the amendment that has been placed in the RECORD, and is a part of the legislative history, I should like to ask a question of the Senator from Maryland, if the Senator from New York will yield for that purpose.

Mr. IVES. Mr. President, provided I do not lose the floor, I yield to the Senator from Michigan so that he may ask a question of the Senator from Maryland.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. FERGUSON. Is this not an amendment that should be accepted by the Senator from Maryland? After all, what we are trying to do is to establish a procedure which will allow labor unions and the United States Government to throw out—let us use that expression, because that is what we are trying to do—the Communists who dominate and penetrate unions, and thus dominate the minds and the actions of men.

Mr. BUTLER. I will say to the Senator from Michigan, on the basis of the legislative history that has here been made on the floor of the Senate in connection with the amendment, and with respect to the purposes of the Senator's amendment, that I would accept the amendment. The amendment should tend to bring the Government and the labor unions into a closer working relationship, which would be for the good of all of us. As I said at the beginning, I would not hurt any legitimate labor organization. I am willing to accept any reasonable amendment. I think this is a reasonable amendment. It gives labor a chance to clean its own house. If labor does not clean its own house, the Government says, "We will proceed anyway, because we have the evidence."

Mr. FERGUSON. Is it not correct to say that under the amendment a union itself could endeavor on all occasions to cleanse itself of Communist domination, so that it would not be criticized before the public for not cleansing itself?

Mr. BUTLER. That is correct.

Mr. FERGUSON. After all, the unions themselves know better than anyone else who is Communist dominated.

Mr. BUTLER. That is correct.

Mr. FERGUSON. The procedure would involve teamwork on the part of the Government, the Board, the Attorney General's Office, and the unions, in ferreting out Communists. It will require some ferreting, because when the Communists get into any kind of organization they work like termites in the dark.

Mr. BUTLER. I agree with the Senator. I accept the amendment.

Mr. FERGUSON. I think it is a very good amendment.

Mr. IVES. Mr. President, I understand the yeas and nays have been ordered on the amendment.

Mr. BUTLER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. BUTLER. I do not believe the yeas and nays have been ordered.

The PRESIDING OFFICER. The yeas and nays have been ordered.

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

The PRESIDING OFFICER. The Secretary will call the roll.

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

Aiken	Gillette	McCarthy
Anderson	Goldwater	McClellan
Barrett	Gore	Millikin
Beall	Green	Monroney
Bennett	Hayden	Morse
Bowring	Hendrickson	Mundt
Bricker	Hennings	Murray
Bridges	Hickenlooper	Pastore
Burke	Hill	Payne
Bush	Holland	Potter
Butler	Humphrey	Purtell
Byrd	Ives	Reynolds
Capehart	Jackson	Robertson
Carlson	Jenner	Russell
Case	Johnson, Colo.	Saltonstall
Chavez	Johnson, Tex.	Schoeppel
Clements	Johnston, S. C.	Smathers
Cooper	Kennedy	Smith, Maine
Cordon	Kerr	Smith, N. J.
Crippa	Kilgore	Stennis
Daniel	Knowland	Symington
Dirksen	Kuchel	Thye
Douglas	Lehman	Upton
Duff	Long	Watkins
Dworshak	Magnuson	Welker
Ellender	Malone	Wiley
Ferguson	Mansfield	Williams
Frear	Martin	Young
Fulbright	Maybank	
George	McCarran	

The PRESIDING OFFICER [Mr. COOPER in the chair]. A quorum is present.

Mr. FERGUSON. Mr. President, I should like to ask the Senator from New York a question.

Reference was made to the presumption of innocence of any person under the proposed amendment.

Mr. IVES. That is correct.

Mr. FERGUSON. Is it not possible, even though the yeas and nays have been ordered, for the Senator to ask unanimous consent to insert language to provide that not only organizations connected with a national federation, but also other labor organizations, should enjoy the benefit of such a presumption, so that we would not be in the position of having the presumption apply to some while excluding others?

Mr. IVES. It is not my intention to discriminate against other labor organizations. In order to avoid any such possibility in the amendment which I am proposing, I suggest that the amendment be modified, after the words "national federation," by adding "or other labor organizations."

Mr. FERGUSON. I think that would cover the subject.

Mr. IVES. I think that would take care of everything which the Senator from Michigan has in mind.

Mr. FERGUSON. That is correct.

Mr. BUTLER. Mr. President, would the Senator from New York read into the RECORD the amendment as it is now modified?

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

Mr. IVES. I yield to the Senator from Florida.

Mr. HOLLAND. Is it the purpose of the Senator's modification to make it clear that any labor union, regardless of whether or not it is affiliated with one of the national organizations which is against communism, so long as it is a lawful labor union, large or small, has the benefit of a presumption of innocence which must be overcome by competent proof?

Mr. IVES. I think that is what should be done, in all fairness. That is the purpose of the modification.

Mr. HOLLAND. If the Senator from New York so provides in his amendment, I shall support it. But if he attempts to make a distinction between a labor organization which is affiliated with a large organization, and a smaller union or labor organization which is not so affiliated, I could not support the amendment.

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

Mr. IVES. I yield.

Mr. McCARRAN. I call the attention of the Senator from New York and of the Senate as a whole to the fact that already certain unions have been, to use a common expression, "kicked out," by national organizations. Is the Senator attempting to say that their expulsion was an erroneous action?

Mr. IVES. No.

Mr. McCARRAN. It seems to me that that is what the Senator's amendment would accomplish.

Mr. IVES. No. If the Senator from Nevada had been present when the colloquy was taking place between the Senator from Maryland [Mr. BUTLER], the Senator from Michigan [Mr. FERGUSON], and myself, he would have understood that that question was cleared up. That is not the purpose of the amendment at all.

Mr. McCARRAN. The presumption of innocence cannot operate in favor of an organization already expelled by a parent organization.

Mr. IVES. No. The presumption would not be in favor of an organization which had been kicked out.

Mr. McCARRAN. That is what I had in mind.

Mr. IVES. The amendment is intended to operate in exactly the opposite way.

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

Mr. IVES. I yield.

Mr. KILGORE. Does the Senator's modification take care of an organization like the United Mine Workers of America, which has in its own constitution provided against communism?

Mr. IVES. The United Mine Workers would be covered in the amendment as it was originally submitted. It is a national organization. As I proposed to modify the amendment, the United Mine Workers and similar organizations would be covered. I shall read the amendment as it is modified:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government or the world Communist movement, shall be presumed not to be a "Communist-infiltrated organization."

I think that takes care of every situation.

Mr. SMITH of New Jersey. Mr. President, will the Senator yield?

Mr. IVES. I yield.

Mr. SMITH of New Jersey. Does the amendment take care of an unaffiliated labor organization, an independent organization which is not affiliated?

Mr. IVES. Yes. The amendment reads:

Any labor organization which is an affiliate in good standing of a national federation or other labor organization—

That is inclusive. It covers any independent labor organization or other labor organization.

Mr. BUTLER. Is it the opinion of the Senator from New York that if the Senate should agree to the amendment, some of the labor organizations which have been ejected by the CIO could say, "We have been approved by the United States Senate. We are perfectly innocent of any wrongdoing"?

Mr. IVES. No; there is no presumption of innocence in such a case.

Mr. BUTLER. Those unions would not be protected and would not be able to make such a claim?

Mr. IVES. No; the amendment provides quite the contrary.

Mr. McCARRAN. While I have not the exact language in mind, I respectfully suggest that the words "shall be presumed prima facie" should be included.

Mr. IVES. Does the Senator from Nevada desire to have those words included?

Mr. McCARRAN. I do.

Mr. IVES. I shall modify the amendment by including those words.

Mr. BUSH. Mr. President, will the Senator now read the amendment as it has been modified?

Mr. IVES. I shall have to begin back a little way.

Mr. KNOWLAND. I suggest that the entire amendment be read in its proposed modified form.

Mr. GORE. Mr. President, will the Senate again state at what page and line the amendment appears?

Mr. IVES. On page 2, in line 14, after "Armed Forces", I propose an amendment as follows:

Provided, however, That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a Communist-infiltrated organization.

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

Mr. IVES. I yield.

Mr. GORE. Is it the opinion of the distinguished Senator from New York that his amendment, if adopted, would provide a sufficient modification of the three lines immediately preceding, namely, that an organization which had been on strike in a concern which provided material needed by the Armed Forces would not be adjudged a Communist-infiltrated organization?

Mr. IVES. I did not quite understand the Senator from Tennessee.

Mr. GORE. If the Senator will read lines 11, 12, and 13, on page 2——

Mr. IVES. I am reading them.

Mr. GORE. He will see the reference to "any organization which is substantially directed by an individual or individuals who are, or who within 5 years have been actively engaged in the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its armed forces."

My question is: Does the able Senator hold that the adoption of his amendment would so modify the language which I have just quoted that an organization which had engaged in a legitimate strike within 5 years could not, because of such action be adjudged to be a Communist-infiltrated organization?

Mr. IVES. Oh, no; not if the strike had been a legitimate strike. Of course not.

Mr. GORE. Perhaps I should not have used the word "legitimate."

Mr. IVES. I use the same words as the Senator did, because I think perhaps we had the same meaning in mind; namely, that when a strike has come about through Communist activity, or has been engineered by communism, my amendment very definitely would apply.

Mr. GORE. I do not hold that the section reads in that way; but I still think the Senator's interpretation may clarify the meaning of the language.

Mr. McCARRAN. It seems to me that the language of the proposed amendment is too near, and is too much involved with the language referred to by the Senator from Tennessee, and might be construed as in some way modifying it. Perhaps if it could be set out at another place in the bill, it might be made clearer.

Mr. IVES. It is not intended to modify the preceding language exclusively. Very definitely, the conversation we are now having with respect to the section should clear up any misunderstanding, because it is not the purpose of the amendment to modify the preceding language.

Mr. GORE. Mr. President, will the Senator from New York yield?

Mr. IVES. I yield.

Mr. GORE. If the amendment does not operate as a modification, then what effect does it have?

Mr. IVES. Well, it is merely an additional provision; not a modification of what is already there.

Mr. GORE. If it has any effect, it seems to me that it must operate as a modification. The Senator will understand, I favor a modification, frankly.

Mr. IVES. If the Senator from Tennessee would prefer, or if the Senator from Nevada [Mr. McCARRAN] would prefer, this can easily be stated as a separate section.

Mr. GORE. I do not prefer it.

Mr. IVES. The purpose of it is to insert the language in the bill.

Mr. GORE. My position is that if lines 11, 12, 13, and 14 remain unchanged and unmodified, I do not see how I can support the bill. It was my interpretation of the Senator's amendment that it would operate as a modification, that it would set up a prima facie presumption that irrespective of the provision cited in these lines an organization described by his amendment would be presumed to be a loyal, non-Communist-dominated organization.

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

Mr. IVES. I yield.

Mr. KNOWLAND. Apropos of the point made by the Senator from Nevada [Mr. McCARRAN], I wish to raise an inquiry, and we shall have to allow the lawyers to interpret the legal aspects of it.

I was wondering whether it would not be better to insert this language under (A) on line 8, right after the word "title," and perhaps before "and." Would it not be better to insert the Senator's proviso at that point?

Mr. IVES. I think it would be appropriate to have it there.

Mr. KNOWLAND. Then (A) would read: "is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in, giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title," with the proviso to follow thereafter.

Mr. IVES. That is all correct.

Mr. KNOWLAND. Would the Senator so modify the amendment?

Mr. IVES. I so modify it. Is that on line 8?

Mr. KNOWLAND. That is line 8, after the word "title."

Mr. IVES. After the word "title."

Mr. President, I ask unanimous consent that my amendment be modified as I have indicated in the various changes which I have been reading.

The PRESIDING OFFICER (Mr. PURTELL in the chair). Is there objection?

Mr. CORDON. Mr. President, reserving the right to object, the Senator's amendment refers to certain labor groups for which there is a presumption of non-Communist connection. Is it the Senator's view there are other labor groups as to which there is a presumption of Communist connection?

Mr. IVES. It is a rebuttable presumption.

Mr. CORDON. I understand it is rebuttable. It makes no difference whether it is rebuttable or not. The question is: Are we saying certain groups are presumed not to be Communist-dominated, and therefore other groups are presumed to be Communist-dominated?

Mr. IVES. No; that is not the intent or purpose of it at all.

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

Mr. IVES. I yield.

Mr. KNOWLAND. Is it not correct that the point raised by the Senator from Oregon was raised by a number of Senators, prior to the modification of the amendment by the Senator from New York?

Mr. IVES. That is correct.

Mr. KNOWLAND. That would have been the situation, if the amendment had not been modified.

Mr. IVES. That is correct. I modified the amendment to take care of that situation by putting in "or other labor organizations."

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

Mr. IVES. I yield.

Mr. BUTLER. Is it not true that if the Senator's amendment is adopted as presently framed there will be some independent unions which will not have the protection afforded by the bill?

Mr. IVES. Certainly.

Mr. BUTLER. Those unions are the ones which have been kicked out by the CIO, are they not?

Mr. IVES. The UE is one of them.

Mr. CORDON. I am attempting to ascertain when the presumption of guilt does attach.

Mr. COOPER. Mr. President, will the Senator from New York yield?

Mr. IVES. I yield to the Senator from Kentucky.

Mr. COOPER. I am interested in the question the Senator from Oregon has raised. I believe the Subversive Activities Control Act itself—and I am certain the Senator from Nevada [Mr. McCARRAN] would know about this—provides that in every case a preponderance of evidence must be established before a finding can be made by the Board. Is that correct?

Mr. McCARRAN. That is correct.

Mr. COOPER. I think that under the law as it applies to any person or organization brought before the Board, a preponderance of evidence must be established, which is a little bit more than even a presumption of innocence.

This wording seems to me simply to apply that presumption, which must be rebutted, in the case of certain organizations; but in every case, according to the act, I believe it is certain that the preponderance of the evidence must be established.

Mr. McCARRAN. I understand the amendment as modified applied the presumption to all labor organizations.

Mr. IVES. That is right.

Mr. McCARRAN. Otherwise it would have provided for a class to which a presumption applied and another class to which no presumption applied; which was the question raised by the Senator from Oregon. The change of the amendment altered that situation, as I understand it.

Mr. IVES. It was intended to.

Mr. GORE. Mr. President, reserving the right to object, this whole subsection (4A) of section 2 describes the conditions under which an organization can be termed a "Communist-infiltrated organization." If we are to set up a presumption of innocence, then it would appear to the junior Senator from Tennessee that the presumption should apply to the whole subsection, rather than to just a part of the subsection.

I hope the Senator from New York [Mr. IVES] will allow his amendment to be inserted at the conclusion of the subsection. I see no justification for providing a presumption of innocence down to and including line 8, but providing no presumption to cover the conditions set out in lines 9, 10, 11, 12, 13, and 14.

I should not like to object to the Senator's request.

Mr. IVES. I really think it should be at the end, myself.

Mr. GORE. I believe that is right.

Mr. IVES. I think it should be at the end, the way I had it originally. What I was trying to do was to comply with thoughts being expressed here.

The PRESIDING OFFICER. The Senator from New York has asked unanimous consent to modify his amendment. Is there objection?

Mr. GORE. Mr. President, reserving the right to object, I understand the Senator wishes to withdraw his unanimous-consent request to make it apply to line 8.

Mr. IVES. My unanimous-consent requests cover the other two modifications I have added. I am making a unanimous-consent request on all three.

Mr. GORE. Reserving the right to object, is it still the Senator's intention to offer the amendment to follow the word "Forces"?

Mr. IVES. Yes.

Mr. GORE. I have no objection.

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

Mr. IVES. I yield.

Mr. HOLLAND. Reserving the right to object—and I shall not object, if the situation is as I understand it—is it the Senator's intention by his series of modifications to make it clear that the presumption of innocence, which is a prima facie presumption, shall pertain to all lawful union organizations regardless of whether they are affiliated with the great national organizations or whether they are smaller organizations which have a good record for law observance?

Mr. IVES. That is my purpose.

Mr. McCARRAN. Mr. President, that could not be the purpose of the Senator from New York if I understood the answer to my question—at least, if I propounded an intelligible question. Sup-

pose an organization has already been ousted from a national organization because it is communistic.

Mr. IVES. Then such organization is not in good standing.

Mr. McCARRAN. The presumption does not then apply?

Mr. IVES. No; it does not apply at all. That is definitely implied in the amendment.

I should like to read the amendment as it now is, finally, and to ask unanimous consent that it may be so modified.

On page 2, in line 14, following the words, "Armed Forces", add the following:

Provided, however, That any labor organization which is an affiliate in good standing of a national Federation of other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a "Communist-infiltrated organization."

The PRESIDING OFFICER. The Senator from New York has requested unanimous consent to modify his amendment.

Is there objection? The Chair hears none. Without objection, the amendment is modified accordingly.

Mr. IVES. Mr. President, I ask that the vote be taken on the amendment.

The PRESIDING OFFICER. The question is on agreeing to the modified amendment of the Senator from New York.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from Vermont [Mr. FLANDERS] is necessarily absent.

If present and voting, the Senator from Vermont [Mr. FLANDERS] would vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senator from West Virginia [Mr. NEELY] would vote "yea."

The result was announced—yeas 87, nays 1, as follows:

YEAS—87

Aiken	Cooper	Hayden
Anderson	Cordon	Hendrickson
Barrett	Crippa	Hennings
Beall	Daniel	Hickenlooper
Bennett	Dirksen	Hill
Bowring	Douglas	Holland
Bricker	Duff	Humphrey
Bridges	Dworshak	Ives
Burke	Ellender	Jackson
Bush	Ferguson	Jenner
Butler	Frear	Johnson, Colo.
Byrd	Fulbright	Johnson, Tex.
Capehart	George	Johnston, S. C.
Carlson	Gillette	Kennedy
Case	Goldwater	Kerr
Chavez	Gore	Kilgore
Clements	Green	Knowland
Kuchel	Morse	Smathers
Lehman	Mundt	Smith, Maine
Long	Murray	Smith, N. J.
Magnuson	Pastore	Stennis
Malone	Payne	Symington
Mansfield	Potter	Thye
Martin	Purtell	Upton
Maybank	Reynolds	Watkins
McCarthy	Robertson	Welker
McClellan	Russell	Wiley
Millikin	Saltonstall	Williams
Monroney	Schoeppel	Young

NAYS—1

McCarran

NOT VOTING—8

Eastland	Kefauver	Neely
Ervin	Langer	Sparkman
Flanders	Lennon	

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

AMBASSADOR CLARE BOOTH LUCE

Mr. BUSH. Mr. President, I have the honor to call the attention of the Senate to the presence today of a distinguished citizen of my State and a distinguished American, the Honorable Clare Booth Luce, American Ambassador to Italy. [Applause, Senators rising.]

The PRESIDING OFFICER (Mr. COOPER in the chair). The Chair is sure he speaks the sentiments of the Senate in extending to our distinguished guest a warm welcome.

Mr. KNOWLAND. Mr. President, I wish to join with the distinguished Senator from Connecticut [Mr. BUSH] and with the present occupant of the chair in extending a welcome to the distinguished American Ambassador to Italy, an outstanding American citizen and a former Member of the House of Representatives.

Mr. MAYBANK. Mr. President, may I, on this side of the aisle, join with the distinguished Senator from Connecticut, in welcoming the distinguished Ambassador, who lived on the Cooper River in South Carolina for many, many years during the winter. We always welcome her to South Carolina, and remember the good work she did in our State for charity.

Mr. SMITH of New Jersey. Mr. President, I am happy to join with my colleagues in extending a warm welcome to the distinguished Ambassador to Italy from the United States.

Mr. WILEY. Mr. President, I, too, wish to associate myself with the comments of my colleagues, because this distinguished American for quite some time, when she was a young lady, lived in the great State of Wisconsin, up among the lakes, and ate considerable of that great product known as Wisconsin cheese—and then she went forth and gave her wisdom to the world. I am happy she is here with us. She has made a great contribution in the diplomatic history of our country.

INTERNAL SECURITY

Mr. McCARRAN. Mr. President, some days ago it was my privilege to preside over a meeting of the Subcommittee on Internal Security, at which time we heard the testimony of Mr. David Hoyt, former security officer for the Intergovernmental Committee for European Migration. His testimony is exceedingly interesting, in that it discloses no screening whatever for the security of the countries of the Western Hemisphere, or any other country, for that matter. I ask that his testimony, which is quite brief, be inserted at this point in the RECORD as a part of my remarks.

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

INTERNAL SECURITY

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE
THE ADMINISTRATION OF
THE INTERNAL SECURITY ACT AND
OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C., July 30, 1954.

The subcommittee met at 3:45 p. m., pursuant to call, in room F–52, the Capitol, Hon. PAT MCCARRAN presiding.

Present: Senator MCCARRAN.

Also present: Richard Arens, special counsel to the subcommittee.

Senator MCCARRAN. The committee will come to order.

Do you solemnly swear the testimony you are about to give before the subcommittee of the Committee on the Judiciary of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOYT. I do, Senator.

Senator MCCARRAN. You may proceed.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

TESTIMONY OF DAVID D. HOYT, SARASOTA, FLA.

Mr. HOYT. My name is David D. Hoyt. I am presently residing at Sarasota, Fla., the home of my brother-in-law, Dr. Cecil E. Miller. I have been employed for some 9 years as an investigator and security officer with the State Department. I was loaned by the State Department to the Migration Committee for 2 years and 3 months.

Mr. ARENS. What Migration Committee is that?

Mr. HOYT. That is known as ICEM, I-C-E-M, Intergovernmental Committee for European Migration.

Mr. ARENS. And when were you loaned to the Intergovernmental Committee for European Migration?

Mr. HOYT. I was last loaned to them on April 1, 1952, as the security officer with the committee.

Mr. ARENS. Would you tell us what was your particular job with the Intergovernmental Committee for European Migration?

Mr. HOYT. My particular job was to act as the committee's security officer, in that capacity performing the normal work of a security officer, screening the staff and so forth.

Mr. ARENS. Were you the chief person employed by the Intergovernmental Committee for European Migration on security matters?

Mr. HOYT. I was the only one, sir. I was the only security man.

Mr. ARENS. How long were you so engaged?

Mr. HOYT. From April 1, 1952, until July 9 of 1954.

Mr. ARENS. And what precipitated the severance of your relationship with the Intergovernmental Committee for European Migration?

Mr. HOYT. I left generally because I was dissatisfied with the security within the committee and principally in relation to the screening or migrants moving to South America.

Mr. ARENS. Did you resign?

Mr. HOYT. I resigned.

Mr. ARENS. It was not a forced resignation in any sense of the word?

Mr. HOYT. No, sir.

Mr. ARENS. And you anticipate shortly being reengaged in the Department of State

of the United States in security work; is that correct?

Mr. HOYT. Yes, sir.

Mr. ARENS. I understood you to say a moment ago you left because you were dissatisfied with screening of migrants.

Mr. HOYT. That's correct.

Mr. ARENS. Tell us, first of all, who are the people who are moved by the Intergovernmental Committee for European Migration?

Mr. HOYT. The people moved are European member governments of the committee who are financially unable to move themselves.

Mr. ARENS. They are not necessarily in the refugee or displaced persons category, are they?

Mr. HOYT. Not necessarily, but that may be.

Mr. ARENS. And what is the volume of movement of the Migration Committee? May I ask you if you know the prospective volume, say, for 1954?

Mr. HOYT. About 118,000, sir.

Mr. ARENS. And these people will be moved from Europe during 1954 principally into the Western Hemisphere, will they not?

Mr. HOYT. Principally.

Mr. ARENS. They will go into Argentina, Brazil, Venezuela, Chile, and other countries principally in the Western Hemisphere; is that not correct?

Mr. HOYT. Yes, sir; and Canada, and the only member government outside of the Western Hemisphere is Australia where we are moving migrants.

Mr. ARENS. On the basis of your background as a security officer and on the basis of your knowledge and observation of the screening operations of the Intergovernmental Committee for European Migration, can you tell this committee whether or not in your judgment the security screening of these people who are being moved into the Western Hemisphere from Europe is a satisfactory screening?

Mr. HOYT. For those migrants moving to South American countries, with minor exceptions, the security is entirely inadequate.

Mr. ARENS. The people who are being moved are people principally from Italy, are they not?

Mr. HOYT. Principally from Italy, but quite a number from Greece.

Mr. ARENS. And in Italy there is a 40-percent Communist vote, is there not?

Mr. HOYT. That is correct.

Mr. ARENS. In your judgment is the present process of moving people in vast numbers from Europe who are inadequately screened from a security standpoint a risk to the security of the Western Hemisphere and to the United States of America?

Mr. HOYT. I feel very strongly that it is.

Senator MCCARRAN. I want to express my gratitude and the gratitude of the committee for your coming before the committee to give your testimony here and enlightening us on the subject because it is highly important.

Mr. HOYT. Thank you, Senator.

Senator MCCARRAN. Thank you for coming up here.

(Whereupon, at 3:55 p. m., Friday, July 30, 1954, the hearing was recessed, subject to the call of the Chair.)

IDENTITY OF CERTAIN COMMUNIST-INFILTRATED ORGANIZATIONS

The Senate resumed the consideration of the bill (S. 3706) to amend the Subversive Activities Control Act of 1950 to provide for the determination of the identity of certain Communist-infiltrated organizations, and for other purposes.

Mr. HUMPHREY. Mr. President, I wish to call up my amendment designated "8–11–54–J," an amendment in the nature of a substitute.

The PRESIDING OFFICER. Does the Senator from Minnesota desire that the entire substitute be read?

Mr. HUMPHREY. Yes. I want to have the entire substitute read, and I make one modification. On page 3, line 18, where it is written "punished as provided by section 15," it should read "punished as provided by the penalty provisions of section 15."

Prior to the reading of the amendment, if I may be permitted, I ask unanimous consent to have added as additional cosponsors along with Senators DOUGLAS, KENNEDY, MORSE, and myself, the following Senators: MANSFIELD, SMATHERS, PASTORE, MURRAY, JOHNSTON of South Carolina, MAYBANK, ANDERSON, SYMINGTON, JACKSON, MAGNUSON, STENNIS, LEHMAN, JOHNSON of Colorado, MONRONEY, HILL, KERR, and DANIEL.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will state the amendment.

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

That this act may be cited as the "Communist Control Act of 1954."

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of other parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike other political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services.

PROSCRIBED ORGANIZATIONS

SEC. 3. (a) Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by the penalty provisions of section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

SUBVERSIVE ACTIVITIES CONTROL ACT AMENDMENT

SEC. 4. Subsection 5 (a) (1) of the Subversive Activities Control Act of 1950 (50 U. S. C. 784) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "or

"(E) to hold office or employment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act (29 U. S. C. 152) or to represent any employer in any matter or proceeding arising or pending under that act."

And to amend the title so as to read: "A bill to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

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

The yeas and nays were ordered.

Mr. HUMPHREY. Mr. President, the amendment is offered in the nature of a substitute. I have discussed the parliamentary situation with respect to offering amendments to the amendment in the nature of a substitute. My comments on the amendment will be very brief, because it is not necessary to make extensive remarks on the amendment.

Section 2 of my substitute is headed "Findings of Fact." Those findings of fact have been verified in recent weeks by the Subversive Activities Control Board, namely, that the Communist Party is a conspiracy directed toward the violent overthrow of the Government of the United States.

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

Mr. HUMPHREY. I yield.

Mr. MORSE. Is it within the power of the imagination of the Senator from Minnesota to conceive that any Senator could not take judicial notice of the findings of fact set out in section 2 of our amendment?

Mr. HUMPHREY. If any Member of the Senate will study section 2 of the amendment, which relates to findings of fact, he will have to come to the conclusion that it is a true statement of fact. It is a statement which is not based upon theory or upon some form of philosophical analysis, but upon observation of the facts of life, both at home and abroad.

Mr. President, I inquire whether by the reading of the amendment by the clerk the text of the amendment is incorporated in the body of the RECORD?

The PRESIDING OFFICER (Mr. COOPER in the chair). The Chair ad-

vises the Senator that the amendment has been incorporated in the RECORD. It will be printed in the RECORD at the point where it was read.

Mr. HUMPHREY. The first statement under "Findings of fact" reads:

SEC. 2. Congress hereby finds and declares——

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

Mr. HUMPHREY. I yield.

Mr. MAYBANK. Do I understand that the amendment in the nature of a substitute offered by the Senator from Minnesota would in no way weaken the present law, but would make the law stronger? Is that correct?

Mr. HUMPHREY. That is correct. I point out that the amendment gets at the root of the evil, instead of working on the fringes and on the flanks of the problem. The findings of fact state:

The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties.

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

Mr. HUMPHREY. I yield.

Mr. PASTORE. I ask the Senator whether it is not a fact that the President of the United States took that identical position in his state of the Union message, when, speaking on the subject, he said:

The subversive character of the Communist Party in the United States has been clearly demonstrated in many ways, including court proceedings. We should recognize by law a fact that is plain to all thoughtful citizens—that we are dealing here with actions akin to treason—that when a citizen knowingly participates in the Communist conspiracy he no longer holds allegiance to the United States.

Mr. HUMPHREY. I thank the Senator from Rhode Island. Of course, he is eminently correct. The President in his state of the Union message made manifestly clear the nature of the Communist Party, its activities, its apparatus, its purposes, and its objectives.

In my statement of findings of fact I say:

The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States.

I do not believe that further documentation of that fact is necessary. There have been cases in court in which leaders of the Communist Party were tried and convicted and sentenced on that charge. We have had innumerable instances in which leaders of the Communist Party have been found to be advocating and conspiring the overthrow of this Government. I continue reading from the findings of fact:

It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution.

Let us face the facts and get down to the root of the evil. The Communist Party changes its direction, its tactics, and its strategy, not by a vote of its membership, not by due consideration on the part of its members within the United States, but on orders from the Cominform or the Kremlin. There is not a shadow of a doubt that that is the case.

The findings of fact continue:

Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement.

There is no better illustration of that fact than what happened in the days prior to American participation in World War II. Only a few weeks before Nazi Germany attacked the Soviet Union, the war in Europe was branded as an imperialist war. Banners were carried in the Nation's Capital proclaiming "The Yanks Are Not Coming." Every effort was made to stymie and hold back the defense effort of the Government of the United States and the people of our country.

On the day the Nazi attack on the Soviet Union took place, the Communist Party of the United States turned completely about, and suddenly we were told that the war was not an imperialist design. Suddenly we were told it was a crusade, and the banners that had proclaimed "The Yanks Are Not Coming," suddenly proclaimed "The Yanks Are Coming Too Late."

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

Mr. HUMPHREY. I yield.

Mr. PASTORE. Is the distinguished Senator bothered too much by the specious argument that by outlawing the Communist Party we will drive it underground?

Mr. HUMPHREY. I have heard that statement made again and again, and for a period of time I believed that outlawing the Communist Party or, better, prescribing certain punishment for membership in the Communist Party, would drive the Communist Party so far underground that we would not be able properly to protect the security of this country. I do not believe that argument any more, and I will tell the Senate why.

With the passage of the McCarran Act of 1950 and the Smith Act in the early 1940's, whatever going underground was to take place has already taken place.

Mr. PASTORE. Does the Senator agree with me that if this amendment is adopted, it will not only drive Communists underground, but will bury them once and for all?

Mr. HUMPHREY. That would be my hope.

Mr. MORSE. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. MORSE. Along the line of the question which the Senator from Rhode Island has so keenly asked, is it not true that the activities of the Communist Party, so far as the subversion and espionage are concerned, have always been underground and that we have always had to dig them out?

Mr. HUMPHREY. The Senator is absolutely correct. The apparatus of the Communist Party works literally at two levels: one, the soapbox type of apparatus, namely, the public pronouncement; second, the carefully planned conspiratorial apparatus which carries on infiltration into key Government agencies, labor organizations, and cultural institutions.

The purpose of this amendment is to "come clean." I, for one, am growing sick and tired of having bill after bill brought to the Congress that does not reflect a willingness and the courage to go to the center of the problem.

Mr. MORSE. Does the Senator from Minnesota agree with me—and I am sure the question of the Senator from Rhode Island [Mr. PASTORE] indicates that he shares my point of view—that what our amendment seeks to do is really to meet the Communist issue in this country head-on?

Mr. HUMPHREY. That is correct.

Mr. MORSE. We seek to make the Communist movement an unlawful activity, and to place the burden where it belongs, both upon the Subversive Activities Board and also upon the Department of Justice, to proceed to do something about bringing to an end the Communist danger in this country.

Mr. HUMPHREY. The Senator is correct; and I thank him for his very appropriate observations.

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

Mr. MORSE. I yield to the Senator from Rhode Island.

Mr. PASTORE. Is it not a fact that what we are trying to do through this substitute is to recognize the fact that the Communist Party is a part of an international conspiracy to destroy our Bill of Rights and our American institutions? By this action are we not saying that everyone who belongs to it is a criminal in the eyes of Americans?

Mr. HUMPHREY. That is correct. Is there one iota or shadow of doubt that the Communist Party in the United States is but a part of a world conspiratorial organization, the effort and purpose of which are the destruction of republican government, of free political institutions, free economic institutions, free religious institutions, and free cultural institutions? Is there any doubt about that?

Mr. KENNEDY. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield to the Senator from Massachusetts.

Mr. KENNEDY. Does not the Senator feel that one of the great difficulties has been our treatment of the Communist Party as a legitimate political party, permitting its candidates to run for office, permitting members to be drafted into the armed services and so forth, and, on the other hand, treating many Communists as enemies of the Republic? That situation would be ended if we should adopt the amendment proposed by the Senator from Minnesota and other Senators.

Mr. HUMPHREY. The Senator is eminently correct. I point out that the President of the United States, in his State of the Union message, stated in a public speech before the Congress of the United States exactly what the amendment of the Senator from Minnesota and other Senators proposes to state by law. There is no use in kidding ourselves. If there is anything illegal about branding the Communist Party as a conspiratorial apparatus, this amendment would make that illegality legal, if I may use that kind of terminology.

Mr. JOHNSTON of South Carolina and Mr. LEHMAN addressed the Chair.

Mr. HUMPHREY. I yield first to the Senator from South Carolina, and then to the Senator from New York.

Mr. JOHNSTON of South Carolina. Is it not also true that there are two types of Communists? One is the soap box orator. This amendment would certainly do away with him. Does not the Senator from Minnesota think that when we let them talk, and talk and talk we are aiding them to a certain extent, and that this amendment would put them out of existence?

Mr. HUMPHREY. I think so.

I ask the indulgence of the Senate as I read a few lines of section 3, subsection (a) of the amendment:

> Whoever knowingly and wilfully becomes or remains a member of (1) the Communist Party, or (2) any other organization—

There is a possibility that they will change into a new political cloak. We take care of that situation in this amendment, when we say:

> Whoever knowingly and wilfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the Government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950.

That means due process of law, in a court of competent jurisdiction.

We also say:

> knowingly and wilfully becomes or remains a member of the Communist Party.

We also say:

> or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof.

Mr. President, this amendment is a frank approach to the very difficult, harassing, constantly perplexing problem of Communist domination of certain organizations and subversions in Government. As one who is deeply interested in the preservation of our basic liberties, and as one who has stood on the floor of the Senate with my colleagues defending our Bill of Rights and our constitutional government, I say the time is at hand to join issue with reference to this problem. I am of the opinion that many a bill has been introduced in the Congress which touches on the fringes of the issue but does not get to the heart of it. We are making an honest attempt to remedy the situation.

I now yield to the Senator from New York.

Mr. LEHMAN. Mr. President. I think the Senator has already made the point I had in mind. This substitute is an honest and undisguised frontal attack on the very heart of the problem. It avoids all pussyfooting. It is frank and undisguised in its nature.

Does the Senator agree with me that if the substitute should be adopted it would obviate the necessity of considering a large number of little fringe bills which are constantly being introduced, which do not reach the heart of the matter, but merely confuse the issue and confuse the thinking of the people throughout the country?

Mr. HUMPHREY. The Senator is correct. Much of the time of Congress is taken up week after week and month after month in investigating Communists, and hundreds of thousands of dollars are appropriated. Political capital is constantly being made of the issue. The time is at hand for Americans who believe in the principles of republican constitutional government to quit "horsing around" on this issue. I did not require very long to reach the conclusion that I had seen enough of piecemeal attempts. I have had enough of delayed efforts in the dying moments of a congressional session to line up Senator after Senator in support of a bill containing a multitude of details which it is impossible to comprehend in the last few moments remaining in a session.

The simple issue is, Are we for outlawing the Communist Party, or are we not? Do we believe it is a party dedicated to the destruction of this Republic? Is it a force dedicated to the destruction of this Government as we know it? If it is, then Senators should vote for this amendment.

If Senators do not believe that the Communist Party is such a conspiratorial force, let them vote against the amendment. There is no way in the world in which one can cloak himself in nice legal phrases.

The issue is before Congress, and I am quite confident that some persons are a little surprised that the junior Senator from Minnesota has placed the issue before Congress. Let the record be clear. This Senator has been fighting the Communist movement ever since he entered public life, and before. I am tired of reading headlines about being "soft" toward communism. I am tired of reading headlines about being a leftist, and about others being leftists. I am tired of having people play the Communist issue as though it were a great overture which has lasted for years. I want to come to grips with the Communist issue. I want Senators to stand up and to answer whether they are for the Communist Party, or are against it. The proposal in the amendment will place Senators right on the line. They cannot duck this one. This amendment would make the Communist Party, its membership, and its apparatus illegal. It would make membership in the Communist Party subject to criminal penalties. It would support the Department of Justice by all the law which any department would need. I feel proud at this hour to be able to present to the Senate an amendment with such distinguished cosponsors.

I shall not say much more about it, but if our proposal is accepted, the rash of little resolutions which have been coming through the Senate will not be needed. We shall have struck at the snake. We shall hold him in the hollow of our hands. We shall have a club in our hands. We shall have the means to strike a lethal blow at the conspiratorial forces of international communisim, as it works its devious, subtle, and dangerous way throughout the United States.

I do not intend to be a half patriot. I will not be lukewarm. The issue is drawn. Either Senators are for recognizing the Communist Party for what it is, or they will continue to trip over the niceties of legal technicalities and details.

I believe the amendment is necessary to strengthen the hand of our Government in dealing with conspiratorial forces.

Mr. President, I have no more to say. I have made my case.

Mr. MORSE. Mr. President, I shall be very brief in my comments in support of the amendment of which I have the honor to be one of the cosponsors, together with my friend, the distinguished junior Senator from Massachusetts [Mr. KENNEDY], under the authorship of the distinguished junior Senator from Minnesota [Mr. HUMPHREY].

In my judgment, this should be considered one of the most unifying legislative proposals offered in the Senate of the United States for many a year. In fact, I think the line ought to form on the right at the desk of the clerk for the cosponsorship of this amendment by other Members of the Senate.

I have listened for years to a great deal of fanning of the breeze in the Senate on the Communist issue; but, in my judgment, this amendment brings us to grips with the Communist problem. We who are offering the amendment are doing so because it is high time to strike a blow against the Communist Party in no uncertain terms by making it unlawful.

In my judgment, this amendment should bring the conservatives and the liberals together, because we have always been of one mind on the issue of communism. As constitutional liberals, on the one side, and as constitutional conservatives, on the other, we have all been dedicated to a common patriotic motive, namely, that our constitutional system of Government shall persevere in the history of the United States.

What is sought to be done by the amendment is to remove any doubt in the Senate as to where we stand on the issue of communism. Senators may recall that the last argument which I made in my remarks last night against the Butler bill was that, in my judgment, we should go after the problem of communism in this country from the standpoint of acts committed by the individual. The Department of Justice now has all the authority it needs to proceed to handle the problem of commu-

nism from the standpoint of the acts of individuals. But in my judgment there is needed on the statute books a law which will make it very clear to the Department of Justice that Congress has outlawed the activity of the Communist Party.

As I said earlier, in my questioning of the Senator from Minnesota, I am not moved to the slightest degree by the old, fallacious, phony argument that if the problem of communism is met head-on by outlawing the party, communism will be driven underground. Its dangerous activities, its subversive activities, its espionage activities, always have been carried on underground. It is about time for us to face the fact that what is needed to be done is to define the Communist Party as an unlawful conspiracy, as it is defined in the amendment, and then make it clear to the Department of Justice and the Subversive Activities Control Board that Congress expects from them effective law enforcement against the conspiracy program of the Communist Party to undermine constitutionalism in the United States.

I understand that the junior Senator from Texas [Mr. DANIEL] has given some consideration to possible further amendment of the amendment which the junior Senator from Minnesota has offered, and which the junior Senator from Massachusetts [Mr. KENNEDY] and I have cosponsored. I have not had an opportunity to consult with the Senator from Minnesota, but the discussion which I had with the Senator from Texas leads me to believe that there is great merit in most of the suggestions which he made to me. I am perfectly willing to go along with amendments to the pending amendment which would make it even stronger and more effective, if that can be done. I think the suggestions made by the Senator from Texas would accomplish that purpose.

I close by saying that I am proud to stand on the floor of the Senate today as one of the cosponsors of an amendment which, in my judgment, would carry out one of the pronouncements of the President of the United States in his state of the Union message on the subject of communism. I am proud to be associated with the Senator from Minnesota and the Senator from Massachusetts in sponsoring the amendment, because by the amendment we put it up to the Senate to "fish or cut bait" on the Communist issue.

Mr. BUTLER. Mr. President, the amendment offered by the Senator from Minnesota is merely another way of keeping the bill from coming to a vote. The Senator from Minnesota must know that there is much doubt about the constitutionality of the amendment in the nature of a substitute which he has offered. We are all against communism. We all want to see the Communist Party outlawed. But we do not want to do it in a way which, in my opinion, would destroy the Internal Security Act, which has been on the statute books since 1950, the Smith Act, and other laws designed to combat the Communist menace.

The Senator from Minnesota must know that there is no longer any such thing as a member of the Communist Party. Such persons do not carry membership cards. No membership records are kept. There is no way of knowing who is a member of the Communist Party.

I feel that the amendment would not only destroy the bill which was reported by the committee, after much study, but would also destroy the Internal Security Act, the Smith Act, and other acts directed toward breaking up the Communist conspiracy in the United States.

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

Mr. BUTLER. I am happy to yield.

Mr. DANIEL. I agree with some of the remarks which have just been made by the Senator from Maryland. Certainly the amendment in the nature of a substitute offered by the Senator from Minnesota would have the effect of displacing the bill now before the Senate. The Senator from Minnesota seeks to go a step further and to outlaw the Communist Party in the United States.

Mr. BUTLER. I would have no objection to that.

Mr. DANIEL. Therefore, I should like to ask the Senator from Maryland if he does not think it is possible to accomplish both purposes.

Mr. BUTLER. I do.

Mr. DANIEL. I should like to vote for the substitute which has been offered by the Senator from Minnesota, which declares that the Communist Party shall be outlawed because it has been found to be part of a conspiracy to overthrow our Government by force. I should also like to vote for most of the provisions in the bill now before the Senate concerning Communist-infiltrated organizations.

Therefore, would it not be possible to amend the bill to accomplish both purposes? I intend to offer such an amendment. I have had one prepared. I have discussed it with some Senators.

My amendment would amend the Humphrey substitute by including provisions of the Butler bill which has been reported from the committee. The Senate would then be in a position to accomplish both purposes which have been discussed; outlaw the Communist Party, embodying the provisions which the Senator from Minnesota has outlined, and at the same time adopt the provisions concerning Communist-infiltrated organizations, as outlined by the Senator from Maryland.

Mr. BUTLER. The Senator from Maryland would accept such an amendment.

Mr. DANIEL. However, I may say to the Senator from Maryland that my amendment would make some minor changes in his bill.

Mr. BUTLER. I should like to hear them. I merely wish to say that extensive hearings were held on the bill, and there was never any intimation that an amendment would be offered such as has been offered by the Senator from Minnesota. The Senator from Minnesota did not appear before the committee to offer, or even suggest he was going to offer, such an amendment.

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

Mr. BUTLER. I yield to the Senator from Minnesota.

Mr. HUMPHREY. I may say to the Senator from Maryland that the junior Senator from Minnesota on May 14, on behalf of myself and the Senator from Illinois [Mr. DOUGLAS], offered an amendment which was the result of 7 months' work on the part of the Senate Committee on Labor and Public Welfare, which would have provided the National Labor Relations Board with extensive authority to enforce the filing of non-Communist affidavits, which, by the way, the Supreme Court said were not enforceable under present law. Also it was proposed to provide the National Labor Relations Board with complete authority to hold a union as being in noncompliance with the National Labor Relations Act if it was Communist infiltrated, or if it had any officers who were members of the Communist Party.

The Senator from Minnesota is no "Johnny-come-lately" in this area. I was rather surprised that the amendment to the bill which the Senator from Minnesota presented on May 14, as a result of 7 months of hearings, was not given the courtesy of a friendly reception by the appropriate committee of the Senate.

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

The PRESIDING OFFICER (Mr. HENDRICKSON in the chair). The Senator from Maryland has the floor.

Mr. BUTLER. Before I yield to the Senator from Montana, I should like to say to the Senator from Minnesota that he did not really touch the question I raised. I know the Senator from Minnesota and the Senator from Illinois offered an amendment of the nature he has described. He did not offer to the committee or to the task force conducting the hearings the proposal which he is now making, or anything even approaching the present proposal. He now offers on the floor of the Senate an amendment which, in my opinion, would completely kill the bill, kill the Interal Security Act, and kill the other bills or acts designed to break up the Communist conspiracy.

Mr. HUMPHREY. Mr. President, those are strong words. Will the Senator yield?

Mr. BUTLER. I yield.

Mr. HUMPHREY. Does the Senator from Maryland interpret the substitute presented by the Senator from Minnesota for himself and many other Senators as a means or an effort to weaken or destroy the attempts of the Government of the United States to knock out the conspiratorial apparatus of the Communist Party? I know the Senator from Maryland is very sincere in his comments, but I may say to the Senator that what my substitute proposes to do is what no other public law to date has done, namely, declare that the Communist Party is a conspiratorial party directed toward the overthrow of the Government; secondly, that any person who knowingly or wilfully becomes or remains a member of the Communist Party is subject to the full penalties of the law. What more powerful law could we have to enforce than that?

Mr. BUTLER. I shall answer the question of the Senator from Minnesota.

In the first place, the Senator from Minnesota knows that there is a great deal of doubt as to the constitutionality of the amendment he offers. In the second place, the Senator knows that there is no longer any such thing as a member of the Communist Party. The party has destroyed all its membership lists. Members do not have cards. They do not have any visible means of showing that they are members of the Communist Party. The Senator also knows that the Attorney General of the United States is absolutely opposed to his amendment. The Senator also knows that J. Edgar Hoover, head of the Federal Bureau of Investigation, is in great doubt as to validity of the amendment of the Senator from Minnesota, and is against it. The Senator also knows that, in view of those facts, the adoption of his amendment would reverse the whole process of going after the issue of communism in this country.

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

Mr. BUTLER. I yield.

Mr. HUMPHREY. Does the Senator realize that the Federal Bureau of Investigation does know, and has so stated, that there are members of the Communist Party? Does he know that publications in this country have listed the members of the Communist Party by numbers, State by State? Does the Senator further know that the Communist Party is an organized unit in this country? Does he know that only last week newspapers published stories of a secret meeting in the city of New York? Does the Senator further know that one of the reasons why the Senator from Minnesota had grave doubts about the original antisubversive bill was that he thought it might drive the Communists underground? Finally, may I say to the Senator, it is wonderful to hear from the Republican side of this body that laws passed by a Democratic Congress were really effective on communism. My party has been branded as being soft on communism. I am delighted to hear the Senator from Maryland state that we passed an effective law against communism.

Mr. BUTLER. Mr. President, the Senator from Maryland has the floor. The Senator from Maryland will say to the Senator from Minnesota that the Internal Security Act was enacted over the veto of a Democratic President.

Mr. HUMPHREY. May I say to the Senator from Maryland that it was passed by a Democratic Congress?

Mr. BUTLER. With a lot of help from the Republicans and no help from the White House.

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

Mr. BUTLER. I yield to the Senator from Texas.

Mr. DANIEL. The junior Senator from Texas is merely trying to compose differences. I want to vote for the Humphrey substitute, and also for the Butler bill.

Mr. BUTLER. So does the Senator from Maryland.

Mr. DANIEL. In a few moments, as soon as the Senator from Texas gets the floor, he will offer an amendment to the Humphrey substitute, which will enable the Senate to vote for a bill which will both outlaw the Communist Party and also take care of Communist-infiltrated organizations as proposed by the Butler bill.

Mr. BUTLER. As I said to the Senator from Texas, I would be very glad to accept the amendment.

Mr. DANIEL. The Senator from Maryland desired to have me explain the changes I had made in his proposal.

Mr. BUTLER. Yes, if he will.

Mr. SMATHERS. Mr. President, will the Senator yield so that I may ask a question?

Mr. BUTLER. I am presently having a colloquy with the Senator from Texas.

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Florida?

Mr. BUTLER. I yield.

Mr. SMATHERS. I wanted to ask the Senator from Maryland how it is that he can say that it is legal to pass a law which states that a labor union cannot follow certain communistic practices, and then say it is illegal to outlaw the Communist Party? It seems to me that if one decides to cut off the branches of a tree because they are diseased, he must perforce say that the trunk of the tree is also diseased. What the Senator from Minnesota is trying to say is that communism per se is wrong, and that therefore any union or any person who follows the Communist line must likewise be wrong.

Mr. BUTLER. Let me say to the Senator that the outlawing of the Communist Party involves very serious constitutional questions.

Mr. SMATHERS. Yes. The Senator from Maryland says that the results of communism are bad but he will not go so far as to say that communism itself is bad. Is that what the Senator says?

Mr. BUTLER. We all say communism is bad.

Mr. SMATHERS. Then why do we not outlaw communism?

Mr. BUTLER. We are going to outlaw communism. We are going to accept the amendment.

Mr. SMATHERS. That is what the Senator from Minnesota [Mr. HUMPHREY] desires to do. It seems to me the Senator from Maryland should be very happy to support the substitute offered by the Senator from Minnesota. The Senator from Maryland does not like the results of communism. He says they are bad, and that we should declare them illegal. Why should we not say that the whole process is illegal?

Mr. BUTLER. That is what I hope we shall say. Will the Senator permit the Senator from Texas [Mr. DANIEL] to proceed?

Mr. DANIEL. Mr. President——

The PRESIDING OFFICER. The Chair reminds the Senator from Maryland that he can yield only for a question. Does the Senator from Maryland request unanimous consent that he may yield to the Senator from Texas for the purpose of offering a proposed amendment?

Mr. BUTLER. Mr. President, I make such a request, with the understanding I shall not lose the floor.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The Senator from Texas [Mr. DANIEL] is recognized.

Mr. DANIEL. Mr. President, the amendment which I shall send to the desk would amend the substitute offered by the Senator from Minnesota [Mr. HUMPHREY] so as to add all the provisions of the Butler bill which have been under discussion, with certain changes which I shall now outline.

I shall begin the discussion of my proposed amendment by saying that I have provided at the end of my proposed amendment a severability clause, which would take care of any doubts the distinguished Senator from Maryland [Mr. BUTLER] might have as to the constitutionality of the provisions of the substitute offered by the Senator from Minnesota [Mr. HUMPHREY].

Mr. BUTLER. I believe that is a very salutary provision. It should be in the bill.

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

Mr. DANIEL. I yield for a question.

Mr. HUMPHREY. Would it not be appropriate, since the pending question now is the proposed amendment of the Senator from Minnesota, for the Senator from Texas to consult with the Senator from Minnesota and the cosponsors of the substitute to determine whether or not the amendment which the Senator from Texas proposes would meet with their approval?

The Senate is not now considering the bill of the Senator from Maryland [Mr. BUTLER]. The Senate is considering the amendment offered by the Senator from Minnesota [Mr. HUMPHREY], which is cosponsored by 16 or 17 of our colleagues.

Mr. DANIEL. The Senator from Minnesota probably did not hear my earlier remarks. I was agreeing with the Senator from Minnesota. In fact, I have joined him as a coauthor of his proposal.

Mr. HUMPHREY. Good.

Mr. DANIEL. I support the amendment of the Senator from Minnesota to outlaw the Communist Party. However, I also wish to preserve certain provisions of the bill which has been under discussion, with certain changes, adding them to the substitute offered by the Senator from Minnesota.

The Senator from Maryland raised certain objections, which I was trying to satisfy.

Mr. HUMPHREY. I am sorry. I misunderstood the Senator. I apologize to the Senator for not having clearly understood his intent.

Mr. DANIEL. I was simply trying to meet those objections, one of which I shall now discuss.

The Senator from Maryland said that he feared the constitutionality of some of the provisions in the amendment offered by the Senator from Minnesota. I said to the Senator from Maryland that one of the provisions in my amendment—the last provision, of course—is a severability clause. It would take care of that fear.

The other changes I should like to propose, Mr. President, begin on page 2 of S. 3706.

In each place in the bill where the words "5 years" appear I should like to insert in lieu thereof the word "3 years." Some argument has been made to the effect that if we provide for too long a period for going back into a person's affiliation with a Communist-infiltrated organization or a Communist-action organization, some people might be hesitant about leaving such organizations. I have discussed this particular provision with several Senators on both sides, and I propose to change the "5 years" to "3 years" in each place.

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

Mr. DANIEL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. What the Senator from Texas is suggesting is along the line of what is provided in my proposed amendment, "8–11–54–I." I would have stricken "5 years" and inserted "1 year." Does the Senator suggest making it "3 years"?

Mr. DANIEL. That is correct. I am trying to compromise the difference, if possible, between the provisions of the bill and the provisions of the amendment offered by the Senator from Minnesota. I refer to another amendment of his which has not yet been considered.

Mr. HUMPHREY. It is lying on the desk.

Mr. DANIEL. It is on the desk. That amendment would reduce the period of time to 1 year. The provision in the bill of the Senator from Maryland is now 5 years.

I provide in my amendment that that period of time shall be 3 years. I believe the Senator from Maryland and the Senator from Minnesota will accept that compromise.

Mr. HUMPHREY. Yes; I would accept it.

Mr. DANIEL. That amendment is acceptable to the Senator from Minnesota. Is it acceptable to the Senator from Maryland?

Mr. BUTLER. I believe the reduction from 5 years to 3 years would very adversely affect the bill. I think such a time limit would be very difficult to operate under, and that amendment would very materially weaken the bill.

Mr. DANIEL. In what manner, may I ask? I had intended to suggest 2 years, and at the insistence of the Senator from Maryland that it should be a longer period of time I have changed it to 3 years. The Senator from Minnesota desires it to be 1 year.

Mr. BUTLER. Would the Senator be willing to accept 4 years?

Mr. DANIEL. In what way would it weaken the bill to have it 3 years instead of 5 years so far as the affiliation of an individual with such an organization is concerned?

Mr. BUTLER. I think it would tend to weaken the bill in this respect: Since the enactment of the Internal Security Act, the Smith Act, the bill of the Senator from Washington [Mr. MAGNUSON], and other legislation directed toward the control of the Communist menace, the Communists have attempted to destroy all records and go underground, and they have not left as much of a trace as we prefer they would leave. If the law permits us to go back only 3 years with regard to Communist affiliation, in all probability we shall not be able to include a number of persons who should be included.

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

Mr. DANIEL. If that be true, is it not also true that it means that the organizations have cleansed themselves or in some way have improved in recent years?

Mr. BUTLER. No. I do not think it would work that way at all. I know what the Senator from Texas is thinking, and I know what the Senator from Minnesota is thinking. It proves that these people have gone underground. To some extent that is true. It would be more difficult to operate on a 3-year basis than on a 5-year basis.

Mr. DANIEL. Will the Senator from Maryland hear the other modifications? I shall not ask for acceptance of any particular changes, but I request that the Senator from Maryland hear them all, and then determine whether or not he can accept the changes I shall suggest.

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

Mr. DANIEL. I yield for a question.

Mr. HUMPHREY. The Senator will recall, I am sure, the statements of Mr. Gouzenko, now under protective custody in Canada. He was the former code clerk for the Russians who broke away from communism. Mr. Gouzenko, I believe, has testified before representatives of the Senate.

Every expert, including Mr. Gouzenko, says that one thing which is needed in any kind of legislation dealing with this problem is an incentive for men and women to leave the Communist Party, so that they will not have scorn heaped upon them and will not be punished for their past action.

If we provide for going back 5 years, all we are going to do is literally to drive people back into the Communist apparatus, because we are unwilling to accept their cleansing and their willingness to change their pattern of life and become responsible and respectable citizens.

Mr. BUTLER. May I answer the question of the Senator from Minnesota?

Mr. DANIEL. I yield to the Senator from Maryland.

Mr. BUTLER. I think that is one of the weaknesses in the amendment proposed by the Senator. The Senator knows that all the Communists have to do is what they have done in connection with the affidavits required under section 9 (h) of the Taft-Hartley law. They resign from the Communist Party for a day and sign the affidavit. Then they immediately return to the party.

I do not believe there is any substance in the argument of the Senator from Minnesota.

Mr. MAGNUSON rose.

Mr. DANIEL. I yield to the Senator from Washington for a question.

Mr. MAGNUSON. I wonder if the Senator——

The PRESIDING OFFICER. The Chair reminds Senators that the Senator from Texas has the floor under a unanimous-consent agreement.

Mr. BUTLER. Mr. President, to clarify the situation, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland yields the floor. The Chair recognizes the Senator from Texas.

Mr. DANIEL. I yield to the Senator from Washington for a question.

Mr. MAGNUSON. Is the Senator not trying to resolve some legal doubt as to the question of the statute of limitations? As the Senator knows, lawyers in most States of the Union in criminal prosecutions operate under a statute of limitations of 3 years. This proviso would be in line with that practice, and would provide for going back 3 years. It would not be particularly in line legally, but it would establish a limitation upon the time it would be possible to go back.

Mr. DANIEL. Yes. With some exceptions, most of our criminal statutes have limitation periods of from 2 to 4 years.

Mr. MAGNUSON. Three is the average.

Mr. DANIEL. I had in mind that 3 years would probably be the average.

Also, it seemed to me that it might be a good compromise between what was advocated by the Senator from Minnesota [Mr. HUMPHREY] and the Senator from Maryland [Mr. BUTLER]. I am sure there will be several words and phrases and several provisions in this bill that will not meet with unanimous approval but that is what I had in mind in making the period 3 years instead of 5.

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

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

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

Mr. DANIEL. I yield to the Senator from Minnesota for a question.

Mr. HUMPHREY. Does the Senator realize that the Senator from Michigan [Mr. FERGUSON] has an amendment lying on the table which would strike out the phrase "within 5 years"? I say that the figure 3 is a fair compromise, and reasonable, in terms of legal precedent.

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

Mr. DANIEL. I yield to the Senator from Kentucky for a question.

Mr. COOPER. Mr. President, I recognize the great legal ability of the Senator from Texas.

Mr. DANIEL. I did not yield for that purpose.

Mr. COOPER. I am sure the Senate recognizes his ability and, if he will permit me, I should like to ask him a few questions. I do not wish to take up his time, but I should like to ask some questions.

Mr. DANIEL. If I may, I should like to complete the explanation of the changes I have made in the Butler proposal, and then I shall yield for questions.

Mrs. SMITH of Maine. Mr. President, will the Senator yield for an observation?

Mr. DANIEL. I yield for an observation.

Mrs. SMITH of Maine. I do not intend to oppose any agreement that is

made between the distinguished Senator from Maryland [Mr. BUTLER] and the distinguished Senator from Texas [Mr. DANIEL], but I do want to say that I am for outlawing the Communist Party. In fact, I introduced the first bill in the history of the United States Senate to outlaw the Communist Party. It was Senate bill 200.

Mr. President, I do not believe it is proper to legislate on this matter by way of an amendment. I believe a proposal to outlaw the Communist Party should be the subject of a separate bill instead of an amendment to the pending bill.

I say this in spite of the manner in which the Attorney General stalled for more than a year before taking a position on my bill, S. 200, and thus bottling it up in committee. I say this in spite of the fact that he now opposes my bill, S. 200, to outlaw the Communist Party.

I serve notice on the Senate now that next year I shall renew my fight to outlaw the Communist Party, and I invite all Members of the Senate to join me next year in cosponsoring my bill to outlaw the Communist Party, and overcome the stalling tactics which have been used to bottle up my bill.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. DANIEL. Mr. President, I prefer to complete the explanation of the changes that I propose to the Butler bill, because I have only a few.

Mr. HUMPHREY. Mr. President, will the Senator permit me to make an observation with reference to the comment by the Senator from Maine [Mrs. SMITH]?

Mr. DANIEL. I yield once more to the Senator from Minnesota.

Mr. HUMPHREY. I merely wish to say that the Senator from Maine is indeed worthy of the fullest commendation and praise of the Senate, and I regret that I was not able to get in touch with her before I offered my amendment. I do not know what her wishes are, but of all the Members of the Senate who deserve the opportunity to be associated with this movement and to lead in the fight, it is the Senator from Maine. If she would like to join with me as a cosponsor, along with others, I should be singularly honored.

Mrs. SMITH of Maine. Mr. President, will the Senator from Texas yield?

Mr. DANIEL. I yield.

Mrs. SMITH of Maine. I have only one wish, and that is that we outlaw the Communist Party, but I want to do it in the proper manner, by a separate bill and not by an amendment.

I thank the Senator very much.

The PRESIDING OFFICER. The Senator from Texas has the floor.

Mr. DANIEL. Mr. President, does the Senator from Maryland desire to ask a question or make some comment?

Mr. BUTLER. I thought the Senator from Texas would offer some amendments to the pending measure.

Mr. DANIEL. Yes, I shall.

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

The PRESIDING OFFICER. Does the Senator from Texas yield to the Senator from South Dakota.

Mr. DANIEL. I wish to complete the explanation of my proposed changes, and then I shall yield.

The other change I propose is on page 5, line 17, of S. 3706. The wording now in line 17 is:

> In determining whether any organization is a Communist-infiltrated organization, the Board shall take into consideration—
> (1) the extent to which—

Certain things are found to exist. There are seven different items which the Board would be authorized to take into consideration.

Mr. President, the change I would make at that point would be this: In line 18, instead of the words "the Board shall take into consideration" I would substitute the words "the Board shall be required to determine", and then the first word in each subparagraph would be "whether" in place of the words "the extent to which."

With this amendment, the paragraph would read as follows:

> In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—
> (1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within 3 years have been, (A) members, agents, or representatives of any Communist organization—

And so forth. In each other subparagraph the word "whether" would be substituted in place of the words "the extent to which."

Mr. President, as I have said, the changes I have outlined so far are these: The period of years which would be taken into consideration in connection with past activities would be changed to 3 years instead of 5 years. Second, there is the change which I have just outlined as to the procedure of the Board; third, the Ives amendment has been incorporated in the proposal that I shall offer; and fourth, a severability clause has been incorporated.

There is one further change, on page 8, line 12. Let me explain this change in general terms first.

The bill provides that after "a final order of the Board determining that any such labor organization is a Communist-infiltrated organization, such labor organization shall be ineligible to"—and we find several things named there. It would be restricted, and denied certain benefits under the National Labor Relations Act.

Mr. President, if we are to adopt the provision as to Communist-infiltrated organizations, we certainly ought to make the same restrictions and denials applicable to any organizations found to be Communist-action or Communist-front organizations. We have had some experience in this field.

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

Mr. DANIEL. I yield.

Mr. BUTLER. Is the Senator now suggesting an additional amendment to the Internal Security Act with respect to Communist-action and Communist-front organizations?

Mr. DANIEL. Yes. All this would be an amendment, in addition to what is proposed by the Senator from Maryland [Mr. BUTLER].

Mr. BUTLER. Mr. President——

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

Mr. DANIEL. I yield first to the Senator from Maryland.

Mr. BUTLER. I should like to clear up one point. Does the Senator's amendment go to line 18 on page 5?

Mr. DANIEL. No. The amendment would go to line 12 on page 8. We now have these words, beginning with line 11:

> When there is in effect a final order of the Board determining that any such labor organization is a Communist-infiltrated organization, such labor organization shall be ineligible to—

Do certain things which follow.

Just before "Communist-infiltrated organization" I would add these words: "Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

In other words, whatever penalties are applied to an organization found to be Communist-infiltrated certainly ought to be applied to an organization found to be a Communist-front organization or a Communist-action organization.

There are numerous instances of the practicability of what I now propose. An organization was operating in the State of Texas which had been found to be either a Communist-dominated organization or a Communist-action organization. However, the National Labor Relations Board said it still must treat that organization and its officers as it must treat other organizations. It said it must give that organization the same rights and privileges as are given to other labor organizations. Therefore what I would do in this respect is merely to add Communist-action organizations to the provision prescribing penalties with respect to the National Labor Relations Board, the same restrictions which the Senator from Maryland would apply to Communist-infiltrated organizations.

Mr. BUTLER, Mr. HUMPHREY, and other Senators addressed the Chair.

Mr. DANIEL. I yield further to the Senator from Maryland so that he may clearly understand the purpose of my amendment.

Mr. BUTLER. I understand what the Senator is trying to accomplish, but I did not know there was any Communist-action organization or Communist-front organization which represented employees as a bargaining agent and which would ask for a hearing before the NLRB.

Mr. DANIEL. There is one such organization in existence. There was such case before the National Labor Relations Board, and we received the reply which I outlined. I am sure the Senator agrees with me that if any labor organization is found by the Board to be a Communist-action organization or a Communist-front organization it should be ineligible for the privileges and rights which are enjoyed by other labor organizations.

Mr. BUTLER. I agree. I am surprised to hear that there is such an organization. If there is such an organ-

ization, I shall be very glad to accept the amendment.

Mr. DANIEL. Those are my changes.

Mr. BUTLER. Will the Seantor recite them, so that I can say what I will do about them?

Mr. HUMPHREY. Mr. President, who is accepting what?

Mr. DANIEL. I have not asked anyone to accept anything. I am about to send my amendment to the desk and formally offer it.

Mr. HUMPHREY. The Senate is now considering the Humphrey substitute, not the Butler bill.

Mr. CASE rose.

Mr. DANIEL. I am offering an amendment to the Humphrey substitute, so that some of us who wish to vote on the Humphrey substitute to outlaw the Communist Party, but who also wish to vote for the provisions relating to Communist infiltrated organizations in the Butler bill, may have the opportunity to do both.

Mr. MANSFIELD. Mr. President, will the Senator yield for a comment?

Mr. DANIEL. I yield first to the Senator from South Dakota. He has been on his feet for some time.

Mr. CASE. First, the Senator from South Dakota asks the Senator from Texas where the amendment he proposes would fit into the bill or substitute.

Mr. DANIEL. I did not quite hear the last part of the Senator's statement.

Mr. CASE. Is the amendment the Senator from Texas is offering, an amendment to the Humphrey amendment or to the bill?

Mr. DANIEL. The amendment which I am sending to the desk is an amendment to the Humphrey substitute, and it would be added at the end of the Humphrey substitute.

Mr. CASE. What I do not quite understand is whether the language requiring the Board to make a determination as to whether or not certain things are true is to be an amendment to the Subversive Activities Control Act of 1950.

Mr. DANIEL. It is a new section which is being added to the Subversive Activities Control Act of 1950. It is to be added as a new section.

The form proposed by the Senator from Maryland is exactly the same form that is now in the law. Some criticism has been made of that form. My amendment would meet that criticism by changing the procedure. Instead of providing that the Board shall take into consideration certain things, and the extent to which such things exist, I would change the form by providing that the Board shall determine whether certin things do exist or have existed.

Mr. CASE. When the Senator does that, he is prescribing a more rigid formula relating to membership in a Communist infiltrated organization than is provided with respect to membership in a Communist-action organization or in a Communist-front organization.

Mr. DANIEL. That may be true, but I do not think so.

Mr. CASE. The Senator from South Dakota served on the committee of the House which developed the language providing that the Board shall take into consideration the extent to which participation took place in a Communist-action organization or in a Communist-front organization. The reason we did it was that there were instances in which there was not a clear-cut pattern of complete participation in a front organization or in an action organization. Instances came to our attention in which a person's name was used on a letterhead, or in which a person was identified with a front organization, or with an action organization. After investigating some of those cases, the committee felt that the facts did not establish a sufficient case to warrant penalizing an individual. In many instances a person's name was used on a letterhead for the purpose of sponsoring a dinner, or something of that sort. It involved persons of very high repute, who had no general pattern of following the Communist line.

If we accept the language the Senator from Texas suggests, and apply that language to a Communist-front organization and make the whole act uniform, if it is determined that a person was identified in a single instance with such an organization, we bring down upon the head of such an individual the penalty of the entire act.

Let us take category 4 of the bill. It appears at page 6 of the bill and reads:

> (4) The extent to which such organization within 5 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance.

Reading that paragraph in connection with subsection (e) on page 5, the bill would provide that the Board shall take into consideration the extent to which a person has received funds from a Communist organization. If that language changed to provide that the Board shall determine whether a person has received even a $5 contribution from a front organization or from any other Communist organization, it would bring down on the head of such an individual all the penalties of the act.

Mr. DANIEL. Does the Senator from South Dakota see any difference between a provision relating to a $5 contribution to a Communist organization and the extent to which a person has made a contribution?

The language does not provide that if the Board finds some act or contribution, it is necessary to bring down on the individual the penalties of the act. The bill now reads:

> In determining whether any organization is a Communist-infiltrated organization, the Board shall take into consideration the "extent to which"—

And so forth. I would change that by requiring the Board to make a finding of whether $5, for example, was contributed. I do not see any great difference.

Mr. CASE. Does the Senator believe that a more rigid formula should be prescribed with respect to membership in Communist-infiltrated organizations than is prescribed with respect to membership in Communist-action organizations? Would not the Senator's amendment establish a more rigid formula with respect to membership in Communist-infiltrated organizations than with respect to Communist-action organizations?

Mr. DANIEL. The Senator from Texas does not believe so. Other Members of the Senate believe it would be more rigid. It is the feeling of some Senators that something should be added to provide that a person should be served with specifications and should know what he has been charged with before any penalty is assesed against him.

Some Members of the Senate feel that there should be a definite finding by the Board as to whether the individuals under consideration actually participated in Communist-front organizations, and so forth. Some believe there should be a definite finding with respect to Communist-infiltrated organizations even though this is not the case with respect to Communist-front organizations or Communist-action organizations.

I do not believe the difference in the wording is very great. We are merely referring to procedures. All I am doing is changing the wording in an effort to compromise the differences between Senators who have a definite feeling one way or the other.

If the Senator from South Dakota is willing, I shall discuss the question with him briefly as soon as I yield the floor.

Several Senators addressed the Chair.

The PRESIDING OFFICER. The Chair recognizes the senior Senator from Texas.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that my colleague may, without losing his rights to the floor, yield to the Senator from Montana [Mr. MANSFIELD] not to exceed 5 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I wish to address myself to the substitute offered by the Senator from Minnesota [Mr. HUMPHREY] and other Senators, to wit, a bill to outlaw the Communist Party. Of course, the Senator from Maine [Mrs. SMITH] has been a leader in the introduction of bills to outlaw the Communist Party. Others have joined with her in the House and in the Senate. I think now is the time to face up to our responsibilities, because this is the first opportunity we have had in this body to face up to the question as to whether we want to outlaw the Communist Party. I think the time has arrived for all of us to stand up and be counted. I certainly hope that this afternoon we shall have an opportunity to vote on the question, because I, for one, wish to outlaw the Communist Party, because I think it is a party contrary to American principles and a party which does advocate the overthrow of the Government of the United States.

Outlawing the Communist Party would not be a violation of the fundamental right of people in the United States to organize and function through a political party as the Communist Party is not a legitimate political organization, any more than a group of doctors operating an illegal narcotics ring would constitute a legitimate medical enterprise. By its own declaration of aims and purposes, the Communist

Party is engaged in a criminal conspiracy and operation: The advocacy and projected overthrow of the American Government by force and violence.

The outlawing of the party will destroy its false appearance of respectability as a political party within the constitutional limitations. The passing of such legislation would be no different than when the Nazi Bund was outlawed here in the early forties.

One of the main arguments, if not the main one, given by FBI Chief J. Edgar Hoover in his testimony before congressional committees has been his assertion that to outlaw the Communist Party would drive it underground. In new testimony before the House Appropriations Committee, this year, Mr. Hoover states:

> The investigative burden in covering the Communist underground has been increased tremendously as is shown by the fact that where 1 agent was formerly needed for proper coverage, we now require as many as 9 or 10 by reason of their greater security consciousness in carrying out their conspiratorial activities.

He further states in the same testimony:

> Today there are two types of Communist Party leadership: Open leadership comprised of people like William Z. Foster and a select group of others; and an underground leadership, which actually has been assuming more and more authority and control to administer the entire party in the event it is no longer feasible to continue in the open.

These statements indicate to me that the Communist Party has gone underground; therefore, the chief objection made by Mr. Hoover prior to this year is no longer valid. As to the extent of the conspiracy, it might be well for us to note further testimony given by the Director of the FBI in which he says:

> Through the perfection of the underground apparatus, the party aims to preserve intact a hard core of militant Communists to carry out the aims and objectives of the international Communist movement under all forms of adversity.
>
> The security measures which the Communist Party have taken in order to thwart the efforts of the FBI have been many and detailed in character. No longer are Communist Party membership cards issued; maintenance of membership records are forbidden; contacts of rank-and-file members are limited to from 3 to 5—the basic club unit. Most of the local headquarters have been discontinued, and party records have been destroyed. No evening meetings are permitted in hearquarters without staff members present. Conventions and large meetings are held to the absolute minimum. The use of the telephone and telegraph is avoided.
>
> No contact is had with families or friends; contacts between functionaries are arranged through frequently changed intermediaries; false drivers' licenses have been obtained; assumed names have been adopted; modification of physical appearance has been effected, such as dyeing hair and eyebrows, as was done by a member of the national committee who was apprehended by agents of the FBI in a hideout in the high Sierras in California last August.
>
> They have removed conspicuous means of personal identification, such as moles; they have affected a new manner of walking, have changed their dress standards, have avoided old habits, and even have avoided old vices, and have avoided appearance in public places where their recognition would be probable.
>
> They communicate through couriers and avoid the use of written communications. They have instituted loyalty tests for all prospective underground personnel. They rotate the underground personnel to avoid detection. The underground staff is usually recruited from trusted Communist Party members, having at least 10 or 12 years' experience.

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

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senator from Montana may have his time extended another 5 minutes.

The PRESIDING OFFICER. Without objection, the Senator may proceed.

Mr. MANSFIELD. I thank the distinguished majority leader.

Mr. President, again quoting from Mr. Hoover:

> They appear outside of hideouts only at night. They use different automobiles, and the cars frequently are registered in fictitious names and not names of party members; the license plates are frequently changed.
>
> They have used extreme precautions in regard to surveillance, making rapid and frequent changes of conveyances, entering and leaving subways and buses just before the door close, and doubling back on their course.
>
> I cite these various security measures not only because they are of interest to the committee but to show the stealth of the American Communists. It again shows the increased difficulty with which we are faced in trying to handle these investigations.

A group such as the Communists which is the servant of a foreign power and places the interests of a foreign power above those of our own country should be outlawed in the United States. Such a law would not outlaw ideas, it would not outlaw thoughts, it would make illegal organized conspiracy against this Nation.

The outlawing of the subversive groups is in line with the recommendations made by President Eisenhower in his state of the Union message. He said that any American convicted of conspiring to overthrow the Government by force and violence should be stripped of his citizenship.

Mr. President, the question has been raised regarding the constitutionality of action such as that proposed by the distinguished Senator from Minnesota [Mr. HUMPHREY]. It is my opinion that, so far as the constitutionality of any law is concerned, it is a question for the Supreme Court of the United States to decide. I sincerely hope, Mr. President, that the Members of this body this afternoon will face up to their responsibility, and will stand up and be counted on this issue of outlawing the Communist Party in the United States.

The PRESIDING OFFICER. The Senator from Texas [Mr. DANIEL] has the floor. He yielded to the Senator from Montana [Mr. MANSFIELD] under a unanimous-consent agreement.

Mr. DANIEL. Mr. President——

Mr. SMATHERS. Mr. President, I should like to ask the Senator from Texas to yield to me for 10 minutes.

Mr. DANIEL. I promised to yield to the Senator from Kentucky [Mr. COOPER] for a question.

The PRESIDING OFFICER. The Senator from Texas yields to the Senator from Kentucky for a question.

Mr. COOPER. Mr. President, I have several questions.

Mr. DANIEL. I have not had any lunch yet. Let me see how the questions run.

Mr. COOPER. Mr. President, I happened to be in the chair when the speech of the distinguished Senator from Minnesota was made. I heard his speech, and I have listened carefully to the speeches that have been made on the pending bill. As I have listened, several legal questions which the bill presents have addressed themselves to me.

I should like to say that I am not too greatly moved by the argument of "stand up and be counted." The statement implies that there are some Senators in the Chamber who are not interested in seeing the Communist Party outlawed or made ineffective. I do not think that is true.

I think we have a right to ask if the Humphrey substitute is what it is claimed to be, and if it would be really effective. First, I have heard the statement made several times in the debate that the Humphrey amendment would outlaw the Communist Party. I wish to ask the Senator from Texas about that, because I know of the Senator's legal ability.

The first section of the Humphrey substitute, which is section 2, is a long pronouncement of the purposes of the Communist Party, as to which I think all of us agree.

Section 3 provides a penalty for membership in the Communist Party. As I understand, up until the present time the penalty has been based on overt acts. I ask the distinguished Senator from Texas if he would interpret section 3 strictly to mean one who is a recorded member of the Communist Party?

Mr. DANIEL. I have not studied the section with that in mind. However, I understand the main question the Senator has in mind, I believe, because I attempted to draft a similar bill for the Texas State Legislature while serving as attorney general.

Mr. COOPER. I understand the Senator's fine attitude on the question. I desire to ask the Senator a question concerning section 3 of the Humphrey substitute which would impose a criminal penalty upon anyone who could be proved to be a member of the Communist Party.

Undoubtedly there are many people in the Communist movement, who are not recorded members of the party. The substantial test of their allegiance is the type of activity which the person is carrying on. Does the Senator believe that section 3, which is the only effective section of the substitute, would outlaw the Communist Party?

Mr. DANIEL. I should say that that certainly is the intention, and it probably would outlaw the Communist Party by making membership an offense.

I, once, drawing a similar bill for the Texas Legislature, did not word it in exactly the form of the Humphrey substitute. The bill was drawn so as not to name any particular party or organi-

zation. It simply referred to any organization which was shown to be in a conspiracy to overthrow, or which advocated the overthrow of the Government of the United States by force. The Communist Party was not mentioned by name, but, of course, it clearly came within the definition.

Based upon the findings of the courts and administrative agencies that the Communist Party of the United States is engaged in a conspiracy to overthrow the American Government by force, I believe Congress could constitutionally define membership in that conspiracy to be an offense punishable under the laws of the United States. The overt act is joining or remaining a member of a conspiracy against our Government.

Mr. COOPER. I do not disagree with the statement that the Congress could constitutionally act. I doubt the effectness of the Humphrey substitute. I am trying to ascertain the effect of the Humphrey substitute. How does the Senator compare section 3 of the Humphrey substitute, which is the only effective section of the amendment, with the Smith Act, which imposes a penalty for conspiring to carry out the purpose or objectives of the Communist Party? What is the distinction, if any, between the nature of the penalty imposed by section 3 of the Humphrey amendment and that imposed by the Smith Act?

Mr. DANIEL. I do not believe there is any difference in the penalties.

Mr. COOPER. Would I be correct if I say that nothing of substance is added by the substitute to the Smith Act, except for the declaration of pronouncement in the preamble?

Mr. DANIEL. I disagree with the Senator from Kentucky on that point. Under the substitute, if it is adopted, all that will have to be shown to a jury, in order to support a conviction, is the evidence that the individual charged is a member of the Communist Party, because the law would provide that that organization, by name, is one which is involved in a conspiracy to overthrow the Government.

Mr. COOPER. Section 3 of the Humphrey substitute provides that a member of the Communist Party, with knowledge of the purpose or objective of such organization shall upon conviction be punished.

Does not the Senator consider that the language differs from the requirements of the Smith Act?

Mr. DANIEL. I do not know. I have not compared the two on that point.

I believe that knowledge would certainly have to be shown. It will be noted that in three places in the amendment which I intend to offer I have added the word "knowingly," so that the court will not have to assume that the word was implied as I believe was done in one case.

Mr. COOPER. I question the claims made for the Humphrey substitute, which, it seems to me, either duplicates many other acts on the statute books today or launches out into a field of doubtful constitutionality.

I compare section 3 of the substitute with section 4 (a) of the Subversive Activities Control Act, which provides as follows:

> It shall be unlawful for any person knowingly to combine, conspire, or agree with any other person to perform any act which would substantially contribute to the establishment within the United States of a totalitarian dictatorship, as defined in paragraph (15) of section 3 of this title, the direction and control of which is to be vested in, or exercised by or under the domination or control of, any foreign government, foreign organization, or foreign individual.

I doubt that section 3 requires a substantial or any contribution to conspiracy. Even if it is possible to take into account the long declaration of the Humphrey substitute, and then the requirement, imposed in section 3, by the words "with knowledge of the purpose or objective of such organization," does not the Senator from Texas say that the Humphrey substitute is a substantial departure from section 4 (a) of the Subversive Activities Control Act?

Mr. DANIEL. There is the difference which I outlined a moment ago. If the amendment in the nature of a substitute were to be held constitutional, it would make the handling of such cases easier for the prosecuting authorities. If the Senator from Kentucky has ever had the job of trying to prove in court that the Communist Party of the United States is engaged in an attempt to overthrow the Government of the United States by force, he knows that the prosecuting officers have quite a task on their hands.

Mr. COOPER. I know that it is a difficult task.

Mr. DANIEL. I have had that experience. I believe that the amendment in the nature of a substitute certainly would make it easier on the prosecuting authorities of the United States to establish a case. They can establish a case now if they are able to get the witnesses and go to the expense of bringing in the proof, as has been done many times and at great expense in our courts and administrative agencies. If Congress should now officially declare that the Communist Party of the United States is found to be a part of a conspiracy to overthrow the Government of the United States, it may be possible to avoid separate proof of the fact in each case. Evidence of membership alone will suffice, if this portion of the substitute is held to be constitutional.

Mr. COOPER. I respect the judgment of the Senator from Texas. I think the emphasis of the Subversive Activities Control Act is entirely different from that of the Humphrey substitute. This proposal would simply make membership in the Communist Party an offense. Subversive Activities Control Act provides a procedure for registration of members of Communist organizations; when they have been registered, they cannot hold office or employment in the Government, and they cannot engage in certain defense activities. Registration prevents their employment or their activity in certain areas of the Government.

Would the Senator say that if the amendment in the nature of a substitute were adopted denouncing as a crime membership in the Communist Party, such members then could not be required to register as they could undoubtedly claim the fifth amendment? Would section 3 thus have the effect of nullifying the Subversive Control Act?

Mr. DANIEL. I think they could still be required to register. However, I am not certain, because I have not studied that question sufficiently.

The Senator from Kentucky was very complimentary to the junior Senator from Texas when he said he thought the Senator from Texas was judicious. I shall try to be judicious on this question by asking time to study it before expressing a definite opinion.

Mr. COOPER. I shall not ask any further questions.

Mr. DANIEL. I should like to study the last question, and answer it when I return, so that I may attempt to answer that question, as well as any further questions which the Senator may wish to ask.

The distinguished junior Senator from Florida [Mr. SMATHERS] has been waiting patiently for some time. He would like to have the floor for about 10 minutes, under a unanimous-consent request, without my losing the floor.

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

Mr. COOPER. Mr. President, will the Senator permit me to make one statement?

Mr. SMATHERS. I shall be glad to yield for a short observation. I have only 10 minutes.

Mr. COOPER. I questioned the Senator from Texas [Mr. DANIEL] because of my great respect for his legal ability and judicial attitude. I wish to make clear that what I have said was not directed against the purposes of the substitute as stated by the junior Senator from Minnesota. I wanted to express my conviction that, despite the claims that are made for it, I do not think the substitute would abolish the Communist Party. In my judgment section 4 (a) of the Subversive Activities Control Act and the Smith Conspiracy Act cover substantially the purposes of section 3, which is the only effective section of the Humphrey substitute. I also feel that the passage of the substitute might make more difficult the enforcement of anti-Communist statutes, rather than helping in their enforcement. I do not think the substitute would do what is claimed for it. I shall present my views at more length later in the debate.

Mr. SMATHERS. Mr. President, first I should like to say that I am very pleased and happy to join with the very able Senator from Minnesota [Mr. HUMPHREY] in the sponsorship of the amendment in the nature of a substitute—the purpose of which is to outlaw the Communist Party. I might say that long ago I wrote a letter to the very able senior Senator from Maine [Mrs. SMITH], and asked if I might be permitted to join with her in the sponsorship of a bill to accomplish a similar purpose known as S. 200. I did that after serious thought on my own part in trying to determine the best means to most

effectively combat the Communist threat.

Like my colleagues, I had pondered on this problem for many years. I had listened to various recommendations. I had read the recommendations of the administration and others. Finally it became unmistakably clear to me that there was only one really effective way to get rid of the Communist threat to the United States Government, and that was to introduce and enact legislation which would outlaw the Communist Party. It was for this reason that I wrote to the senior Senator from Maine and asked her if I could at that time join with her in the sponsorship of what I believed and still believe to be a good piece of proposed legislation.

I do not think the proposal to outlaw the Communist Party should be stopped merely because of a question of procedure. I think what we are trying to do is to accomplish a certain result, that of outlawing the Communist Party. If we can do it by the pending proposed legislation, whether it comes under the sponsorship of certain Senators on this side of the aisle or the other side of the aisle, does not make too much difference to the junior Senator from Florida, and I do not believe it should make too much difference to any Senator who thinks that the right answer to the problem of communism is outlawing the Communist Party. The question of whether the bill has been in committee, or whether it has my name, or the name of the Senator from Minnesota, or some other Senator's name seems to me to be unimportant. What we are trying to accomplish is the outlawing of the Communist Party. We now have an opportunity to vote on a substitute amendment which would do just that, as the Senator from Montana has pointed out.

Another point I should like to make is that I do not believe we should become bogged down with a lot of technicalities as to whether an organization is Communist controlled or indulging in Communist activities, or in what respect it is engaging in communism. I cannot help but believe that if the Communist Party per se is outlawed, and membership therein is made a crime, then we are not going to have to worry about such collateral questions. If the law is enforced, which, of course, we have a right to expect it will be, then there will not be unions which will be Communist controlled or Communist led, because the Communist influence will be destroyed in its essence, and before it can operate.

Therefore it seems to me that we waste much time in the Senate when we talk about whether we like the Daniel amendment, the Butler amendment, the amended Butler bill, or whatever else it might be. Let us get to the root of the matter. The root of the problem is that we have Communists who do not believe as we do, who are out to destroy our way of government, and who infiltrate, not only labor unions, but other organizations and direct them and their membership against American democratic institutions.

From the debate which has taken place so far, one could presume that the only organizations which have Communists are labor unions. Obviously that is not the case. We have them in the teaching profession, in government, in the military service; in political parties; we find them in every activity of our lives. So why do we not get at the real problem, and cover the whole field, and not limit it to just labor organizations? Why do we not do this right and say, "Let us outlaw the Communist Party and membership in the Communist Party"? In that way I think we can most effectively combat communism in this country.

To talk about needing laws to stop a union's doing this or that, because it might be Communist—helpful to Communists—seems to me to be just like saying that we have an orange tree, and that the meat of the oranges on that tree is deadly poisonous. If these oranges are actually deadly, it obviously results because the trunk of the tree or the roots of the tree are infected. Now, you wouldn't just knock those oranges off the tree and leave the trunk and limbs to breed a new crop of poison fruit. The thing to do is destroy the trunk, the roots, and the tree itself. That is the manner in which we should approach the problem before us today.

As the Senator from Oregon [Mr. MORSE] has said, I think we should stop hitting around on the fringes of the problem, stop tiptoeing back and forth, and instead recognize the problem and know the problem for what it is, and meet it directly head on.

We live under a government of law. Duly enacted laws govern our lives. A man's rights, or privileges, are not taken from him without due legal action. However, today we condemn persons with Communist leanings or beliefs. We have been throwing them out of the teaching profession. We even make it difficult for Communists to work in ordinary industry. We are surely driving them out of all social, professional, and industrial life, and yet while we so proscribe these people there is no hard and fast law that says it is wrong or illegal to be a Communist or that a Communist cannot work in these fields of endeavor. So today without benefit of law, we pick at them, hold them up to bad publicity and ridicule, punish and persecute them, and finally we throw them out; but not by benefit of law. Mr. President, to conduct ourselves this way—without benefit of law—is to practice the grossest type of discrimination. We are discriminating against them for their thoughts and acts, when under present law, what they think and do is completely legal. If we are going to be a government of law, why do we not meet the problem head on and say, "We do not like communism; we fear it; it is opposite to what we believe in; therefore, anybody who believes in it, advocates it, or who belongs to a political party which itself advocates or believes in communism, is guilty of a crime against the United States"? If we take this step then we will have a legal basis on which we can proscribe them in our society. The way to face this issue, Mr. President, is to meet the problem head on.

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

Mr. SMATHERS. I yield to the Senator from Idaho.

Mr. WELKER. Will the Senator advise me how many Communists we would be able to catch and convict by outlawing the Communist Party? I have served on the Internal Security Subcommittee for more than a year. I have learned that it is very difficult to make persons who belong to the party admit their membership in it, or to establish proof that they are open or undercover members of the Communist Party. I should like the Senator from Florida to advise me what effect outlawing the Communist Party would have on the Communists within our land.

Mr. SMATHERS. I am sure the Senator would agree with me it would not be any harder if we provided that membership in the Communist Party was illegal. It is true that such members might go underground. I presume that many of them would go underground. In fact, I believe most of them are underground now. I do not know of a narcotic peddler who has gone down the street and said, "I am a narcotic peddler." Nevertheless, we have a law against narcotic peddling. Why? Because peddling narcotics is dangerous. It is dangerous to our society. We do not say to such persons, "We are going to try to convince you it is unwise or unhealthy to take dope and sell it." We say it is dangerous, and we enacted a law to curb the illegal use of narcotics. Any person who violates this law is thereafter subject to prosecution. I submit to the Senator from Idaho that, under the authority of law, we can also do the same thing so far as Communists are concerned. We touch on the question here, or we have a little law about it there; but we do not meet it head-on.

Mr. WELKER. Mr. President, will the Senator from Florida yield to me?

Mr. SMATHERS. I yield.

Mr. WELKER. I am sure my colleague from Florida is advised that under present Communist Party discipline the practice is not to issue membership cards.

Mr. SMATHERS. That may be true; I have no particular knowledge of issuance of membership cards by the Communist Party.

Mr. WELKER. Whenever the Communists know we do not have positive proof that they are Communists, they will swear under oath that they are not now, and never have been, members of the Communist Party.

Mr. SMATHERS. I can agree with the distinguished Senator from Idaho. He has been an able prosecutor, and I am sure he will agree that before he could prosecute anyone, it was necessary for him to have a law authorizing such a prosecution. But today, since it is not illegal for a person to be a member of the Communist Party, or to advocate the overthrow of our Government, it is not possible to prosecute members of the Communist Party, unless we find them in some incidental or collateral activity which we have outlawed.

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

Mrs. SMITH of Maine. Mr. President, will the Senator from Florida yield to me?

The PRESIDING OFFICER. The Senator from Texas [Mr. DANIEL] has the floor.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the Senator from Texas may yield further time to me, so that I may yield to the Senator from Maine.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DANIEL. I yield 10 minutes more to the Senator from Florida.

Mr. SMATHERS. Now, Mr. President, I am glad to yield to the distinguished Senator from Maine.

Mrs. SMITH of Maine. Mr. President, I ask unanimous consent that the Senator from Florida may yield to me, so that I may ask a question of the chairman of the Internal Security Subcommittee.

Mr. SMATHERS. I shall be happy to yield for that purpose, if the Senator from Maine can limit her question to 2 minutes.

Mrs. SMITH of Maine. My question will be brief.

Mr. SMATHERS. I yield.

The PRESIDING OFFICER. Without objection, the Senator from Maine is recognized for 2 minutes.

Mrs. SMITH of Maine. Mr. President, I should like to ask the distinguished junior Senator from Indiana [Mr. JENNER], the chairman of the Internal Security Subcommittee, whether he can give the Senate any assurance concerning action by his committee on the bill which proposes to outlaw the Communist Party, and in regard to obtaining a vote on that bill.

Mr. JENNER. Mr. President, as the Senator from Maine knows, her bill is pending before our committee.

I think the procedure being followed today is a very poor way to legislate on this very important matter. I think this matter should be gone into thoroughly, and hearings should be held on it, at the beginning of next session.

In further answer to the question of the Senator from Maine, let me say that to outlaw the Communist Party will not mean a thing, because experience under the Taft-Hartley Act gives us a clear example of how the Communists will operate in connection with the signing of affidavits. We have different cases of known Communists who have signed anti-Communist affidavits. When they are asked to sign, they say, "Certainly, I will gladly sign an affidavit under the Taft-Hartley Act." All they do in that case is make a tactical withdrawal from the Communist Party, for the purpose of being able to sign the affidavit.

In the committee we have had the experience of having a Communist come through the door of the committee room, and we have asked him, "Were you a Communist 5 minutes ago?"

His answer invariably was, "I refuse to answer, under the fifth amendment of the Constitution."

Then we ask him, "Were you a Communist when you walked through the door to the committee room?"

Invariably his answer was, "I refuse to answer, under the fifth amendment of the Constitution."

Then if we ask him, "Are you a Communist now?" his answer will be, "No, I am not a Communist now"—in other words, not for the purpose of taking the anti-Communist oath. So there is no such thing as Communist membership anymore; and if this bill is passed in its present form, it will be impossible to convict anyone, for there will not be any Communists.

However, the overt acts of a person prove what he is. The overt acts of Communists prove what they are. We know them by their acts.

Let me say that I think the bill introduced by the Senator from Maine should have a complete hearing, because the public does not understand the situation. Many persons think that if the Communist Party is outlawed, all those problems will be solved. But we know that the courts have ruled, in connection with the affidavit under the Taft-Hartley Act, that the burden of proof is on the Government, to prove that at the time when the affidavit was signed, the person was a Communist at that particular moment. It is impossible to prove that; it is impossible to prove what is in a person's mind or heart.

But it is possible to prove, by his overt acts, that a person is attempting to overthrow the Government of the United States by force or violence; and that his acts constitute a part of a world-wide conspiracy.

So let us not be sidetracked by something that reads well—something which states that by outlawing the Communist Party, we shall solve these problems.

Mr. SMATHERS. Mr. President, I have been happy to yield to the Senator from Maine, who has sponsored the bill to outlaw the Communist Party, and I am happy to agree with her.

I appreciate what the very able senior Senator from Maine [Mrs. SMITH] has done in attempting to outlaw the Communist Party. I have regretted, as I know she has, that some of the leadership on her side of the aisle has not seen fit to have that bill brought up at this time. I believe it should have been considered and adopted.

As I have said earlier, I believe that if what we are after is to outlaw the Communist Party, we now have the best opportunity to do that that we will have for some time to come. Senators who believe that this is the effective way to fight the Communist Party can express their belief now by voting for the amendment of the Senator from Minnesota.

Of course the Senator from Indiana, chairman of the Internal Security Subcommittee, has had more experience combating communism than I have. However, I cannot understand, for the life of me, how we can continue to talk about Communist activities as being illegal and about how we are attempting to check those activities, yet still refuse to hit at the core of the Communist Party itself, by declaring it and membership in it to be illegal.

It seems to me that if we follow the suggestion of the Senator from Maine [Mrs. SMITH] and the Senator from Minnesota [Mr. HUMPHREY] and outlaw the Communist Party in the first instance, it will be easier for us to fight the Communist Party and its activities wherever it may be found in the future.

A moment ago I heard the Senator from Maryland [Mr. BUTLER] say he had some doubt about the constitutionality of the amendment of the Senator from Minnesota.

Let me point out that from 1919 up to 1924, I believe, the Communist conspiracy was outlawed in this country by wartime legislation and no one questioned the constitutionality of that measure. There are from 13 to 15 States of the Union which today have statutes outlawing or prohibiting the Communists from functioning as a political party, and no court has yet held those laws to be unconstitutional.

As a matter of fact, Mr. President, they must be constitutional if they help the American people defend themselves. Surely our laws do not make it impossible to stop crime. We have laws against murder, narcotics traffic, and other crimes. Similarly, the American people clearly have a right to legally defend themselves against a conspiracy which seeks to overthrow us and defeat us here at home.

So, Mr. President, after this debate is over, I hope the Members of the Senate who do not like communism and who think the best way to fight communism is to face the issue head on and destroy it, will proceed to do just that.

In the meantime, let us proceed in the way suggested by the Senator from Minnesota [Mr. HUMPHREY] so as to go on record and say clearly and without the slightest doubt that we do not like the Communist Party and its principles. Let us, here today, strike a devastating blow against this ungodly menace. This is our chance to do so. Let us not fail in this hour of concern and opportunity to all of us.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas [Mr. DANIEL] now has the floor, having yielded it under a unanimous-consent agreement.

Mr. DANIEL. Mr. President, I send to the desk the amendment I have already explained, and ask that it be printed in the RECORD, but not read. I shall be glad to answer any other questions about it which Senators may care to ask. I may say that the amendment is offered by me for myself and on behalf of the Senator from Kentucky [Mr. CLEMENTS], the Senator from Iowa [Mr. GILLETTE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from New Mexico [Mr. ANDERSON], and the Senator from Illinois [Mr. DOUGLAS].

The PRESIDING OFFICER. Without objection, the amendment will not be read, but will be printed in the RECORD.

The amendment submitted by Mr. DANIEL is as follows:

That this act may be cited as the "Subversive Activities Control Act Amendments of 1954."

SEC. 5. Communist-infiltrated organizations. (a) Section 3 of the Subversive Activities Control Act of 1950 (50 U. S. C. 782) is amended by inserting, immediately after

paragraph (4) thereof, the following new paragraph:

"(4A) The term 'Communist-infiltrated organization' means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is knowingly serving, or within 3 years has knowingly served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: *Provided, however,* That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the world Communist movement, shall be presumed prima facie not to be a 'Communist-infiltrated organization.'"

(b) Paragraph (5) of such section is amended to read as follows:

"(5) The term 'Communist organization' means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

(c) Subsections 5 (c) and 6 (c) of such act are repealed.

SEC. 6. (a) Section 10 of such act (50 U. S. C. 789) is amended by inserting, immediately after the words "final order of the Board requiring it to register under section 7", the words "or determining that it is a Communist-infiltrated organization."

(b) Subsections (a) and (b) of section 11 of such act (50 U. S. C. 790) are amended by inserting immediately preceding the period at the end of each such subsection, the following: "or determining that it is a Communist-infiltrated organization."

SEC. 7. (a) Subsection 12 (e) of such act (50 U. S. C. 791) is amended by—

(1) striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "and"; and

(2) inserting at the end thereof the following new paragraph:

"(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization."

(b) The section caption to section 13 of such act (50 U. S. C. 792) is amended to read as follows: "Registration Proceedings Before the Board."

SEC. 8. Such act is amended by inserting, immediately after section 13 thereof, the following new section:

"PROCEEDINGS WITH RESPECT TO COMMUNIST-INFILTRATED ORGANIZATIONS

"SEC. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization. In any proceeding so instituted, two or more affiliated organizations may be named as joint respondents. Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceeding so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

"(b) Any organization which has been determined under this section to be a Communist-infiltrated organization may file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization. No such petition may be filed until 1 year has passed after the order determining such organization to be a Communist-infiltrated organization has become final. No organization may file petitions under this subsection oftener than once in each calendar year.

"(c) Each such petition shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within 20 days after the service of such notice.

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section, except that upon the failure of any organization named as a party in any petition filed by or duly served upon it pursuant to this section to appear at any hearing upon such petition, the Board may conduct such hearing in the absence of such organization and may enter such order under this section as the Board shall determine to be warranted by evidence presented at such hearing.

"(e) In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—

"(1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within two years have been, (A) members, agents, or representatives of any Communist organization, any Communist foreign government, or the world Communist movement referred to in section 2 of this title, with knowledge of the nature and purpose thereof, or (B) engaged in giving aid or support to any such organization, government, or movement with knowledge of the nature and purpose thereof;

"(2) whether the policies of such organization are, or within 3 years have been, formulated and carried out pursuant to the direction or advice of any member, agent, or representative of any such organization, government, or movement;

"(3) whether the personnel and resources of such organization are, or within 3 years have been, used to further or promote the objectives of any such Communist organization, government, or movement;

"(4) whether such organization within 3 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance;

"(5) whether such organization is, or within 3 years has been, affiliated in any other way with any such Communist organization, government, or movement;

"(6) whether the affiliation of such organization, or of any individual or individuals who are members thereof or who manage its affairs, with any such Communist organization, Government, or movement is concealed from or is not disclosed to the membership of such organization; and

"(7) whether such organization or any of its members or managers are, or within 3 years have been, knowingly engaged—

"(A) in any conduct punishable under section 4 or 15 of the act or under chapter 37, 105, or 115 of title 18 of the United States Code; or

"(B) with intent to impair the military strength of the United States or its industrial capacity to furnish logistical or other support required by its Armed Forces, in any activity resulting in or contributing to any such impairment.

"(f) After hearing upon any petition filed under this section, the Board shall (1) make a report in writing in which it shall state its findings as to the facts and its conclusions with respect to the issues presented by such petition, (2) enter its order granting or denying the determination sought by such petition, and (3) serve upon each party to the proceeding a copy of such order. Any order granting any determination on the question whether any organization is a Communist-infiltrated organization shall become final as provided in section 14 (b) of this act.

"(g) When any order has been entered by the Board under this section with respect to any labor organization (as defined by section 2 of the National Labor Relations Act, as amended), the Board shall serve a true and correct copy of such order upon the National Labor Relations Board and shall publish in the Federal Register a statement of the substance of such order and its effective date.

"(h) When there is in effect a final order of the Board determining that any such labor organization is a Communist-action organization, a Communist-front organization, or Communist-infiltrated organization, such labor organization shall be ineligible to—

"(1) act as representative of any employee within the meaning or for the purposes of section 7 of the National Labor Relations Act, as amended (29 U. S. C. 157);

"(2) serve as an exclusive representative of employees of any bargaining unit under section 9 of such act, as amended (29 U. S. C. 159);

"(3) make, or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

"(4) exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations.

"(i) When an order of the Board determining that any such labor organization is a Communist-infiltrated organization has become final, and such labor organization theretofore has been certified under the National Labor Relations Act, as amended, as a representative of employees in any bargaining unit—

"(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such act, shall be deemed to exist with respect to such bargaining unit; and

"(2) the National Labor Relations Board, upon petition of not less than 20 percent of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such act (notwithstanding the limitation of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective-bargaining purposes, and (B) to determine whether the employee thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such act."

SEC. 9. Subsections (a) and (b) of section 14 of such act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words "section 13," a comma and the following: "or subsection (f) of section 13A."

SEC. 10. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be effected thereby.

Mr. BUTLER. Mr. President, will the Senator from Texas briefly state the effect of his amendment?

Mr. DANIEL. Mr. President, the amendment I have sent to the desk would amend the amendment in the nature of a substitute, offered by the Senator from Minnesota [Mr. HUMPHREY], by adding to that amendment the so-called

Butler bill, which has been under discussion on the floor of the Senate, but with a few minor changes, which I have explained to the Senate.

Some of those changes are in accordance with the amendment which the Senator from Minnesota has at the desk. The changes are these:

The 5-year period during which previous activities would be considered would be changed to 3 years. The procedure set up for the Board would be that it shall not only take into consideration certain activities which would be outlawed hereby, but that it make a determination of whether or not it finds that the individuals concerned in these organizations were guilty of these acts. The amendment I have sent forward has the Ives amendment in it. It contains a severability clause.

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

Mr. DANIEL. I yield to the Senator from California.

Mr. KNOWLAND. Some question has been raised on the floor as to the constitutionality of the Humphrey amendment itself, that is, the outlawing of the Communist Party. Of course, no one knows how the Supreme Court may decide that issue. If they should perchance decide that the amendment was unconstitutional, in the Senator's judgment as a lawyer, if his severability clause were included, would the Butler bill be left intact?

Mr. DANIEL. Yes, that is correct. If any portion of the Humphrey substitute should be declared unconstitutional, or if the Butler bill, which I have sent to the desk as an amendment to the Humphrey substitute, should be declared unconstitutional, it is my opinion that under the severability clause the remaining portion of the bill would be in force and effect.

The final change I have made in the Butler bill by my amendment would be simply to add, on page 8, beginning with line 11, Communist-action organizations and Communist-front organizations to Communist-infiltrated organizations when we provide that such organizations shall be ineligible in certain respects, enumerated in the bill, before the National Labor Relations Board. Those are the changes.

Mr. BUTLER. Mr. President——

The PRESIDING OFFICER. Does the Senator yield to the Senator from Maryland?

Mr. DANIEL. I yield to the Senator from Maryland.

Mr. BUTLER. Has the Senator an amendment in line 5 on page 2?

Mr. DANIEL. In 3 places on page 2—line 5, line 8, and line 9—I have added the word "knowingly" before the word "giving" in line 5, before the word "serving" in line 8, and before the word "served" in line 9, in accordance with the explanation heretofore made.

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

Mr. DANIEL. I yield to the Senator from Minnesota.

Mr. HUMPHREY. So the RECORD will be clear as to the amendment lying on the desk, which is my amendment designated "8–11–54–H", the word "knowingly" is the addition to which the Senator refers, is it not?

Mr. DANIEL. That is correct. The word "knowingly" is added. As I said a moment ago, I believe the Senator from Minnesota [Mr. HUMPHREY] has that amendment at the desk.

Mr. KNOWLAND. The amendment marked "H," or "J"?

Mr. HUMPHREY. The one designated "H."

Mr. KNOWLAND. No; the amendment designated "J" is the amendment of the Senator which is at the desk, the one outlawing the Communist Party.

Mr. HUMPHREY. I may say to the distinguished Senator that I have four amendments at the desk.

The PRESIDING OFFICER. The Chair is advised that the one marked "J" is the one which is pending.

Mr. HUMPHREY. Yes. I was saying that there was also an amendment which is printed and lying on the desk which I would have called up, but I shall not do so in view of what the Senator from Texas [Mr. DANIEL] is now doing, namely, modifying the original proposal before the Senate, S. 3706. He is modifying that proposal in this instance in light of a particular amendment. That is all I wished to clarify.

Mr. DANIEL. The Senator is correct.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL] for himself and other Senators in the nature of a substitute for the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] for himself and other Senators.

Mrs. SMITH of Maine. The Senator from Maine should like again to ask the distinguished chairman of the Internal Security Subcommittee if he could give us assurance that there will be hearings and a full discussion on the floor of the Senate on a bill outlawing the Communist Party.

Mr. JENNER. Yes; I can say to the distinguished Senator from Maine that that is going to be done in the early part of next year. The big difficulty, the Senator will find, is writing a definition. It has been tried many times before. That is one of the stumbling blocks. "Outlawing the Communist Party" is mere words, because it is action that does the damage, and not membership in the Communist Party.

Mrs. SMITH of Maine. The Senator from Indiana would agree with the Senator from Maine that there should be a full discussion and a lengthy discussion on the floor of the Senate before we vote on amendments outlawing the Communist Party?

Mr. JENNER. I most assuredly do.

Mrs. SMITH of Maine. I should like a similar assurance from the majority leader.

Mr. KNOWLAND. Mr. President, all I can say is that of course I cannot schedule proposed legislation until first it has been reported by the proper legislative committee, and, secondly, it has been cleared for action by the policy committee. Assuming that such legislation has been reported by the proper legislative committee, and assuming it has been cleared for action by the policy committee, and that I am still majority leader, I can assure the Senator that it will be scheduled for action by the Senate.

Mrs. SMITH of Maine. I thank the Senator very much.

Mr. KNOWLAND. Mr. President, I wish to speak briefly in regard to this proposal.

I recognize some of the problems involved in the amendment offered by the Senator from Minnesota [Mr. HUMPHREY]. Without the amendment to the substitute offered by the Senator from Texas [Mr. DANIEL], I should not vote for the Humphrey substitute; but with the amendment to the substitute proposed by the Senator from Texas, I shall support the Daniel amendment and then, if the amendment is carried, I shall support the substitute, as amended, and then the bill, as amended, provided, of course, no future amendments are adopted which would completely destroy the effectiveness of the bill.

Apparently there is a question among the legal lights as to whether or not the outlawing of the Communist Party would be constitutional. Undoubtedly, able and distinguished lawyers will differ on that subject. No one will know the answer to that question until the Supreme Court of the United States speaks the final word, and we know that even in the Supreme Court on various issues there are sometimes 5-to-4 decisions, sometimes 6-to-3 decisions, or 7-to-2, or 8-to-1, or unanimous decisions. No one can look into a crystal ball and know what the ultimate decision in that regard may be.

I call the attention of the Members of the Senate to the fact that this bill, as amended in whatever form the Senate may pass it, will have to go to the House, and undoubtedly to a conference between the two Houses. Further study may be given as to the desirability or the exact language of the provision outlawing the Communist Party.

Furthermore, with the severability clause which has been added by the distinguished and able Senator from Texas, who is one of the outstanding lawyers of this body, in the event the Supreme Court of the United States should declare part of the substitute bill unconstitutional, namely, the Humphrey original substitute, there will still be standing the complete Butler bill as reported by the Judiciary Committee of the Senate.

Under those circumstances, Mr. President, I intend to vote first for the Daniel amendment, and then for the bill as amended by the substitute.

Mr. President, I think the discussion on the floor has been of great value. I am sure that the conferees—and there will be a distinguished group from this and the other body—will give further consideration to the various arguments and discussions that have taken place, but I believe the time has come to face up to this issue, and it seems to me that here and now is the place to do it.

In the event Congress does not at this session enact legislation to outlaw the Communist Party, I certainly hope the whole issue will be explored, as indicated

by the distinguished and able Senator from Maine [Mrs. SMITH].

So far as I am concerned, I am prepared to vote on this issue today, and I ask that the yeas and nays be ordered on the amendment proposed by the Senator from Texas [Mr. DANIEL] to the Humphrey substitute.

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

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. Mr. President——

Mr. FERGUSON. The Senator from California has yielded, and I should like to ask a question.

The PRESIDING OFFICER. The yeas and nays have been requested.

Mr. KNOWLAND. Let me withhold that request until the Senator from Michigan has an opportunity to ask a question.

The PRESIDING OFFICER. The Senator withholds the request, and yields to the Senator from Michigan.

Mr. FERGUSON. The Senator from Michigan is concerned with this question: To outlaw the name "The Communist Party" and not to outlaw the activities, the conduct, and the overt acts which we have been trying to deal with in America is the problem we must face today.

There is one difficulty involved. We passed a security act, not based on the outlawing of a party. If we now pass a law to outlaw a party as a party in my opinion we shall find ourselves in serious trouble. I have not today had sufficient time to go back and study the Internal Security Act, but I believe we must face that question, because we propose to compel people to testify against themselves, which is something we tried to avoid when we very carefully drew up the Mundt-Ferguson section of the Internal Security Act.

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

Mr. FERGUSON. I am glad to yield.

Mr. KNOWLAND. It seems to me that is one of the problems with which, obviously, the conferees will have to concern themselves.

Certainly we wish to do nothing which would interfere with the effectiveness of the Internal Security Act, which is a good piece of legislation and is being effectively used.

I understand the legislative intent, as expressed by the Senator from Texas [Mr. DANIEL], and I believe by the Senator from Minesota [Mr. HUMPHREY], I do not believe there is any legislative intent to subvert the Internal Security Act.

It seems to me that any overt acts would still be illegal, whether they were performed by something which might call itself the Communist Party or something else. Earlier in the day the Senator yielded for a question from the Senator from California, and I pointed out that we are all agreed that the mere outlawing of the Communist Party, as a name, would not solve the problem.

Mr. FERGUSON. That is correct.

Mr. KNOWLAND. As I pointed out earlier, the same people might form themselves into an organization called the "L. S. and M. Society," giving to the outside world some other meaning, but actually meaning "Lenin, Stalin, and Malenkov Society." They would be the same Communists, but they would be operating under a different name. But if they were performing overt acts and doing things in violation of the Internal Security Law, it seems to me they would still be in violation of the law. Nothing in the proposed legislation would prevent their prosecution, if they committed overt acts.

If there is any problem in that regard, and further clarification is felt to be necessary, it seems to me that the conferees, who will be very distinguished members of the Committee on the Judiciary of this body, will have an opportunity to study the question and determine what might be needed to prevent the weakening in the slightest degree of the internal security law.

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

Mr. HUMPHREY. Mr. President——

Mr. MAYBANK. Mr. President——

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

Mr. KNOWLAND. I yield first to the Senator from Michigan [Mr. FERGUSON]; then to the Senator from Minnesota [Mr. HUMPHREY]; and then to the Senator from South Carolina [Mr. MAYBANK].

Mr. FERGUSON. I should like to inquire of the Senator from Minnesota what he thinks his amendment would outlaw? What would the amendment make illegal?

Mr. HUMPHREY. I think the Senator from Florida [Mr. SMATHERS] answered that question some time ago in his colloquy. Under the Butler bill we are declaring——

The PRESIDING OFFICER. Does the Senator from California ask unanimous consent that this colloquy may ensue?

Mr. KNOWLAND. Yes; I ask unanimous consent that the colloquy be permitted.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HUMPHREY. Under the Butler bill we are declaring illegal, for the purposes of the National Labor Relations Board and for the purposes of governmental agencies in the labor-relations field, a Communist-dominated organization.

Mr. FERGUSON. And other organizations.

Mr. HUMPHREY. And other organizations.

Mr. FERGUSON. Communist-dominated.

Mr. HUMPHREY. Obviously if such an organization is illegal it must be because of the communism which is involved.

Mr. KNOWLAND. Regardless of its name.

Mr. HUMPHREY. Regardless of how it may be termed, it is illegal, because the group or the individual is dedicated to the overthrow of the Government of the United States.

Mr. FERGUSON. And its purpose.

Mr. HUMPHREY. And its purpose. What my amendment does is simply to state this unqualifiedly, and get at the root of the problem rather than at the fringe of it.

The analogy was stated, that if we are going to pick all the fruit from a tree and saw off the branches, because the fruit and branches are bad, maybe it would be better to strike at the roots of the tree.

Mr. FERGUSON. But what conduct would the Senator make illegal by his amendment?

Mr. HUMPHREY. Will the Senator listen?

Mr. FERGUSON. Yes.

Mr. HUMPHREY. Section 3 (a) reads:

> Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence——

Mr. KNOWLAND. Or commits overt acts.

Mr. HUMPHREY. Quoting further—

> with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).
>
> (b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

I have tried to close every door.

Mr KNOWLAND. If I may pick up the inquiry at this point, I should like to ask the Senator if it is his judgment, as author of this amendment, that while it outlaws the Communist Party, as indicated——

Mr. HUMPHREY. Yes.

Mr. KNOWLAND. Under the Internal Security Act there would still be full power in the Government to prosecute overt acts committed by those who might call themselves the Communist Party?

Mr. HUMPHREY. Or the Malenkovites.

Mr. KNOWLAND. Or the Malenkov Society, or anything else?

Regardless of the banner under which they travel, if they were in fact a part of the conspiracy and were committing overt acts against the Government and the institutions of this country they could be prosecuted?

Mr. HUMPHREY. I thank the majority leader. Indeed, that is exactly what I mean. This proposed amendment in no way limits the Internal Security Act. In no way does it limit the Smith Act or any other law on the books for the control of subversives.

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

Mr. HUMPHREY. Mr. President, I wish to say——

Mr. MAYBANK. Mr. President, the Senator from California said he would yield to me.

Mr. KNOWLAND. I will.

Mr. HUMPHREY. In behalf of myself and my cosponsors of the substitute, let me say that we readily accept the amendment to the substitute offered by the Senator from Texas [Mr. DANIEL].

I ask that it may be incorporated in the amendment.

Mr. KNOWLAND. I should like, if the Senator is willing, to have the yeas and nays on that amendment, as we have had the yeas and nays on the Ives amendment, because I think from the point of view of legislative history it will be a great deal stronger. If the author of the amendment [Mr. DANIEL] does not object, I should like to have the yeas and nays ordered on his amendment to the Humphrey amendment.

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

Mr. DANIEL. I have no objection, so long as the amendment is adopted. That is what I am interested in.

The PRESIDING OFFICER. The Chair advises the Senator from Minnesota that his proposal can be modified only by unanimous consent.

Mr. HUMPHREY. I realize that. I was merely exploring, as the majority leader says.

The PRESIDING OFFICER. The Senator from California has the floor. To whom does the Senator from California yield?

Mr. KNOWLAND. I yield to the Senator from South Carolina.

Mr. MAYBANK. I wish to ask the Senator from Michigan a question. Was the so-called Mundt-Ferguson bill, about which he spoke, the bill which passed when the Senate was meeting in the old Supreme Court room?

Mr. FERGUSON. That is correct.

Mr. MAYBANK. I was very much in favor of it when it passed and I am now. This morning when I voted for the Magnuson amendment, I knew and understood that the so-called Humphrey amendment would be presented, and I joined as a cosponsor. I spoke to the Senator from Texas [Mr. DANIEL], who told me he intended to offer an amendment to the amendment of the Senator from Minnesota. I told him I would support his amendment to the end. I congratulate the Senator from Texas, the Senator from Minnesota, and the Senator from Maryland [Mr. BUTLER] who originally brought the bill to the floor. I intend to vote as I always vote against Communists.

Mr. FERGUSON. We are dealing in this proposed amendment——

Mr. MAYBANK. I should like to ask the Senator from Michigan a question. By my voting for the Humphrey substitute, the Daniel amendment, and for the final passage of the bill, would I be in any way affecting the votes cast some years ago for the Mundt-Ferguson bill?

Mr. FERGUSON. What is now proposed, in my opinion, is to undo what we tried to do in the Mundt-Ferguson section of the Internal Security Act. We were dealing with overt acts. We were avoiding the word "membership," because it will be found that in the United States there is practically no "member" of the Communist Party. I should like to indicate what we are trying to do in the Butler bill and what we shall be doing if we outlaw the Communist Party. It is proposed to outlaw membership in a party.

Mr. MAYBANK. Can the Senator from Michigan amend the bill so that I can vote for it? I wish to vote against Communists.

Mr. FERGUSON. This is what we provide in the Butler bill. I read from the bottom of page 1:

> The term "Communist-infiltrated organization"—

It will be noted that we are not talking about membership—

> means any organization in the United States (other than a Communist-action organization or a Communist-front organization)—

Those are the two organizations which are mentioned in the Internal Security Act—

> which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been, actively engaged in giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title—

That is the Internal Security Act.

Mr. KNOWLAND. Mr. President, will the Senator from Michigan permit an interruption at that point?

Mr. FERGUSON. Certainly.

Mr. KNOWLAND. Assuming that the Senate accepts the amendment of the Senator from Texas to the substitute offered by the Senator from Minnesota, this language will be in the substitute. How does that affect the question of overt acts under the Internal Security Act? Overt acts, regardless of by whom they are committed, whether by the Communist Party or by a party calling itself the M. L. and S. Society, or whatever it may call itself, so long as they are prohibited by the Internal Security Act, will still be illegal, still be subject to prosecution, and still be a part of the Communist conspiracy.

Mr. FERGUSON. The difficulty is that under the Internal Security Act we require Communists to register.

Mr. HUMPHREY. How many have registered?

Mr. FERGUSON. They have not registered because they are Communists. They have not registered yet, but the time is coming when they will have to comply with the law. We require them to register; and now it is proposed to make it a crime to do the thing for which they must register.

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

Mr. FERGUSON. I yield.

Mr. SMATHERS. Which is worse—having them register or making it illegal to do the things which they do?

Mr. FERGUSON. We are repealing the whole law.

Mr. SMATHERS. The Senator has not answered my question. Which is worse—to have them register, or to make it illegal to do the things which they want to do and which they practice all the time?

Mr. FERGUSON. The Senator has asked, in effect, which is the best way to handle the situation.

Mr. SMATHERS. That is correct.

Mr. FERGUSON. Is it better to require registration, or is it better to outlaw communism and make it a crime?

Mr. SMATHERS. And go after them directly with the means we have.

Mr. FERGUSON. The same question arises in connection with the Taft-Hartley law. We require a person to say whether he is a member of the Communist Party or is affiliated with such party. If we approve this provision we cannot compel a man to make an affidavit that he is a Communist. We shall be repealing that section of the Taft-Hartley law.

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

Mr. FERGUSON. I yield.

Mr. HUMPHREY. Does the Senator think that provision is effective now? Does the Senator realize that only recently the court literally threw it out?

Mr. FERGUSON. There is no longer any "membership." The Senator is saying that he wishes to outlaw membership. Why not outlaw conduct and use the same definition which is used in the Internal Security Act and in the bill which is before us?

Mr. HUMPHREY. I think the majority leader answered that question when he stated that we not only outlaw the conduct which is described in the statute but we also outlaw membership. We strengthen the tools of the Government of the United States to do the job we wish to do.

Mr. FERGUSON. The difficulty is that there are no such things as "members" of the Communist organization——

Mr. HUMPHREY. Oh, yes; there are.

Mr. MANSFIELD. Mr. President, will the Senator from Michigan yield?

Mr. FERGUSON. I yield.

Mr. MANSFIELD. I think the next logical step is to outlaw the party. If we are against Communists, we had better outlaw the party, and this is the way to do it.

Mr. FERGUSON. Why not outlaw certain types of conduct?

Mr. MANSFIELD. Outlaw the whole party.

Mr. FERGUSON. Why not outlaw an organization which is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been, actually engaged in knowingly giving aid and support to a Communist-action organization?

Mr. KNOWLAND. That is all taken care of by the amendment of the Senator from Texas [Mr. DANIEL], which is now the pending amendment. He has added the precise language of the Butler bill as a part of the Humphrey substitute.

Mr. FERGUSON. But the difficulty is that we are still retaining the "membership" idea.

Mr. MANSFIELD. The difficulty is that we are faced with a decision, at long last, and for the first time, as to whether or not we want to outlaw the Communist Party in the United States.

Mr. KNOWLAND. As a part of an international conspiracy.

Mr. MANSFIELD. Yes; because it advocates the overthrow of the Government, violates the laws of the country, and is a part of an international conspiracy.

Mr. FERGUSON. If it is the intention to retain membership in the Communist Party as one of the elements, I

should like to ask the Senator from Minnesota where he would add the words on page 2 of the Butler bill in his amendment in the nature of a substitute.

Mr. HUMPHREY. I shall be delighted to answer the Senator from Michigan.

Mr. KNOWLAND. The author of the amendment, who is offering the entire Butler bill, as modified, could give that as a part of the legislative history.

Mr. DANIEL. At the end of the Humphrey substitute, my amendment would add all of the Butler bill, renumbering the sections and making certain modifications which I have explained to the Senate. If my amendment is adopted, there will have been added to the Humphrey substitute all of the Butler bill.

Mr. KNOWLAND. With a separability clause, so that if the Humphrey substitute should be declared unconstitutional by the Supreme Court, the Butler bill would stand as reported by the committee, with such modifications as have been agreed to, including the Ives amendment.

Mr. HUMPHREY. Or vice versa.

Mr. KNOWLAND. Or vice versa.

Mr. DANIEL. So that if part of either proposal should be declared unconstitutional by the Supreme Court, the remaining portion, which would be severed, would remain the law of the land.

Mr. KNOWLAND. I ask the Senator from Texas—and this may be one of the points bothering the Senator from Michigan—whether or not the provisions of the Butler bill, in and of themselves, are contingent upon the sections of the Humphrey amendment.

Mr. HUMPHREY. Not at all.

Mr. KNOWLAND. In other words, it is not required that these things shall have been done, plus membership in the party, but it is like two bills in one.

Mr. HUMPHREY. Siamese twins, so to speak.

Mr. KNOWLAND. If this provision is held to be constitutional and sound, and if such persons violate the law and are also members of the International Communist conspiracy, the Communist Party—which is a conspiracy, rather than a political party—and if they have committed any overt act, the Attorney General could still apply against them the Internal Security Act provisions for having violated the sections of the Butler bill and the Internal Security Act. Is that correct?

Mr. DANIEL. That is correct.

Mr. FERGUSON. But the difficulty is that the Senator has not changed the definition of membership in the proposal to outlaw the Communist Party. I say that what is sought to be done is an idle gesture. The Senator is seeking to outlaw what no longer exists in the United States. What the Senator is seeking to outlaw is the following:

> Whoever knowingly and willfully becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, shall upon conviction be punished as provided by section 15 of the Subversive Activities Control Act of 1950.

The Senator from Minnesota is requiring the element of membership in a party which has for its purpose the control, seizure, or overthrow of the United States Government or one of its subdivisions.

Mr. KNOWLAND. That is not exclusive. If the Senator from Michigan is correct in his statement that under the Taft-Hartley Act no one has admitted that he was a member of the Communist Party—and generally or probably that has been the case——

Mr. FERGUSON. Because it cannot be proved.

Mr. KNOWLAND. Because it cannot be proved. It seems to me, under those circumstances, it is not necessary to proceed under this section, which might be called a separate title, if it were desired to have the bill written in that way. It would not be necessary to proceed under the Humphrey substitute. The procedure could be under the section offered by the Senator from Texas [Mr. DANIEL], or under the Internal Security Act, which prescribes certain standards for determining overt acts against the Government of the United States.

I think the legislative intent has been made clear by the author of the original substitute, the Senator from Minnesota [Mr. HUMPHREY], and the author of the amendment to the substitute, the Senator from Texas [Mr. DANIEL]. They do not desire to affect adversely, in the slightest degree, the operation or scope of the Internal Security Act.

If there is any technical situation because of which the conferees might find that some change in language were needed, it seems to me that that could be settled in conference. But I think the legislative intent is clear—at least, I hope it is clear—from the debate.

As I understand, it has been confirmed by both Senators that the Daniel amendment, which is really the Butler bill, is not dependent in the slightest degree upon the Humphrey substitute.

Mr. HUMPHREY. It is not.

Mr. KNOWLAND. Prosecutions under the Daniel amendment would not be dependent upon the Humphrey substitute. Each stands on its own feet. A proceeding may be had under the Daniel amendment without regard to the Humphrey substitute.

If in case of the Humphrey substitute the empty gesture of preserving the Communist Party, as such, were made, because of continuing to maintain its name, or if it becomes an overt, subversive organization under any other name, procedure can be taken under the Internal Security Act or under the Butler bill.

Mr. HUMPHREY. Or under the Humphrey substitute.

Mr. KNOWLAND. Or under the Humphrey substitute.

Mr. HUMPHREY. Section 2 of the Humphrey substitute contains findings of fact which declare as a congressional policy that the Communist Party is not a political party in the normal understanding of the terminology, but is a conspiratorial apparatus, an international conspiracy, with a sort of holding company operation in the United States. Therefore, it does not qualify as a political party. Second, this conspiratorial apparatus is dedicated to the destruction and overthrow of the Government and all representative institutions throughout the country, through the overthrow of the Republic. That is an established fact; and once that fact is acknowledged it will be much easier to deal with the Communist conspiracy in this country.

Mr. KNOWLAND. If a person refuses to register, which is what is being done now, because such persons resign from the party the moment they walk through the doorway, as was so well poined out by the Senator from Indiana [Mr. JENNER], it is still not necessary to prove that they are members of the Communist Part, because if they have been engaged in an organization which has tried to subvert the Government by overt acts or by other violations of the Internal Security Act, they can still be proceeded against under the power and authority of the Butler bill.

Mr. HUMPHREY. And under the Smith Act.

Mr. FERGUSON. The difficulty with the procedure now is that the Senator is trying to outlaw one thing, namely, membership in a party.

Mr. KNOWLAND. In a conspiracy.

Mr. FERGUSON. No, in a party.

Mr. HUMPHREY. Or any other organization.

Mr. FERGUSON. That is right; or any other organization. The Humphrey substitute refers to membership in "the Communist party, or any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States."

What I seek to outlaw is what communism is doing—not membership in a party or an organization.

Notice how the Humphrey substitute avoids this language:

> Any organization in the United States which is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 5 years have been actively engaged in.

Now we come to the real meaning of what the Communists are doing in America. It is not membership in the party which concerns us; it is what the members are doing. What are they doing?

> Giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement.

Why does not the Senator from Minnesota include that in his definition?

Mr. HUMPHREY. I have accepted the amendment offered by the Senator from Texas [Mr. DANIEL], which is exactly what the Senator from Michigan has been reading.

Mr. FERGUSON. The Senator from Minnesota does not add anything to this definition.

Mr. HUMPHREY. The Senator from Texas has been consulting with me all afternoon. We have been working on his proposal. I have said I thought it

was a desirable proposal, and I have accepted it as a modification of my substitute.

Mr. KNOWLAND. The Senator from Minnesota said he would be willing to accept it.

Mr. HUMPHREY. I said I would be willing to accept it.

Mr. KNOWLAND. I said I wanted to have a separate vote on the two parts.

Mr. HUMPHREY. I point out to the Senator from Michigan that I have done, in the findings and declarations set out in section 2 of my substitute, everything to which the Senator from Michigan is directing attention therein. We have been making speeches about the menace of communism in every American Legion and VFW Post in America to the effect that we ought to outlaw the party. We are going to outlaw it this afternoon.

Mr. FERGUSON. We would be outlawing something that does not exist now. That is the trouble. There is no longer such a thing as membership in the party. What we should do is outlaw the conduct of communism. I propose to revise the language of the Humphrey substitute so as to encompass only those actually engaged in a conspiracy. That is the point. Certainly, we must not use idle words today.

Madam President, I ask unanimous consent that I may ask the Senator from Texas a question.

The PRESIDING OFFICER (Mrs. SMITH of Maine in the chair). Without objection, it is so ordered.

Mr. FERGUSON. First, I should like to ask the Senator from Minnesota if he has included in the definition of membership in the party the words or the substance of the Butler bill beginning on page 1, line 9, down through and including line 14 on page 2?

Mr. HUMPHREY. We included it all.

Mr. FERGUSON. It was included in a separate bill.

Mr. HUMPHREY. I wish the Senator from Michigan would work it out with the majority leader. The majority leader has the proper insight into the situation. I see no sense in being involved in this. I concur with the majority leader. He knows what we are after. He understands we are not proposing to repeal the Smith Act or other anti-Communist acts. All I am trying to do is help a little. I do not want to become involved in this family fight. I shall take my seat.

Mr. FERGUSON. Will the Senator from Minnesota answer the question of the Senator from Michigan as to whether there are now two bills in one, and whether the provision as to membership includes the definition in the Butler bill as to the conduct of communism?

Mr. DANIEL. I said earlier in the afternoon that had I drafted the Humphrey substitute I would have omitted such language. When I was attorney general of my State I drafted such a bill for the Texas Legislature, and I did not specify the names of parties. However, with that in mind, I carefully read all of the language relating to the congressional declaration that the Communist Party of the United States is a part of an international conspiracy which would overthrow the United States Government by force.

I believe that if it is constitutionally possible ever to single out an organization and say that membership therein is a violation of the law, the language of the bill properly does that very thing.

However, suppose we are wrong about that. Suppose the Court should say it is unconstitutional to single out a certain organization by name; and that we ought to single out certain actions of the members of the organization, and the purposes and designs of the organization in general, so that any organization violating those proscribed actions might come under the law. That is in the Humphrey substitute just as clearly as it could be placed in it.

It seems to me that the Senator from Michigan is right when he states that those provisions could be put in two separate bills; but since the Senator from Minnesota has offered his substitute to outlaw the Communist Party, it would mean, if it should be adopted, that the Butler bill and all the work done on it with respect to Communist-infiltrated organizations would go by the board. Therefore I began work to see if the Humphrey substitute could not be amended so as to include the provisions of both the substitute and the bill. That proposal is now before the Senate. If my proposal is adopted, the provisions of the Butler bill would be added to the Humphrey substitute, and the Senate could then vote on the provisions in one bill.

Mr. FERGUSON. The difficulty is that two sections are involved.

Mr. DANIEL. Almost all bills have more than one section.

Mr. FERGUSON. This is how the term "Communist Party" is defined in the Humphrey substitute:

> For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof.

The Butler bill spells out Communist organization, the Communist foreign government, or the world Communist movement. That definition is left out in the Humphrey substitute. In the definition, reference to Soviet Russia is left out.

Mr. MORSE. Madam President, will the Senator yield?

The PRESIDING OFFICER. Does the Senator from California yield to the Senator from Oregon?

Mr. KNOWLAND. Madam President, I have the floor, but in order that the situation may be clarified, I ask unanimous consent that I may be permitted to yield without losing my right to the floor.

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

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

Mr. MORSE. As one of the sponsors of the substitute, let me say that we welcome adding the suggestion of the Senator from Michigan to the substitute.

Mr. FERGUSON. That is what I have been trying to do.

Mr. MORSE. We are glad to add that language to it.

Mr. FERGUSON. The Senator from Texas put it in another section, and allowed it to be severed from this section.

Mr. KNOWLAND. Madam President, in view of that statement—and the author of the original substitute is present—if the Senator wants to add that provision to the original substitute, we are prepared to take it. Then there would be included both the provision for the outlawing of the Communist Party in the language which the Senator desires and the provisions of the Butler bill.

Mr. FERGUSON. It is perfectly satisfactory to the Senator from Michigan if a proper definition is included. If the Senator from California will allow us sufficient time to frame the language, I think I can revise the language of the Humphrey substitute—and this goes to the very heart of the matter—so as he include only conspirators.

Mr. KNOWLAND. I expect to suggest the absence of a quorum very shortly.

Mr. PAYNE. Madam President, will the Senator yield?

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

Mr. PAYNE. I have been greatly interested in the long debate which has taken place with reference to the measure which has been under discussion It is a measure in which many of us long have had an interest, but I think the record should be made unmistakably clear, and it should be emphasized in the RECORD, that the first Member of the Senate to introduce proposed legislation of this nature was none other than my distinguished colleague, the senior Senator from Maine [Mrs. SMITH]. She has constantly fought to have the Congress outlaw the Communist Party, an organization which is international in scope, and with respect to whose members our people have spent millions of dollars in an effort to eliminate them from government, and others places, for they have found a way to ferret themselves even into the very structure of our free Government itself; up to this very moment the Government and we of the Congress have not given the recognition to which, in my opinion, the senior Senator from Maine has long been entitled for having recognized the necessity for legislation which would clearly and unmistakably outlaw a party with which we cannot live and which is determined to tear down the very structure of the American Government and the institutions of its free people. Let the word go out to the entire world that we of America will have no part of it. We will not live with it, and we do not want it under any guise whatever.

So I am happy to say that I stand, as I always have stood, with the senior Senator from Maine [Mrs. SMITH], and I shall likewise stand in support of the position the majority leader has taken this afternoon in supporting both the

amendment of the distinguished Senator from Texas and the substitute of the Senator from Minnesota.

Mr. MORSE and Mr. LEHMAN addressed the Chair.

Mr. KNOWLAND. I yield first to the Senator from Oregon. Then I shall yield to the Senator from New York.

Mr. MORSE. I wish to say to the junior Senator from Maine [Mr. PAYNE] that I completely agree with the tribute he has just paid to the senior Senator from Maine [Mrs. SMITH].

I am sure the junior Senator from Maine was not on the floor earlier in the afternoon when the Senator from Minnesota paid a similar tribute to the senior Senator from Maine, for the leadership she has taken on this issue.

Mr. President, if the majority leader will permit me——

Mr. KNOWLAND. Yes.

Mr. MORSE. I should like to ask the Senator from Texas a question which I think is most relevant to the discussion we have been having with the Senator from Michigan [Mr. FERGUSON]. When we come to the issue of whether any part of the Humphrey amendment may raise a constitutional question, and particularly with reference to the point the Senator from Texas made, relating to the singling out of an organization by name, rather than by setting forth the acts that are to be made illegal, does the Senator from Texas agree with me that the language of the Humphrey amendment, the language of the Butler bill and, for that matter, the language of the Daniel amendment permit of the application by the courts of the doctrine of separability? Does the Senator agree with me that when the court comes to pass on any constitutional issue which may be raised in connection with the bill, it will find itself in a position to say that if some portion of the bill is found not to comply with some legal test the court may wish to apply to it, the doctrine of separability will be applicable to this bill?

Mr. DANIEL. I certainly agree.

Mr. MORSE. I also agree. However, I wish to say that I am satisfied that the bill in its entirety will meet any constitutional test the courts may put it to.

Mr. KNOWLAND. I thank the Senator from Oregon.

Mr. LEHMAN. Madam President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. I was very much interested in the remarks of the junior Senator from Maine [Mr. PAYNE], and I agree with him that the senior Senator from Maine [Mrs. SMITH] deserves a great deal of credit.

I have been amazed to hear some of my colleagues, notably the Senator from Michigan, imply that there is no such thing as danger from the Communist Party in this country. As a matter of fact, we have been hearing for days, months, and years about the danger.

Mr. KNOWLAND. Madam President, in fairness to the Senator from Michigan, who is not now on the floor, I wish to state that I was here during the entire discussion, and I do not think the Senator from Michigan said there was no danger from the Communist Party. As I understood his remarks, he said the Communist as a matter of party practice deny they are members of the so-called Communist Party; and, except for the officers they have from time to time, the membership is a sort of vanishing membership, and is very difficult to deal with them, just as it is very difficult to handle quicksilver. Whenever Communists appear before a committee to testify or to sign the Taft-Hartley affidavit, they automatically resign from membership just before they testify or sign the affidavit. However, that does not mean that the Communist Party is not a danger. Certainly it is a danger; and all Senators—including the Senator from Michigan [Mr. FERGUSON], the Senator from New York [Mr. LEHMAN] and all the others of us—recognize the danger.

Perhaps I am treading where angels should fear to tread—because I am not a lawyer—but at least I may say that I have tried to analyze the situation carefully. It seems to me that the Butler bill is a sound one; and with the modifications which have been made to it, by way of amendment—including the amendment of the Senator from New York [Mr. IVES], as modified, and with the pending amendment of the Senator from Minnesota [Mr. HUMPHREY], with the changes submitted by the Senator from Texas [Mr. DANIEL]—I believe the bill will be a good one.

As I have recognized earlier in my remarks, some further clarification may be necessary; and, if so, I believe the conferees will be able to work it out.

But in view of the suggestion which finally has developed, and which the Senator from Michigan has accepted, namely, to add the amended provisions of the Butler bill to the Humphrey amendment—and the distinguished Senator from Minnesota and the distinguished Senator from Michigan made it very clear that that would be agreeable to them—I hope we shall solve the problem and shall be able to pass the bill, and then proceed with bills on the calendar and with other legislative business.

In fairness to the Senator from Michigan, I wished to clarify that point.

Mr. LEHMAN. Madam President, will the Senator from California yield further to me?

Mr. KNOWLAND. I yield.

Mr. LEHMAN. However, the impression was given that the Communist Party in this country amounts to very little, and that its members virtually disappear.

Let me ask the distinguished majority leader whether it is not a fact that the many Communist leaders who were convicted under the Smith Act were convicted because of their known and established membership in the Communist Party.

Mr. KNOWLAND. I think they were convicted for the part they were taking in the international conspiracy. Again I state that I am not a lawyer, but I believe those leaders were convicted for the part they took in the international conspiracy which has for its purpose the overthrow by force or violence of the Government of the United States. Under those circumstances, it matters little whether the organization is known as the Communist Party or has some other name; the revolutionary banner carriers, by whatever name they might be called, would still have been guilty under the Smith Act if they were participating in an organized movement directed at the forcible overthrow of the Government of the United States.

Mr. LEHMAN. But the basis on which those leaders were convicted was membership in the Communist Party.

Mr. KNOWLAND. Yes; but even if they are proved not to be members of the Communist Party, that does not free us from such a conspiracy. In that connection, let me point out that when I was in Czechoslovakia, about 1947, the leaders of the then free Government of Czechoslovakia said to me, "Senator, in our last election in this country the Communists polled less than 5 percent of the total vote."

I asked, "What do you think they will do in the next election?"

They said, "We think they will show a loss of strength, and probably will not poll more than 3 percent of the vote."

I said, "I have just come from Poland, where the Communists are taking over the government. Aren't you afraid they will do the same thing here in your country?"

They said, "No, Senator. We have a constitution molded on the American Constitution. Our great leaders, Benes and Masaryk, were educated partly in your country, and they know American constitutional procedures. We have a completely free press, and freedom of religion, and the highest standard of living in Eastern Europe. We do not think we will ever lose our freedom."

But within 7 months from that date, a coup d'etat in Prague and in the other cities of Czechoslovakia destroyed the freedom of Czechoslovakia; and every one of the leaders to whom I talked, is today either dead or is in a prison camp or has been exiled into the Soviet Union or, in some cases, has fled to the United States. Several of them have come to the United States. All who have not been forcibly captured by the Russians have been forced to flee from their country. Yet, while that conspiracy existed in Czechoslovakia, in the last free election that was held in that country the Communists polled less than 5 percent of the votes.

So I am not particularly impressed by statements that the Communist organization in the United States is a small one. It is a revolutionary conspiracy, with the purpose of destroying the Government of the United States, of destroying free institutions; and it takes its party line from the Kremlin. In my judgment, in the event of war between the United States and the Soviet Union, the members of the Communist Party would be espionage agents and saboteurs, and would operate behind our lines, in an attempt to destroy the productive capacity of the United States and to sabotage our industrial plants and to blow up our railroad lines and our port facilities, and to spy for the Soviet Union; and, in fact, they would be, and they are, the enemies of the people of

the United States and of all the other people of the free world.

That is the type of conspiracy with which we are attempting to deal in this case. They are in no sense a political party. They are part and parcel of a movement which has for its purpose the death of freedom everywhere in the world.

Mr. LEHMAN. Madam President, will the Senator from California yield to me at this point?

Mr. KNOWLAND. I am glad to yield.

Mr. LEHMAN. I am very glad, indeed, to hear those very encouraging words from the majority leader. It was because of my strong feeling that it is necessary to make an honest, sincere, undisguised frontal attack on the Communist conspiracy, led by the Communist Party, in this country, that I was very glad, indeed, and proud to join with my friend and colleague, the junior Senator from Minnesota [Mr. HUMPHREY], in sponsoring the amendment.

Mr. HUMPHREY. Madam President, will the Senator from California yield to me?

Mr. KNOWLAND. I yield.

Mr. HUMPHREY. First, Madam President, I wish to commend the majority leader for what I regard as his splendid dissertation upon and description of the Communist apparatus.

If the Senator from California will permit me to do so, I wish to say that I believe he will be interested in having me read into the RECORD at this time certain language of my amendment "J," as follows:

The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States.

The Senator from Minnesota has tried in the compactness of a few paragraphs to point out the nature of this conspiratorial apparatus that hangs over our heads and gnaws at our sinews. I am willing to accept amendments which will improve my substitute amendment. All I am asking is that the Senate once and for all state its position on this amendment. Whether or not the law will become as effective as everybody wants it to, if the bill shall be passed, at least we have come clean morally and politically on this proposition.

Mr. KNOWLAND. I yield to the Senator from Idaho, and then I shall yield to the Senator from Michigan.

Mr. WELKER. I am delighted to hear this discussion of the Communist conspiracy. I do not think I have ever enjoyed a Senate debate as much as I have the one this afternoon, seeing the Members of the Senate fight against this conspiracy which seeks to destroy our country.

Madam President, I have heard it said that the pending measure and the amendment attack only the branches, leaves, fruit, and limbs of the tree, and that we should also attack the trunk. I should like to suggest, on behalf of the junior Senator from Idaho, that we should not only attack the trunk of the consipracy, but as the first order of business when Congress reassembles next January we should dig out the roots of this infamous conspiracy by severing diplomatic relations with Russia and every one of the satellite countries she controls, because, in the opinion of the junior Senator from Idaho, all their embassies and every place where they stay in this country are nothing but havens, nests for spies, saboteurs, and espionage agents.

I invite the Senator from Minnesota to join me in a crusade, come January, to get the roots as well as the trunk.

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

Mr. FERGUSON. The proposal we desire to submit is on page 3 of the Humphrey substitute to add at the end of line 25 the following language:

Or whose members are substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of the Internal Security Act of 1950 and (B) is serving, or within 3 years has served, as a means for (i) knowingly giving of aid or support to any such organization, government, or movement or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces.

Then we propose to add another section at the end of the bill, to read:

For the purpose of this act, in determining whether or not a person is a member of an organization, the court or agency required to determine such membership shall take into consideration the connection of such person or persons with such organization as evidenced by his adherence to the discipline of the organization, his acceptance of the purposes and objectives of the organization, and other such incidents of affiliation with the organization.

What is membership?

Mr. HUMPHREY. If the Senator wants to propose a substitute to the Humphrey substitute, let him so propose. I cannot understand what his idea is, unless the Senator simply desires to amend the bill by adding the Ferguson amendment. What we have here already is a statement of the findings of fact, a statement as to proscribed organizations and their nature, and the Daniel amendment, which brings in everything the Butler bill contains. Now the Senator gets into a whole wide area far beyond anything that has ever been discussed in connection with this matter.

Mr. KNOWLAND. Is what the Senator from Michigan proposes substantially the language of the Butler bill?

Mr. FERGUSON. The first part which I read——

Mr. HUMPHREY. Is in the bill.

Mr. FERGUSON. Wait a minute. It is not in this part of the bill. There is a severability clause in it.

Mr. KNOWLAND. Can we not take the amendments one at a time?

Mr. FERGUSON. Will the Senator take the first proposal I have read?

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

Mr. FERGUSON. I yield.

Mr. DANIEL. As I understood the Senator from Michigan, he was going to improve upon the definition of "Communist Party."

Mr. FERGUSON. That is correct.

Mr. DANIEL. It appears to me that he is including organizations which we are defining in the Butler bill as being Communist-infiltrated organizations. Would the Senator say that all Communist-infiltrated organizations are the same as the Communist Party?

Mr. FERGUSON. No.

Mr. DANIEL. The Senator would not want the definition of "Communist Party" to include Communist-infiltrated organizations, would he?

Mr. FERGUSON. This definition is one which would apply to a Communist organization, or a Communist foreign government, or a world Communist movement.

Mr. HUMPHREY. We have all that in the bill.

Mr. FERGUSON. We do not have it in the definition of what we are outlawing.

Mr. KNOWLAND. Will the Senator read his first proposed amendment again so we can follow it, and without the subsequent one at the end of the bill?

Mr. FERGUSON. I am reading now from——

Mr. KNOWLAND. Page 3 of the Humphrey substitute.

Mr. FERGUSON. I will read it all so it will join up properly.

Mr. GEORGE. Would it not be wise to give some consideration to saying what the court shall consider as evidence? The Senator's amendment is a mandatory order to the Supreme Court.

Mr. FERGUSON. That is covered in the second section.

Mr. GEORGE. Yes.

Mr. FERGUSON. Line 20 reads:

(b) For the purposes of this section, the term "Communist Party" means the organization known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof—

Mr. KNOWLAND. Parenthetically, that is the existing language of the Humphrey substitute. Now the Senator brings in new language.

Mr. FERGUSON. To continue—

or whose members are substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of the Internal Security Act of 1950—

Mr. DANIEL. Madam President, will the Senator yield right there?

Mr. FERGUSON. I yield.

Mr. DANIEL. Under the definition as far as the Senator has gone, he would say that "Communist Party" as used in this act means any organization whose members have been contributing aid to a Communist-front organization or a Communist-action organization. Is that correct?

Mr. FERGUSON. A Communist-action organization, a Communist foreign government, or the world Communist movement.

Mr. DANIEL. Would the Senator want all organizations which had members who were in that category to be defined as the Communist Party?

Mr. FERGUSON. As being included in the membership of the Communist Party. We are not dealing with the Communist Party.

Mr. DANIEL. We are dealing with the definition of the term "Communist Party." That is what the Senator's words refer to.

Mr. FERGUSON. Yes; that is the Communist Party, where the membership is substantially directed.

Mr. DANIEL. Suppose there is an organization of a thousand members, and only 2 members are substantially aiding Russia or a Communist-front organization, would the Senator mean to define that organization of a thousand members, 998 of whom are not engaged in the proscribed acts, as the Communist Party?

Mr. FERGUSON. I believe if we are to act on the membership, it is necessary to do it as I suggest.

Mr. DANIEL. I do not see how the Senator could include those words in the definition of the Communist Party.

Mr. FERGUSON. Would the Senator accept this language?

Mr. MORSE. Madam President, will the Senator from California yield?

Mr. KNOWLAND. I yield.

Mr. MORSE. I should like to ask the Senator from Michigan a question. Is the first part of the language the Senator has read taken verbatim from the Butler bill?

Mr. FERGUSON. Practically so.

Mr. MORSE. I made very clear that if the Senator's objection to the Humphrey amendment is that it does not include certain language in the Butler bill which he believes is needed for clarification purposes, I would welcome, so far as I am concerned, the insertion of such language. I still stand by what I said. If it be true that the Senator is adding language over and above what is contained in the Butler bill, then I shall want to study its effectiveness.

Mr. FERGUSON. I strike out the word "title" and substitute "Internal Security Act of 1950," which is the act itself, or the title referred to.

Mr. HUMPHREY. We are dealing with two organizations. First there is a Communist-infiltrated organization, and then a Communist-dominated organization. They are separate and distinct, insofar as their structure is concerned, from the Communist Party, or other organizations that are designed for the purpose of sabotage, force, and violence.

Communist-front organizations are designed for political purposes. It appeared to me that the Butler bill and the Subversive Activities Control Act of 1950 are directed primarily toward those organizations which could be called action organizations in political, social, and cultural areas. The purpose of my substitute is to pinpoint the Communist Party and to outlaw membership in that party and thereby the party itself. The organizations are really separate and distinct. I am not trying to weaken the bill; I am endeavoring to improve it.

Mr. FERGUSON. But the Senator from Minnesota is weakening it.

Mr. HUMPHREY. I believe we have covered the tracks as well as we can and have covered the main area involved.

Mr. FERGUSON. The Senator is weakening it to this extent—that all he would be outlawing would be the Communist Party. I read from his definition:

> For the purpose of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America.

Mr. DANIEL. Madam President, will the Senator yield?

Mr. FERGUSON. I yield.

Mr. DANIEL. In addition to that, the Humphrey substitute would outlaw any other organization having—I am reading from page 3, line 11—

> any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence—

And so forth.

Mr. FERGUSON. It would not outlaw those organizations in America which are the real Communist Party in America, and which are carrying out the Communist foreign government idea or the world Communist movement referred to in section 2 of the Internal Security Act of 1950.

Mr. DANIEL. There are now included in the bill the Communist Party, which is referred to in the Humphrey substitute, and Communist-infiltrated organizations referred to in the Butler bill. The Senator's definition would appear to me to make the organizations synonymous. They are actually separate. We are dealing with one in the Butler bill and with the other in the Humphrey substitute.

Mr. FERGUSON. Will the Senator amend the section so as to include organizations which are formed to carry out the policies of a Communist foreign government or the world Communist movement referred to in section 2 of the Internal Security Act of 1950?

Mr. DANIEL. That would certainly be acceptable to the Senator from Texas.

Mr. FERGUSON. I believe that would cover the situation.

Mr. MORSE. Madam President——

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

Mr. MORSE. Mr. President, I am just thinking out loud. I have not had a chance to sit down and write anything on paper.

In order to outline an area of possible agreement, is there any objection, on page 3 of the Humphrey amendment, to inserting after line 19, language to the following effect? It would be a new section (b). The present section (b) would become section (c).

> (b) Who has knowingly and willfully become or remained a member of a Communist-infiltrated organization.

Mr. FERGUSON. I do not want to go that far. I want to provide for a Communist organization organized or carrying out a Communist foreign government policy.

Mr. MORSE. Let me state it this way. I think this might solve our problem. Let me redraft the language on page 3 so that we will accept article (a) of section 3 as it appears in the Humphrey substitute, and then add section (b), which will cover the activities of the Communist-infiltrated organizations.

Mr. FERGUSON. I do not want to go that far. I want to cover those organizations which are carrying out a Communist foreign government policy or the world Communist movement referred to in section 2 of the Internal Security Act of 1950.

Mr. MORSE. Is not the Communist Party such an organization?

Mr. FERGUSON. No. The Communist Party is the organization that is carrying out the foreign government policy or program. I do not want to go as far as the Senator suggests.

Mr. MORSE. I shall step into the cloakroom to put something on paper.

Mr. DANIEL. Does the Senator from Michigan have his proposal reduced to writing?

Mr. FERGUSON. No; I have not. I have tried to compose it on the floor. If we may have a quorum call, I may be able to write it out and submit it to the Senator from Texas.

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

The PRESIDING OFFICER. The Secretary will call the roll.

The Chief Clerk proceeded to call the roll.

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

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Madam President, I ask that the yeas and nays be ordered on the Daniel amendment to the Humphrey amendment, which is in the nature of a substitute for the bill.

The yeas and nays were ordered.

Mr. KNOWLAND. The other amendments will come on the substitute after the Daniel amendment is adopted.

The PRESIDING OFFICER. The yeas and nays have been ordered. The question is on agreeing to the amendment of the Senator from Texas [Mr. DANIEL] to the amendment of the Senator from Minnesota [Mr. HUMPHREY].

Mr. MORSE. Madam President, will the Senator from California yield that I may make an insertion in the RECORD?

Mr. KNOWLAND. I would rather have the vote on the pending amendment first.

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

Mr. KNOWLAND. I yield to the Senator from South Dakota.

Mr. CASE. May I have the attention of the Senator from Minnesota for a question? On page 3, line 2, of the Humphrey substitute, the language is as follows:

> Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States.

I am wondering if that preamble or finding of facts really has value or meaning. I suppose it does, but I always wonder about preambles. If that sentence is to be included, should there not be included such language as "clear, present, continuing threat," in view of court decisions?

Mr. KNOWLAND. Madam President, the parliamentary situation is such that after the amendment of the Senator from Texas has been acted upon, the Humphrey substitute will still be open for amendment of the section to which the Senator from South Dakota refers to as a preamble.

All that is done by the Daniel amendment is to add the Butler bill, as modified, to the Humphrey substitute. After action has been taken on the Daniel amendment, the Humphrey substitute will be open to amendment. The Senator from Michigan [Mr. FERGUSON] and the Senator from Oregon [Mr. MORSE] have been working further on the Humphrey substitute, and I understand it is now acceptable to the Senator from Minnesota and will be taken up for consideration following action on the Daniel amendment.

While the Senator from South Dakota is privileged, of course, to ask for consideration of his suggestion now, I simply wish to suggest that the Humphrey substitute will be open for further modification after the vote on the Daniel amendment.

Mr. HUMPHREY. I think the Senator from South Dakota has made a good point, because what he has suggested is a matter of legal doctrine. At the proper time, I shall be glad to accept the modification, but I think the majority leader has correctly outlined the procedure which should now be followed.

Mr. KNOWLAND. Madam President, as I understand, the yeas and nays have been ordered on the Daniel amendment.

Mr. KUCHEL. Madam President, I should like to have the clerk read the text of the Daniel amendment.

Mr. DANIEL. Madam President, I asked unanimous consent, in offering the amendment, that it be printed but not read, because it is so long. It is the entire Butler bill, which has been discussed in the Senate since yesterday, with a few modifications.

Mr. KUCHEL. Does the Senator from Texas mean that the amendments which have been considered and, at least in one instance, adopted will be eliminated if his amendment is agreed to?

Mr. DANIEL. No. As I pointed out earlier in the day, amendments which already have been adopted, including the Ives amendment, are all a part of the Butler bill, which I have now offered as an amendment, with other modifications. In the interest of time, I hope that the junior Senator from California will not ask to have the amendment read in full. I will be glad to explain the modifications. Otherwise, it is the Butler bill which we have been discussing for 2 days.

Mr. KUCHEL. Until a half hour ago, the Committee on Interior and Insular Affairs, of which I am a member, was meeting, and I did not hear the discussion which has taken place on the bill. I desire to be certain of the text of the Senator's amendment. As I understand, the Daniel amendment is merely the Butler bill as modified by the amendment offered by the senior Senator from New York [Mr. IVES] which was agreed to.

Mr. DANIEL. That is substantially correct. The Butler bill with slight modifications, offered as an amendment to the Humphrey substitute.

The PRESIDING OFFICER (Mrs. BOWRING in the chair). The question is on agreeing to the amendment of the Senator from Texas [Mr. DANIEL] to the amendment in the nature of a substitute of the Senator from Minnesota [Mr. HUMPHREY].

On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate. The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], and the Senator from Vermont [Mr. FLANDERS] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], and the Senator from Vermont [Mr. FLANDERS] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

The result was announced—yeas 85, nays 1, as follows:

YEAS—85

Aiken	Duff	Johnson, Colo.
Anderson	Dworshak	Johnson, Tex.
Barrett	Ellender	Johnston, S. C.
Beall	Ferguson	Kennedy
Bennett	Frear	Kerr
Bowring	Fulbright	Kilgore
Bricker	George	Knowland
Burke	Gillette	Kuchel
Bush	Goldwater	Long
Butler	Gore	Magnuson
Byrd	Green	Malone
Carlson	Hayden	Mansfield
Case	Hendrickson	Martin
Chavez	Hennings	Maybank
Clements	Hickenlooper	McCarran
Cooper	Hill	McCarthy
Cordon	Holland	McClellan
Crippa	Humphrey	Millikin
Daniel	Ives	Monroney
Dirksen	Jackson	Morse
Douglas	Jenner	Mundt
Murray	Saltonstall	Upton
Pastore	Schoeppel	Watkins
Payne	Smathers	Welker
Potter	Smith, Maine	Wiley
Purtell	Smith, N. J.	Williams
Reynolds	Stennis	Young
Robertson	Symington	
Russell	Thye	

NAYS—1

Lehman

NOT VOTING—10

Bridges	Flanders	Neely
Capehart	Kefauver	Sparkman
Eastland	Langer	
Ervin	Lennon	

So. Mr. DANIEL's amendment to Mr. HUMPHREY's amendment was agreed to.

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

Mr. GOLDWATER. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. GOLDWATER. Is S. 3706 open to further amendment?

The PRESIDING OFFICER. The original bill is open to perfecting amendments.

Mr. GOLDWATER. Am I to understand that such amendments require unanimous consent?

The PRESIDING OFFICER. Unanimous consent is not required to amend the original bill, but is required to amend the amendment which was just voted on.

Mr. FERGUSON. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. FERGUSON. I should like to address a question to the Senator from Minnesota [Mr. HUMPHREY]. Do I correctly understand that the proposal of the Senator from Michigan would not now be in order as an amendment to amendment J by changing the period in line 25, page 3, and adding certain words?

The PRESIDING OFFICER. The Humphrey amendment is open to amendment.

Mr. FERGUSON. That answers the question.

The PRESIDING OFFICER. The amendment to which the Senate has just agreed is not open to further amendment.

Mr. HUMPHREY. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. Is it not true that the pending question before the Senate is the substitute for the bill as originally presented, and that therefore it is open to amendment, as has been suggested by the Senator from Michigan?

The PRESIDING OFFICER. The substitute is open to amendment.

Mr. FERGUSON. Madam President, I send to the desk an amendment to Humphrey substitute J, and I ask that it be stated for the information of the Senate.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 25, it is proposed to strike the period, insert a comma, and add the following: "or any organization which is substantially directed, dominated, or controlled by the foreign government or foreign

organization controlling the world Communist movement referred to in section 2 of the Internal Security Act of 1950."

Mr. FERGUSON. Madam President, I understand that the Senator from Minnesota is willing to accept that amendment to his substitute, and that he hopes the Senate will agree to it.

The PRESIDING OFFICER. The Chair reminds the Senator that the yeas and nays have been ordered.

Mr. HUMPHREY. Madam President, I accept the amendment to my substitute, and modify it accordingly.

Mr. FERGUSON. Madam President, I send to the desk another amendment to the Humphrey substitute designated "J," and ask that it be stated. It defines membership in the party, and I hope the Senator from Minnesota will accept the amendment to his substitute.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. At the end of the substitute proposed by Mr. HUMPHREY it is proposed to insert the following:

SEC. —. For the purposes of this act in determining whether or not a person is a member of an organization referred to in section 3 hereof the court may take into consideration the connection of such person with such organization as evidenced by his adherence to the discipline of the organization, his acceptance of the purposes of the organization and other incidents of affiliation with the organization with knowledge of such purposes.

Mr. FERGUSON. Madam President, I understand that the Senator has requested unanimous consent——

Mr. HUMPHREY. Madam President, I ask unanimous consent that I may modify my substitute, as amended, in accordance with the amendment of the Senator from Michigan.

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

Mr. HUMPHREY. I thank the Senator from Michigan, the Senator from Oregon, and other Senators who have cooperated in connection with these amendments.

Mr. SMITH of New Jersey. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from New Jersey will state it.

Mr. SMITH of New Jersey. I have an amendment which I propose to offer to the original bill, Senate bill 3706. I am not certain where to offer the amendment. Should I offer it to the Daniel amendment to the Humphrey amendment, or to the Humphrey amendment as amended?

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Would not the so-called Daniel amendment, which was the original bill, but which now has been added to the Humphrey substitute, be subject to amendment by unanimous consent, only?

The PRESIDING OFFICER. Yes; by unanimous consent only.

Mr. KNOWLAND. Let me suggest to the distinguished Senator from New Jersey that if he will send his amendment to the desk and have it read for the information of the Senate, and if he will then make an explanation of his amendment, it is possible, as I understand it, that it will be agreeable to the Senator from Maryland, and that the Senate may be willing—in view of the nature of the amendment of the Senator from New Jersey—to have it agreed to, by unanimous consent, as a further amendment to the Daniel amendment, which has previously been agreed to by the Senate as an amendment to the Humphrey substitute.

Mr. SMITH of New Jersey. Then, Madam President, that is what I wish to do.

Mr. HUMPHREY. Madam President, let me state that, according to my understanding, the pending question is on agreeing to the substitute.

The PRESIDING OFFICER. As amended.

Mr. HUMPHREY. That is correct, as amended.

If an amendment is now to be added to the substitute, as amended, I should like very much to have an opportunity at least to read the amendment, because I understand that unanimous consent will be required in this case.

Mr. KNOWLAND. Madam President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I yield.

Mr. KNOWLAND. The Senator from Minnesota will be fully protected in that connection, because the amendment of the Senator from New Jersey cannot be added at this point, in view of the parliamentary situation, except by unanimous consent. As I understand the explanation which has been given by the Senator from New Jersey, all his amendment will do is apply to employers the same rule which will be applied to labor organizations. After all, that was one of the amendments which it was proposed to have added to the Taft-Hartley Act when it was originally passed.

So if the Senator from New Jersey will permit his amendment to be read at the desk, for the information of the Senate, I doubt that there would be any objection to it.

Mr. HUMPHREY. Madam President, let me say that, so far as I am concerned, I have no objection whatsoever to the amendment of the Senator from New Jersey. I have discussed this matter with other Members of the Senate, and I concede that there is no objection to the amendment.

Mr. SMITH of New Jersey. Madam President, I send my amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read.

The LEGISLATIVE CLERK. On page 8, line 5, it is proposed to insert the words "or employer" immediately following the words "labor organization."

On page 8, line 6, it is proposed to insert the words "these terms are", after the word "as."

On page 8, line 7, after the word "amended" and before the parenthesis, it is proposed to insert the words "and which are organizations within the meaning of section 3 of the Subversive Activities Control Act of 1950."

On page 10, it is proposed to insert a new subsection to be lettered (j) immediately preceding section 6, to read as follows:

(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to:

(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or

(2) make or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such act for employers.

The PRESIDING OFFICER. Is there objection to the present consideration of the amendment of the Senator from New Jersey, which is offered as an amendment to the Daniel amendment to the Humphrey substitute as modified and amended.

Mr. SMITH of New Jersey. Madam President, the amendment has been taken up with the Senator from Maryland [Mr. BUTLER]. The amendment simply does what we asked to have done this year, in connection with the Taft-Hartley Act, by applying to employers the same rule which would be applied to labor organizations.

This matter was called to my attention, and I took it up with the Department of Labor. The justice of my amendment is perfectly clear; in other words, the same penalty should apply to Communist infiltration, wherever it may be found—whether among management or employers groups or among labor groups. In any case, either management or labor that is Communist infiltrated should not be allowed to enjoy the privileges of the provisions of the Taft-Hartley Act.

Mr. HUMPHREY. Madam President, I understand that the amendment of the Senator from New Jersey is offered as an amendment to the substitute of the Senator from Texas for my amendment, as modified.

Mr. SMITH of New Jersey. Madam President, I ask unanimous consent that my amendment, which has just been read by the clerk, be agreed to as an amendment to the Daniel substitute, as modified, to the Humphrey amendment, as modified.

The PRESIDING OFFICER. Is there objection?

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

Mr. GOLDWATER. Madam President, I offer the amendment which I send to the desk——

The PRESIDING OFFICER. The Senator from Arizona will wait, please. Is there objection to the unanimous-consent request of the Senator from New Jersey?

Mr. DOUGLAS. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. I understand that the amendment of the Senator from New Jersey is offered as an amendment to the Humphrey substitute.

The PRESIDING OFFICER. The amendment of the Senator from New Jersey is offered as an amendment to the Daniel amendment to the Humphrey amendment, in the nature of a substitute, as modified.

Mr. BUTLER. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Maryland will state it.

Mr. BUTLER. Do I correctly understand that the pending business is the so-called Butler bill, as proposed to be amended by the Humphrey substitute? If that is so, the amendment of the Senator from New Jersey would be offered to the so-called Butler bill, as amended, when it is amended; is that correct? I simply wish to refresh the recollection of the Senator from Illinois.

Mr. DOUGLAS. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. What is the pending question?

The PRESIDING OFFICER. The pending question is, Is there objection to the unanimous-consent request of the Senator from New Jersey?

Mr. DOUGLAS. And, Madam President, what is the pending unanimous-consent request of the Senator from New Jersey?

The PRESIDING OFFICER. To agree to the amendment of the Senator from New Jersey, which is offered to the Daniel substitute amendment, as modified, and as agreed to by the Senate, to the Humphrey substitute, as modified.

Is there objection? Without objection, the amendment of the Senator from New Jersey to the amendment to the Humphrey substitute is agreed to.

Mr. GOLDWATER. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Arizona will state it.

Mr. GOLDWATER. Is the Daniel version of the Butler bill open to amendment, by unanimous consent?

The PRESIDING OFFICER. By unanimous consent only.

Mr. GOLDWATER. Then I ask unanimous consent that the amendment which I now send to the desk, and ask to have read, be considered as an amendment to the Daniel amendment to the Humphrey substitute.

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Has the amendment of the Senator from New Jersey [Mr. SMITH] to the Daniel amendment to the Humphrey substitute been agreed to by unanimous consent?

The PRESIDING OFFICER. That is correct.

Mr. GOLDWATER. Madam President, I now send my amendment to the desk, and ask that it be read.

The PRESIDING OFFICER. The amendment will be read, for the information of the Senate.

The LEGISLATIVE CLERK. On page 4, in line 20, it is proposed to strike out all after the word "organization", through line 25, and to insert in lieu thereof the following: "Upon removing from the organization those persons determined by this section to be Communists."

Mr. DOUGLAS. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Illinois will state it.

Mr. DOUGLAS. Do I correctly understand that the amendment of the Senator from Arizona is offered as an amendment to the Daniel amendment to the Humphrey substitute, as modified and amended, and is not offered to the original Butler bill?

Mr. GOLDWATER. Madam President, let me say that my amendment is offered to the Daniel version of the Butler bill. The Humphrey substitute has not yet been voted on.

Mr. DOUGLAS. Madam President, I submit that the Butler bill is not now before us. [Laughter.]

Mr. KNOWLAND. Madam President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from California will state it.

Mr. KNOWLAND. Madam President, we have had a little facetiousness on the floor; but is it not a fact that when the Humphrey substitute, as modified by the Daniel amendment as modified, and as amended by such other amendments as may be voted by the Senate, is finally acted upon, it will be voted into the pending bill, which is Senate bill 3706; and that the bill the Senate will act on, on the question of final passage, will be Senate bill 3706, as thus amended?

The PRESIDING OFFICER. That is correct.

Mr. GOLDWATER. Madam President, I should like to explain, very briefly, my amendment.

Under the bill as it is now written, a Communist-infiltrated labor organization or, as the substitute now reads, any Communist-infiltrated organization, would be penalized by not being permitted to appeal, until 1 year from the date of the Board's order, such an order holding the organization to be Communist infiltrated.

Under the original bill I introduced, a labor organization or any organization could purge itself of those members who are Communists and could come back into the good graces of the NLRB. I think this bill, unless we include the language I suggest, would work an undue hardship and would put an undue penalty upon organizations.

I ask the author of the bill if he will not accept this amendment because of the fairness of it.

Mr. DOUGLAS. Madam President, a parliamentary inquiry. I suggest that the Senator from Arizona address his inquiry to the Senator from Texas [Mr. DANIEL] and not to the Senator from Maryland [Mr. BUTLER], because I submit that nothing submitted by the Senator from Maryland is now before this body.

Mr. GOLDWATER. Madam President, if it will make the Senator from Illinois happy, I shall be glad to address the question to the Senator from Texas.

Will the Senator from Texas entertain this inquiry?

Mr. DANIEL. As I understand the situation, Madam President, my amendment has been adopted, and there is now before the Senate the Humphrey substitute, as amended. Any amendment would have to be by unanimous consent.

Mr. GOLDWATER. That is correct. I am asking unanimous consent.

Mr. HUMPHREY. Will the Senator permit me to ask the Senator from Arizona a question? Madam President, will the Senator from Arizona be kind enough to give us the benefit of his description and analysis of his amendment? He discussed it with me yesterday, and I believe he has a very worthy amendment, but I do not believe we all understand what it is about. Will the Senator explain it again?

Mr. GOLDWATER. Yes.

Under the original bill on this subject which I introduced last January, I had a provision that an organization which had been determined to be Communist-dominated could purge itself of those members, and the organization would immediately come back under the jurisdiction of the NLRB.

Now other organizations have been added, and they would come back into the good graces of whatever organization they might be at odds with. The present language reads:

> No such petition may be filed until 1 year has passed after the order determining such organization to be a Communist-infiltrated organization has become final. No organization may file a petition under this subsection oftener than once each calendar year.

In other words, if it is determined that "X" union or "X" company is Communist-dominated, and they say, "We did not know that. We will get rid of them. We will fire them right away," we then penalize that union or company by making it wait 1 year before they can come under the jurisdiction of the NLRB.

Mr. KENNEDY. Is it not a fact that, as the Senator from Maryland pointed out last night, they are able by a petition of 20 percent of their members to regain their rights under the National Labor Relations Act? The 1-year period pertains to removing the stigma of being a Communist organization, but by a petition of 20 percent of their members, they can regain their rights under the National Labor Relations Act.

Mr. GOLDWATER. That is correct. If the Senate is worried about union-busting clauses, this is union-busting language.

Mr. HUMPHREY. As it is in the bill.

Mr. GOLDWATER. As it is now. I should like to strike that language so as to give the unions, and now the companies, a fair chance to get back into the good graces of the Government agencies.

Mr. DANIEL. Madam President, after hearing the explanation, I have no objection to the amendment.

Mr. KENNEDY. Reserving the right to object, as I understand the present language of the amendment of the Senator from Texas, the union, provided 20 percent of its members sign a petition, can have its rights under the National Labor Relations Act restored. Under the 1-year provision which the Senator is now discussing, it still will bear the stigma for a year, but its rights under the National Labor Relations Act can be

granted to it if a petition is signed by 20 percent of its members.

Mr. GOLDWATER. As I understand the language, it could petition by having 20 percent of its membership sign a petition. Let us say it is a CIO union. It could not petition under the CIO. It would have to petition as the A. F. of L. or as a company union.

As this language is written, it could be utilized for union-busting. When a union purges itself voluntarily, or a company purges itself voluntarily, I think it is fairer to recognize the goodness in that act and let it come back immediately into the fold of whatever company or union is concerned.

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

The PRESIDING OFFICER (Mr. PURTELL in the chair). Does the Senator from Arizona yield to the Senator from Michigan?

Mr. GOLDWATER. I yield.

Mr. FERGUSON. As one of the authors, I think we should accept this particular amendment.

Mr. HUMPHREY. As the sponsor of the proposal before the Senate, I think the Senator from Arizona has made a contribution that is very desirable. He discussed it with me yesterday when we were talking about the Butler bill in general terms. I have no objection.

The PRESIDING OFFICER. Is there objection to the unanimous consent request of the Senator from Arizona [Mr. GOLDWATER]?

Mr. BUTLER. Mr. President, to make it unanimous, I should like very much to associate myself with the sponsors of this amendment.

The PRESIDING OFFICER. Is there objection?

SEVERAL SENATORS. Vote! Vote!

Mr. COOPER. Mr. President——

Mr. CASE. Mr. President——

Mr. COOPER. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. COOPER. Is it possible now to offer an amendment to the bill as amended?

The PRESIDING OFFICER. As soon as the pending question is disposed of.

Mr. COOPER. By unanimous consent, would it be possible to offer an amendment?

The PRESIDING OFFICER. There is pending an amendment by the Senator from Arizona which, in the opinion of the Chair, can be disposed of very quickly, after which other amendments will be entertained.

The question is, Is there objection to the request of the Senator from Arizona [Mr. GOLDWATER]? The Chair hears none and the question is on agreeing to the amendment of the Senator from Arizona to the amendment offered by the Senator from Texas [Mr. DANIEL] for himself and other Senators.

The amendment to the amendment was agreed to.

Mr. COOPER. Mr. President, I wish to offer an amendment. First, may I address a question to the distinguished Senator from Minnesota?

Mr. HUMPHREY. I am listening.

Mr. COOPER. I refer to section 3 of his amendment. Will the Senator state whether section 3 of his amendment requires any overt act by a person against whom the amendment is directed, as a condition to punishment?

Mr. HUMPHREY. The language is quite plain. Of course, it is predicated as set forth in section 2, upon the findings of fact, which findings of fact already label the Communist Party as a conspiratorial force dedicated to the overthrow of the Government of the United States. Therefore, section 3 provides that whoever knowingly or willfully becomes and remains a member and has knowledge of the purposes and the objectives of such organization, ipso facto automatically becomes subject to the penalties.

Mr. COOPER. I know that in his career in the Senate and in his speeches the Senator has always been very strongly against infringements of liberty, personal freedom, and all that. I should like to ask him this question: Does he know whether or not the Congress has ever passed a bill which proscribed free speech, although there are certain limitations, which a court can place upon it? Has Congress ever passed a bill which proscribed free speech?

Mr. HUMPHREY. This is not directed toward free speech. This is directed toward membership in a conspiratorial organization.

The point of the Humphrey substitute is membership in a political organization, whether it be the Communist Party or not, which has as its express purposes, as I have listed them here, the control, conduct, or overthrow of the Government of the United States by the use of force and violence. That is what is proscribed in this amendment. I have gone into this matter on the point of what we call civil liberties. The truth is that this legislation is not an infringement upon civil liberties. We are not infringing upon civil liberties. We are protecting civil liberties.

Mr. COOPER. Does the Senator believe that in any way this section is designed to penalize the thinking of an individual?

Mr. HUMPHREY. I do not consider this amendment as one that penalizes the thinking of an individual at all. How one thinks is entirely his own business. But if he maintains membership in an organization, and maintains it knowingly and willingly, and becomes and remains a member of an organization which has as its objective the overthrow of the Government of the United States, and he does this with knowledge of the purposes of the organization, then he is subject to the penalty.

Mr. COOPER. Of course, the Board or court with jurisdiction would have to determine what the accused was thinking. To emphasize this point, I ask the Senator if his substitute provides that the commission of an overt act by the accused as a condition precedent to conviction or imposition of a penalty under section 3?

Mr. HUMPHREY. Yes. In response to the Senator's question let me say that once we have adopted the findings of fact, in which Congress finds that the Communist Party of the United States is an instrumentality of a conspiracy to overthrow the Government of the United States, and that membership in the Communist Party is an overt act. That membership is an overt act subject to penalty, if a person knowingly is a member of such an organization.

Mr. COOPER. Mr. President, I offer my amendment.

Mr. HUMPHREY. Mr. President, reserving my right to object——

The PRESIDING OFFICER (Mr. PURTELL in the chair). The Chair informs the Senator from Minnesota that the amendment is in order.

Mr. HUMPHREY. A parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. HUMPHREY. The Chair has been ruling that amendments are not in order.

The PRESIDING OFFICER. The Chair informs the Senator from Minnesota that the amendment is being offered to the substitute, not to the Daniel amendment.

Mr. HUMPHREY. The Daniel amendment is no longer before the Senate. The amendment before the Senate is the substitute.

The PRESIDING OFFICER. The Senate has passed on the Daniel amendment, and it requires unanimous consent therefore to offer an amendment to that part of the pending substitute amendment. The remaining part of the pending substitute on which the Senate has not yet acted, is open to amendment.

Mr. HUMPHREY. Very well. I always respect the rulings of the Chair, except on unusual occasions.

The PRESIDING OFFICER. The Chair hopes the Senator from Minnesota will agree that this is not an unusual occasion.

The Senator from Kentucky will send his amendment to the desk.

Mr. COOPER. I have not reduced it to writing. I will state the amendment orally. I ask that there be inserted in section 3, on page 3, line 17, after the word "organization", the following words, "and commit any act designed to carry into effect the purposes of such Communist Party or organization", and move the adoption of the amendment.

The PRESIDING OFFICER. The Secretary will state the amendment.

The LEGISLATIVE CLERK. On page 3, line 17, after the word "organization", it is proposed to insert the words: "and commit any act designed to carry into effect the purposes of such Communist Party or organization."

Mr. COOPER. Mr. President, I will explain briefly the purposes of my amendment. In the first place, let me say that I do not think it proper to attempt to legislate on a very important and difficult subject as is presented by the substitute of the Senator from Minnesota without proper consideration by committee. His substitute has not been considered by a committee of the Senate.

We are dealing with a subject that is complex and far-reaching in its constitutional implications. The original

bill of the distinguished Senator from Maryland, Senator BUTLER, is very complex itself. Only this morning we were trying to reach the subject and cure Communist-infiltrated unions without writing language which would create the possibility of injuring loyal unions. That itself is a very difficult question.

Every patriotic sentiment and impulse moves us when we consider the substitute which has been offered by the Senator from Minnesota today, and we are moved to support it because every Member of the Senate is conscious of the dangers of communism and of the Communist conspiracy. At the same time, we must know that we are proposing action which the Congress has not heretofore considered or taken. There are grave constitutional questions involved in the substitute. We know, speaking quite frankly, that it is difficult to consider objectively this bill because of the political atmosphere and implications. It presents difficult questions for every one of us, because a vote against an amendment like this subjects one to the criticism of many good-intentioned and patriotic people all over the country. Yet I am certain that in the heart and mind of every one of us we know that there are grave questions involved concerning the constitutionality of such a measure, with respect to the precedents involved, and the traditions thus far followed by our Government.

I believe I am correct in saying that heretofore the Congress and the courts have proceeded upon the theory that what a man says—within certain limitations of public policy determined by the courts—his right of free speech and of free expression is a right protected by the first amendment to the Constitution.

One does not speak, does not express himself without thought, without thinking. The courts have certainly held that what a man thinks is protected; is not a subject of limitation, of penalty, or conviction by a court. Surely no one will question that statement or the right and principle involved. Thinking, adherence to belief, has never been a crime unless translated into action. I asked the distinguished Senator whether his amendment carried with it the traditional and legal requirement that some act must be committed before a man can be penalized criminally—because that is what it amounts to—and the Senator told me that it is the intention of his amendment to so require.

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

Mr. COOPER. It is not so stated in section 3. If it is his intention to so provide it can only be read into section 3 from the preamble. The preamble is a declaration by Congress. We all agree with the findings of the preamble. But I do not agree with the Senator that his substitute requires any act to penalize an accused. I have offered my amendment to bring his substitute into line with the decisions of the Supreme Court, with the philosophy and thinking of the great leaders of our country throughout the years and with our best traditions.

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

Mr. COOPER. I yield.

Mr. HUMPHREY. First of all I should like to say to the Senator from Kentucky that I have the greatest respect and admiration for his dedication to civil rights and civil liberties.

Mr. COOPER. I would rather be dedicated to the Constitution, which protects civil rights and liberties.

Mr. HUMPHREY. And to the Constitution. My answer to the Senator's question was that an overt act is membership in an organization, which membership must have been obtained by some overt act; therefore, membership in an organization that is proscribed as a subversive and conspiratorial organization is an overt act, particularly when every Member of the Senate knows that the Communist Party is not an independent political party in the normal sense of American political parties, but is controlled and disciplined and managed from abroad, and its leadership takes orders and follows the discipline of the leadership abroad.

All I am saying is that membership is considered, under the terms of this proposal, as an overt act. That is the legal background of what I am proposing.

Mr. COOPER. Mr. President, I will say to the Senator that I accept what he has said as his intention and belief that section 3 contemplates the preamble and the findings of fact, and that he believes the preamble and findings of fact imply an act precedent to conviction or penalty. The Senator's statement, as the author of the amendment, is in my view the only basis upon which the court would so interpret it. If the Senator so intends, then my amendment makes perfectly clear and sure his intention. The fundamental issue is before us, whether the Senate is prepared at this time on the basis of this quickly contrived substitute without any real consideration, to depart from our precedents and principles held since the adoption of the Constitution. My amendment will prevent such hasty action.

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

Mr. COOPER. I yield.

Mr. LONG. I will say to the Senator from Kentucky that there are crimes of omission and crimes of commission. A crime of omission may be the failure of an individual to file an income-tax return. He can be put into jail for that reason. If a person is a member of a Communist organization intent upon destroying or overthrowing this country, it would be his duty to quit the organization and break away from any group that would seek to undermine this country. For that reason I prefer to vote for a bill which would make it a crime of omission for a person to fail to quit membership in a Communist organization. For that reason, I shall vote against the Senator's amendment.

Mr. COOPER. Mr. President, the words "overt act" are, I believe, in a legal sense "words of art." They contemplate the actual commission or omission of an act or a course of action taken by an individual in this field.

Mr. MORSE. Mr. President, will the Senator from Kentucky yield?

Mr. COOPER. I yield.

Mr. MORSE. I should like to have the attention of the Senator from Louisiana [Mr. LONG]. It is true, is it not, that the Senator from Kentucky has not used the so-called word of legal art "overt"? The amendment uses the language "commit any act designed to carry into effect the purpose of such Communist Party or organization." I think that clearly covers what the Senator from Louisiana has in mind, and I think it is a perfectly acceptable amendment.

Mr. COOPER. If the word "overt" is in my amendment I withdraw the word "overt."

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

Mr. COOPER. I yield.

Mr. HUMPHREY. Mr. President, I think much of this amendment was covered under the definition of "membership," which the Senator from Michigan [Mr. FERGUSON] submitted some time ago, and I believe it would be a desirable addition to the bill. I appreciate the very deep sincerity of purpose which the Senator from Kentucky expresses in trying to pinpoint exactly what we mean by an act designed to carry into effect the purposes of an organization. I have no objection. I would be more than happy to accept the amendment.

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

Mr. COOPER. I yield.

Mr. LEHMAN. Mr. President, I feel that the Senator from Kentucky has made a real contribution. I feel that, following the suggestion of the Senator from Oregon, I shall be glad to support the amendment.

Mr. CASE. Mr. President——

The PRESIDING OFFICER. The Chair recognizes the Senator from South Dakota [Mr. CASE].

Mr. CASE. Mr. President, the question involved in the amendment proposed by the Senator from Kentucky is, I think, a real problem which I wish to meet, to a degree, by the suggestion I made a little while ago with reference to the decisions under the Smith Act which have held that if a man belongs to a conspiratorial organization, that constitutes an act. That is what the decisions amount to. That is why I was hoping that the Senator from Minnesota would modify his amendment to conform to the holding of Judge Hand, or some other recognized jurist, who used the phrase "clear and present danger."

Mr. HUMPHREY. Where should that language be inserted?

Mr. CASE. I think it should be inserted in line 3, on page 3, where the language now reads "continuing threat." By substituting the words "continuing clear and present danger" it would be brought within the holdings of the courts on this particular issue.

Mr. HUMPHREY. Mr. President, as the sponsor of this amendment, I am more than happy to accept that modification.

Mr. CASE. Mr. President, I should like to be recognized, following the action on the amendment offered by the

Senator from Kentucky, and then I should like to ask that this modification be made.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Kentucky [Mr. COOPER], as modified, to the amendment in the nature of a substitute offered by the Senator from Minnesota [Mr. HUMPHREY] for himself and other Senators.

The amendment, as modified, was agreed to.

Mr. CASE. Mr. President, I should like to suggest that the Senator from Minnesota modify the sentence appearing on line 2, page 3, which now reads:

Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a continuing threat to the security of the United States.

And that, instead of the words "continuing threat." it read "a clear, present, and continuing danger."

Mr. HUMPHREY. Mr. President, I ask unanimous consent that I may accept that modification. I think it is helpful.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MAGNUSON. Mr. President, will the Senator from South Dakota yield?

Mr. CASE. I yield.

Mr. MAGNUSON. Mr. President, the suggestion which I am about to make may not be necessary, but I have had a personal legal experience in which I found it to be necessary. I am sure the Senator from Minnesota can have no objection to it.

On page 3, line 10, where the language now reads, "knowingly and willfully," I would add the word "intentionally", because there are many cases where the word "willfully" is vague as to intent, although, in the main, "willfully" means "with intent."

Mr. HUMPHREY. Mr. President, I ask unanimous consent that the modification which has been suggested by the Senator from Washington may be accepted.

The PRESIDING OFFICER. Without objection, it is so ordered.

The question is on agreeing to the amendment offered by the Senator from Minnesota [Mr. HUMPHREY] and other Senators, as modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The Chief Clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG], are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG], would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], the Senators from West Virginia [Mr. KILGORE and Mr. NEELY], are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senators from West Virginia [Mr. KILGORE and Mr. NEELY] would each vote "yea."

The result was announced—yeas 84, nays 0, as follows:

YEAS—84

Aiken	Gillette	McCarran
Anderson	Goldwater	McCarthy
Barrett	Gore	McClellan
Beall	Green	Millikin
Bennett	Hayden	Monroney
Bowring	Hendrickson	Morse
Bricker	Hennings	Mundt
Burke	Hickenlooper	Murray
Bush	Hill	Pastore
Butler	Holland	Payne
Byrd	Humphrey	Potter
Carlson	Ives	Purtell
Case	Jackson	Reynolds
Chavez	Jenner	Robertson
Clements	Johnson, Colo.	Russell
Cooper	Johnson, Tex.	Saltonstall
Cordon	Johnston, S. C.	Schoeppel
Crippa	Kennedy	Smathers
Daniel	Kerr	Smith, Maine
Dirksen	Knowland	Smith, N. J.
Douglas	Kuchel	Stennis
Duff	Lehman	Symington
Dworshak	Long	Thye
Ellender	Magnuson	Upton
Ferguson	Malone	Watkins
Frear	Mansfield	Welker
Fulbright	Martin	Wiley
George	Maybank	Williams

NOT VOTING—12

Bridges	Flanders	Lennon
Capehart	Kefauver	Neely
Eastland	Kilgore	Sparkman
Ervin	Langer	Young

So Mr. HUMPHREY's amendment, as amended and modified, was agreed to.

Mr. DOUGLAS. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. DOUGLAS. Are we now voting on the Humphrey-Daniel substitute for the original Butler bill?

The PRESIDING OFFICER. The Chair informs the Senator that the question before the Senate is on the passage of the so-called Butler bill, as modified by the Humphrey substitute as amended and modified. On this question the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. SALTONSTALL. I announce that the senior Senator from North Dakota [Mr. LANGER] is absent by leave of the Senate.

The Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG] are necessarily absent.

If present and voting, the Senator from New Hampshire [Mr. BRIDGES], the Senator from Indiana [Mr. CAPEHART], the Senator from Vermont [Mr. FLANDERS], and the junior Senator from North Dakota [Mr. YOUNG] would each vote "yea."

Mr. CLEMENTS. I announce that the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], the Senator from Tennessee [Mr. KEFAUVER], and the Senator from West Virginia [Mr. NEELY] are absent on official business.

The Senator from Alabama [Mr. SPARKMAN] is necessarily absent.

I announce further that if present and voting, the Senator from Mississippi [Mr. EASTLAND], the Senators from North Carolina [Mr. ERVIN and Mr. LENNON], and the Senator from West Virginia [Mr. NEELY] would each vote "yea."

The result was announced—yeas 85, nays 0, as follows:

YEAS—85

Aiken	Goldwater	McCarthy
Anderson	Gore	McClellan
Barrett	Green	Millikin
Beall	Hayden	Monroney
Bennett	Hendrickson	Morse
Bowring	Hennings	Mundt
Bricker	Hickenlooper	Murray
Burke	Hill	Pastore
Bush	Holland	Payne
Butler	Humphrey	Potter
Byrd	Ives	Purtell
Carlson	Jackson	Reynolds
Case	Jenner	Robertson
Chavez	Johnson, Colo.	Russell
Clements	Johnson, Tex.	Saltonstall
Cooper	Johnston, S. C.	Schoeppel
Cordon	Kennedy	Smathers
Crippa	Kerr	Smith, Maine
Daniel	Kilgore	Smith, N. J.
Dirksen	Knowland	Stennis
Douglas	Kuchel	Symington
Duff	Lehman	Thye
Dworshak	Long	Upton
Ellender	Magnuson	Watkins
Ferguson	Malone	Welker
Frear	Mansfield	Wiley
Fulbright	Martin	Williams
George	Maybank	
Gillette	McCarran	

NOT VOTING—11

Bridges	Flanders	Neely
Capehart	Kefauver	Sparkman
Eastland	Langer	Young
Ervin	Lennon	

So the bill (S. 3706) was passed.

The title was amended so as to read: "A bill to outlaw the Communist Party, to prohibit members of Communist organizations from serving in certain representative capacities, and for other purposes."

Mr. FERGUSON. 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 of the Senator from Michigan.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from California to lay on the table the motion of the Senator from Michigan.

The motion to lay on the table was agreed to.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that there be printed at the proper place in the RECORD the bill in its final form.

The PRESIDING OFFICER. Without objection, it is so ordered.

(The bill S. 3706, as passed, is as follows:)

Be it enacted, etc., That this act may be cited as the "Communist Control Act of 1954."

FINDINGS OF FACT

SEC. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the Government of the United States. It constitutes an

authorization dictatorship withi na republic, demanding for itself the rights and privileges accorded to other political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike other political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of other parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchical chieftains. Unlike other political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional Government of the United States ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear, present, and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the service of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services.

PROSCRIBED ORGANIZATIONS

SEC. 3. (a) Whoever knowingly, willfully, and intentionally becomes or remains a member of (1) the Communist Party, or (2) any other organization having for one of its purposes or objectives the establishment, control, conduct, seizure, or overthrow of the Government of the United States, or the government of any State or political subdivision thereof, by the use of force or violence, with knowledge of the purpose or objective of such organization, and commit any act designed to carry into effect the purposes of such Communist Party organization shall upon conviction be punished as provided by the penalty provisions of section 15 of the Subversive Activities Control Act of 1950 (50 U. S. C. 794).

(b) For the purposes of this section, the term "Communist Party" means the organization now known as the Communist Party of the United States of America, the Communist Party of any State or subdivision thereof, and any unit or subdivision of any such organization, whether or not any change is hereafter made in the name thereof, or any organization which is substantially directed, dominated, or controlled by the foreign government or foreign organization controlling the world Communist movement referred to in section 2 of the Internal Security Act of 1950.

SUBVERSIVE ACTIVITIES CONTROL ACT AMENDMENT

SEC. 4. Subsection 5 (a) (1) of the Subversive Activities Control Act of 1950 (50 U. S. C. 784) is amended by striking out the period at the end thereof and inserting in lieu thereof a semicolon and the following: "or

"(E) to hold office or employment with any labor organization, as that term is defined in section 2 (5) of the National Labor Relations Act (29 U. S. C. 152) or to represent any employer in any matter or proceeding arising or pending under that Act."

SEC. 5. For the purposes of this Act in determining whether or not a person is a member of an organization referred to in section 3 hereof, the court may take into consideration the connection of such person with such organization as evidenced by his adherence to the discipline of the organization, his acceptance of the purposes of the organization, and other such incidents of affiliation with the organization with knowledge of such purposes.

COMMUNIST-INFILTRATED ORGANIZATIONS

SEC. 6. (a) Section 3 of the Subversive Activities Control Act of 1950 (50 U. S. C. 782) is amended by inserting, immediately after paragraph (4) thereof, the following new paragraph:

"(4A) The term 'Communist-infiltrated organization' means any organization in the United States (other than a Communist-action organization or a Communist-front organization) which (A) is substantially directed, dominated, or controlled by an individual or individuals who are, or who within 3 years have been actively engaged in, knowingly giving aid or support to a Communist-action organization, a Communist foreign government, or the world Communist movement referred to in section 2 of this title, and (B) is knowingly serving, or within 3 years has knowingly served, as a means for (i) the giving of aid or support to any such organization, government, or movement, or (ii) the impairment of the military strength of the United States or its industrial capacity to furnish logistical or other material support required by its Armed Forces: *Provided, however,* That any labor organization which is an affiliate in good standing of a national federation or other labor organization whose policies and activities have been directed to opposing Communist organizations, any Communist foreign government, or the World Communist Movement, shall be presumed prima facie not to be a 'Communist-infiltrated organization'."

(b) Paragraph (5) of such section is amended to read as follows:

"(5) The term 'Communist organization' means any Communist-action organization, Communist-front organization, or Communist-infiltrated organization."

(c) Subsections 5 (c) and 6 (c) of such Act are repealed.

SEC. 7. (a) Section 10 of such Act (50 U. S. C. 789) is amended by inserting, immediately after the words "final order of the Board requiring it to register under section 7", the words "or determining that it is a Communist-infiltrated organization".

(b) Subsections (a) and (b) of section 11 of such Act (50 U. S. C. 790) are amended by inserting immediately preceding the period at the end of each such subsection, the following: "or determining that it is a Communist-infiltrated organization".

SEC. 8. (a) Subsection 12 (e) of such Act (50 U. S. C. 791) is amended by—

(1) striking out the period at the end thereof and inserting in lieu thereof a semicolon and the word "and"; and

(2) inserting at the end thereof the following new paragraph:

"(3) upon any application made under subsection (a) or subsection (b) of section 13A of this title, to determine whether any organization is a Communist-infiltrated organization."

(b) The section caption to section 13 of such Act (50 U. S. C. 792) is amended to read as follows: "REGISTRATION PROCEEDINGS BEFORE THE BOARD."

SEC. 9. Such Act is amended by inserting, immediately after section 13 thereof, the following new section:

"PROCEEDINGS WITH RESPECT TO COMMUNIST-INFILTRATED ORGANIZATIONS

"SEC. 13A. (a) Whenever the Attorney General has reason to believe that any organization is a Communist-infiltrated organization, he may file with the Board and serve upon such organization a petition for a determination that such organization is a Communist-infiltrated organization. In any proceeding so instituted, two or more affiliated organizations may be named as joint respondents. Whenever any such petition is accompanied by a certificate of the Attorney General to the effect that the proceeding so instituted is one of exceptional public importance, such proceeding shall be set for hearing at the earliest possible time and all proceedings therein before the Board or any court shall be expedited to the greatest practicable extent.

"(b) Any organization which has been determined under this section to be a Communist-infiltrated organization may file with the Board and serve upon the Attorney General a petition for a determination that such organization no longer is a Communist-infiltrated organization upon removing from the organization those persons determined by this section to be Communists.

"(c) Each such petition shall be verified under oath, and shall contain a statement of the facts relied upon in support thereof. Upon the filing of any such petition, the Board shall serve upon each party to such proceeding a notice specifying the time and place for hearing upon such petition. No such hearing shall be conducted within 20 days after the service of such notice.

"(d) The provisions of subsections (c) and (d) of section 13 shall apply to hearings conducted under this section, except that upon the failure of any organization named as a party in any petition filed by or duly served upon it pursuant to this section to appear at any hearing upon such petition, the Board may conduct such hearing in the absence of such organization and may enter such order under this section as the Board shall determine to be warranted by evidence presented at such hearing.

"(e) In determining whether any organization is a Communist-infiltrated organization, the Board shall be required to determine—

"(1) whether the effective management of the affairs of such organization is conducted by one or more individuals who are, or within 2 years have been, (A) members, agents, or representatives of any Communist organization, any Communist foreign government, or the world Communist movement referred to in section 2 of this title, with knowledge of the nature and purpose thereof, or (B) engaged in giving aid or support to any such organization, government, or movement with knowledge of the nature and purpose thereof;

"(2) whether the policies of such organization are, or within 3 years have been, formulated and carried out pursuant to the direction or advice of any member, agent, or representative of any such organization, government, or movement;

"(3) whether the personnel and resources of such organization are, or within 3 years have been, used to further or promote the objectives of any such Communist organization, government, or movement;

"(4) whether such organization within 3 years has received from, or furnished to or for the use of, any such Communist organization, government, or movement any funds or other material assistance;

"(5) whether such organization is, or within 3 years has been, affiliated in any other way with any such Communist organization, government, or movement;

"(6) whether the affiliation of such organization, or of any individual or individuals

who are members thereof or who manage its affairs, with any such Communist organization, government, or movement is concealed from or is not disclosed to the membership of such organization; and

"(7) whether such organization or any of its members or managers are, or within 3 years have been, knowingly engaged—

"(A) in any conduct punishable under section 4 or 15 of this act or under chapter 37, 105, or 115 of title 18 of the United States Code; or

"(B) with intent to impair the military strength of the United States or its industrial capacity to furnish logistical or other support required by its Armed Forces, in any activity resulting in or contributing to any such impairment.

"(f) After hearing upon any petition filed under this section, the Board shall (1) make a report in writing in which it shall state its findings as to the facts and its conclusions with respect to the issues presented by such petition, (2) enter its order granting or denying the determination sought by such petition, and (3) serve upon each party to the proceeding a copy of such order. Any order granting any determination on the question whether any organization is a Communist-infiltrated organization shall become final as provided in section 14 (b) of this act.

"(g) When any order has been entered by the Board under this section with respect to any labor organization or employer (as these terms are defined by section 2 of the National Labor Relations Act, as amended, and which are organizations within the meaning of section 3 of the Subversive Activities Control Act of 1950), the Board shall serve a true and correct copy of such order upon the National Labor Relations Board and shall publish in the Federal Register a statement of the substance of such order and its effective date.

"(h) When there is in effect a final order of the Board determining that any such labor organization is a Communist-action organization, a Communist-front organization, or a Communist-infiltrated organization, such labor organization shall be ineligible to—

"(1) act as representative of any employee within the meaning or for the purposes of section 7 of the National Labor Relations Act, as amended (29 U. S. C. 157);

"(2) serve as an exclusive representative of employees of any bargaining unit under section 9 of such act, as amended (29 U. S. C. 159);

"(3) make, or obtain any hearing upon, any charge under section 10 of such act (29 U. S. C. 160); or

"(4) exercise any other right or privilege, or receive any other benefit, substantive or procedural, provided by such act for labor organizations.

"(i) When an order of the Board determining that any such labor organization is a Communist-infiltrated organization has become final, and such labor organization theretofore has been certified under the National Labor Relations Act, as amended, as a representative of employees in any bargaining unit—

"(1) a question of representation affecting commerce, within the meaning of section 9 (c) of such act, shall be deemed to exist with respect to such bargaining unit; and

"(2) the National Labor Relations Board, upon petition of not less than 20 percent of the employees in such bargaining unit or any person or persons acting in their behalf, shall under section 9 of such act (notwithstanding any limitations of time contained therein) direct elections in such bargaining unit or any subdivision thereof (A) for the selection of a representative thereof for collective bargaining purposes, and (B) to determine whether the employees thereof desire to rescind any authority previously granted to such labor organization to enter into any agreement with their employer pursuant to section 8 (a) (3) (ii) of such act.

"(j) When there is in effect a final order of the Board determining that any such employer is a Communist-infiltrated organization, such employer shall be ineligible to—

"(1) file any petition for an election under section 9 of the National Labor Relations Act, as amended (29 U. S. C. 157), or participate in any proceeding under such section; or

"(2) make or obtain any hearing upon any charge under section 10 of such act (29 U. S. C. 160); or

"(3) exercise any other right or privilege or receive any other benefit, substantive or procedural, provided by such act for employers."

SEC. 9. Subsections (a) and (b) of section 14 of such act (50 U. S. C. 793) are amended by inserting in each such subsection, immediately after the words "section 13", a comma and the following: "or subsection (f) of section 13A,".

SEC. 10. If any provision of this title or the application thereof to any person or circumstances is held invalid, the remainder of the title, and the application of such provisions to other persons or circumstances, shall not be affected thereby.

Mr. MORSE subsequently said: Mr. President, yesterday the Senator from Arizona [Mr. GOLDWATER] inserted in the RECORD a selected list of the unions having constitutions barring Communists from office or membership. To the table there was a footnote reading as follows:

The omission of a union from this list does not necessarily mean that its constitution does not include a provision barring Communists.

I spoke to the Senator from Arizona and told him I was about to make an addition to the list today. He has no objection. He said he obtained the list from the Department of Labor. It is the official list which was supplied to him.

A member of the American Federation of Technical Engineers, AFL, spoke to me today and said he thought in fairness, a section of the constitution of the American Federation of Technical Engineers should be inserted in the RECORD, because section 2 of its membership article contains a prohibition, in the case of membership, which this union official feels meets the qualifications of the list which was placed in the RECORD yesterday, by the Senator from Arizona.

I read from section 2 of article IV of the constitution of the American Federation of Technical Engineers, AFL, 1952:

SEC. 2. No person shall be admitted to membership in the federation who is not employed, or eligible for employment, in an occupation under the jurisdiction of this federation, or who advocates principles or lends support to organizations or movements whose purposes and objectives are contrary to the fundamental principles of the established Government of the United States of America, or which are in conflict with the policies of this federation.

Mr. President, I ask unanimous consent that article IV of the constitution of the American Federation of Technical Engineers, AFL, be printed at this point in the RECORD, as a part of my remarks.

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

ARTICLE IV. MEMBERSHIP

SECTION 1. Any individual employed or qualified for employment in the general field of engineering or architecture shall be eligible to membership in this federation upon application, election, and initiation in the manner and form prescribed in this constitution. Eligible membership in the federation shall include, but is not limited to, such occupations as aeronautical, chemical, civil, commercial, electrical, mechanical, mining and metallurgical, sales, structural, and research engineering; architects, draftsmen, metallurgists, physicists, engineering inspectors, test technicians, planners, estimators, specification writers, technical clerks, time-study men, blueprinters, engineering and laboratory assistants, and aides, etc.

SEC. 2. No person shall be admitted to membership in the federation who is not employed, or eligible for employment, in an occupation under the jurisdiction of this federation, or who advocates principles or lends support to organizations or movements whose purposes and objectives are contrary to the fundamental principles of the established Government of the United States of America, or which are in conflict with the policies of this federation.

SEC. 3. Qualified members who interrupt their regular employment to serve as paid representatives of the federation and its subdivisions shall be considered as still employed in the fields under the jurisdiction of the federation and shall be entitled to full membership rights and privileges.

SEC. 4. Members shall be affiliated with, and members of, local unions chartered by the federation, except in localities where no local union has been chartered, members may be members at large directly affiliated with the federation until such time as a local union is chartered in such locality, at which time such members at large shall seek to become members of such local union.

Mr. MORSE. Mr. President, let me say, further, that I understand that the Federation of Technical Engineers, A. F. of L., has, since 1937, had in its constitution a provision that members shall be dismissed from the union if they are found to be antagonistic to the representative character of the United States Government. In that connection, I read from section 7 of article III, on page 5, of the constitution and bylaws of the International Federation of Technical Engineers' Architects' and Draftsmen's Unions, of the American Federation of Labor, the 1937 issue:

SEC. 7. On being pledged to membership, it devolves on the member to faithfully live up to his obligations. He will attend all regular and special meetings of his local, and strive for the collective progress of his fellow members. He will promptly pay all dues and assessments as they come due. Any member found to be antagonistic to the representative character of the United States Government shall be liable to expulsion by his local union. Members at large shall be subject to similar action by the international president by and with the consent of the executive council. All moneys in the way of initiation fees, dues, assessments, etc., paid by such member or members shall be forfeited.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS

Messages in writing from the President of the United States were commu-

nicated to the Senate by Mr. Miller, one of his secretaries, and he announced that the President had approved and signed the following acts:

On August 10, 1954:

S. 1244. An act relating to the renewal of star-route and screen vehicle service contracts;

S. 2408. An act to amend the Merchant Marine Act, 1936, to provide a national defense reserve of tankers and to promote the construction of new tankers, and for other purposes;

S. 2846. An act to amend certain provisions of the Securities Act of 1933, as amended, the Securities Exchange Act of 1934, as amended, the Trust Indenture Act of 1939, and the Investment Company Act of 1940;

S. 2864. An act to approve an amendatory repayment contract negotiated with the North Unit Irrigation District, to authorize construction of Haystack Reservoir on the Deschutes Federal reclamation project, and for other purposes;

S. 3458. An act to authorize the long-term time chartering of tankers and the construction of tankers by the Secretary of the Navy, and for other purposes;

S. 3683. An act to amend the District of Columbia Credit Unions Act; and

S. 3699. An act granting the consent of Congress to a compact entered into by the States of Louisiana and Texas and relating to the waters of the Sabine River.

On August 12, 1954:

S. 3713. An act to give effect to the International Convention for the High Seas Fisheries of the North Pacific Ocean, signed at Tokyo, May 9, 1952, and for other purposes.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, its reading clerk, announced that the House had passed, without amendment, the following bills and joint resolution of the Senate:

S. 154. An act for the relief of George Pantelas;

S. 232. An act for the relief of Hugo Kern;

S. 546. An act to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam;

S. 1308. An act for the relief of Leonard Hungerford;

S. 1706. An act to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes;

S. 1845. An act for the relief of Dr. Ian Yung-Cheng Hu;

S. 1904. An act for the relief of Ottilie Theresa Workmann;

S. 1959. An act for the relief of Mrs. Annemarie Namias;

S. 2456. An act for the relief of Martin Genuth;

S. 2461. An act for the relief of Berta Hellmich;

S. 2958. An act for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller;

S. 3028. An act to require the Postmaster General to reimburse postmasters of discontinued post offices for equipment owned by the postmaster;

S. 3085. An act for the relief of Mrs. Helen Stryk;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.; and

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria.

The message also announced that the House had passed the bill (S. 3233) to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had insisted upon its amendment to the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, disagreed to by the Senate; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. TALLE, Mr. KEARNS, and Mr. TEAGUE were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. REES of Kansas, Mr. BROYHILL, and Mr. MURRAY of Tennessee were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3522) for the relief of Arthur S. Rosichan.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 7886) for the relief of Mrs. Cecil Norton Broy; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. JONAS of Illinois, Mr. BURDICK, and Mr. FORRESTER were appointed managers on the part of the House at the conference.

The message further announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a campsite and other public purposes;

H. R. 2014. An act to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 8020. An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon; and

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings.

The message also announced that the House had severally agreed to the amendments of the Senate to the following bills of the House:

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 5093. An act for the relief of Mrs. Dorothy J. Williams, widow of Melvin Edward Williams;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within areas of the National Park System, and for other purposes;

H. R. 7045. An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, Raymundo, and Marciano, and Mrs. Brigida de Gutierrez; and

H. R. 8915. An act to amend the act entitled "An act to consolidate the Police Court of the District of Columbia and the Municipal Court of the District of Columbia, to be known as 'The Municipal Court of Appeals for the District of Columbia,' and for other purposes."

The message further announced that the House had passed a bill (H. R. 9866) to prescribe certain limitations with respect to outpatient dental care for veterans, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the amendment of the Senate to the concurrent resolution (H. Con. Res. 267) authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic Energy relative to the contribution of atomic energy to medicine.

HOUSE BILL REFERRED

The bill (H. R. 9866) to prescribe certain limitations with respect to outpatient dental care for veterans was read twice by its title, and referred to the Committee on Labor and Public Welfare.

SOCIAL SECURITY AMENDMENTS OF 1954

Mr. KNOWLAND. Mr. President, merely in order to make the social-security bill the unfinished business, I now move that the Senate proceed to the consideration of Calendar No. 2004, House bill 9366, amending the Social Security Act and the Internal Revenue Code, and for other purposes. Notice has previously been given of the proposed consideration of the bill, and I have consulted about it with the minority leader. We shall not ask to have the Senate proceed further with the bill today, after it has been made the unfinished business.

The PRESIDING OFFICER. The bill will be read by title for the information of the Senate.

The CHIEF CLERK. A bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes.

The PRESIDING OFFICER. 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, which had been reported from the Committee on Finance with amendments.

ORDER FOR CALL OF THE CALENDAR, FOR CONSIDERATION OF BILLS PLACED AT FOOT OF THE CALENDAR

Mr. FERGUSON obtained the floor.

Mr. KNOWLAND. Mr. President, before the Senator from Michigan proceeds with his remarks, will he yield to me, to permit me to make a brief announcement?

Mr. FERGUSON. Yes, Mr. President; provided I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, let me state that, following the completion of the remarks of the Senator from Michigan, it is my plan to ask unanimous consent that the Senate proceed to the consideration of measures which, during the call of the calendar yesterday, were ordered placed at the foot of the calendar.

I wish all Senators to be advised of the proposed procedure. Therefore, I desire to say that I shall ask unanimous consent to have the Senate proceed to consider those measures as soon as the Senator from Michigan completes his remarks and as soon as I can obtain recognition.

Mr. HENDRICKSON. Mr. President, will the Senator from Michigan yield to me, to permit me to make a unanimous-consent request?

Mr. FERGUSON. I yield, provided I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HENDRICKSON. Mr. President, in a few minutes we shall proceed to consider the bills and other measures which, during the call of the calendar on yesterday, were ordered placed at the foot of the calendar. If we were to call those measures in the usual way, they would be called more or less at random. I have discussed, earlier today, with the able Parliamentarian of the Senate and the able and hard-working clerks, the problem which arises in that connection. They state that if the bills and other measures ordered to the foot of the calendar are called seriatim, instead of having to go from page to page of the calendar, back and forth, it will be much more convenient for both them and for the Senate itself. I know it will be much more convenient for Senators who follow the calendar.

I have discussed this matter with the minority calendar committee, and they feel as does the Parliamentarian.

Therefore, Mr. President, I ask unanimous consent that when, a little later today, the bills which, on yesterday, were ordered placed at the foot of the calendar, are called, they be called seriatim.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. In other words, Mr. President, as I understand the request, no measures will be added to those already placed at the foot of the calendar; but the measures which previously have been ordered to the foot of the calendar will be called up in their calendar order, seriatim, on the basis of the regular procedure during the ordinary call of the calendar.

Mr. HENDRICKSON. That is correct.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey?

Mr. SMATHERS. Mr. President, I apologize for not having heard the request of the Senator from New Jersey. Will he please repeat it briefly?

Mr. HENDRICKSON. I stated that I had discussed with the clerks at the desk and the Parliamentarian the question of calling up in numerical order, seriatim, the bills which, on yesterday, were ordered placed at the foot of the calendar. I said I had talked with the Senator from Florida, as a member of the minority calendar committee, about that matter, and that he had agreed that it would be more convenient, both for him and for the entire Senate.

The PRESIDING OFFICER. Is there objection to the request of the Senator from New Jersey? Without objection, it is so ordered.

ISSUANCE OF CONSOLIDATED DEBENTURES BY CENTRAL BANK FOR COOPERATIVES AND REGIONAL BANKS FOR COOPERATIVES

Mr. AIKEN. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. FERGUSON. Yes, Mr. President; provided I may obtain unanimous consent to do so without losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. AIKEN. Mr. President, there is at the desk a message from the House regarding amendments of the House of Representatives to Senate bill 3487. I ask to have those amendments laid before the Senate at this time. They have been discussed with both the majority leader and the minority leader.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3487) to authorize the Central Bank for Cooperatives and the regional banks for cooperatives to issue consolidated debentures, and for other purposes, which were on page 3, line 9, strike out "central" and insert "Central"; and on page 4, strike out lines 5 through 15, inclusive.

Mr. AIKEN. Mr. President, this bill authorizes the 12 regional banks for cooperatives and the Central Bank for Cooperatives to issue joint debentures. The bill as it was passed unanimously by the Senate contained a provision prohibiting the making of loans which could be used to expand the poultry industry. The House has adopted amendments striking out that provision.

I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

RECLASSIFICATION OF DICTAPHONES IN TARIFF ACT OF 1930—REQUEST TO HAVE BILL RETURNED BY THE HOUSE OF REPRESENTATIVES

Mr. HUMPHREY. Mr. President, will the Senator from Michigan yield to me at this time?

Mr. FERGUSON. I yield, Mr. President, provided I may do so without losing the floor.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. HUMPHREY. Mr. President, on yesterday, I was temporarily absent from the floor at the time when House bill 8932, Calendar 2001, was passed by the Senate.

The PRESIDING OFFICER. The Chair is advised that the bill has already gone to the House of Representatives.

Mr. HUMPHREY. Mr. President, I desire to submit a motion for reconsideration.

The PRESIDING OFFICER. The Chair is informed that the regular order would be to request that the House return the bill to the Senate.

Mr. HUMPHREY. Mr. President, I now move that the House of Representatives be requested to return the bill to the Senate.

Mr. President, let me state, by way of explanation, that the Representative from the Sixth Congressional District of the State of Minnesota had previously asked me to object to the bill when it was reached during the call of the calendar. However, I was unable to be present when that bill was considered.

I have discussed this matter with the majority leader. I think we may be able to work out the difficulties without delay.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota that the House be requested to return to the Senate, House bill 8932, to reclassify dictaphones in the Tariff Act of 1930, as passed on yesterday by the Senate.

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

Mr. FERGUSON. I yield, without losing the floor, to the Senator from Ohio.

LABELING OF PACKAGES CONTAINING FOREIGN-PRODUCED TROUT

Mr. BRICKER. Mr. President, there are on the desk amendments of the House to Senate bill 2033. I ask that the amendments be laid before the Senate.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout, which were, on page 1, line 6, strike out "'(n)" and insert "'(o)"; on page 1, lines 8 and 9, strike out "of this title"; on page 2, lines 10 and 11, after "(2)" strike out "each part of the contents of the package is contained in a wrapper" and insert "if the package is broken while held for sale, each unit for sale (consisting of one or more trout) is in a package; and"; on page 2, strike out line 17 over to and including line 2, page 3, and insert:

"(b) No person shall possess in a form ready for serving or shall serve at a public eating place trout produced outside the United States, its Territories, or possessions, unless a notice is displayed prominently and conspicuously in such eating place stating that '———— trout is served in this restaurant', the blank space to be filled with the name of the country in which such trout was produced."

On page 3, after line 13, insert:

SEC. 4. This act shall take effect 6 months after the date of its enactment.

And to amend the title so as to read: "An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout."

Mr. BRICKER. I move that the Senate concur in the House amendments.

Mr. JOHNSON of Texas. I am not familiar with this matter, Mr. President. I wonder if the Senator will give me an opportunity to confer with Members on this side.

Mr. BRICKER. The principal amendment of the House requires that when foreign-produced trout is served in a restaurant, a notice must be posted, not merely that notice be stated on the menu.

Mr. JOHNSON of Texas. If the Senator will give me a chance to clear this with the appropriate Members on this side, I shall do so.

Mr. BRICKER. I cleared it with the author of the bill, and he is satisfied with the bill as amended.

Mr. JOHNSON of Texas. Who is the author of the bill?

Mr. BRICKER. The Senator from Idaho [Mr. DWORSHAK].

The PRESIDING OFFICER. Does the Senator withdraw his request?

Mr. JOHNSON of Texas. I wish to protect myself, and there are members of the committee with whom I have not had a chance to confer.

Mr. BRICKER. That is satisfactory to the committee. The Senate passed the bill with the requirement that there be notice on the menu that foreign-produced trout was served. The House amendment includes the requirement that the notice be posted in the restaurant. That is all there is to it.

Mr. JOHNSON of Texas. Will the Senator withhold it?

Mr. BRICKER. I shall be happy to.

The PRESIDING OFFICER. Does the Chair understand the Senator withdraws his request?

Mr. BRICKER. I withdraw the request, and I shall take it up at a later time.

Mr. JOHNSON of Texas. We shall clear it as quickly as possible.

TENTH ANNIVERSARY OF THE GI BILL OF RIGHTS

Mr. FERGUSON. I ask unanimous consent that the Senator from Illinois [Mr. DOUGLAS] may be permitted to make an insertion in the RECORD, without the Senator from Michigan losing the floor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. DOUGLAS. Mr. President, I ask unanimous consent to have printed in the RECORD an address concerning the 10th anniversary of the GI bill of rights, delivered by Mr. Edgar C. Corry, Jr., of Chicago, Ill., on August 2 over the Columbia Broadcasting System.

Mr. Corry is well-fitted to assess the results of the GI bill of rights, for as a veterans' leader and a successful businessman, he has carefully observed the workings of this legislation. He is past national commander of AMVETS—American Veterans of World War II and Korea—the president of the AMVETS National Service Foundation and vice president of the Mathers Stock Car Co.

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

TEXT OF REMARKS BY EDGAR C. CORRY, JR., PAST NATIONAL COMMANDER OF AMVETS, AND PRESIDENT OF THE AMVETS NATIONAL SERVICE FOUNDATION, ON THE 10TH ANNIVERSARY OF THE GI BILL, DELIVERED OVER CBS, CHICAGO, AUGUST 2, 1954

Ten years ago—while the guns of World War II were still firing in Europe and Asia, in the Atlantic and the Pacific, and the outcome of that global struggle was in doubt, the United States Congress drafted a bill unparalleled in history. In the course of one decade, it affected the lives of more than 10 million men and women, and stimulated the economic welfare of America.

On June 22, 1944, President Roosevelt signed into law the GI bill of rights (more formally known as Public Law 346). At that time he said, "This law gives emphatic notice to the men and women of our Armed Forces that the American people do not intend to let them down."

A new concept was thus introduced into American thinking—help the veteran help himself. For as far as possible, the cost of war and of victory was to be shared by all Americans—not just those who served or died in uniform. It substituted the "helping hand" for the "handout."

It is appropriate now—10 years later—to measure the results and the cost of the GI bill of rights.

Under the GI bill, the door of opportunity was reopened to millions in whose faces it had banged shut with frightening decisiveness after Pearl Harbor. During the troublesome years since 1944, millions of veterans have passed through this door; some to acquire new homes or farms, or to enter new businesses made possible by the guaranteed loan provisions; some to receive educational and on-the-job-training benefits; and some merely to receive readjustment allowances while seeking a job.

It was very hard for most veterans to readjust themselves to the challenging circumstances confronting them when they returned from the war. But thanks to the GI bill, the transition period was measurably shortened, the absorption of 18 million additional civilians into a peacetime society was accomplished with a minimum of difficulty, and a threatened depression turned into prosperity.

How different from the aftermath of former wars. If you came back then in one piece you were on your own—go pick up the shreds of life by yourself—if you had a family to support in the meantime, well, it was just your tough luck. If you hadn't been able to learn a peacetime trade, or hadn't finished your schooling, or had little actual job experience, well—you were a tough-luck Charlie. Vast numbers of odd-job drifters and unemployed were taken for granted as a necessary price of war.

This time America faced facts. Almost a whole generation of our youth had been put into uniform. You can't turn loose 18 million young men from whom you have taken the 4 most crucial years of their life—you can't just turn them loose without wrecking a large percentage of them, and thereby inviting national economic disaster. Our Congress evolved a way of assisting the GI to become integrated into the business and community life of this country.

As a past national commander of AMVETS—and as president of the board of trustees of AMVETS National Service Foundation—I know at first hand some of the great good the GI bill has accomplished. The basic intent of the law—the restoration of opportunities lost through no fault of one's own, likewise was one of the motivating reasons for the establishment of AMVETS—the only World War II veterans organization chartered by Congress. To help fulfill this objective, the AMVETS Service Foundation was created in 1948.

The help the veterans needed as conceived by Congress fell into three categories: education, readjustment allowances, and financial loans.

Nearly 8 million World War II veterans obtained education and training under the GI bill—that's one out of every two veterans. Some finished high school, others entered colleges and post-graduate schools. Still others received business education in

what was known as on-the-job training and on-the-farm courses. More than 3½ million went to trade and vocational schools. The cost of all these training benefits was $14½ billion, but the country is reaping a rich reward in that investment. Since the draft law was enacted in 1940, the Armed Forces have been channeling much of our youth away from colleges and universities, but since 1944, the GI bill has been filling the vacancies so created, with veterans. Every level of education and training has boomed under the impact.

The GI educational benefits have helped build our reservoir of trained manpower in fields of endeavor ranging from atomic physics to airplane mechanics—from medicine to the ministry. It has assured that the productivity of our land will continue high because of new specialists in agriculture and animal husbandry. It has raised the education level of the entire country and likewise has raised the national income level. A Census Bureau survey discloses that from 1947 to 1952, the median income of the veteran has shot up 40 percent while during the same period the nonveteran group has gone up only 10 percent. The Census Bureau further reports "the higher incomes of these veterans may reflect the combined influence of the increase in work experience and higher level of education which veterans have achieved as compared with nonveterans." The net result is that the veterans who have had GI training will be paying approximately $1 billion more each year in Federal income tax. Within the next 14 years, these same veterans alone will pay off the entire cost of this program.

The second category of help which Congress devised was the readjustment allowance program which permitted allowances of $20 a week for a maximum of 52 weeks for veterans seeking a job. For those millions who were seeking their first job, and who now had families and dependents, the situation was exceedingly grim. They didn't want to be on relief. Nearly 9 million veterans received some readjustment payments, but to show you what stuff these guys were made of, only 10 percent drew their full benefits. The average GI had his new job in hand in 6 weeks. The readjustment allowance program was often viciously attacked and ridiculed during its first 2 years of operation. It was nicknamed the 52–20 club with the implication that everybody would take a free ride on the Government, would wait until they had drawn their full $1,040, before they even started looking for a job. Well, the boys proved the cynics were wrong in a big way, and that the faith Congress had in them was well justified. And, by the way, that $3½ billion spent on them was immediately pumped back into circulation—it went for food, clothing, and rent. With a perspective now of 10 years, it can be safely said that the readjustment allowance program which ended in 1949 amply fulfilled the need for which it had been created.

The third major category of opportunities was the GI loan. Under this provision, the veteran was given the right to borrow money for which he had to pay interest at 4 or 4½ percent. With a guaranty by the United States Government, over three million veterans acquired a home for themselves and their families. When a man becomes a homeowner, he becomes an important and stable member of his community. You will be interested in knowing that $23½ billion were borrowed from banks, insurance companies, building and loan associations and other lending institutions. What kind of homes did these veterans buy? Sixty percent of all the homes acquired were in the $10,000 to $15,000 bracket. Each home purchased or built added strength to its community, and provided an additional source of tax revenue. The veteran's need for housing spurred a gigantic building boom, and the availability of credit thus furnished, stimulated a multibillion dollar exchange of money.

Much can be said for the other types of loans guaranteed by the GI bill—such as business and farm loans. There are thousands of success stories emerging from modest beginnings aided by small business loans guaranteed by the Government in an amount not to exceed $4,000. More than 50 percent of the one-half billion dollars of these loans have been repaid in full. Now that is such a terrific fact, that I'm going to repeat it again—more than one-half of all the business loans have been repaid in full. How's that for ability, integrity and drive?

Many were fearful that the veteran was being saddled with a financial burden that would result in wholesale bankruptcy and create national chaos. The facts prove that the veteran has been an exceptionally sound financial risk. Over $3 billion have been repaid in full. The total defaults on all loans have been less than 1 percent of the funds borrowed by veterans. Many cynics anticipating a very high default rate on the Government guaranteed loans believed that the American taxpayer would be the big loser when these defaults were absorbed by the Government. That less than 1 percent of defaults I mentioned amazed not only the cynics, but the hopeful endorsers of the GI bill. In actuality, the Government received an additional source of tax revenue from all the individuals, businesses and industries which profited and prospered as a result of this multibillion dollar spending.

Has the task undertaken by Congress in 1944 been completed? In part yes, and in part no. In part yes, because as I said, the readjustment allowances were terminated in 1949, and no new applicants for education and training benefits are being accepted. The only major benefit still in force today is the GI loan. Its deadline is 1957. The VA has done a monumental and praiseworthy job in processing and administering all these many benefits for the ablebodied as well as its vast work in the medical field for the disabled.

In part no, because the problem of lending a helping hand to those who need it never ceases. AMVETS and its service foundation were established for the purpose of helping the veteran help himself, and to repay in what small way we can, the moral debt we owe to the widows and orphans of our partners in combat. To acomplish this, we have maintained a staff of national service officers and VA accredited representatives who counsel, free of cost, with the veteran, acquainting him with his rights and assisting him in the complicated mechanics of obtaining them.

Another illustration of the work of the AMVETS service foundation is the annual 4-year college scholarship given to 6 deserving high-school students whose fathers died in combat, or were totally disabled. These students, carefully tested by the National Association of Secondary School Principals, receive the sum of $2,000 prorated by semesters. By the way, they are setting a terrific pace in college.

The annual AMVETS Christmas party provides homeless orphans throughout the Nation with a real Christmas complete with toys, individual gifts, and a TV set or radiophonograph for the orphanages in which they live. Right now—let me thank all of you whose generous donations have helped us carry out such programs.

American generosity has given much to those who bore the brunt of battle. The 10th anniversary of the GI bill heralds an enriched America whose heroic soldiers have become its most devoted citizens, its local, State, and national leaders. That bill was a humane as well as a sound business investment made in the youth and, therefore, the future of America.

THE RIGHT OF CLERGYMEN TO SPEAK AND ACT

Mr. DOUGLAS. Mr. President, I wish to make available to the Members of Congress a resolution adopted earlier this year by the executive committee of the Church Federation of Greater Chicago on The Right of Clergymen To Speak and Act.

At a time when loose charges are made against many religious leaders, it seems appropriate to direct attention to this strong affirmation by the Chicago Church Federation of its unequivocal opposition to communism, its forthright support of the right and duty of clergymen to speak and act on the urgent problems of our time, and its conviction that reforms should be made in congressional investigating procedures.

Those of us who have been advocating such reforms in investigating procedures, as in my joint resolution, Senate Joint Resolution 137, or the Kefauver resolution, Senate Resolution 256, of which I am a cosponsor, welcome this support. We also hope that the Senate Rules Committee, which is now considering these proposals, will give heed to the growing public feeling and conscience which this resolution reflects.

I ask unanimous consent that the resolution of the Church Federation be printed in the RECORD.

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

RESOLUTION OF THE CHURCH FEDERATION OF GREATER CHICAGO

THE RIGHT OF CLERGYMEN TO SPEAK AND ACT

Resolved: As Christians and leaders of our churches we are unequivocally opposed to communism. Its materialistic philosophy is a denial of the reality of God in whom we believe. Its ruthless totalitarian methods violate the Christian doctrine of love as taught by our Lord Jesus Christ. The basic premises of the Communist doctrine of personality and human relationships, and of the social, economic, and political organization of society, are false. They are antithetical to democracy.

Week after week and year after year throughout all of their ministries more than 2,000 clergymen of all faiths in Greater Chicago have by their teaching and their lives witnessed to these truths, as those who know the minds of ministers and who attend the services of the churches regularly would gladly testify.

However, in our opinion, the issue as drawn by those who are currently attacking the clergy is not the issue of communism, nor the investigation of treachery. We favor every proper legal procedure to enforce the law against treasonable acts or incitements, whether committed by clergymen or others.

What then is the issue? It is whether or not clergymen have the right to speak and act in applying the Christian faith to the urgent moral and social problems of our age.

Clergymen have a duty imposed on them by their churches and God to be concerned about social conditions which in their best judgment violate the moral order which God has revealed through Jesus Christ.

Clergymen have the obligation to proclaim the eternal truths which inhere in the nature of God's universe, and to make these truths relevant to the relationships of men to men as well as of men to God.

Yet ministers, teachers, and other citizens concerned about racial, social, and eco-

nomic disorder and injustices in society or the realization of peace have too often been smeared with the accusation of communism. A principal foundation stone of freedom in America is religious liberty. We shall never surrender that freedom.

We denounce the false charges that have been made against the clergy of all faiths, educators, and other leaders.

We urge that the congressional accusers bring their charges in courts of law where the accused can be given a fair trial by accepted judicial procedure.

We call for the reform of congressional and Senate investigating committee procedure so that innocent men will not have their reputations blackened by star-chamber proceedings which imitate the methods of communism and fascism.

These are the real issues. As clergymen responsible to God and our churches we declare that we shall endeavor to proclaim the word of God about the vital issues of human life.

We shall not be intimidated by false charges of communism or communistic sympathizing leveled by those who seek to silence the clergy.

We make this declaration in humility and with gratitude for the freedom and privilege of our American heritage. We pledge ourselves to uphold the spiritual integrity of this heritage and we urge all Americans to dedicate themselves to this purpose.

A NATION SECURE—TODAY AND TOMORROW

Mr. FERGUSON. Mr. President, for some years we expanded our military forces. The enlargement has drawn into the services the sons and daughters of families throughout the land. One of the effects of this situation has been to make our people, more than ever before, conscious of the perilous times in which we live. They do not know whether there is peace or war behind the ever-threatening clouds. No generation since 1815 has been so troubled with fear for the safety of our homeland. From the questions we hear in every quarter it is clear that there is deep anxiety over the state of our national defense. Confused by the babble of contradictory and alarming pronouncements by the uninformed, our people seek assurance that the Nation is reasonably secure against attack. They want to know what policies the administration has developed to guide the military in various contingencies. They want to know what our program is, what it costs, and how effective it is likely to be in meeting such challenges as world events may thrust upon us.

It is my purpose today to answer these questions, to explain why we had to make a reappraisal of our military requirements, to dispel some of the misconceptions that have grown up around the term New Look, and to present in some detail the specific programs we have developed for the common defense. I think I can show that, behind the smog of words which has all but smothered our achievements over the past 18 months, we do have a comprehensive military program, at a price the national economy can afford, and capable of defending our homeland and supporting our policies abroad.

When the Republican Administration and the 83d Congress took office in January 1953, the Nation was at a critical stage in its defense program. The stalemate in Korea was still pending and the weekly casualty lists of young men were coming in. We had no assurance that increased fighting would not be resumed. Our rearmament program still continued strong because we had no way of knowing whether Korea was merely a limited war or the beginning of a global war which would require the highest level of military preparedness. Our military spending, which totaled $11.9 billion in the fiscal year 1950, was projected by the outgoing administration at $50 billion for the fiscal year 1953. Military manpower had increased from 1,460,000 in June 1950, to 3,555,000 by June, 1953. Defense treaties had been concluded with some 39 nations, thus extending our commitments around the world.

And yet all was not well with our Military Establishment. There had been critical shortages of ammunition and other supplies. Our military planning moved from crisis to crisis on a stop and start basis because the national goal was not clear. We were constantly seeking to meet some peak year of calculated danger. And in our rapid-fire buildup, we rarely paused to appraise the situation, to eliminate the enormous waste, or to note the cost and disruption to our economy.

Then the situation changed again, and on July 27, 1953, the Korean truce was signed, thus ending the fighting in which the United States suffered 142,126 in total casualties. By this time, too, the military preparedness of our allies in the North Atlantic Treaty Organization had become more effective. In Korea, the defense forces of the Republic became stronger through the training and equipment of its own divisions. And we had reached a point in the growth of our Military Establishment where prudence indicated the necessity of a balance between maximum military strength and the capacity to bear the load without imparing the health and solvency of the national economy. It became clear to all who were concerned with the problem that we were going to have to devise a new program to meet the long pull if we hoped to counterbalance the Soviet calculations which contemplate a whole historical era.

In these circumstances a fresh appraisal of our situation was clearly called for. Moreover, it was a natural desire for the new Republican administration to want to make its own interpretation of the basic requirements for the national defense in the light of rapidly changing circumstances. We wanted to evaluate the commitments that had been made, and to calculate the risks we faced in the light of the best military intelligence on the intentions and capabilities of the Soviet Union. We wanted to find up-to-date answers on three main questions: What are our requirements? Do we have the capabilities to meet these requirements? And can we meet them at a lessened rather than increased cost over the indefinite future?

MILITARY PLANNING DEPENDS UPON NATIONAL POLICY

Military planning is only one factor in our total policy for national security. Traditionally, war is regarded as "an instrument of national policy"—not to be used unless all other methods fail in the conduct of peaceful international relations. As far as the United States is concerned, it is to be used only when and if war is forced upon us by enemy aggression. I want to repeat that statement: It is to be used only when and if war is forced upon us by enemy aggression.

This is more than ever true today when the possibility of attack and counterattack with hydrogen bombs could result only in the mutual destruction of the participants. But it is also more than ever true because the Communists have devised so many different ways of committing aggression that we must be prepared to deal with each type whether it is primarily political, economic, military, or psychological. In fact, during a cold-war period the battle for men's minds is on the spiritual, moral, and the diplomatic fronts. Spiritual values based upon the concepts of Christianity and representative democracy, emphasizing the innate worth of each man and of his right to freedom and liberty—these are the real weapons for winning victory in an ideological conflict. We firmly believe that given a fair opportunity to choose, men everywhere will take freedom as against slavery. Much of our foreign policy today is designed to see that men have this fair opportunity to choose between freedom and slavery.

But we must be prepared not only for the cold war which the Communists instigated by anti-American and anti-representative-government propaganda, but also for a period of half-war-half-peace, during which the techniques of war-by-satellite or war-by-revolution, may again and again be attempted in order to extend the boundaries of communism. Beyond that, we must be ready for total war, if war is forced upon us.

We must be prepared for these wars-by-satellites or wars-by-revolution.

The primary objects of our national policy are twofold: to prevent war, and to bring about conditions that will establish a peaceful atmosphere of faith and confidence. To achieve these objectives we use a variety of methods—political, psychological, economic, and military. The military, it will be observed, is only one element interlocked with others in a complex pattern of defense. It was never intended by responsible planning officials that our program should be interpreted as consisting of only one particular element, much less only a part of one element such as "massive retaliation." Yet some of our critics are trying to mislead the public by such absurd charges.

We know that battles are not lost alone on the field of combat; and we have taken steps to make sure that no battles are lost by armchair generals or typewriter machine guns here in Washington.

Since the end of the Korean war a profound study of defense policies has been made. The President, the National Security Council, the State Department, the Defense Department, and Congress have all had an active hand in it. We have to outline the strategy of defense before calculating the appropriations

for specific purposes and parts of it. As chairman of the Senate Subcommittee on Military Appropriations I know how hard and carefully we have worked on this problem.

It is interesting to observe that the National Security Council met during the previous administration 20 times in 1950, 34 times in 1951, and 17 times in 1952; whereas during the present administration it met 51 times in 1953, and 26 times in the first half of 1954. In fact, during the first year and a half of the present administration 66 meetings were held, out of a total of 193 meetings of the National Security Council since the beginning of the Council in September 1947.

The actions taken at those meetings were, in the present administration, 399, as compared with a total of Council actions in the 7 years the Council has been in existence of 1,095.

These figures show the tremendous emphasis given by the present administration to the work of the National Security Council and all aspects of the national-security policy.

Now that our program has been crystallized in size and shape by the passage of the 1955 military and related budgets, we know where we are headed, but our plans are flexible and if events disprove any of the assumptions on which our estimates were based, we can and will of necessity make adjustments to the new conditions.

THE TERM "NEW LOOK" AS APPLIED TO MILITARY POLICY

You will notice that I have chosen to speak of our present military policy and program rather than to use the term New Look which has become so widely current. It has, indeed, become a sort of catchall phrase which means many things to many people, and hardly anything to others. I have purposely refrained from using New Look because some who have done so have made the mistake of taking a part for the whole. Sometimes they have taken several parts. And again they have used the words as a label to describe everything that has a military aspect. If we are to understand the elements of our military policy and program—and they must be pretty definite for we have appropriated more than $29 billion for the military budget this year—then we would certainly do well at the beginning to make sure that we agree on our terminology and that our purpose is not to confuse the issues by indulging in a war of words.

The use of New Look to describe our military policy has grown up like Topsy, and has gained such popular acceptance that I do not expect others will suddenly abandon this phrase merely because I have chosen to speak as I do. But I do think that a few words about the term may provide perspective and prevent some mistakes about it, particularly on the part of those who neglect the forest in favor of looking at 1 or 2 trees.

It became apparent very soon after New Look hit the headlines that our civilian officials and military planners were disinclined to accept the term as being explanatory of the situation with which they were dealing. When President Eisenhower, on April 30, 1953, called attention to the "crazy quilt of promises, commitments, and contracts," with which the administration was confronted when it took office, he said that we must have "a completely new, fresh look" at this condition. He was referring to a simple appraisal and to the need for bringing the fiscal situation into "some kind of realistic focus." But over and above this, his main purpose was to bring out that "a true posture of defense is composed of three factors—spiritual, military, and economic."—White House Press Release, April 30, 1953.

Nor did Secretary of Defense Charles E. Wilson say anything that would tend to convey the impression that the New Look was a partial term or that it could be used indiscriminately. When he appeared before the Senate Committee on Appropriations, May 19, 1953—that was the first hearing before my subcommittee on the defense bill—to testify on the military budget, he said:

> During the summer and fall of 1953, it is planned to take a new look at the entire defense picture. This will involve an intensive and detailed study by the newly designated Joint Chiefs of Staff. They will consider all aspects of defense—strategic plans, forces, missions, weapons, readiness levels and mobilization reserves, both stockpiles of material and capacity to produce. This will provide the basis for the fiscal year 1955 budget. The current force plans are subject to whatever change may be indicated by this forthcoming review. (Hearings before the subcommittee of the Committee on Appropriations, United States Senate, 83d Cong., 1st sess., on H. R. 5969, Department of Defense Appropriations for 1954. Pp. 6–7.)

By December 1953, when Adm. Arthur W. Radford spoke before the National Press Club in Washington (December 14, 1953), he sought to make clear that:

> The new look really is not the first such review of military requirements. The Joint Chiefs of Staff since their inception have continuously reviewed security problems and requirements. Actually, the new look is new in only two respects. First, the Joint Chiefs of Staff, who are making it, are newly appointed.
>
> Second, and more important, our current review is based on a guiding precept that is significantly different. Our new look prepares for the long pull, not a year of crisis. (Address by Adm. Arthur W. Radford, Chairman of the Joint Chiefs of Staff, to the National Press Club, Washington, D. C., December 14, 1953. The New York Times, Dec. 15, 1953.)

In spite of these clear explanations with regard to the nature of the military planning process, we have been favored with a number of articles which seem to imply that the new look military policy means 1 or 2 of several different things, such as cutting the military budget or bringing home 2 divisions from Korea—it depends on who is speaking as to how it is described—or not consulting with our allies; or not consulting with Congress; or starting a big war to stop a little war; or cutting ground troops; or emphasizing airpower too much; or not emphasizing airpower enough; and so on, down the long line of such ideas.

The term came to be so needlessly abused that, finally, at a press conference on March 18, 1954, President Eisenhower said he did not like the expression "New Look" because it did not mean much to him—that what we were really trying to do was to "keep abreast of latest developments by planning to employ new weapons and new tactics" and that "we are striving our best to meet the grave responsibilities that are placed upon people whose job is to protect this country"—transcript of presidential press conference with comment on retaliation to aggression, the New York Times, March 18, 1954.

The main thing wrong with those who abused the term "New Look" is that they tried to imply either that we have some fatal weakness in our defense policies, or that we have no understandable defense prorgam at all. Both of these implications are false.

In a moment I intend to show conclusively that we do have a well-rounded military policy and program which is carefully and wisely meshed with our foreign policies and with all other elements bearing on our security.

THE ROUNDED NATURE OF OUR PREPAREDNESS CONCEPTS

The course that has been charted by the Government to prevent war and achieve peace is made up of a number of guiding lines. During a cold war period, or for any period short of a shooting war, fencing with the enemy is done by diplomatic, economic, and psychological means.

Communism has brought into the world a new meaning to this cold-war period, or this period which is short of a shooting war. Therefore, we must have a new approach and a new policy.

As we meet the aggressively purposeful will of the enemy, we are in the parrying and thrusting stages of a conflict that is taking place in the unpredictable realm of political decision. From the variety of means available for implementing our policy in this cold war, we may give priority first to one method and then to another, depending upon how we decide to exercise our initiative. Nor do we wish, at such a time, to give the enemy a complete blueprint of what we plan to do and how we plan to do it.

I think we courageously provided on the floor today one of our instruments in this cold war.

But the broad outlines of our intent must be made plain to the whole world—that while we intend to seek the solution of international problems at the council table, we are determined to withstand aggression by force if absolutely necessary.

Mr. President, it is all-important that not only those who would destroy our way of life, but all peoples of the world, should know that while we intend to seek the solution of international problems at the counsel table, we are determined to withstand aggression by force, if absolutely necessary.

My purpose here is to present our official policy, as I understand it, in terms of some eight elements into which I believe it can be divided:

First. Our long-term security program;

Second. The mutual system of defense;

Third. Our plans for preventing war by deterring aggression;

Fourth. Readiness for both global or small wars;

Fifth. The use of new weapons systems;

Sixth. Strengthening our continental defense;

Seventh. The continuing reorganization of the Department of Defense in the interest of economy and efficiency; and

Eighth. The constant review of policy to meet changing conditions.

OUR LONG-TERM SECURITY PROGRAM

Our present program is based upon a recognition of the fact that communism is a threat to the free world for an indefinite period of time in the future. Although the military forces of the Soviet-bloc nations cast their threatening shadow over the western democracies, this warmaking capacity is only one of the means used by the Communist leaders to force compliance with their world revolutionary ideology. With great patience they are willing to use internal subversion, war-by-satellite, hate-stirring propaganda, or any other economic or political device which will gain their object without a fighting war, using their own troops. They seem willing to take 10, 40, or 100 years to conquer the world.

Mr. President, 1938 was 100 years from the manifesto of Karl Marx, which is the heart of communism. So they go on to win their point.

As Secretary of State Dulles has pointed out, "* * * the threat is virtually unlimited so far as time is concerned. Soviet communism operates not in terms of an individual lifetime so that the threat will end with someone's death. It operates in terms of what Lenin and Stalin called 'an entire historical era' "—hearings before the Committee on Foreign Relations, United States Senate, 83d Congress, 2d session, March 19 and April 14, 1954.

Mr. President, that is very important. Both Lenin and Stalin are dead, but communism did not stop, because it is unlimited so far as they are concerned and so far as time is concerned.

It has taken us a little while to come to this conclusion. Senators will recall that after World War II, the United States in accordance with past traditions demobilized its military establishment. We had hoped that international disputes could be settled largely through the United Nations, and although we had a monopoly of atomic weapons in 1946, we took the initiative in proposing an effective system for the international control of atomic energy.

America wants peace not only at home, but all over the world. It soon became apparent, however, that the Soviet Union was committed, not to the idea of cooperating with other nations in the settlement of difficult problems, but to a deliberate course of action designed to obstruct progress toward disarmament.

Mr. President, an analysis of the whole situation for the past decade since the end of the war must convince those who look at the question that this is true. At the same time the U. S. S. R. was engaged in building up its military forces to a point far in excess of that required for purely defensive purposes. Meanwhile, in the 10-year period between 1939 and 1949, the Soviet Union revealed its predatory nature by expanding its territory from 8,176,000 square miles, with a population of 170,467,000, to 13,415,660 square miles with a total population of 752,878,000—background information on the Soviet Union in international relations report of the Committee on Foreign Affairs pursuant to House Resolution 206, House Report No. 3135, 81st Congress, 2d session, 1950.

But the men in the Kremlin still were not satisfied. They reached out far beyond their own boundaries to sponsor armed Communist aggression against the Republic of Korea in June 1950.

I called the attention of the Senate, in a speech I made on the floor, to the fact that I believed at that time—and I am more convinced of it every day—that it was Communist aggression which moved into Korea on June 25, 1950. The same was true in Indochina.

By this time the United States had come full swing from partial disarmament after World War II to the necessity for rearmament, not only to fight aggression in Korea, but also for preparedness to win another global war if one were launched by the Communists.

The unlimited time element in the Soviet strategy for conquest, plus the fact that atomic weapons allow us little or no time to prepare for a future war, mean that we must maintain a strong military posture for an indefinite period. Our preparations must be adequate, but they must also be realistically related to maintaining a healthy economy.

When Stalin was head of the Communist conspiracy he let it be known to the people of Russia and to all other people throughout the world that he believed America and the other nations which believed in representative government would destroy themselves in their preparedness programs.

We would simply be playing the game of the Communists if we were to indulge in military expenditures to the point of economic collapse. Nor would such a course guarantee peace. Military preparedness is not equal to the amount of money spent. We might draft twice as many men, and in the absence of war, unnecessary personnel would have been withdrawn from productive civilian activities which are also necessary to national strength. We cannot forget that.

We must have a firm core of trained military manpower, active and reserve, the best available weapons, a strong productive base, and a stockpile of strategic materials.

The hearts of the American people, who believe in freedom, must remain strong and true. That is the first requirement of defense. What is our manpower thinking? What is the real and true inspiration of their souls?

The essential element of a long-term preparedness program is quick conversion from partial to total mobilization of all the requisites for carrying on a war. This long-term program must also include the capability to deliver a massive retaliatory blow with nuclear weapons, which is the great deterrent to general war, and the great means of winning such a general war if it should come, and steps to protect this capability in the homeland and abroad from destruction by enemy attack, as well as protect the mobilization base of the civilian population.

Being militarily prepared to win a war that we hope to prevent is complicated by an unknown factor—the enemy's plans and the timing of a possible attack. I know it is much harder because of those two factors.

In recognizing the long-term nature of our security program, therefore, we realize that our degree of preparedness depends upon a continuous and accurate analysis of the size and nature of the Communist threat realistically projected into the future. We are fully aware that at any given moment our state of readiness must be sufficiently adequate to meet this threat regardless of the cost or the sacrifices which that might entail.

THE MUTUAL SYSTEM OF DEFENSE

Another pillar that supports our defense structure is the mutual system of defense that has sprung up among the free countries banded together against aggression. Separately, each nation does not have sufficient resources to withstand the nibbling tactics of communism, but when their strength is combined, it can be great enough to turn back the would-be conquerors.

Our present policy and program call for continuing and strengthening the mutually agreed upon arrangements which were a result of bipartisan action by the Congress. In addition to the commitments involved in extending economic, military, and technical assistance, the United States has concluded defense treaties with some 39 nations. The Inter-American Treaty of Reciprocal Assistance—the Rio Pact between 21 nations of the Western Hemisphere—provides that an armed attack against any one of these states will be considered as an attack against all. The 14 nations allied by the North Atlantic Treaty have made a similar pledge. The treaty between the United States, New Zealand, and Australia declares that an armed attack on any one of the three will be considered dangerous to peace and safety. We are now exploring the possibility of another regional security agreement to protect the stability of southeast Asia. And in addition to these regional alliances, the United States has mutual defense pledges with the Philippine Republic, Japan, and the Republic of Korea.

We have reviewed all these arrangements to see what effect they would have on our defense planning. Obviously, they are of mutual advantage. The United States is enabled to have bases abroad; our allies are assured of economic and military assistance; and each Nation can contribute its share toward total defense requirements of the free world according to its capacity. On the one hand, the treaties serve notice on a potential aggressor of the intent of these nations to combat imperialism; on the other, they indicate to our own planning officials the necessity for a flexible, mobile

military force which is capable of being supported by men, weapons, and supplies in many far-flung areas throughout the world.

Mutual security arrangements look toward the building up of indigenous military strength, helped by United States logistic support, military training and military defense support, plus, if necessary, United States mobile forces and the available forces of U. N. or other regional agreements countries.

DETERRING AGGRESSION AND THE CAPACITY FOR MASSIVE RETALIATION

The United States will not start a war, nor does it consider a third world war inevitable, but if an enemy launches an aggressive attack, we will be prepared and have the capacity to retaliate with devastating force. Now the enemy knows exactly what he can expect if he starts a war. Apparently the aggressors who started the two world wars thought that we would not fight, and so they embarked upon a course which they assumed they could get away with. It was the same in Korea when the Communists concluded from Secretary of State Acheson's speeches that America would not act against aggression in Korea. Had all these aggressors appreciated the firm determination of the United States and of her allies to resist attacks upon our republican institutions, they might not have started the wars in the first place. Because we are determined to head off a war before it ever gets started, because we do not want enemy leaders to make this same mistake again, we are calling their attention to our determination to resist aggression and to participate in the enforcement of peace.

I think, Mr. President, it is very important that we do not mislead the enemy by some of the things we say and do; but rather, that we must advise them so that they will know that we are calling their attention to our determination to resist aggression and to participate in the enforcement of peace. It is not as a threat, Mr. President, but just a matter of advising them what the facts are.

When President Eisenhower spoke before the United Nations on December 8, 1953, calling for a pool of atomic power for peace, he called attention to the devastation—indeed the utter ruin—that could be expected to result from atomic warfare, and he stated that "no sane member of the human race could discover victory in such desolation." Firmly he said that:

> Should such an atomic attack be launched against the United States, our reactions would be swift and resolute. But for me to say that the defense capabilities of the United States are such that they could inflict terrible losses upon an aggressor * * * all this, while fact, is not the true expression of the purpose and the hope of the United States * * * My country wants to be constructive, not destructive. It wants agreements, not war, among nations [and] is instantly prepared to meet privately with such other countries as may be "principally involved" to seek "an acceptable solution" to the atomic armaments race which overshadows not only the peace, but the very life, of the world * * * The United States knows that if the fearful trend of atomic military build-up can be reversed, this greatest of destructive forces can be developed into a great boon, for the benefit of all mankind. (Department of State Publication No. 5314, pp. 1–14.)

The existence of our Strategic Air Command, and of its network of forward bases overseas does not mean that this is the only method we have of meeting enemy agression. Nor does it mean that we would overshoot a target by using an atomic bomb where a hand grenade might suffice. It does not mean that we would instantly start a major military operation in order to deal with some minor skirmish. Nor does it mean that we shall ever ignore our treaty partners. We shall naturally consult with our allies where collective defense requires collective action because we want them to know we shall not ignore our treaties. And the President has been explicit regarding his intention to consult with the Congress in matters relating to the role of the legislature in providing for the common defense and in making any declaration of war.

Mr. President, that is as it should be.

I think the misconceptions that have grown up around this point should be dispelled by the testimony of Secretary of State Dulles before the Senate Foreign Relations Committee on March 19, 1954. I heard his remarks, and they were impressive. He said:

> What I have said has often been misquoted as a policy of instant retaliation. I never have said that there was a policy of instant retaliation. I said we should have the capacity to retaliate instantly, and I believe that then, the decision as to when and how to use that capacity is made through the ordinary processes of government. * * *
>
> To apply this deterrent principle the free world must maintain and be prepared to use effective means to make aggression too costly to be tempting. (Hearings before the Committee on Foreign Relations. U. S. Senate, 83d Cong., 2d sess., Mar. 19 and Apr. 14, 1954.)

There are many ways to retaliate, as Secretary Dulles testified, and the main thing is to have mobility in order to have—

> a large measure of choice * * * which [would] force a potential aggressor to worry as to where and how the attack will be.

To say that we depend primarily upon a capacity to retaliate certainly does not mean that we depend solely, only, or exclusively on this method. Admiral Radford has assured us 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 one weapon, or one service, or that we are anticipating one 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.

Although we cannot guarantee that this deterrent principle will be foolproof in the future, certainly it has worked to prevent a major war thus far. And even now that the Soviet Union has developed atomic bombs and the means of delivering them to vulnerable western targets, there is still hope that the discovery of this weapon will bring peace rather than war. I think it is well to ponder a moment the words of Winston Churchill:

> It may be * * * that when the advance of destructive weapons enables everyone to kill everybody else no one will want to kill anyone at all. At any rate, it seems pretty safe to say that a war which begins by both sides suffering what they dread most—and that is undoubtedly the case now—is less likely to occur than one which dangles the lurid prizes of former days before ambitious eyes. (Speech in the House of Commons, November 3, 1953.)

READINESS FOR BOTH GLOBAL OR SMALL WARS

Prior to the outbreak of hostilities in Korea, our military planning was dominated by the idea that if war broke out it would be total and worldwide. Naturally, such an assumption led to plans that were based upon total rather than partial mobilization of our men and resources. It led to grave injustice when reservists were called up to serve in Korea, after they had already fought in World War II.

Mr. President, that was brought forcibly to my attention when I spent a month in the Korean theater with the Air Force, the Marines, the Army, and the Navy. When one talked to the reservists, he found that out very forcibly.

It led to the Nation's being unprepared for the type of war it had to fight in Korea.

As a result, the United States undertook a major mobilization, and attempted to build up military strength at every possible danger spot throughout the world, an effort that would inevitably involve unbearable expense. At the same time, it did not give us the type of protection we needed to meet different situations which might arise. There is no safety in commitments everywhere and strength nowhere.

Our military experience in Korea gave us a new measure of the enemy, indicating that we would have to be prepared not only for total war, but also for "brush-fire" wars that might have to be put out all around the edge of the Communist borders. This fact, in the light of the cost of trying to be strong everywhere, emphasized the necessity of a strategic reserve of flexible and mobile military forces. It also meant that we would have to be prepared to fight with conventional weapons, as well as with atomic weapons. In putting out "brush fires," we hope to rely as much as possible on indigenous military strength. To that end we offer to our allies military training, military defense support, economic support, and logistic support. Such ideas as these have helped us in planning the size and shape of our Military Establishment.

Our analysis of the situation indicated that we could get maximum defense at a minimum cost over a long period of time by emphasizing the role of air power. This does not mean, however, that the Air Force is being built up "at the expense of" the Army and Navy, as some persons have alleged. In this connection, we must keep in mind the fact that the planes of our powerful Air Force do not solely comprise our national military air power. The fast carrier task force has long since been accepted as the core of the Navy's offensive capabil-

ity. Perhaps it should be emphasized that the Navy has an active inventory of over 13,000 planes, and that the carrier-based planes are also fully capable of delivering the atomic bomb. The Joint Chiefs of Staff are in agreement that ground troops are important and necessary, and would be required on a grand scale for a global war and for the full use of our superior atomic weapons. However, the Joint Chiefs believe that we can maintain effective strength throughout the cold-war period without undue expansion in the size of the military establishment.

It has always been difficult to provide for a unified, long-term military manpower program. Traditionally, as a republic, we have been reluctant to maintain large standing Armed Forces; and the pattern we followed in all our past wars was to mobilize after the war started, and to demobilize as soon as it was over. Now, however, it appears to be essential that we have a stabilized Regular force which can be augmented, when necessary, by strong, trained, and ready Reserves. The size of this total force must be determined by the function it is to perform. It would be wasteful to have the number too large, and hazardous to have the number too small. Whether we have 3 million or 3½ million men in the Regular forces, it would still be necessary to call up the Reserves if a major war broke out, and it would be essential that the Reserves be trained in the techniques of modern warfare. The administration is now working on the details of such a strong and equitable Reserve system.

Congress has given the Department of Defense an area of discretion in fixing the numbers of men necessary for defense. The number may vary from a little over 2 million to up to 5 million. At the height of the fighting in Korea it went up to some 3.6 million. The budget for fiscal 1955 calls for military personnel to number 3,038,000 by June 1955—a figure that is not so much lower than the peak of our Korean strength, but more than a million higher than the regular strength which might suffice, except for the enemy threat we face. It is the highest level of military manpower strength the United States has ever undertaken to maintain when a war was not going on. Three million is a planning figure—and I emphasize the words "planning figure"—for this cold-war period, or, perhaps we should call it this period of armed peace.

THE USE OF NEW WEAPONS SYSTEMS

One of the main factors which helped us determine the size of a military establishment that could be maintained on a combat-ready, but standby, basis, was the decision to incorporate atomic weapons into the regular arsenal of the Armed Forces. Today, we have not only strategic weapons, but also tactical atomic weapons, available in a variety of sizes and types. And all of our services—the Army, the Navy, the Air Force, and the Marine Corps—are trained and organized to use these weapons.

The research and development necessary to keep us in the forefront of scientific achievement have been emphasized by our 1955 military budget. There will be a constant effort to use new weapons and new techniques to increase the combat effectiveness of our troops. We know that atomic weapons are not the only answer to all military problems; we must be prepared with conventional types, as well, wherever they best suit the purpose.

We are well aware of the problem of maintaining the right balance between the weapons we have on hand and the new models we may produce. We cannot afford to abandon all our present equipment; we cannot run the risk of letting contracts to build up stockpiles of obsolete materiel; nor can we be so tempted by the glamor of new weapons and planes that we start living in a hazy cloud of blueprints. Between the old and the new, and in accordance with the international situation in which we find ourselves, we intend to keep a realistic balance.

STRENGTHENING OUR CONTINENTAL DEFENSE

We are moving to take whatever steps are necessary to strengthen our continental defense system. During the past year, this is the problem that has increased the most in size and difficulty. We know that the enemy has atomic bombs, has developed the hydrogen bomb, and has produced intercontinental bombers which are capable of making devastating attacks on American cities. We know that atomic bombs can be delivered to their targets by submarines as well as by planes, and we know the awful possibilities of bacteriological warfare.

The military problems are being met by improving our early warning system, so that people can quickly be alerted to the danger of an enemy attack. We are emphasizing the mission of our fighter-interceptor force in bringing down enemy planes before they reach their targets. We have already made great strides in the development of antiaircraft weapons, and the National Guard is playing a vital role in this aspect of our home defense. We are also working on a coordinated system of communications, so that the entire country can be prepared to cope with the problems of reconstruction. In all the military preparations we are making to ward off attack, we have the valued assistance and cooperation of our Canadian neighbors to the north. They, too are threatened with the common danger. Many elements of our early warning system must, of geographic necessity, be outside our border, and located in and shared with Canada.

The nonmilitary problems are connected with our civil defense effort; and this requires the close cooperation of all levels of government—local, State, and Federal. By advance planning, we hope to make certain that during and following an enemy attack, the people as a whole will know what to do. We are working on plans for the evacuation of people to safer spots in the country. If the whole life pattern of a city is disrupted by bombing, we shall be faced with the problems of disaster relief. These are similar to those we have faced as a Nation when we have had great floods, or fires, or epidemics. We shall have to provide food, clothing, shelter, and hospital care for the homeless people. We shall have to restore their means of making a living. And we shall have to reconstruct our productive economy, so the war can be carried to the enemy.

The problems of civil defense take on a different aspect, depending upon whether they occur before, during, or after an attack. We are now in a period before an attack, which we are doing our best to prevent. The most important advance we can make at this time is to awaken the people to the danger, so that, as citizens, they will seek the education which is necessary if they are to be prepared to meet the problems which may arise in the future.

CONTINUING REORGANIZATION OF THE DEPARTMENT OF DEFENSE

In June 1953 President Eisenhower's plan for the reorganization of the Department of Defense became effective, and since that time we have had a better basis for bringing about civilian control, effectiveness with economy, and the development of the best possible military plans.

During the past year Secretary of Defense Wilson has devoted himself to the task of managing our military affairs on a more economical basis. Certain unwieldy boards have been abolished and a streamlined administration has been set up in the Office of the Secretary. In accordance with the President's plan, new arrangements for efficiency in administration are also being worked out for the Army, the Navy, and the Air Force. Our new officials have been bringing about economy by better planning, better programing, and better operations.

The Joint Chiefs of Staff have had the responsibility for planning the size and kind of military forces and weapons needed for our probable future needs. They came to agreement on the force levels before the military budget was presented to the Congress this year.

Economy in programing is an aim of the entire team of military and civilian officials in the Department. It means that they are giving careful examination to working out the proper balance of all the component parts of a military program—manpower, materiel, and construction requirements.

By better operations, our defense team has been able to cut down on waste and inefficiency wherever they have been found. To achieve economy by this method requires the cooperation of every member of the armed services in a day-by-day effort to save money.

This improved organization and increased efficiency and economy of operation have already produced real results. Additional improvements may be expected in the future, particularly from the work of the Hoover Commission on Organization of the Executive Branch of Government. As a member of that Commission, I know of the studies it has underway into various phases of the activities of the Department of Defense.

WHAT THE BUDGET PROVIDES IN TERMS OF MILITARY STRENGTH

Definite form has been given to the Military Establishment with the passage

of the budget for fiscal year 1955. The total appropriation of $28,800,125,486, when added to the latest estimate of the carryover of $55 billion from previous appropriations, will make a total of $83.8 billion available for expenditure in our Military Establishment. The estimate for 1955 expenditures, however, is only $36 billion—which is about $4 billion less than the $40.2 billion expended for fiscal 1954—hearings before the subcommittee of the Committee on Appropriations, United States Senate, 83d Congress, 2d session, on H. R. 8873; Department of Defense appropriations for 1955.

From the $28.8 billion which we have just appropriated for the coming year, $7,619,066,986 is for the Army; $9,712,823,500 is for the Navy; and $10,927,930,000 is for the Air Force. In addition, the Congress is now working on a separate appropriation for military public works, the bulk of which has been requested for Air Force projects, which will appear before us in just a few days.

These appropriations will provide the level of military strength that has been agreed upon by the President, on the recommendation of the National Security Council and advice of the Joint Chiefs of Staff, and the Congress. It is a level that is realistically related to our military requirements for security and our capacity to maintain a well-balanced economy. Within this budget, we shall have a combat-ready Air Force, Army, Navy, and Marine Corps.

The Air Force will have not only the $10.9 billion appropriated in new funds, but also a $23.8 billion unexpended balance carried over into fiscal 1955. Any future war will require a superior Air Force and, indeed, our use of airpower as a deterrent to war calls for the utmost strength in this arm of the service. Our plan for the next year is to build up our Air Force military personnel from 947,000 to about 970,000. Our wing strength, during the next 3 years, is to be built up to a 137-wing structure by June 30, 1957. At the present time we have 115 wings—having added 12 during the past year—and by June 1955 we expect to have 120. Although some aircraft have been eliminated from the 143-wing program, we did not cut any combat unit aircraft before agreement was reached on the 137-wing objective. We expect that the new aircraft which are coming off the lines to replace old marginal planes will give us greater combat efficiency than we could have expected under our old schedules. There will also be a buildup of the airpower of the other services. The Navy will have 16 carrier air groups and 15 carrier antisubmarine warfare squadrons. The Marine Corps will have three air wings, and the Naval and Marine Corps Air Reserve will be strengthened.

The Army with its appropriation of $7.6 billion in new funds also has available a carryover of $16.6 billion for the coming fiscal year. That has been previously appropriated, but not spent. This may mean a possible reduction to a minimum of 17 divisions, depending on the outcome of organizational studies, but this is only 3 below the peak attained at the height of the Korean war. And never before have we attempted to maintain such large forces over an indefinite period of time. The number of regiments and regimental combat teams will remain the same—18; but there will be an increase in antiaircraft battalions from 117 to 122. The number of National Guard divisions will also increase from 25 to 27. All this means that during the coming year Army military personnel will be reduced from approximately 1,402,000 to 1,173,000. At the same time our Army forces will be maintained on a mobile, flexible basis and in a high state of combat readiness.

The budget for the Navy and Marine Corps—$9.7 billion plus $14.3 billion in carryover funds—is to be used to improve their combat strength. The plan calls for operating 1,080 ships and 9,941 aircraft. Three Marine divisions and 3 Marine air wings will be maintained in a high state of preparedness. New ships and aircraft will be added to the Navy to take the place of those that have become obsolete since World War II. Navy plans provide for the construction of a new aircraft carrier, 5 destroyers, 3 submarines—2 of which will be nuclear powered—8 escort vessels, some amphibious ships; plus the conversion and modernization of a *Midway* class carrier, 3 *Essex* class carriers, and various radar picket vessels.

CONSTANT REVIEW OF POLICY TO MEET CHANGING CONDITIONS

The President, the Joint Chiefs of Staff, the Secretary of Defense and the Secretary of State—all our planning officials emphasize the point that our present military policy and program are based on the facts as we see them today and as far into the future as we can project them realistically. We have today something new in the relationship of man to man—not a national enemy—or group of nations but an international enemy who owes his loyalty to a conspirational concept with incidental geographical roots.

Napoleon is reputed to have said that a revolution is an idea that has found bayonets, and the bayonets today are in the hands of a group of propagandized malcontents who can start a revolution anywhere on the face of the globe. They are armed with more than bayonets, Mr. President. We know their strength.

In a program as vast as ours there is always the opportunity for critics to pick flaws in the details. There is no end to the claims and charges they can make and we can never hope to satisfy all who set up shop as critics. Some of these critics are sincere and genuinely concerned about one phase or another of our defense program. While there probably is some merit to the points they raise, I ask them to enlarge their sights to encompass the whole picture where we have compromised any weaknesses and risks in the details in order to gain balance and strength for the whole. And I would remind them that never in history has any major nation succeeded in reaching perfection in shaping its national defense. And this is so because the imponderables of military preparedness cannot always be translated into such realistic terms as money, men, and munitions.

Then there are other critics whose sincerity is very doubtful. They deliberately look for flaws in order to magnify them into partisan issues calculated to win political ends. My best answer to these people is to expose their fallacies and to describe the well-rounded program we have developed, as I have done here today. After all, the man we have as President today is the man who brought us through the World War safely and victoriously. He has taken a personal and intense interest in our defense program, and if he is satisfied that the program is the best we can devise, then our people need have no fear.

As I sit at the council table with him, and with other leaders of the Senate and the House, I am sure those leaders feel the same way about it and are willing to tell the American people that they feel that way about it.

One thing more. Our plans are not static—they are flexible—and we intend to maintain our initiative to change them in whatever way seems necessary to protect the vital interests of the United States.

OUR TOTAL APPROACH TO NATIONAL SECURITY

In summary, let me say we have approached the problem of maintaining our national security from every possible angle, and have fashioned a policy and program designed to meet the many types of Communist aggression. It is in the nature of defense planning to be prepared for the worst possible contingency. If foresight and imagination can prevent it, we shall not have another Pearl Harbor. But it is our hope that the best will happen as a result of the many different kinds of effort we are making to prevent war.

The problems that we face are not easy of solution. Apparently the cold war is a continuing prospect, and we are meeting it by political, economic, and psychological measures. Another war of the Korean type might break out, or even a series of small wars in several different places. Any of these operations might lead to total warfare, or there might be a major war without much more advance notice than we have already had. Nor can we overlook the possibility that the enemy will resort to all devices short of war, with international relations continuing to take place in an atmosphere of uneasiness.

Yes, Mr. President, war may break out even while I utter these words on the floor of the Senate.

We cannot foretell exactly what will happen or for how long a period this fear and uncertainty will continue. We are confronted with a new type of enemy whose sympathies are not subject to the litmus test of national loyalty—or to use the more appropriate term, patriotism. We know that humans want and desire for individual freedom are subverted to a cause which is absolutely opposed to that very achievement. The religion of communism rejects natural patriotism.

At any rate, it is certain that we cannot be militarily prepared at every possible danger point throughout the world. It would not be feasible from the standpoint of manpower and resources, of the economy and our political institutions,

to dedicate our energies to the maintenance of a garrison state. How then have we chosen to meet the variety of uncertainties with which we are faced?

Our answer, militarily, is to have strong Regular Armed Forces, ready for any type of initial assault and also able to expand rapidly thereafter from partial to total mobilization. We must have trained and ready reserves, new weapons, increased combat effectiveness, and a great productive capacity. All these capabilities must be maintained for an indefinite period of time in order to check the long-term ambitions of the Communist leaders.

The advice of the Joint Chiefs of Staff regarding the force levels needed to meet our probable military requirements will be based upon a continuous examination of the world situation, an estimate of the strength and weakness of the enemy, and our own ability to make adjustments to new conditions. Any change in the calculation of our risks, or in the assumptions upon which our plans are based, will necessarily bring changes in the size and shape of our Defense Establishment.

Military strength, however, is only one factor in our total approach to national security. We shall also give priority to all other means of dealing with the conflicts created by the aggressive nature of communism. The men in the Kremlin are animated by a strong compulsion to arrange a series of advances for their ideology. Steps or stages in the "world revolution," they call them. To meet their predatory tactics, we must maintain the initiative on all fronts—spiritual, political, diplomatic, economic, and psychological—keeping our minds and conscience clear, our guns clean, and our powder dry while we seek victory along lines that will ultimately insure international stability and peace.

THE AGRICULTURAL ACT OF 1954

Mr. HUMPHREY. Mr. President, yesterday I read an Associated Press news story whose headline reads as follows: Carryover Assures Plenty of Livestock Feed, Benson Says.

It goes on to say:

Secretary of Agriculture Benson said today there will be plenty of corn and other feed for the Nation's big livestock industry despite a 15-percent drop caused by drought in the size of the prospective crop.

The indicated corn crop will not be large enough by itself to meet all livestock needs, but farmers have on hand from previous years a record supply on which they can draw, Mr. Benson said.

The Senator from Minnesota has repeatedly said that the prospects for the corn crop during the early part of this year were not particularly good. I have made note of the desirability of carrying over of excesses or reserves of corn.

As this article explains, the amount of the carryover which we will have as a result of the short crop this year, with which to meet the needs of our livestock and the other feed requirements, will be relatively low. In fact, it will be below the normal requirements which are prescribed by law. I believe we would do well to keep this article in mind, because we may be faced with exactly the same situation.

I ask unanimous consent to have the article printed at this point in my remarks.

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

CARRYOVER ASSURES PLENTY OF LIVESTOCK FEED, BENSON SAYS

Secretary of Agriculture Benson said today there will be plenty of corn and other feed for the Nation's big livestock industry despite a 15-percent drop, caused by drought, in the size of the prospective crop.

The indicated corn crop will not be large enough by itself to meet all livestock needs, but farmers have on hand from previous years a record supply on which they can draw, Mr. Benson said.

Some of this grain is held in the Government's $6,250,000,000 stockpile of farm surpluses, acquired under the price-support program.

But, Mr. Benson added, the prospective small corn crop may put a brake on the current sharp uptrend in production of hogs and poultry.

CORN PROSPECTS REDUCED

In its monthly crop report yesterday, the Agriculture Department said searing hot temperatures and dry weather during July reduced corn prospects 487 million bushels below its previous forecast of 3,311,000,000 bushels, and about 350 million below last year's harvest.

The adverse weather also hurt the prospects for some other crops, including soybeans, peanuts, sorghums, and hay. The aggregate volume of all crops declined, the Department said, by about 5 percent during the month.

But recent rains have brought partial relief. The Weather Bureau, in its weekly crop bulletin, said yesterday the past week had brought improvement in the crop output in the northern two-thirds of the country.

In a statement on the drought, Mr. Benson said it served as a reminder that we need to maintain safe reserves of farm commodities in the national interest.

BIG CORN CARRYOVER

The Department has estimated there will be a carryover of 950 million bushels of corn from previous crops on October 1. This supply has been described by Mr. Benson as being in excess of a normal reserve for safety requirements. He invoked planting allotments on this year's crop in an attempt to bring the surplus supply down.

It appears now that the drought and the allotments may pare away that portion of the carryover supply described as surplus, leaving a more nearly normal reserve on hand a year from now.

If that does happen, Department officials said, it might mean a somewhat higher support price for the 1955 corn crop under flexible price supports than would have been the case had there been no drought loss.

Offsetting to some extent the estimated loss of corn is the forecast of a record crop of 1,529 million bushels of oats, also an important livestock feed.

The Department made a slight reduction in its estimate of the wheat crop, but this did not alter the picture of heavy surpluses of this grain or change plans for further cutbacks in production next year under rigid Federal controls.

Mr. HUMPHREY. Two nights ago the Senate adopted the Humphrey amendment to the farm bill. The amendment protects the rights of farmers to elect fellow farmers of their own choice to serve on county committees administering the farm program. The Senate reaffirmed that vote by refusing to reconsider the vote. Later the chairman of the Committee on Agriculture and Forestry, the Senator from Vermont [Mr. AIKEN] moved that the Senate insist on its amendments, and request a conference thereon with the House of Representatives. According to the CONGRESSIONAL RECORD, at page 13938, that motion was agreed to.

However, as of yesterday, the news ticker carried the statement, attributed to the Senator from Vermont, the chairman of the Committee on Agriculture and Forestry, that he will ask the conference committee to strike out the amendment adopted by the Senate, on which the Senate had instructed him to insist.

I merely wish to bring this matter to the attention of my colleagues, because, if I am not mistaken, once the Senate takes a vote and that vote is reconsidered and reaffirmed, as it was in this instance, there is a moral obligation upon the conferees of the Senate in conference with the conferees on the part of the House to insist upon the Senate amendment and to maintain that amendment to the best of their ability.

I serve notice now that I shall carefully watch the conference report, because this amendment is highly desirable, and I believe most of my colleagues will agree with me.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had severally agreed to the amendment of the Senate to the following bills of the House:

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pilgard;

H. R. 3951. An act for the relief of Frank C. Koch;

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4329. An act for the relief of Huntington, McLaren & Co.;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Marcelo Maysonet Mirell and Maria Benitez Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell; and

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.

The message also announced that the House had agreed to the amendments of the Senate to each of the following bills of the House:

H. R. 5460. An act for the relief of Chancy C. Newsom; and

H. R. 5461. An act for the relief of Wah Chang Corp.

TRANSPORTATION OF WATERBORNE CARGOES IN UNITED STATES-FLAG VESSELS

The PRESIDING OFFICER (Mr. MORSE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3233) to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels, which was, on page 2, line 21, after "agencies" insert ": *And provided further,* That the provisions of this subsection shall not apply to cargoes carried in the vessels of the Panama Canal Company."

Mr. KNOWLAND. Mr. President, I should like to ask the distinguished Senator from Maryland if this matter has been taken up by him with the ranking minority member of the committee and with the acting minority leader?

Mr. BUTLER. That is correct.

Mr. KNOWLAND. Mr. President, will the Senator give a brief explanation of the amendment of the House?

Mr. BUTLER. The bill was passed by the Senate on the call of the calendar. When it passed the House it passed with an amendment exempting ships of the Panama Canal Company. That is the only amendment which was made.

I move that the Senate concur in the House amendment.

The motion was agreed to.

THE CALENDAR

Mr. KNOWLAND. Mr. President, I suggest the absence of a quorum before making a unanimous-consent request relative to the call of the calendar of bills which were placed at the foot of the calendar.

The PRESIDING OFFICER. 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 call of the roll be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the unfinished business may be temporarily laid aside and that the Senate proceed to the consideration of bills on the calendar to which there is no objection, limited to those which went to the foot of the calendar at the last call of the calendar.

The PRESIDING OFFICER (Mr. CASE in the chair). Without objection, it is so ordered.

The clerk will call the first order of business under the unanimous-consent agreement.

CREATION OF CERTAIN UNITED STATES JUDGESHIPS—BILL PASSED OVER

The bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes, was announced as next in order.

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

Mr. McCARRAN. Mr. President, this is a bill to create certain new judgeships in United States courts, and to change some judicial districts. I think the bill should not be taken up on the call of calendar, but should be called up when it can be fully discussed.

Mr. KNOWLAND. The Senator from Nevada might suggest, then, that the bill go over.

Mr. McCARRAN. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

BILL PASSED TO FOOT OF CALENDAR

The bill (S. 2601) to provide for Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities was announced as next in order.

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

Mr. SMATHERS. I shall have to ask, by request, that the bill go over.

Mr. HENDRICKSON. Mr. President, will the Senator withhold his request?

Mr. SMATHERS. I am happy to do so.

Mr. HENDRICKSON. The Senator from Kentucky [Mr. COOPER] will be in the Chamber in a few minutes. I dislike to ask that the bill go to the foot of the calendar, but I think it wise that I should do so, because I believe the Senator from Kentucky desires to make a statement for the record.

Mr. SMATHERS. It is perfectly agreeable to the minority calendar committee that the bill go to the foot of the calendar.

The PRESIDING OFFICER. Without objection the bill will be passed to the foot of the calendar.

SANTA MARIA PROJECT, CALIFORNIA—BILLS PASSED OVER

The bill (H. R. 2235) to authorize the Secretary of the Interior to construct the Santa Maria project, South Pacific Basin, Calif., was announced as next in order.

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

Mr. JOHNSTON of South Carolina. Mr. President, I objected to consideration of the bill on the previous call of the calendar. I now withdraw my objection.

Mr. MORSE. I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. KUCHEL subsequently said: Mr. President, I understand the Senator from Oregon interposed an objection to Calendar No. 1801, H. R. 2235. I merely wished to ask him whether or not he was quite sure that that was a bill to which he desired to object, since I had understood earlier he had no objection to the bill.

Mr. MORSE. Mr. President, when I talked to the Senator from California this afternoon I told him I did not think I had objection to the bill, that I was not sure which bill we were talking about, and that I would look into it. I did look into it, and I found that I did have an objection to the bill.

Mr. KUCHEL. Could the Senator from Oregon indicate the general nature of his objection?

Mr. MORSE. I shall be glad to make a statement of my objection to the bill. The bill is authorization for the Secretary of the Interior to construct the Santa Maria project in California. As the bill now reads, it contains the following proviso, which I object to:

Provided, That in view of the special circumstances of the Santa Maria project, neither the provisions of the third sentence of section 46 of the act of May 25, 1926 (44 Stat. 636, 649) nor any other similar provision of the Federal reclamation laws shall be applicable thereto.

A pertinent portion of the sentence referred to, which is to be found in section 423e of title 43, of the United States Code, and United States Code Annotated—title 43, United States Code Annotated, section 423e—reads as follows, beginning with a reference to irrigation district contracts with the Secretary of the Interior:

Such contract * * * shall further provide that all irrigable land held in private ownership by any one owner in excess of 160 irrigable acres shall be appraised * * * and the sale prices thereof fixed * * * on the basis of its actual bona fide value at the date of appraisal without reference to the proposed construction of the irrigation works; and that no such excess lands so held shall receive water from any project or division if the owners thereof shall refuse to execute valid recordable contracts for the sale of such lands under terms and conditions satisfactory to the Secretary of the Interior and at prices not to exceed those fixed by the Secretary of the Interior.

Mr. President, the exemption from the above excess-lands provision in the Federal reclamation laws was made for the Santa Maria project as an amendment to the original bill (H. R. 2235) by the House Committee on Interior and Insular Affairs. The committee amendment so proposed was agreed to by the House of Representatives with the further amendment that such exemption should apply only "so long as the water utilized on project lands is acquired by pumping from the underground reservoir."

The exemption provision, with a further amendment relating to a repayment contract, has been reported favorably by the Senate Committee on Interior and

Insular Affairs, and therefore is in the bill now on the calendar.

The printed committee hearings—which are serial No. 5, for April 29, 30, and May 19, 1953, before the House Subcommittee on Irrigation and Reclamation—and the committee reports—which are House Report No. 1098 and Senate Report No. 1789—do not present a convincing argument to warrant excluding this particular project from the operation of the excess-lands provisions of the Federal reclamation laws.

I want to make it abundantly clear that I am not objecting to authorization of construction of the project, but I am heartily opposed to suspending operation of an important element of our national laws, namely, the acreage limitation. To permit the proposed exemption, to favor a few owners of excess lands, to be written into the law by the Congress for a particular project, would do violence to our national policy on the subject. An exemption would be justified only on a clear showing of unusual circumstances meriting suspension of the normal application of the basic law. I fail to find such circumstances in the present case.

The acreage limitation provision was written into the great Reclamation Act of 1902 to carry forward similar provisions in public-land laws of the preceding century to encourage the working farmer and his family and to combat land monopoly and speculation. Simply stated, it was considered to be in the best interests of the country—socially, economically, and politically—to assist individual farmers and their families, and to prevent federally financed water projects from being the means of greatly enriching owners of large tracts of land. This national policy of acreage limitation has withstood the initial attacks, and opposition over the years, directly made by some large landholders. The Congress has turned back all direct attacks. The policy has been supported by all administrations, Democratic and Republican alike, until this one. Are we now to see opposition take the form of flank attacks instead of frontal attacks? Are we to see the attacks made through the device here proposed for the Santa Maria project—as an exemption from the regular workings of the law?

This would be just one more example of a giveaway. This would be another example of a whittling away at precious property rights and opportunities for the many as against the selfish interests of a few.

This exemption approach would amount to a victory for large landholders—a total of only 13 in the Santa Maria area—and a congressionally issued encouragement to all large landowners elsewhere to seek similar exemptions for all future projects. Such victories, project by project, would have a disastrous effect on the national land and water policy, because it would practically give them success on an issue as to which they have never been able to be successful by direct attack.

In order to examine the alleged "special circumstances of the Santa Maria project"—which is the language of the bill as the grounds for granting the exemption—for us to determine if a sound reason does exist, let us take a look at the proposed project as revealed in the hearings before the House subcommittee and in the House committee and Senate committee reports.

The purpose of H. R. 2235 is to authorize the Secretary of the Interior to construct the Vaquero Dam and Reservoir project for irrigation and the conservation of water, flood control, and for other purposes, on the Santa Maria River in the Southern Pacific Basin of California. There has been joint planning by the Bureau of Reclamation of the Department of the Interior and of the Corps of Engineers of the Department of the Army. The works which enactment of the bill would authorize are those recommended to be constructed by the Bureau of Reclamation, and consist of a 214,000 acre-foot Vaquero Reservoir on the Cuyama River and appurtenant facilities. Related flood-control levees and channel improvements in the Santa Maria Valley, below the Cuyama River, would be constructed by the Corps of Engineers under authorization separate from this bill. The report of the Secretary of the Interior showed that construction of the levee system by the Corps of Engineers was anticipated as part of the overall plan of development.

The Santa Maria River is formed by the confluence of the Sisquoc and Cuyama Rivers at Fugler Point, about 10 miles east of the city of Santa Maria in Santa Barbara County, Calif. From Fugler Point, the river runs westward for approximately 20 miles, entering the Pacific Ocean near Guadalupe. The project service area is composed of the Santa Maria Valley, the adjoining Sisquoc Valley, and adjacent upland areas, most of which are south of the Santa Maria Valley.

All irrigation, municipal, and industrial water now used in the service area is obtained by pumping from the common underground basin, underlying the entire area. Agricultural water supplies are, and will continue to be, obtained by pumping privately owned wells. The recharge of the groundwater basin is accomplished from rainfall and streamflows in the river and its tributaries. The reservoir, the only structure required for the reclamation project, will increase the total annual water supply available in the common underground basin to permit satisfactory continued irrigation of about 38,000 acres, although the present ground storage supply is sufficient, on a premanent basis, under natural conditions of runoff and percolation, for only 27,000 acres. So the project is one of conservation of water.

Construction of the 184-foot-high earth-fill Vaquero Dam and Reservoir on the Cuyama River 7 miles from the city of Santa Maria would make possible the retention of waste water during flood periods, and the later release of this water during the dry season into the Santa Maria River channel, at a rate not greater than the percolation capacity, thus providing for the entire stored flow to seep into the underground storage basin (i. e., ground-water reservoir). No surface-water delivery would be made to irrigators. Thus, floodwater which would otherwise be wasted will be conserved and placed in the underground storage basin. At least this is the intention of the project.

Does this commingling of waters in a common source basin underground—from which each water user in the area pumps his needs in privately owned wells—create such insurmountable obstacles to orderly, reasonable, and equitable administration of land limitation provisions as to demand that such provisions be made inoperative with respect to this project? I cannot agree that it does. It can be readily seen that mechanical means of control of project water supplies are unavailable. But this does not mean that there are no means available for enforcing the provisions of the land limitation provisions of the law. The reclamation law now provides that ownership of land receiving, or to receive, water benefits from federally financed reclamation projects shall be restricted to 160 acres a person, or 320 acres owned by husband and wife. Owners of excess lands must agree to divest themselves of ownership of those excess lands within a certain amount of time in the future. Here, then, is the mechanism for obtaining compliance with the basic provisions of the law: The Congress should make it a condition precedent of the Santa Maria authorization bill that no funds subsequently appropriated to carry out the authorization shall be spent unless and until all excess landholders have signed recordable contracts agreeing to divest themselves within a stated period of time of their excess lands. This surely works no hardships on anyone, and does prevent excess landholders from dictating project terms to the Congress of the United States.

It is asserted in committee hearings that two excess landholders, the Union Sugar Co. and the LeRoy family, owning land at the western end of the area, cannot immediately derive benefits from the project, although it is admitted that their lands will ultimately benefit. This, then, would appear to be a possibly reasonable argument for extending the deadline by which their excess lands have to be sold. That possibility should be explored. But a reasonable argument like this for an extension of a deadline because of delayed project benefits should not be permitted as justification for exemption entirely from the acreage limitation provisions. And, to be orderly and use good business form, the Government should insist upon the signing of valid recordable contracts to sell the land at a future date. The signing of such contracts should be done by every excess landholder before any Federal funds are expended on the project.

There are 11 other excess landholdings at the upper portion of the valley. Since there is no showing that water benefits to these lands will be delayed, there is no basis for extension of the deadline for them, and even less reason for permitting them an exemption.

Incidentally, only two of the excess landholders are identified by name: the Union Sugar Co. and the LeRoy family. Although testimony before the House subcommittee was to the effect that these two excess landowners are willing

to participate in the payment of costs of the Santa Maria project if they are exempt from operation of acreage-limitation provisions, there is no testimony to the converse; that is, there is no showing that the large landholders will refuse to participate in the project district if they have to comply with acreage limitation. Therefore, I feel the Congress should not be cowed by the possibility of threatened refusal to cooperate. To be cowed by such a possibility is hardly to decide a case on its merits. Even when the threat has been made, as it was for the Elliott rider to the 1944 rivers and harbors bill, the Congress rejected it.

I come to the conclusion, Mr. President, that there is no valid basis for suspending acreage limitations for the Santa Maria project.

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

Mr. KUCHEL. Mr. President, I ask unanimous consent that I be given 3 additional minutes.

Mr. MORSE. I yield the remainder of my time to the Senator from California. Let me close by saying, Mr. President, that I feel we have an issue here of such importance that we should not try to handle it on the Unanimous Consent Calendar.

The PRESIDING OFFICER. Is there objection to the unanimous-consent request of the Senator from California to speak for 3 additional minutes? The Chair hears none, and it is so ordered.

Mr. KUCHEL. Mr. President, I regret with all my heart that the Senator from Oregon has seen fit to interpose an objection to the bill. The facts were completely developed, not only in the House of Representatives, both in committee and on the floor, but they were likewise developed in the Senate Committee on Interior and Insular Affairs. The fact is that the dam, agreed to be built both by the Army engineers and the Department of the Interior, would provide a storage for water which would percolate into the ground. There would be no surface distribution. As a result, it is physically and legally impossible to apply the 160-acre restriction, or restrictions of any other kind or character.

Among those in the House of Representatives from the State of California is a friend of mine, a Democrat from the city and county of San Francisco, a past president of the State Federation of Labor, and one who is completely devoted to continuing in the law the 160-acre limitation. I read from page A858 of the daily CONGRESSIONAL RECORD Appendix for February 3, and I quote from Representative SHELLEY, who went all through the hearings:

> Mr. SHELLEY. Madam Chairman, when this bill was first proposed I was inclined to oppose it because I am a very ardent supporter of the 160-acre limitation law as applied to lands which receive the benefit of irrigation water developed by public funds. I think the 160-acre limitation which has been in our law for some 50 years or longer has been a great boon to the development of the family sized farm in western lands particularly, and has certainly contributed to a sound economy in the development of farming areas by families. It has stood in the way of the large factory farm, or the corporation farm, as we call them in California, getting undue benefits from the expenditure of public funds and getting irrigation water which they could pay for with their own funds.
>
> After discussing the proposal with members of the committee I realize that there has been a continuous practical problem as to the measurement of the underground water and earmarking from whence that water comes and to whom it goes, and how much is used. I have therefore offered this amendment—

The amendment, I observe parenthetically, to which my friend, the Senator from Oregon now refers—

> to the committee amendment which will limit the exemption of the 160-acre law to the distribution of underground waters only, so that if at any time in the future there is any effort to distribute the waters impounded by this dam in this project by surface distribution, then automatically, as I understand this amendment and as I have been assured by those who have studied the subject, the 160-acre limitation will apply; and I am happy that the committee is willing to accept the amendment.

Mr. President, what more can I say? I come to the floor of the Senate, with everyone in agreement; and in this matter I have done my best to persuade my friend, the Senator from Oregon, to agree regarding what constitutes a unique situation, namely, that there will be no surface distribution of the water, but the water will percolate into the ground, or, if the water is not conserved back of the dam, the water will waste away into the sea.

On that basis, I wish to say that I regret exceedingly that I am placed in this position on this bill, to which I thought the Senator from Oregon had no desire to interpose objection.

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

Mr. MORSE. Mr. President, I have used up my time; have I not?

The PRESIDING OFFICER. That is correct.

Mr. MORSE. May I have a little additional time?

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senator from Oregon be permitted to proceed for 2 additional minutes at this time.

The PRESIDING OFFICER. Is there objection?

Without objection, the Senator from Oregon may proceed for 2 minutes more.

Mr. MORSE. Mr. President, I wish to make just two suggestions. I hope the bill will be set for the next call of the calendar, if we have one at this session of Congress; and, if not, I hope the majority leader will bring up the bill by motion, because I wish to assure the junior Senator from California that I have no desire to prevent the passage of the bill, if a discussion of the bill will bear out the very persuasive premises he has laid down in his remarks this evening. However, the information I have regarding the bill is in conflict with some of the observations which have been made by the Senator from California. Of course, I know that any difference would be a perfectly sincere and honest one.

So I must ask that the bill go over, tonight; and I make that request in the hope that we can have a further discussion of the bill, either by way of motion between now and the next call of the calendar, or during the next call of the calendar. Meantime, I can check against the observations which have been made this evening by the Senator from California, the information I have in regard to the bill.

I assure the Senator from California that I am not seeking to use any parliamentary tactic to prevent the taking of action on the bill at this session of Congress; but my present opinion is that the bill should not be considered tonight, during the call of the Unanimous Consent Calendar.

Therefore, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the bill be placed at the head of the uncontested bills to be called at the next call of the calendar.

Mr. MORSE. I join in that request.

The PRESIDING OFFICER. The Chair is informed by the Parliamentarian that there is difficulty in ascertaining what the uncontested bills would be.

The Senator from South Carolina might request that the bill be called at the next call of the calendar.

Mr. JOHNSTON of South Carolina. I so request, Mr. President.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILL PASSED OVER

The bill (S. 620) to provide authorization for certain uses of public lands was announced as next in order.

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

Mr. MORSE. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF TIME FOR ENTERING INTO AMENDATORY REPAYMENT CONTRACTS

The bill (H. R. 8027) to amend the act of March 6, 1952 (66 Stat. 16), to extend the time during which the Secretary of the Interior may enter into amendatory repayment contracts under the Federal reclamation laws, and for other purposes, was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, I objected to the bill at the last call of the calendar, because the Senator from North Dakota [Mr. LANGER] had entered an objection. I am advised that he has withdrawn his objection, so there is now no objection to the bill.

The PRESIDING OFFICER. Objection having been withdrawn, the bill will be considered.

The bill was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3219) to amend certain provisions of title XI of the Merchant Marine Act of 1936, as amended, to facilitate private financing of new ship construction, and for other purposes, was announced as next in order.

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

Mr. WILLIAMS. Mr. President, I have discussed the bill with the Senator from Maryland [Mr. BUTLER], and he has agreed that the bill should be considered for a longer time than is possible under the 5-minute rule. Therefore, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

CLAIMS ARISING FROM CONSTRUCTION OF ELEPHANT BUTTE DAM

The Senate proceeded to consider the bill (S. 417) conferring jurisdiction upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon certain claims arising as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 6, after the word "within", to strike out "six" and insert "two", so as to make the bill read:

Be it enacted, etc., That, notwithstanding any statute of limitations or lapse of time or any limitation upon the jurisdiction of the United States district courts to hear, determine, and render judgment on claims against the United States, jurisdiction is hereby conferred upon the United States District Court for the District of New Mexico to hear, determine, and render judgment upon any claim against the United States for compensation for the taking of or for damage to real or personal property as a result of the construction by the United States of Elephant Butte Dam on the Rio Grande.

SEC. 2. Suit upon any such claim may be instituted by the owner of the property with respect to which the claim is made or by his heirs at any time within 2 years after the date of enactment of this act. Proceedings for the determination of any such claim and review thereof and payment of any judgment thereon shall be in accordance with the provisions of law applicable in the case of the taking by the United States of private property for public use, but nothing contained in this act shall be construed as an inference of liability on the part of the United States Government.

The amendment was agreed to.

Mr. SMATHERS. Mr. President, on behalf of the Senator from Texas [Mr. DANIEL], I offer an amendment, which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 2, line 13, it is proposed to change the period to a colon and insert the following:

Provided, That no judgment hereunder shall become the liability of or chargeable to the Elephant Butte Irrigation District of New Mexico or the El Paso County Water Improvement District No. 1 of Texas.

Mr. CHAVEZ. Mr. President, I have discussed the amendment with the Senator from Texas [Mr. DANIEL]. It is entirely satisfactory to me, because no liability will accrue to New Mexico.

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

The amendment was agreed to.

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

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

CITY OF SANDPOINT, IDAHO

The bill (S. 3166) for the relief of the city of Sandpoint, Idaho, was announced as next in order.

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

Mr. MORSE. Over.

Mr. DWORSHAK. Mr. President, will the Senator from Oregon withhold his request that the bill be passed over?

Mr. MORSE. I withhold my request.

Mr. DWORSHAK. Mr. President, the bill was drafted in cooperation with the United States Army Corps of Engineers. When the Albeni Falls Dam was built on the Idaho-Washington border—construction is now being completed—the raising of the water level at Sandpoint disrupted the operations of the local municipal sewage system. The Army engineers recognized that they had a responsibility to cooperate with the municipal government to provide some alternative plan for the disposal of the sewage.

After considerable consultation, the Army engineers have suggested this particular bill, to which the committee added one proviso, namely:

That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. President, I am certain the Senator from Oregon will recognize that the bill involves the loss of no funds to the Federal Government, by virtue of the fact that the expense involved for the replacement of the municipal sewage system, amounting to $98,200, will be charged to the Albeni Falls Reservoir project, and will be reimbursed in full to the Government. There are three power units, as the Senator from Oregon well knows. There will be no monetary loss to the Government.

Mr. MORSE. Reserving the right to object, I shall make a brief statement, and then perhaps the Senator from Idaho and I can come to some understanding about the one problem which concerns me on the facts, as I understand the facts to be.

The bill seeks to authorize and direct the Secretary of the Treasury to pay to the city of Sandpoint, Idaho, the sum of $98,200 in satisfaction of all claims of such city against the United States for necessary expenses incurred by that city in the construction of a new sewage disposal plant, the construction of such plant being made necessary as a result of the construction and operation by the Corps of Engineers of Albeni Falls Dam.

In 1953, the city of Sandpoint undertook the obligation to convey a perpetual flowage easement over portions of the existing sewage system for a consideration of $45,000, to be paid by the United States to that city. A clause in the deed reads as follows:

Grantor, in consideration of the specified sum above written, does hereby release the United States * * * from all claims for damages that have accrued or may hereafter accrue to any or all of the above-described lands by reason of the overflow of water occasioned by the construction and operations of the said Albeni Falls project.

The city now contends that payment for the flowage easement has not adequately compensated the city for its loss, and that it believes that the United States should stand "at least a part" of the additional cost of maintenance and operation of the new sewage-disposal facilities which it proposes to construct.

The case is now pending in the United States district court, but a decision has not yet been reached. That is the point which troubles me.

In this case the city, in 1953, entered into what it thought was a perfectly satisfactory arrangement. Apparently it has now discovered that it did not strike a very good bargain with the Federal Government, and it feels it should get an additional sum from the Federal Government. The case has been taken to court.

As a matter of policy, I do not like the idea of Congress enacting legislation when issue has been joined in the courts. I think, under the circumstances, it would be better to wait and see what the court decision is. If the Senator feels, after the court decision, that some equities still accrue to the city, the question can be taken up at that time.

I do not believe there is any great emergency which necessitates the handling of the bill in the closing days of this session, while the court case is still pending.

On the other side of the picture, the Senator from Idaho is completely correct when he points out that the Corps of Engineers feels that the amount of money which is provided for in the bill is reasonable, and that the Secretary of the Army, as the record of the case shows, does not object to the bill.

I should like to hear the Senator for a moment on the point I have raised. My objection goes to what I think is a pretty sound policy, namely, that we should not be passing a bill on a matter that has been taken to court. The processes of the court have been invoked. Under those circumstances I think we ought to wait for a court decision, and subsequently, if we think there is justification for legislation, proceed with legislation, at that time. I should like to hear the Senator from Idaho on the question of whether or not I am wrong in my observation that there will be plenty of opportunity, come January, to take care of the case if the court decision

does not seem to do equity to the city. So long as it is in the court already, why not wait for the court decision?

Mr. DWORSHAK. So far as the Senator from Idaho is concerned, I shall not press the point insofar as the case pending in the court is concerned. I think the Senator from Oregon has taken a reasonable position. The bill was introduced last March, after several months of negotiation, at the request of the Corps of Army Engineers. The Senator from Idaho was simply trying to cooperate. I presume there is some significance in the fact, if I may be pardoned for injecting a political overtone, that the Attorney General for the city of Sandpoint is the Democratic nominee for Lieutenant Governor. I was simply trying to do everything I could to cooperate with him. [Laughter.]

Mr. MORSE. I assure the Senator from Idaho that I did not know anything about the political overtones or undertones. I now pledge my cooperation, come January, in the event that at that time it is necessary to consider legislation based on the court decision.

The PRESIDING OFFICER. The bill will be passed over.

CARL PIOWATY AND W. J. PIOWATY

The Senate proceeded to consider the bill (H. R. 1665) for the relief of Carl Piowaty and W. J. Piowaty, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 6, after the words "sum of", to strike out "$4,450" and insert "$5,873.33"; in line 8, after the word "States", to insert "which represents principal and interest paid"; and on page 2, line 4, after the word "Act", to strike out "in excess of 10 percent thereof."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ESTABLISHMENT OF MOTOR-VEHICLE POOLS AND TO PROVIDE OFFICE FURNITURE AND FURNISHINGS

The Senate proceeded to consider the bill (H. R. 8753) to amend the Federal Property and Administrative Services Act of 1949, as amended, to authorize the Administrator of General Services to establish and operate motor vehicle pools and systems and to provide office furniture and furnishings when agencies are moved to new locations, to direct the Administrator to report the unauthorized use of Government motor vehicles, and to authorize the United States Civil Service Commission to regulate operators of Government-owned motor vehicles, and for other purposes, which had been reported from the Committee on Government operations with amendments, on page 5, line 11, after the word "accounting", to strike out "Payments to the General Supply Fund for motor vehicle pools or systems services shall be accounted for as other contractual services."; on page 7, line 12, after the word "payment", to strike out "to" and insert "by"; in line 17, after the word "authorizing", to insert "civilian"; on page 11, line 2, after "write-off", to strike out "when" and insert a period and "When"; in line 19, after the word "designed", to strike out "and" and insert "or", and in line 22, after the word "depot", to insert "and any vehicle regularly used by an agency in the performance of investigative, law enforcement, or intelligence duties if the head of such agency determines that exclusive control of such vehicle is essential to the effective performance of such duties."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

APPOINTMENT OF FOREIGN SERVICE OFFICERS FROM DEPARTMENT OF STATE OR FROM FOREIGN SERVICE TO CERTAIN CLASSES

The bill (S. 3778) amending section 413 of the Foreign Service Act of 1946 was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, reserving the right to object, although I shall not object, once more I should like to ask the distinguished senior Senator from Wisconsin [Mr. WILEY], whether there is in the bill anything to prevent Senate confirmation of the appropriate officials in either of these two services.

Mr. WILEY. No.

Mr. President, I understand that an amendment is to be submitted to the bill.

First, I ask unanimous consent that, in lieu of considering Senate bill 3778, Calendar No. 1963, the Senate now proceed to consider Calendar No. 2388, House bill 9910, a companion bill.

The PRESIDING OFFICER. The bill will be read by title, for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 9910) to amend section 413 (A) of the Foreign Service Act of 1946.

Mr. SMATHERS. Mr. President, I wish to offer to House bill 9910 an amendment, on behalf of the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Montana [Mr. MANSFIELD].

The PRESIDING OFFICER. Before that is done, let the Chair put the pending question:

Is there objection to the request for the present consideration of House bill 9910?

There being no objection, the Senate proceeded to consider the bill (H. R. 9910) to amend section 413 (A) of the Foreign Service Act of 1946.

The PRESIDING OFFICER. The bill is open to amendment.

Mr. SMATHERS. Mr. President, I offer the amendment which I send to the desk and ask to have stated. As previously stated, the amendment is offered on behalf of the Senator from Oklahoma [Mr. MONRONEY] and the Senator from Montana [Mr. MANSFIELD].

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 1, in line 9, after the word "appointed", it is proposed to insert "from the classified civil service or the Foreign Service reserve or Foreign Service staff."

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Florida.

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

Mr. MANSFIELD. Mr. President, the purpose is simply to continue to make possible the transfers which now can be made within the Department of State.

Mr. MCCARRAN. I do not quite understand. At this time, I ask unanimous consent to have read at the desk an explanatory letter from the State Department.

The PRESIDING OFFICER. Without objection, the letter will be read.

The legislative clerk read as follows:

DEPARTMENT OF STATE,
Washington, August 11, 1954.

The Honorable ALEXANDER WILEY,
United States Senate.

DEAR SENATOR WILEY: It has come to my attention that certain of your colleagues have some apprehensions with respect to S. 3778. In this connection I wish to assure you that no position in the Passport Office or Visa Office which is currently occupied by a civil service employee will be reclassified as a Foreign Service position with standards of eligibility to preclude the present incumbent from qualifying to retain that position, except with respect to the 21 positions in the Passport Office which the Director of that Office has recommended be so reclassified.

I feel that it is of the utmost importance that the Foreign Service Act of 1946 be amended as provided in S. 3778 in order that my program for improving and strengthening the personnel administration of the Department of State may proceed. The manner in which this program is administered during the next few months will be subject to review by the 84th Congress when it convenes in 1955. At that time there will be adequate opportunity for any necessary adjustments.

Sincerely yours,

JOHN FOSTER DULLES.

Mr. MCCARRAN. Mr. President, I should like to have some Senator explain the amendment which has been offered, in light of the letter which has just been read.

Does the Senator from Wisconsin care to explain the amendment?

Mr. WILEY. I have not seen the amendment. I talked to the Senator from Montana [Mr. MANSFIELD] about it, and he said he had cleared it with the Democratic side; and the amendment appeared to me to be all right.

The Senator from Montana can explain the amendment.

Mr. MANSFIELD. Mr. President, let me say to the Senator from Nevada that there is no conflict between the sentiments expressed in the letter which he has just had read to the Senate and the amendment, because the purpose is to continue the situation which exists at the present time.

Mr. MCCARRAN. Let me see if I correctly understand the amendment. As

I understand it, the amendment will exempt the newly appointed civil-service employees from the effect of the bill. Is that correct?

Mr. MANSFIELD. That is correct.

Mr. SMATHERS. The reference is to the non-civil-service appointees. As I understand, the amendment will permit those who already are working within the State Department, under classified civil-service status, to move over into the Foreign Service at the same status at which they left the classified civil service; but the amendment does not authorize other than that. It would not authorize others to do so.

Mr. McCARRAN. I understand that it does not permit it, but rather limits it.

Mr. SMATHERS. That is correct.

Mr. McCARRAN. In view of the letter which has been read to the Senate, and with the explanation of the amendment, I have no objection. Otherwise I would have objection.

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

The amendment was agreed to.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The PRESIDING OFFICER. Without objection Senate bill 3778 is indefinitely postponed.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed in the RECORD a statement which I have prepared on this subject.

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

STATEMENT BY SENATOR WILEY

The fundamental purpose of this amendment is to make it possible for the more expeditious transfer into the Foreign Service of the United States of civil service officers in the Department of State who have served in the Department for a minimum of 3 years.

At the present time, section 413 of the Foreign Service Act requires that when officers of the Department of State have qualified for transfer to the Foreign Service and are seeking what is known as lateral entry to the Service, their salaries must be fixed at the lowest rate in the class to which they are admitted. Let me illustrate.

Let us suppose that Mr. Jones, a man who has been the departmental desk officer for Spain for 5 years and who receives a salary of $10,800 per year, qualified for admission to the Foreign Service. It is determined that he should be admitted to Foreign Service class 3. In that class, salaries range from $9,130 to $11,030 per year. At the present time, our hypothetical Mr. Jones would have to be appointed at the annual salary lowest in the class, namely, $9,130. He would thus suffer a salary loss of $1,670 per year, and under these circumstances might not accept the appointment, only 51 having been admitted by the lateral entry route in recent years.

The purpose of the amendment of section 413 is to make it possible for such persons to transfer into the Foreign Service without a sacrifice in their salary.

In proposing this amendment, the committee noted that it fulfills one of the recommendations of the Wriston committee in its recent report to the Secretary of State.

The Wriston committee (the Secretary of State's Public Committee on Personnel) submitted a number of recommendations which I expect the Committee on Foreign Relations will examine in considerable detail next year. At the present time, however, and in view of the lateness of the session, we are taking action only on this one recommendation.

Urgent action is required at the present time in order to give impetus to the movement of regular departmental officers into the Foreign Service. In recent years the Foreign Service has shrunk in size desipte the fact that the world responsibilities of the United States have been increasing. From a top level of 1,427 officers in 1953, the Service has fallen to 1,285 in March of this year.

Mr. President, it is obvious to me that all is not well with the Foreign Service and with the State Department career service.

Mr. Dulles, with the able assistance of Under Secretary Bedell Smith and Under Secretary Saltzman, is moving with vigor to get our Foreign Service mechanism in shape to deal with our worldwide responsibilities. Much remains to be done. This bill is a starter.

P. H. McCONNELL

The bill (S. 3326) for the relief of P. H. McConnell was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to P. H. McConnell, of Fort Peck, Mont., the sum of $4,370.76, in full settlement of all claims against the United States for work performed by P. H. McConnell under Contract Numbered W-631-eng-2373, dated May 14, 1940: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. GORE subsequently said: Mr. President, I ask unanimous consent to revert to Calendar No. 1966, Senate bill 3326. I am advised that the beneficiary, P. H. McConnell, has died, and that an amendment should be made to make the relief payable to the estate.

The PRESIDING OFFICER. Without objection, the vote by which the bill was ordered to be engrossed for a third reading, read the third time, and passed, is reconsidered.

The bill is open to amendment.

Mr. McCARRAN. Mr. President, I offer an amendment on page 1, line 5, after the word "to", to insert the words "the estate of."

The amendment was agreed to.

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

Mr. McCARRAN. Mr. President, I move that the title be amended so as to read "A bill for the relief of the estate of P. H. McConnell."

The motion was agreed to.

ANNA K. McQUILKIN

The bill (H. R. 3516) for the relief of Anna K. McQuilkin was considered, ordered to a third reading, read the third time, and passed.

L. R. SWARTHOUT AND THE LEGAL GUARDIAN OF HAROLD SWARTHOUT

The bill (S. 1022) for the relief of L. R. Swarthout and the legal guardian of Harold Swarthout was announced as next in order.

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

Mr. MORSE. Mr. President, I shall ask that the bill go to the foot of the calendar until the Senator from Idaho [Mr. WELKER] returns to the Chamber. The last time I talked with him, he was opposed to the position which I take with respect to the bill. In view of my knowledge of his position, I would not want action to be taken on any suggestion of mine in his absence. However, I wish to make my statement at this time, because the Senator from Idaho is familiar with my position.

I respectfully request that the Committee on the Judiciary withdraw its amendment No. 5 relative to this bill.

Amendment No. 5 would expressly prohibit any part of the amount appropriated under the bill from being paid to any attorney on account of services rendered in connection with this claim. I understand fully the laudable purpose behind the Judiciary Committee's policy of scrutinizing with extreme care all provisions in private relief bills which authorize the payment of attorneys' fees. On June 15, 1954, the Senator from New Jersey [Mr. HENDRICKSON] gave a very clear explanation of the committee's position on this matter, and I commend him as well as the other members of the committee for taking steps to prevent abuses in the collecting of attorneys' fees in private bill claim cases.

During the colloquy on the floor of the Senate on June 15 I pointed out that there are cases of this type in which lawyers render valuable services for which they are entitled to fair and reasonable fees. Mr. President, the case now under consideration is, in my opinion, a very clear case for the inclusion of what was previously the standard 10-percent attorneys' fee proviso.

In this case, the lawyer representing the Swarthouts has rendered legal services for a period of more than 10 years in an effort to obtain fair compensation for grievous injuries to a child and heavy expense to his parents caused by the explosion of an Army practice bomb. The details of the tragic accident are contained in the report and need not be repeated here.

As late as last Saturday, I checked with the Portland, Oreg., law firm of which the Swarthouts' attorney is now a member and was advised that this attorney has not received one cent by way of an attorney's fee in this case. However, the legal services he has rendered are very substantial. He has engaged in the customary conferences with interested and adverse parties, and those of my colleagues who are members of the legal profession know how extensive such conferences can be. He prepared and tried a lawsuit in the State circuit court in an effort to recover damages against a third party. No compensation

resulted from that lawsuit and thereafter the attorney in this case conferred with the Army engineers in Portland concerning the possibility of a claim against the United States under the Federal Tort Claims Act. It developed that proceedings under that act would not be feasible because the accident occurred before the effective date of the act—February 1, 1945.

The foregoing legal services were essential preludes to the final source of possible relief—a private bill in Congress. The Swarthouts' attorney accordingly brought the matter to the attention of my office, provided me with the essential facts. As a result, a private relief bill was filed in the 82d Congress and ultimately the present bill was filed early in the 83d Congress.

If any attorney has earned a legal fee, Mr. President, it is the attorney who represents the Swarthouts in this case. For that reason, I respectfully request that the Judiciary Committee withdraw its amendment No. 5 thereby restoring in this bill the standard proviso:

Provided, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding.

I do not wish action to be taken at this particular time, in the absence of the Senator from Idaho. I had a very pleasant and cooperative conference with the Senator from Idaho, as I always do when I talk with him. When we were through, he said he still felt that, so far as this particular bill was concerned, he did not feel that this attorney had earned a fee. He laughingly said, "WAYNE MORSE has earned the fee, because he introduced the bill." Of course, he spoke facetiously.

Nevertheless, as a lawyer, I feel that in some of these cases, with this kind of record, we do an injustice to the legal profession when we deny the heretofore standard 10 percent fee. At the same time, I know that, as the Senator from New Jersey [Mr. HENDRICKSON] pointed out on June 15, I believe, there have been great abuses in this connection.

Therefore, knowing the view of the Senator from Idaho, and hoping that he may change his opinion if the bill goes to the foot of the calendar, I ask that it be placed at the foot of the calendar.

My last word is this: The person in whom I am primarily interested is this boy. I do not want the bill to be defeated over any issue as to whether or not an attorney is to receive a 10 percent legal fee. So even if the Senator from Idaho persists in his objection when he returns to the Chamber, I hope the bill can be passed later this evening, even with amendment No. 5 of the Judiciary Committee in it. However, in fairness to the lawyer, I believe the amendment No. 5 should be withdrawn.

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

Mr. HENDRICKSON. Mr. President, I have taken the liberty of sending a message to the Senator from Idaho [Mr. WELKER]. He is on his way to the Chamber. I do not know when he will arrive.

I am sure my distinguished colleague on the Judiciary Committee, the Senator from Nevada [Mr. MCCARRAN], will agree that it was never the intention of the Judiciary Committee to deprive any lawyer of a fee justly earned.

However, we have seen the ever-increasing growth of so-called private claim bills involving money awards, and it seemed to us that it was about time to put a stop to some of the encroachments by certain attorneys.

Mr. MCCARRAN. Mr. President, I understand the Senator from Oregon [Mr. MORSE] has moved to strike——

The PRESIDING OFFICER. The request is that the bill be placed at the foot of the calendar, to be called later this evening.

Mr. MORSE. Mr. President, I should like to have the view of the Senator from Nevada, if he has a view with respect to the bill, so that it can be intelligently discussed with the Senator from Idaho when he returns to the Chamber.

Mr. MCCARRAN. The fact that a bill comes from Idaho is no reason why there should be any variance from the rule laid down by the Judiciary Committee.

Mr. MORSE. Not Idaho, but Oregon.

Mr. MCCARRAN. I beg the Senator's pardon. The rule has been laid down. No action was commenced in this case, and no legal fee was earned, so far as I know.

The mere fact that the Senator from Oregon presented this bill does not entitle him to a fee, and I know he is not trying to get a fee. Neither does it entitle an attorney on the outside to a fee. If we vary the rule in this case we shall have to vary it in every other case.

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

Mr. MCCARRAN. Every case has some merit to it.

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

Mr. MCCARRAN. I yield.

Mr. MORSE. I agree, of course, that unless a lawyer has performed legal services he should not receive a fee. However, am I to understand that amendment No. 5 of the Judiciary Committee, which is now regularly attached to such bills, means that no attorney fees can be paid unless the attorney starts suit?

Mr. MCCARRAN. No; I do not mean that. In this case I do not believe there was any legal activity of any kind that would justify a 10-percent fee.

Mr. MORSE. Mr. President, as I said, the lawyer had the case in his office for 10 years. He has held many conferences on the case. He has spent a great deal of time with the Army engineers and went into the question as to whether he could bring an action under the tort claims law. The Army engineers favored that procedure. He held conferences with the Army engineers on the case. Then it was discovered that a case could not be brought under that law. I am sure the Senator from Nevada will agree with me that that is legal work in a law office for which some fee is justified.

Mr. MCCARRAN. I shall take the last expression of the able Senator from Oregon, before he took his seat, when he said he was interested in getting the money for this child.

Mr. MORSE. I am interested in that.

Mr. MCCARRAN. That is why the committee approved the bill. It is to get compensation for this child, not compensation for an attorney. I am not saying anything about the services that may have been rendered. However, if we lower the bars, we shall have to lower them in too many cases, and, as a result, there will be abuses.

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

Mr. MCCARRAN. I yield.

Mr. MORSE. Because of the last comment of the Senator, am I to understand that it is the position of the Senator from Nevada that no exceptions should be made with respect to amendment 5, and that whenever a private bill comes to the floor of the Senate no lawyer is to get any fee, no matter what work he does?

Mr. MCCARRAN. I would not go that far.

Mr. MORSE. I hope that privately the Senator from Nevada will give me a few hypothetical sets of facts which would justify an attorney fee, if he feels that in this case, after 10 years, the lawyer is not entitled to a fee.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oregon that the bill be passed to the foot of the calendar? The Chair hears none, and it is so ordered.

CONVEYANCE OF A CERTAIN TRACT OF LAND IN MISSISSIPPI TO JONATHAN JONES

The bill (S. 3316) to authorize and direct the conveyance of a certain tract of land in the State of Mississippi to Jonathan Jones was announced as next in order.

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

Mr. MORSE. Mr. President, the Senator from Louisiana [Mr. LONG] and my colleague from Oregon [Mr. CORDON] have temporarily stepped out of the Chamber. If they were present they would verify what I now present to the Senate. It is in the form of an amendment which I send to the desk.

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

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

Mr. MORSE. Mr. President, I offer an amendment. My colleague has arrived on the floor, and I ask his attention to this matter.

The PRESIDING OFFICER. The secretary will state the amendment.

The LEGISLATIVE CLERK. On page 2, after line 2, it is proposed to strike:

SEC. 2. The tract of land authorized to be transferred by the first section of this act shall be conveyed upon the payment of the appraised value of the lands as determined by the Secretary of the Interior if payment is made within one year after the Secretary has notified the Federal Land Bank of New Orleans and any other person applying for an interest in these lands under this act within 90 days after its enactment, of the appraised

price of the lands. The appraised price shall not include any increased value resulting from the development or improvement of the lands by the applicants or their predecessors in interest, and the Secretary shall consider and give full effect to all of the equities of the applicants in making such appraisal.

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

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Secretary of the Interior is directed to issue a patent to Jonathan Jones, of Jefferson County, Miss., subject to the conditions provided for in section 2 of this act, conveying all right, title, and interest of the United States, including mineral rights or any part of such interest, in and to the following-described tract of land situated in the State of Mississippi: Section 5, township 9, north, range 1 east, Washington meridian, Jefferson County, Miss., described as 111 acres, in a plat filed by Deputy Surveyor Charles De France on March 31, 1806.

BILLS PASSED OVER

The bill (H. R. 5047) to amend section 2879 (b) of the Internal Revenue Code was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (H. R. 7774) to establish a uniform system for the granting of incentive awards to officers and employees of the United States, and for other purposes, was announced as next in order.

Mr. HENDRICKSON. By request, Mr. President, I ask that the bill go over.

The PRESIDING OFFICER. The bill goes over.

CONSTRUCTION OF BRIDGE OVER POTOMAC RIVER

The Senate proceeded to consider the bill (H. R. 1980) to authorize and direct the Commissioners of the District of Columbia to construct a bridge over the Potomac River in the vicinity of Jones Point, Va., and for other purposes, which had been reported from the Committee on the District of Columbia with an amendment, to strike out all after the enacting clause and to insert:

TITLE I—BRIDGE IN VICINITY OF CONSTITUTION AVENUE

That (a) the Commissioners of the District of Columbia are authorized and directed to construct, maintain, and operate a low-level bridge over the Potomac River, from the vicinity of Constitution Avenue in the District of Columbia to the Virginia side of the Potomac River, such bridge to be constructed north of the Memorial Bridge and south of the southern portion of Theodore Roosevelt Island, sometimes referred to as "Small Island," together with bridge approaches and roads connecting such bridge and approaches with streets and park roads in the District of Columbia and with streets and park roads on the Virginia side of the Potomac River: *Provided*, That in planning such bridge approaches and connecting roads, the Commissioners shall consult with the National Capital Planning Commission.

(b) The Commissioners of the District of Columbia are authorized to construct and maintain a structure to provide pedestrian access from the low-level bridge referred to in subsection (a) of this section to the aforesaid "Small Island": *Provided*, That before entering into any contract for such structure providing pedestrian access, the plans therefor shall be approved by the Theodore Roosevelt Association.

(c) The Secretary of the Interior is hereby authorized to construct, maintain, and operate a structure connecting the main body of Theodore Rosevelt Island and the aforesaid portion thereof referred to as "Small Island" to provide pedestrian access between such islands: *Provided*, That the plans for such structure connecting such islands shall be subject to the approval of the Theodore Roosevelt Association.

(d) The plans for any bridge or other structure authorized by this title shall be submitted to the Commission of Fine Arts for advice with respect to the architectural features of any such bridge or structure, and no contract for the construction thereof may be entered into until this subsection shall have been complied with: *Provided*, That upon failure of the Commission of Fine Arts to report its advice within 90 days of submission of plans to it, the requirements of this subsection shall be deemed to have been met.

(e) Appropriations for construction of the bridge and other structures authorized by this title, payable from the highway fund of the District of Columbia, in amounts not exceeding $24,500,000 are hereby authorized.

SEC. 102. The Federal agencies having control and jurisdiction over the lands at and adjacent to the ends of the bridge shall transfer to the Commissioners of the District of Columbia, upon their request, the areas to be occupied by said bridge, approaches, and connecting roads, all as shown more particularly on plans of such bridge, approaches, and connecting roads, to be prepared and approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, Department of Commerce.

SEC. 103. The Commissioners of the District of Columbia are authorized to enter into an agreement or agreements with the State Highway Commission of Virginia, acting for and on behalf of the Commonwealth of Virginia, for the purpose of providing for cooperation by the State Highway Commission of Virginia, to such extent as the Commissioners of the District of Columbia shall deem necessary, in the construction of said bridge, approaches, and connecting roads, acquisition of land for rights-of-way, contributions toward costs, temporary or permanent closing of existing roads, and any other matters relating to the construction of said bridge which the Commissioners of the District of Columbia may consider appropriate.

SEC. 104. The Commissioners of the District of Columbia are authorized to make such use of federally owned and controlled lands at and adjacent to the bridge as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing said bridge, approaches, and connecting roads, and storing of materials incident to such preliminary work and to actual construction.

SEC. 105. The Commissioners of the District of Columbia are authorized and directed to route and reroute and to cause the routing and rerouting of traffic on, and to close or cause to be closed park roads, streets, and highways under the jurisdiction of the United States, and to negotiate for the closing of roads by agreement with Virginia authorities, where necessary in connection with the preparation of plans for, and during the actual construction of, said bridge, approaches, and connecting roads. The Commissioners of the District of Columbia are further authorized to prepare plans for such changes in park roads as they deem necessary to provide maximum efficiency in handling traffic to and from said bridge, and when such plans are approved by the Bureau of Public Roads, to construct roads in conformity with such approved plans.

SEC. 106. (a) The National Park Service is authorized and directed to remove or transplant to other locations any and all planting materials within the area to be used for the bridge, approaches, and connecting roads or for construction purposes, when requested by the Commissioners of the District of Columbia. The Commissioners of the District of Columbia are authorized and directed to regrade the areas involved in the construction of the bridge, approaches, and connecting roads so as to conform with the plans to be approved by them and the Bureau of Public Roads.

(b) Upon completion of said bridge, approaches, and connecting roads and the regrading of the areas, or prior thereto, when authorized by the Commissioners of the District of Columbia and when such operation or operations will not interfere with the construction of said bridge, approaches, and connecting roads, the National Park Service is directed to landscape such areas in accordance with the plans of the National Park Service as may be approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, the cost of said landscaping to be paid out of funds made available for the purposes of this title.

SEC. 107. The cost of construction, reconstruction, and repair of all roads which are changed or made necessary as an incident to the construction of said bridge, approaches, and connecting roads, when approved by the Commissioners of the District of Columbia and the Bureau of Public Roads, shall be paid out of funds made available for construction of said bridge, approaches, and connecting roads.

SEC. 108. The right to alter, amend, or repeal this title is hereby expressly reserved.

TITLE II—BRIDGE IN VICINITY OF JONES POINT

SEC. 201. (a) The Secretary of the Interior (referred to hereinafter as the "Secretary") is authorized and directed to construct, maintain, and operate a six-lane bridge over the Potomac River, from a point at or near Jones Point, Va., across a certain portion of the District of Columbia, to a point in Maryland, together with bridge approaches on property owned by the United States in the State of Virginia.

(b) The bridge shall be of deck girder structure with a swing span having a 150-foot horizontal clearance on each side of the pivot pier and a 70-foot vertical clearance above mean low water, and shall be constructed in accordance with the provisions of subsection (b) of section 502 of the "General Bridge Act of 1946," approved August 2, 1946 (60 Stat. 847), as amended, and subject to the conditions and limitations in this title.

(c) The Secretary shall request recommendations and suggestions of the National Capital Planning Commission relative to the design of such bridge and approaches.

SEC. 202. (a) Any Federal agency and the District of Columbia having control and jurisdiction over any land at or near the site of the bridge shall transfer to the Secretary, upon his request, any such lands to be occupied by the bridge or approaches thereto.

(b) The Secretary may acquire by purchase or by condemnation any land in the State of Maryland, not under Federal or District jurisdiction or control, needed for the construction of such bridge, title to such land to be taken directly to and in the name of the United States. In case a price satisfactory to the Secretary cannot be agreed upon for the purchase of such land or in case the title cannot be made satisfactory to the Attorney General of the United States, then the latter is directed to procure

such land by condemnation, and the expenses of procuring evidence of title, or condemnation, or both, shall be paid from funds made available for the purposes of this title.

SEC. 203. (a) The Secretary may make such use of lands owned or controlled by the United States, at or adjacent to the site of the bridge, as may be necessary for making borings, performing other preliminary work, routing and rerouting traffic, constructing such bridge, approaches, and connecting roads, and storing materials incident to such preliminary work and to actual construction.

(b) The Secretary may route and reroute and cause the routing and rerouting of traffic on, and close or cause to be closed, streets, roads, and highways under the jurisdiction of the United States, and negotiate for the closing of streets, roads, and highways by contact with Virginia, Maryland, and District authorities, when necessary in connection with the preparation of plans for, and during the actual construction of, the bridge.

SEC. 204. Notwithstanding any other provision of this title, the Secretary shall not begin construction of the bridge above referred to until the State of Virginia and the State of Maryland have taken such steps as the Secretary deems adequate to give assurances that there will be constructed and maintained, by and in such States, such approaches to such bridge as will be reasonably adequate to make possible the full and efficient utilization of such bridge.

SEC. 205. The sum of $14,925,000 is hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated, to carry out the provisions of this title.

SEC. 206. The right to alter, amend, or repeal this title is hereby expressly reserved.

Mr. CASE. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement which I have prepared.

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

The Committee on the District of Columbia of the House of Representatives gave the entire Potomac River bridge problem exhaustive consideration. It conducted 7 days of hearings on 3 different proposals. In its report (No. 1851) on H. R. 1980, the committee said, in part:

"It was evident, by the expressions of the various members of the subcommittee, as well as those who testified before the subcommittee, that there was great need for an additional bridge across the Potomac River, especially in the central area which would relieve the snarled traffic conditions during the peak periods. * * * it was evident that the members of the subcommittee could not agree upon a location for a bridge in the central downtown area. It was obvious that all of the members of the subcommittee agreed that the best compromise would be the bill, H. R. 1980, to construct a bridge in the vicinity of Jones Point, Va."

The House committee amended the Jones Point bill to reduce substantially the Federal share of the cost and at the same time to expand the capacity of the bridge. The Senate committee concur in these changes, described in the House report as follows:

"Under this amendment the total cost of the bridge will be $24,398,000. This cost will provide a 6-lane bridge rather than a 4-lane, as proposed in the original legislation. Of the total cost of this bridge $7,388,000 will be assumed by the State of Virginia as a total cost of approaches in that State; $885,000 will be assumed by the State of Maryland to be spent on approaches to the bridge. In the District of Columbia, $1,200,000 will be spent for the construction of roads and structures. The additional $14,847,000 will be borne by the Federal Government.

"The bill authorizes the amount of $14,925,000 to carry out this construction.

"Under the amendment adopted by this committee, a 6-lane bridge would be obtained at a total cost of $14,847,000 to the Federal Government rather than a 4-lane bridge, as requested in the original bill, at a cost of $20 million to the Federal Government. This would be possible through the participation of the District of Columbia and the States of Maryland and Virginia."

Your committee, through its fiscal subcommittee, reviewed carefully the hearings held by the House and supplemented this study with additional hearings of its own, conducted on July 15, 1954. Testimony was taken from 13 witnesses, covering the Jones Point proposal as well as the bridge needs of the central area.

It was evident that the purposes of the Jones Point Bridge are not related to the pressing need for cross-river traffic relief in the central downtown area. Jones Point would provide a link in the "outer belt"—parts of which are in existence or under construction—designed to serve traffic that desires to bypass Washington. All affected agencies and jurisdictions were agreed on the need for and the location of the Jones Point crossing. All witnesses agreed, moreover, that Jones Point is in no sense a substitute for a central area bridge to relieve congestion of traffic between the downtown area and Virginia.

Your committee for several months prior to its hearings had had the problem under study. The chairman held several conferences with District officials, the Chairman of the National Capital Planning Commission and other interested groups.

As a result of these and subsequent efforts, the chairman of your committee, the Chairman of the Planning Commission, and the Engineer Commissioner of the District agreed on a span approximately parallel to Memorial Bridge running from the foot of Constitution Avenue on the District side to Columbia Island on the Virginia side in a line just south of Small Island.

At a meeting of the National Capital Planning Commission held on July 28, 1954, this proposal was approved, together with other bridge and street proposals incident thereto. The executive director of the Theodore Roosevelt Association also informed your committee that he favors the central area bridge proposal and believes that it eliminates all features of earlier proposals that had been objectionable to the association.

After this further extensive consideration, the subcommittee decided to recommend authorization of this central area bridge from the foot of Constitution Avenue running south of Small Island for the following reasons:

1. A thorough study of the area traffic needs reflecting 1953 volumes but based upon the origin and destination survey conducted in 1948 indicates conclusively that a bridge is necessary at a point just upstream from the existing Arlington Memorial Bridge.

2. The approaches to the proposed central area bridge can afford the greatest accomodations for the dissipation as well as the collection of traffic. These approaches can be tapped merely by constructing short connections from the bridgeheads to existing streets. The bridge would connect to the inner belt in the vicinity of 24th Street on the District side of the river and with George Washington Memorial Parkway, Arlington Boulevard, Wilson Boulevard, and the Jefferson Davis Highway on the Virginia side. These connections are all short, direct, and capable of loading the bridge to its full capacity.

3. It is estimated that by 1975 there will be a deficiency in the capacity of the Potomac River bridges amounting to 5,600 vehicles destined for the District during the morning peak rush hour. It is also estimated that in 1975, 62 percent of the traffic desiring to cross the Potomac during the morning peak hour would seek a crossing in the Arlington Memorial-Key Bridge reach. In view of the latter estimate, it would be desirable to take up this projected deficiency at the proposed central area site.

4. Trafficwise, all evidence points to the advantages had by this location. For example, from the total traffic destined for the downtown area from Virginia during the peak morning rush hour, 71 percent are destined west of 12th Street, and 79 percent are destined north of Constitution Avenue. Routing this traffic into the area north of Constitution Avenue (the most heavily traveled artery in the District), constitutes a major advantage which a bridge at this location can render. Under present and future conditions, this structure would be well situated to serve the majority of the motorists seeking their destinations downtown during the peak morning rush hour, because of the available capacity of east-west streets.

5. The proposed bridge would provide a greater degree of relief to the three existing central area bridges than would other bridges which have been proposed. In providing this relief, it would absorb a heavy load of central-area-bound traffic and thereby would permit both the Key Bridge and the Highway Bridge to perform the functions advocated for an Arizona Avenue and a Roaches Run Bridge, respectively.

6. All the Virginia connections to the proposed bridge have some traffic capacity in reserve, but the most important fact is that Arlington Boulevard has a 200-foot right-of-way all the way out through Arlington County. This means it can be made a controlled access highway with six lanes for through-traffic movements and with additional roadways to serve the abutting property. Present plans for the Arlington area contemplate the development of the Arlington Boulevard to approximately 70,000 vehicles per day which is double its present capacity. This traffic cannot be conducted to and from the District by any of the other proposed bridges which have been suggested as alternatives, for this general location.

7. Ample capacity to receive the traffic is insured on the District side. For example, in 1975, in the corridor between Constitution Avenue and H Street a peak-hour volume of traffic amounting to 6,050 vehicles will flow easterly across 17th Street. However, a capacity for 7,030 vehicles can be provided in that direction.

The relative importance of the proposed central-area bridge is indicated by the fact that some 60,000 vehicles a day would use such a bridge, compared with about 15,000 a day for the proposed Jones Point crossing.

The critical nature of the entire Potomac bridge problem was further pointed up in testimony by General Prentiss that the existing Highway Bridges carry some 105,000 vehicles a day, a load greater than that carried by any other bridge in the world.

Altogether, more vehicles cross the Potomac daily than cross the Hudson River in New York City.

In recognition of this general Potomac River bridge problem, agreement was reached during the discussions conducted among interested officials and agencies that the old Highway Bridge at 14th Street should be replaced with a bridge in the vicinity of Roaches Run, just south of the existing railroad bridge. It is believed, however, that sufficient legislative authority already exists for the construction of such a bridge when appropriations are provided therefor.

Your committee, accordingly, propose that the bill, H. R. 1980, be amended to provide for a low-level bridge from the vicinity of Constitution Avenue running north of Memorial Bridge and south of Small Island to

the Virginia side of the river, as well as for a bridge at Jones Point.

The bridges compete neither for traffic nor for funds with which to build them. The Jones Point span, as noted in the House report cited above, would be built by the States of Virginia and Maryland, which would construct all approaches, and by the Federal Government, which would pay for the span itself. It is expected that this actually may result in an almost even division of total cost between the States and the Federal Government.

The central area bridge, authorized by title I, would be built entirely by the District of Columbia at a cost not to exceed $24,500,000. The District, of course, presumably would have available part of its regular Federal-aid highway funds to help in meeting this expense.

The Jones Point Bridge is authorized by title II. This title differs from the House-passed bill in that the Secretary of the Interior, rather than the Commissioners of the District, is authorized to build, operate, and maintain the bridge.

This change was proposed by the Commissioners because only the central portion of the Jones Point Bridge actually would lie within the District's boundaries, and even that part would be entirely above water. It seemed appropriate, therefore, to place this responsibility in a Federal agency. The total cost of maintaining and operating the bridge is estimated at about $45,000 a year.

The committee believe that provision in title I for pedestrian access from the central area bridge to Small Island, and from there to Roosevelt Island, subject to approval of the Theodore Roosevelt Association, actually will enhance the value of the islands as a wilderness memorial to Theodore Roosevelt by making them more accessible for enjoyment and appreciation by the public.

The central area bridge is to be a low-level bridge, of the approximate height of the existing Memorial Bridge. It will have a lift span to permit boats to proceed to the present head of navigation, the Key Bridge.

The so-called E Street Bridge, to which the Roosevelt Association objected, would have crossed Roosevelt Island and would have been a high bridge. The alternative bridge was proposed by your committee in part to avoid any possible conflict with the development of Roosevelt Island.

To further safeguard the esthetic beauty of the Memorial Bridge-Roosevelt Island area, the bill requires consultation with the Commission of Fine Arts on the design for the central area bridge, and it is expected that the bridge will be so designed as to harmonize with and enhance existing structures and landscape.

Mr. CASE. Mr. President, in concluding my remarks, I wish to read the resolution of the National Capital Planning Commission approving the central area bridge and other related matters:

NATIONAL CAPITAL PLANNING COMMISSION,
Washington, D. C., July 28, 1954.

Resolved, That the Commission authorizes the following statement:

"For a considerable time this Commission and the District Commissioners have endeavored earnestly to have a meeting of minds on the very important question of new bridge crossings of the Potomac River.

"Any project which is not integrated with a logical plan or pattern of traffic distribution will not merely fail of its purpose but would be an unwarranted waste of public funds. In order to avoid such a result, the Commission has repeatedly emphasized the importance of the so-called inner loop and the location of bridge connections thereto. We are confident this view is also shared by the District Commissioners.

"The Commission is pleased to announce at this time that substantial agreement has been reached on the following:

"IMMEDIATE NEEDS PROGRAM

"1. A new bridge at Jones Point, heretofore approved.

"2. The construction of the replacement bridge for the old southbound Highway Bridge, generally on the site proposed for a Roaches Run bridge. Authority for construction and funds for design of a companion bridge to the new Highway Bridge have been heretofore granted by Congress.

3. A new bridge north of and substantially parallel to Memorial Bridge, south of Roosevelt Island, and at a location to be agreed upon by the District Commissioners and the National Capital Planning Commission.

4. Early construction of the west (approximately 24th Street-Ohio Drive) and south (Southwest Freeway) legs of the inner loop.

FUTURE NEEDS PROGRAM

5. Later construction of a bridge somewhere between Key Bridge and Chain Bridge, to reduce crossings of central area bridges when traffic volumes justify.

6. Later construction of an additional bridge in the vicinity of Roaches Run or 14th Street, when additional traffic volume warrants it.

The Commission is highly appreciative of the cooperation extended by the District Commissioners and the National Park Service and their respective staffs in this matter. Our Commission recognizes that working out the detailed plans for the projects above agreed to in principle will require appreciation and understanding of our respective viewpoints. We are confident that the same spirit of cooperation will prevail in undertaking these subsequent studies.

Final responsibility for the development of the Federal City rests with the Congress, which has taken cognizance of the urgency of these bridge, traffic, and other public-works matters through approval of the District of Columbia public-works bill and hearings held recently on the several bridge matters. The Commission is cognizant of the prompt recognition of these matters by the Congress and wishes to express its appreciation thereof.

Mr. President, I appreciate the indulgence and consideration of the Senate in this matter. It represents an important step in the development of the Nation's Capital City.

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

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to authorize and direct the construction of bridges over the Potomac River, and for other purposes."

THE RESERVE COMPONENTS OF THE ARMED FORCES OF THE UNITED STATES

The bill (H. R. 6573) to provide for the promotion, precedence, constructive credit, distribution, retention, and elimination of officers of the Reserve components of the Armed Forces of the United States, and for other purposes, was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, with some reluctance, I ask that the bill go over, by request.

Mrs. SMITH of Maine. Will the Senator from New Jersey advise the Senate who the objectors are?

Mr. HENDRICKSON. The Senator from Pennsylvania [Mr. MARTIN].

Mrs. SMITH of Maine. Mr. President, will the Senator from New Jersey withhold his objection for a moment?

Mr. HENDRICKSON. Certainly.

Mrs. SMITH of Maine. Mr. President, will the Senator from Tennessee [Mr. GORE] advise the Senator from Maine if there are any objectors on the Democratic side?

Mr. GORE. Objection has been registered with the junior Senator from Tennessee.

Mrs. SMITH of Maine. Will the Senator from Tennessee advise the Senator from Maine who the objectors are?

Mr. GORE. The junior Senator from Tennessee always likes to respond to the curiosity of any Member of this body, but has not made it a practice to advise the Senate of the identity of his colleagues who have registered objection.

Mrs. SMITH of Maine. Mr. President, am I to understand that the junior Senator from Tennessee refuses to advise the Senate who the objectors are on the Democratic side of the aisle?

Mr. GORE. The junior Senator from Tennessee would not refuse the distinguished Senator from Maine any request if he could possibly comply, but since this objection has been registered, and it is not the practice to reveal publicly the identity of Senators who register objections, I cannot do it publicly. I assure the distinguished Senator I shall be delighted to confer with her privately.

Mrs. SMITH of Maine. Mr. President, that is very kind of the Senator from Tennessee, but I prefer to have the Senate know who the objectors are. Will the Senator from Tennessee advise if he is objecting to this bill?

Mr. GORE. The junior Senator from Tennessee is not objecting to the bill; but if objection should not be registered otherwise he would be compelled to do so as a matter of duty, because of a request.

Mrs. SMITH of Maine. But the junior Senator from Tennessee is not personally objecting to the bill.

Mr. GORE. No.

Mr. JOHNSTON of South Carolina. Mr. President, I am very much interested in this bill, too, and I hope it will be taken up. I should like to ask the majority leader if it is his intention to have this bill brought up?

Mr. KNOWLAND. I will say to the Senator from South Carolina as I said in response to an earlier question with regard to quite a number of bills in which Senators have an interest, that when we have concluded the calendar call we intend to have a policy committee meeting to go over all measures other than those which have already been scheduled. I expect then to consult with the minority leader and also make an announcement to the Senate with respect to proposed legislation which we feel can be handled at this session of Congress.

Mr. JOHNSTON of South Carolina. Mr. President, I think this is a very important bill, and I hope the policy committee will see fit to take it up in the near future.

Mrs. SMITH of Maine. Mr. President, I am shocked to learn that the Democrats are not willing to identify publicly their objectors. I think this information should be a matter of public record. Is it the policy of the Democrats to have secret voting?

Mr. CASE. Mr. President, there is a widespread interest in this bill, and I also wish to express the hope that the bill may be made the pending business of the Senate before the Senate adjourns.

Mr. MARTIN. Mr. President, I regret exceedingly to be an objector to this bill, but I have received a great number of requests from people who are very familiar with the defense of our country, particularly the reserve forces. The strength of America depends upon the reserve forces, the National Guard and Organized Reserves. I have received many requests from both National Guard officers and Reserve officers that this bill come up on the floor for proper discussion. But this bill is entirely too important to be considered on the consent calendar.

There are probably a half million Americans who are directly interested in the bill. For that reason I sincerely hope that it may come before the Senate for consideration.

Probably I shall not say a word when the bill comes before the Senate for consideration. However, I think it is of sufficient importance to be considered, so that there will be an opportunity fully to debate it if the Members of the Senate desire to do so.

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

Mr. MARTIN. I am glad to yield.

The PRESIDING OFFICER. Does the Senator renew his objection?

Mr. HENDRICKSON. In the light of the statement of the distinguished Senator from Pennsylvania I do not think it is necessary for me to renew the objection. I think the Senator has interposed an objection.

Mr. GORE. Will the Senator withhold his objection?

Mr. MARTIN. I am glad to do so.

Mr. HENDRICKSON. I join the distinguished Senator from Pennsylvania [Mr. MARTIN] and the able senior Senator from Maine [Mrs. SMITH] in the hope that the majority policy committee will schedule this bill for consideration. It is a highly important bill in which many Members of the Senate and a great many members of the Reserve are interested. If the bill does come up for consideration I shall support it. But I doubt the advisability considering it on a calendar call though I shall not personally object to it.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

Mr. MARTIN. Mr. President, I do not want to take much time of the Senate. I have considered the bill during the last few hours, and when it comes up on the Senate floor for consideration I will support it. But I think it is entirely of too great importance to be considered on the Consent Calendar.

The PRESIDING OFFICER. The clerk will state the next bill on the calendar.

CONVEYANCE OF CERTAIN LANDS IN CAMP ROBERTS MILITARY RESERVATION, CALIF.

The bill (S. 3189) providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., was announced as next in order.

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

There being no objection, the Senate proceeded to consider the bill (S. 3189) which had been reported from the Committee on Armed Services, with an amendment to strike out all after the enacting clause and insert:

That (a) the Secretary of the Army is authorized to convey by quitclaim deed, to the Monterey County Flood Control and Water Conservation District of Monterey County, Calif., for the purpose of constructing, operating, and maintaining thereon a dam and reservoir area for its El Nacimiento Reservoir project, all right, title, and interest of the United States, except as reserved herein, in and to so much of the following described lands within the boundaries of Camp Roberts Military Reservation, Calif., as the Secretary of the Army, or his designee, and the Monterey County Flood Control and Water Conservation District shall determine to be necessary as a dam site and reservoir area for the El Nacimiento project:

The east half of the southeast quarter of section 11; the southwest quarter of section 12; the west half of section 13; and the east half of the east half of section 14, all lying in township 25 south, range 10 east, Mount Diablo base meridian.

(b) The deed conveying the lands determined to be necessary for the dam site and reservoir area for the El Nacimiento project shall provide (1) for the reservation by the United States of all mineral rights, including oil and gas, in and underlying the lands conveyed, (2) that the lands conveyed shall be used solely for the purpose of constructing, maintaining, and operating a dam and reservoir project thereon, and in the event such dam has not been constructed thereon within 10 years after the enactment of this act, or in the event the lands conveyed shall at any time after construction of the dam cease to be used for the sole purpose of maintaining and operating a dam and reservoir thereon, all right, title, and interest in and to such lands shall revert to the United States, (3) that in the event the existing water supply at Camp Roberts shall be diminished or adversely affected in any manner by the construction, operation, and maintenance of the dam and reservoir project, the grantee, its successors, and assigns, shall provide to the United States without additional cost substitute or supplementary water supply necessary to equal the existing supply at Camp Roberts, (4) the Armed Forces of the United States shall be granted for recreational and training purposes the use of the lands conveyed, to the extent that such use does not adversely affect the operation and maintenance of the dam and reservoir, and the use of the remaining portion of the reservoir area, to the extent provided in the regulations of the Monterey County Flood Control and Water Conservation District generally applicable to the reservoir area, and (5) the grantee shall remove, relocate, and reconstruct, at its own cost and expense all structures, roads, and fences at Camp Roberts affected by the proposed conveyance.

SEC. 2. The Secretary of the Army is authorized to issue to the Monterey County Flood Control and Water Conservation District, without compensation therefor, and on such terms and conditions as he deems appropriate, a license to use and occupy any lands in the area described in section 1 not conveyed pursuant to the authorization contained therein, as may be required for the excavation of borrow materials and any other purposes related to the construction of the El Nacimiento project.

SEC. 3. The conveyance herein authorized shall be made for a monetary consideration determined by the Secretary of the Army or his authorized representative to represent the fair market value of the estate conveyed and, in making such determination, the Secretary shall take into account the value of the benefits accruing to the Camp Roberts Military Reservation as a result of the conveyance.

The amendment was agreed to.

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

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

The LEGISLATIVE CLERK. On page 5, line 8, beginning with "to represent", it is proposed to strike out all through "conveyance", in line 12, and insert in lieu thereof a comma and the following: "after appraisal, to represent the appraised fair market value of the estate conveyed."

Mr. MORSE. Mr. President, the purpose of the amendment is to maintain the same standard as that provided in other bills of a similar nature. The amendment calls upon the Secretary to make an appraisal of the fair market value.

Mr. KUCHEL. Mr. President, I wish to make a very brief statement with respect to the amendment offered by the Senator from Oregon, and to say that I approve of his offering it. I believe that it is, in this situation, an amendment with complete merit. However, I wish to point out the way the bill was written and was reported by the committee. I quote section 3 on page 5:

The conveyance herein authorized shall be made for a monetary consideration determined by the Secretary of the Army or his authorized representative to represent the fair market value of the estate conveyed and, in making such determination, the Secretary shall take into account the value of the benefits accruing to the Camp Roberts Military Reservation as a result of the conveyance.

Mr. President, the building of the dam at Camp Roberts, Calif., will not cost the Federal Government a dime. A local public agency has been created. It will supply all the money for the building of the dam.

In the negotiation with Camp Roberts in the Military Establishment it was deemed proper, so far as both sides were concerned—the Army and the local agency—to point out that in connection with this dam there would be a great area which could be used for recreational purposes. That was the reason the formula laid down by my good friend [Mr. MORSE] was not originally written into the bill.

But even so, in this instance I believe the Senator is correct. Nevertheless, I hope that there will be a happy relationship between the local agency and the Military Establishment.

Mr. MORSE. I completely agree with my friend from California. I think the objective which he has in mind will be accomplished under the language of my amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Oregon [Mr. MORSE] to the committee amendment.

The amendment to the amendment was agreed to.

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

The title was amended so as to read: "A bill providing for the conveyance by the United States to the Monterey County Flood Control and Water Conservation District, Monterey County, Calif., of certain lands in Camp Roberts Military Reservation, Calif., for use as a dam and reservoir site, and for other purposes."

RETIREMENT OF CERTAIN OFFICERS OF THE REGULAR ARMY AND REGULAR AIR FORCE

The Senate proceeded to consider the bill (H. R. 9002) to amend the Officer Personnel Act of 1947 to provide for the retirement of certain officers of the Regular Army and the Regular Air Force at age 60, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 1, after the enacting clause, to strike out:

That section 514 (a) (1) of the Officer Personnel Act of 1947 (61 Stat. 902) is amended to read as follows:

"SEC. 514. (a) (1) Each commissioned officer (other than a professor of the United States Military Academy or of the United States Air Force Academy) on the active list of the Regular Army or the Regular Air Force whose permanent grade is below that of lieutenant general shall, unless retired or separated at an earlier date or unless his retirement is deferred under other provisions of law, be retired on the date upon which he becomes 60 years of age."

On page 2, at the beginning of line 4, to strike out "SEC. 2." and insert "That"; in line 12, to change the section number from "3" to "2"; and on page 3, line 11, to change the section number from "4" to "3."

The amendments were agreed to.

Mr. MORSE. Mr. President, I wish to have the attention of the Senator from Massachusetts [Mr. SALTONSTALL] as I send to the desk an amendment and ask that it be stated.

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

The LEGISLATIVE CLERK. It is proposed to insert at the appropriate place an additional section, as follows:

SEC. (a) That the third sentence of the eleventh paragraph of the first section of the act entitled "An act making appropriations for the naval service for the fiscal year ending June 30, 1883, and for other purposes," approved August 6, 1882 (22 Stat. 286), is hereby amended by striking out all after "Hereafter" through "retired: *And provided further*, That."

(b) Section 1591 of the Revised Statutes of the United States (34 U. S. C., sec. 993) is hereby amended by inserting after the word "except" the words "as may be directed or approved by the President, by and with the advice and consent of the Senate, or."

(c) Notwithstanding the provisions of this act, this section shall be considered to have become effective on January 1, 1942.

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

Mr. MORSE. Mr. President, the basic aim of this amendment is to remove from an old law enacted August 5, 1882, certain language which discriminates against retired officers of the Navy, as distinguished from retired officers of the Army, the Air Force, or the Marine Corps. That old law is the Naval Appropriations Act for the fiscal year ending June 30, 1883.

This is an amendment which has been before the Armed Services Committee—I was about to say almost beyond memory. It is an amendment which seeks to correct what the Armed Services Committee has felt in the past has been an injustice to a couple of naval officers, and it is offered now to meet what I understand is a barrier which has been thrown in the way of doing justice to the Navy.

I call attention to a statement that was submitted to me by a retired Navy officer.

In this connection Comdr. Edward White Rawlins, U. S. Navy (retired), testified before the Senate Armed Services Committee on February 19, 1954, in part, as follows:

On August 8, 1952, before Admiral Carney's letter of the 6th reached me I called on Rear Adm. Ira Nunn, the new Judge Advocate General of the Navy, who was a Naval Academy classmate and personal friend of mine. In the course of our talk he offered the purely unofficial personal suggestion that I submit a petition to the President for promotion to captain by Executive appointment. He said he felt certain the President had this appointive power under the Constitution. He also said unofficially that this would appear to offer a satisfactory solution to a case of long standing.

Acting upon Admiral Nunn's unofficial suggestion I drafted a documented detailed petition to the President. Before submitting it I transmitted my draft to Admiral Carney for any comment or advice he might choose to make. Admiral Carney replied immediately with wise and valuable suggestions which I followed implicitly. My petition then was submitted under date of November 25, 1952. Much to my surprise 6 weeks later, however, I received a letter dated January 7, 1953, from the then Secretary of the Navy reading in part as follows:

"The Judge Advocate General of the Navy has informed me that, although the Constitution of the United States grants the President the authority, with the advice and consent of the Senate to appoint officers in the naval service, the President is precluded by statute (act of August 5, 1882, 22 Stat. 286, 34 U. S. C. 402) from promoting an officer on the retired list without congressional legislation."

I understand that this particular amendment was drafted with the expert advice of the professional staff, and that it is what is needed in order to do justice in the so-called Commander Rawlins' case. I also was informed—and I assume accurately—that the chairman of the Armed Services Committee has no objection to the amendment if it is attached to this bill.

Mr. SALTONSTALL. Mr. President, I should like to say first that I hope the Senator from Oregon will permit the committee amendments to be adopted. They are merely technical amendments to put the bill in proper form.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

Mr. SALTONSTALL. If the Senator from Oregon feels that he wishes to offer his amendment, I believe the bill should be considered and debated in the regular order. I say that with some reluctance, because I have great sympathy for Commander Rawlins and the position in which he finds himself, particularly because of the support which he gets from the present Chief of Naval Operations, Admiral Carney.

However, this amendment, which goes back to an old law of 1882, has been turned down by the committee several times, and it has been turned down in the House. While I should like to tell the Senator that I would accept the amendment in my desire to help Commander Rawlins, I shall tell him that I saw Commander Rawlins this afternoon and told him that I felt there should be no attempt to attach such a rider to an administration bill which is of considerable importance, because if that were done it might well tie up the bill and make it impossible for it to become law at this time. For those reasons I shall ask that the bill go over, if the Senator insists on his amendment.

Mr. COOPER. Mr. President, I have been serving during this year and last year as a member of the Committee on Armed Services. In connection with my work on the committee, I have become familiar with the claim of Commander Rawlins. He is not a constituent of mine. I never knew him until the presentation of his claim. He has spoken to me several times about this claim. I went into the case rather fully, because I thought there was equity in the claim.

I have read the report of the House of Representatives, and the various statements Commander Rawlins made in connection with his claim, and particularly the letters which had been written in approval of his claim by Admiral Carney, who is now a member of the Joint Chiefs of Staff.

I know that this case would be an exception to Navy regulations and would require special legislation. I believe there is equity in the case, and that it ought to have consideration.

I must say to my good friend, the chairman of the committee, that while an exception would be required, I believe one of the duties of Congress is to take care of equitable cases. Such cases are being handled all the time. Merely because some person in the Pentagon, who is connected with the Navy, says we should not deviate from prescribed procedure should not affect questions of equity before us. Therefore, I hope that at some time justice will prevail in this case.

The PRESIDING OFFICER. The Senator from Massachusetts has entered an objection.

Mr. SALTONSTALL. Mr. President, I hope the Senator from Oregon may feel as I do after he hears what I am about to say. I have told Commander Rawlins that if I am in the Senate next year, and I am a member of the Committee on Armed Services, I will try to help him get the legislation which is necessary to assist him. I make this statement because the present Chief of Naval Operations is in Commander Rawlins' corner, as was one of the previous Chiefs of Naval Operations.

The bill affects 23 permanent major generals in the Army, who under the present law would be retired no later than the age of 60, after having completed 35 years of service, with 5 years in grade. The bill will permit such officers to be retained in the service of our country on active duty until the age of 62, in the discretion of the Secretary.

In other words, 23 permanent major generals, now serving with the rank of lieutenant general in the Army, can render 2 more years of their valuable service if the bill becomes law. Otherwise, those officers will have to retire at the age of 60, and the Government will lose the benefit of their intelligence, training, and experience at a time when the benefits of their service are most needed.

Mr. MORSE. Mr. President, of course, the Chairman of the Committee on Armed Services knows that I would not think of preventing passage of the bill, which would be the result, from what the Senator has said, if I insisted upon my amendment. Apparently I was laboring under misinformation, because I was advised that if I offered an amendment to the bill the Senator from Massachusetts, in all probability, would not object.

I have no interest in the case, so far as the individual is concerned, as the Senator from Kentucky [Mr. COOPER] also has said. Commander Rawlins is not a constituent of the Senator from Kentucky, and he is not a constituent of mine. I met him in connection with my former work as a member of the Committee on Armed Services, but this is one of the cases which came before the subcommittee of which I was a member. The subcommittee felt that an injustice had been done, the full committee felt than an injustice had been done, and the Senate felt an injustice had been done, because I think the Senate twice passed legislation seeking to correct the injustice.

The difficulty is that the Navy personnel at the Pentagon always find some new blockade to throw in our way when we seek to correct the injustice. This is the latest one. We have been advised that this kind of amendment would remove the blockade which the Navy has now fallen behind.

I shall withdraw my amendment, but before doing so I wish to say that I do not think the Government ever should become so big that it cannot do justice to an individual in governmental service.

When we find Admiral Carney, as he very clearly has stated on the record, favoring the doing of justice in this case, I think in some way, somehow, legislation should be passed which would do justice.

The Senator from Massachusetts can count on me, come January, to join with him in giving any assistance I can toward having legislation passed.

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

Mr. MORSE. I yield.

Mr. KNOWLAND. I told the chairman of the Committee on Armed Services that I, as majority leader, would have to object to the amendment to the bill because of the bill's importance and the problem which I felt it would encounter in the other branch of Congress if the amendment were adopted.

I am perfectly willing to consider the case on its merits if it comes before the Senate as a separate bill. I shall be glad to consult with the Senator from Oregon and the chairman of the committee. But in this instance I will take the responsibility, because had not the chairman spoken and reserved his right to object, I had told him that I would have to object to the amendment.

Mr. MORSE. I think the Senator from California will agree with me that at least we have accomplished the purpose tonight of issuing another very clear notice to the Navy officials that we think they ought to get busy and do justice in the case.

I withdraw my amendment.

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

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

The title was amended so as to read: "An act to amend the Officer Personnel Act of 1947 to defer the retirement of certain officers of the Regular Army and the Regular Air Force, and for other purposes."

COMPACT RELATING TO HIGHER EDUCATION IN THE NEW ENGLAND STATES

The bill (S. 3726) granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States and establishing the New England Board of Higher Education was announced as next in order.

The PRESIDING OFFICER. The Chair wishes to state that Calendar No. 2232, H. R. 9712, is identical with Senate bill 3726. Is there objection to the consideration of the House bill?

There being no objection, the bill (H. R. 9712) granting the consent of Congress to certain New England States to enter into a compact relating to higher education in the New England States, and establishing the New England Board of Higher Education was considered, ordered to a third reading, read the third time, and passed.

The PRESIDING OFFICER. Without objection, Senate bill 3726 is indefinitely postponed.

EXTENSION OF CERTAIN TIMBER RIGHTS

The Senate proceeded to consider the bill (S. 3601) to provide that the Secretary of Agriculture is authorized to extend until not later than October 18, 1962, certain timber rights and necessary ingress and egress, and for other purposes, which had been reported from the Committee on Agriculture and Forestry with amendments, on page 1, line 3, after the word "Agriculture", to insert "hereinafter referred to as the Secretary"; on page 2, line 9, after the word "half", to insert "south half"; on page 3, line 6, after the word "Company", to insert "and its successors in interest"; at the beginning of line 11, to insert "and its successors in interest"; in line 13, after the word "the", to strike out "regional forester, region 3, Forest Service" and insert "Secretary"; at the beginning of line 16, to insert "forage"; and in line 19, after the word "the", to strike out "said regional forester" and insert "Secretary", so as to make the bill read:

Be it enacted, etc., That the Secretary of Agriculture, hereinafter referred to as the Secretary, is hereby authorized to extend until not later than October 18, 1962, those certain timber rights and necessary ingress, egress, or occupancy in connection therewith, of the M. R. Prestridge Lumber Co., and its successors in interest, on the following-described lands:

Township 17 south, range 12 east, New Mexico principal meridian:

Section 22, south half; section 23, south half; section 24, northeast quarter northeast quarter, southwest quarter northeast quarter, south half northwest quarter, southwest quarter, south half southeast quarter; section 25, northeast quarter northeast quarter, south half northeast quarter, northwest quarter, south half; section 26, northwest quarter, northeast quarter southeast quarter, south half south half; section 27, north half, northwest quarter southeast quarter, south half southeast quarter, southwest quarter; section 28, all; section 33, all; section 34, north half; section 35, all.

Township 18 south, range 12 east, New Mexico principal meridian:

Section 3, west half; section 4, all; section 9, all.

All lying within the Lincoln National Forest, Otero County, N. Mex.; such timber rights being those as were excepted as outstanding in the Southwest Lumber Co., predecessors in interest to the M. R. Prestridge Lumber Co., and expiring October 18, 1957, by that certain warranty deed, dated August 31, 1940, from Lee H. Orndorff, Alice V. Orndorff, M. H. Barrough, and Lula N. Barrough, to the United States of America, of record in said county on October 7, 1940, in book 117 of deeds at pages 617–8–9; which rights, by reference, were described and reserved in that certain deed of conveyance to the land involved from the Alamogordo Lumber Co., predecessors in interest to the Southwest Lumber Co., dated October 18, 1917, and recorded in book 53, pages 257, 262, deed records of Otero County, N. Mex.: *Provided*, That said M. R. Prestridge Lumber Co. and its successors in interest shall leave uncut henceforth from the date of this act, all trees whose diameter at a point 4½ feet above ground equals 16 inches or less: *Provided further*, That the said M. R. Prestridge Lumber Co. and its successors in interest shall after date of this act comply with reasonable logging and occupancy restrictions prescribed by the Secretary to prevent unnecessary damage to public resources and interests including uncut timber and young growth, forage, soil, water,

improvements, and public health and to insure reasonable fire protection. The said company shall, after date of this act, conform to road construction and maintenance standards acceptable to the Secretary, but not higher than required of other purchasers of national forest timber on the Lincoln National Forest and shall contribute a fair share toward the maintenance of the national forest roads used for log and lumber hauling by them.

The amendments were agreed to.

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

CHARTER OF PASSENGER SHIPS IN DOMESTIC TRADE

The bill (H. R. 9868) to amend the Merchant Ship Sales Act of 1946 to provide for the charter of passenger ships in the domestic trade was considered, ordered to a third reading, read the third time, and passed.

Mr. MAGNUSON. Mr. President, I ask unanimous consent to have printed at this point in the RECORD an explanation of H. R. 9868.

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

STATEMENT BY SENATOR MAGNUSON ON H. R. 9868 (S. 3732)

This is a completely noncontroversial bill. Its purpose is to authorize the chartering of Government-owned, war-built passenger vessels for use in the domestic trade specifically, in the case of the proponents of this bill, to pave the way for application to the Maritime Board for approval for a proposed tourist-type passenger service between San Francisco and Honolulu.

There is authority presently in the law for charter of such vessels for use in foreign trade, but apparently the question of charter for domestic use has never arisen previously.

The responsible Government agencies favor the bill. The Seafarers International Union of North America urges its passage. The Hawaiian Visitors Bureau supports it. And the one passenger line operating in this service reports that it has no objection.

The Commerce Department took the position that passage of the bill would provide a desirable authority in the Government to charter any war-built passenger vessel in the defense reserve. It pointed out also that chartering of passenger vessels in the domestic trade would place in service additional units which would be readily available for military use in the event of an emergency and should be valuable operating units in our merchant marine.

The Commerce Department recommended that, in the interest of better arrangements, the bill be so worded as to amend section 5 (f) instead of section 5 (e) of the 1946 act, so that provisions for chartering passenger vessels be set forth in one subsection.

USES OF PUBLIC LANDS—BILL PASSED OVER

The bill (H. R. 1254) to provide authorization for certain uses of public lands was announced as next in order.

The PRESIDING OFFICER. A companion bill to this bill was objected to earlier in the day, and therefore the bill will go over.

Mr. KUCHEL. Mr. President, may I have unanimous consent to speak for a moment?

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the Senator from California may proceed.

Mr. KUCHEL. Mr. President, the objection lodged to the companion bill was one lodged by my friend, the Senator from Oregon [Mr. MORSE]. I had assumed, earlier in the evening, that it was to this bill which he had the idea of continuing to object this evening. I should like to ask my friend, the Senator from Oregon, if in this instance the material which I gave him from the State attorney general in California may have been able to indicate the necessity for this legislation or the companion bill to which earlier he objected?

Mr. MORSE. Mr. President, I always feel badly when I find myself in disagreement with the same colleague more than once on the Unanimous Consent Calendar. I can assure him that my difference with him is a sincere one. However, I would have no objection to the bill being called on the next call of the calendar.

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate bill to which objection was previously made and House bill 1254, which is almost, but not quite a companion measure, go over to the next call of the calendar.

The PRESIDING OFFICER. The bills will go over to the next call of the calendar.

AUTHORIZATION OF APPROPRIATIONS FOR CONSTRUCTION, OPERATION, AND MAINTENANCE OF WESTERN LAND BOUNDARY FENCE PROJECT

The bill (S. 114) authorizing appropriations for the construction, operation, and maintenance of the western land boundary fence project, and for other purposes was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That there is authorized to be appropriated to the United States section, International Boundary and Water Commission, United States and Mexico, such sums as may be necessary for the construction, operation, and maintenance of the western land boundary fence project, as said project is presently planned or as the plans therefor may be amended from time to time.

SEC. 2. The said sums may be appropriated specifically for said project, or may be included with the appropriation for all construction projects of said United States section. The expenditures and appropriations herein authorized shall not be construed as placing a limitation on funds which may be hereafter appropriated for the operation and maintenance of said project. The United States Commissioner, International Boundary and Water Commission, United States and Mexico, notwithstanding the provisions of section 3679 of the Revised Statutes (31 U. S. C. 665), sections 3732 and 3733 of the Revised Statutes (41 U. S. C. 11 and 12), or any other law, may enter into contracts beyond the amount actually appropriated for so much of the work on said project as the physical and orderly sequence of construction or considerations of expediting said work make necessary or desirable, such contracts to be subject to and dependent upon future appropriations by Congress: *Provided*, That the total construction cost of said project shall not exceed $3,500,000.

SEC. 3. Notwithstanding any contrary provisions of appropriation or other acts applicable to said project, the United States section is authorized to acquire by purchase, exercise of the power of eminent domain, or by donation any real or personal property which may be necessary for such project, as determined by the United States Commissioner, including rights-of-way not exceeding 60 feet in width, as may be necessary for such boundary fence and roads parallel thereto required for the patrol and maintenance thereof.

SEC. 4. Notwithstanding any contrary provisions of law, any executive department, independent establishment, or other agency of the United States is authorized to transfer to the United States section, without payment or reimbursement therefor, (a) any equipment, supplies, or materials which any of these agencies may have and which may be needed for the construction, repair, operation, or maintenance of such boundary fence project by the United States section; and (b) any existing fences, or portions thereof on or along the United States-Mexican boundary, which may be under the jurisdiction of such other Federal agency. The United States section is hereby authorized to expend, out of funds made available for boundary-fence construction, any sums of money which may be necessary for the reconstruction, repair, and operation and maintenance of boundary fences so transferred.

SEC. 5. The said United States Commissioner, in his discretion, is authorized to employ personnel for the survey, inspection, construction, and supervision of construction of such fence project without regard to personnel ceilings otherwise imposed, and without regard to the civil-service laws or regulations requiring the employment of American citizens: *Provided*, That such employment shall not be for a period longer than that required for the completion of construction of such fence project, nor in any event for a period in excess of 3 years from the effective date of this act.

SEC. 6. Said fence project may be constructed by contract or by force account, or partly by contract and partly by force account, in the discretion of the said United States Commissioner; and in either event the provisions of title 41, United States Code, section 5, and other laws and regulations relating to advertising for proposals for purchases and contracts for supplies or services for departments of the Government and laws and regulations placing limitations upon the purchase of passenger-carrying or other motor-propelled vehicles shall be inapplicable to purchases and contracts for equipment and supplies or services for the survey, construction, or supervision of said fence project.

SEC. 7. The opinion of the Attorney General in favor of the validity of the title to any tract of land or easement therein to be acquired for right-of-way for said fence project shall not be required as a condition precedent to construction thereon when, in the opinion of the said United States Commissioner, such requirement would unduly delay the construction program and the interests of the United States are not jeopardized by the waiver of such requirement: *Provided*, That proceedings for the acquisition of such tracts or easements therein by purchase, exercise of the power of eminent domain, or condemnation have been commenced, and the consent of the record or apparent owner or owners of any such tract has been secured for the immediate occupancy thereof, or appropriate orders have been entered therefor in eminent domain proceedings: *Provided further*, That the United States Commissioner shall proceed, as expeditiously as may be possible, to secure title to such tracts or easements therein in the manner and to the extent required for the approval of the Attorney General in accordance with existing law: *Provided further*, That where portions of such fence are to be built within the right-of-way lines of existing State, county, or other public roads or highways, the United States Commissioner is authorized to accept, and the Attorney General is

authorized to approve, rights-of-way, easements, or licenses from any such State, county, or other public agency having jurisdiction thereover, subject to such conditions and limitations as may be required by State or municipal law or regulation, including, but not limited to, conditions requiring the removal of said fence, or portions thereof, to points outside of the right-of-way lines as may not be objectionable to the State, county, or other public agency concerned, where considerations of widening said roads or highways, or other considerations of public necessity, make such removal necessary, and when, in the opinion of the United States Commissioner, the interests of the United States will not thereby be unduly jeopardized. The opinion of the attorney general of the State wherein such rights-of-way, easements, or licenses are granted, if such opinion be obtained, shall be conclusive as to the right or authority of the State, county, or other public agency concerned, and of the officials thereof, to grant any such right-of-way, easement, or license.

EXTENSION OF CERTAIN PATENTS DURING CERTAIN EMERGENCY PERIODS—BILL PASSED OVER

The bill (H. R. 3534) to authorize the extension of patents covering inventions whose practice was prevented or curtailed during certain emergency periods was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, in view of the fact that the calendar committee on this side of the aisle has not received full and complete reports from the agencies involved, I ask that the bill go over until the next call of the calendar. I should like to say, in fairness, that we do have a report from the Department of Commerce, but I will not be entirely satisfied until I get the full report.

The PRESIDING OFFICER. The bill will be considered at the top of the next endar.

BILL PASSED OVER

The bill (H. R. 8898) to amend section 401 (e) (2) of the Civil Aeronautics Act, as amended, was announced as next in order.

Mr. HENDRICKSON. Mr. President, by request I ask that the bill go over.

Mr. SMATHERS. Mr. President, I ask unanimous consent that the bill be considered at the top of the next call of the calendar.

The PRESIDING OFFICER. Without objection, it is so ordered, and the bill will be considered at the top of the next call of the calendar.

LAWRENCE F. KRAMER

The Senate proceeded to consider the bill (S. 2083) to confer jurisdiction upon the Court of Claims to hear the claim of Lawrence F. Kramer, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Lawrence F. Kramer, of 354 East 42d Street, Paterson, N. J., the sum of $67,500 in full satisfaction of his claim against the United States for (1) compensation for services rendered by him during the period from 1935 to 1952 in assisting and enabling the United States to prosecute successfully criminal proceedings against certain defendants who had defrauded the Government in connection with fixing prices on Works Projects Administration projects in the State of New Jersey, and (2) for reimbursement for expenses incurred by him in rendering such services: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

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

The title was amended so as to read: "A bill for the relief of Lawrence F. Kramer."

M. M. HESS

The bill (H. R. 7762) for the relief of M. M. Hess was announced as next in order.

The PRESIDING OFFICER. The Chair will state that the amendment of the committee and the amendment by the Senator from New Jersey [Mr. HENDRICKSON] have been agreed to. Is there objection to the present consideration of the bill?

Mr. GORE. Mr. President, reserving the right to object, does the Chair refer to the amendment prohibiting the payment of interest?

The PRESIDING OFFICER. Yes.

Mr. GORE. I withdraw my objection.

The Senate resumed the consideration of the bill (H. R. 7762) for the relief of M. M. Hess.

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

The amendments were ordered to be engrossed and the bill to be read the third time.

The bill was read the third time and passed.

INCREASE OF PENSIONS TO VETERANS AND DEPENDENTS

The bill (H. R. 9962) to increase by 5 percent the rates of pension payable to veterans and their dependents was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 3772) to amend the Federal Property and Administrative Services Act of 1949, as amended, to provide for the payment of appraisers, auctioneers, and brokers fees, from the proceeds of disposal of Government surplus real property, and for other purposes was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

EXTENSION OF AUTHORITY OF THE SECRETARY OF THE INTERIOR TO ISSUE CERTAIN PATENTS—BILL PASSED TO NEXT CALL OF THE CALENDAR

Mr. FERGUSON. Mr. President, why was Calendar No. 2351, S. 3716, passed over?

The PRESIDING OFFICER. It was not placed at the foot of the calendar.

Mr. FERGUSON. I ask unanimous consent that it may be brought up on the next call of the calendar.

Mr. HENDRICKSON. Mr. President, if the Senator will yield, we have a definite agreement concerning this measure.

Mr. FERGUSON. Mr. President, I understand it will be called on the next call of the calendar.

The PRESIDING OFFICER. Without objection, the bill will be called on the next call of the calendar.

BILL PASSED OVER

The bill (S. 3844) to provide for a reciprocal and more effective remedy for certain claims arising out of the acts of military personnel and to authorize the pro rata sharing of the cost of such claims with foreign nations, and for other purposes was announced as next in order.

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

REVIEW OF CUSTOMS TARIFF SCHEDULES, ETC.

The bill (H. R. 10009) to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, to repeal or amend obsolete provisions of the customs laws, and for other purposes, was announced as next in order.

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

Mr. GORE. Mr. President, reserving the right to object, I wish to say that at the last call of the calendar I registered an objection to the bill. Since that time I have had an opportunity to confer with the distinguished Senator from Georgia, and also with Representative COOPER, of Tennessee, and Representative MILLS, of Arkansas, both of whom are members of the House Ways and Means Committee. All three distinguished Members of Congress recommend the passage of the bill. Therefore I withdraw objection.

Mr. MALONE. Mr. President, may we hear what the amendments are?

The PRESIDING OFFICER. The clerk will state the amendments.

The amendments which had been reported from the Committee on Finance were, on page 2, line 1, after the word "classified", to strike out "for the purpose of determining the applicable rate of duty or exemption from duty" and insert "for tariff purposes"; at the beginning of line 4, to strike out "certain" and insert "related"; in line 12, after "(1)", to strike out "established" and insert

"establish"; in line 21, after the word "classifications", to strike out:

With respect to particular products by (i) eliminating multiple provisions for the tariff treatment of the same product; (ii) revising tariff descriptions; (iii) establishing a single classification provision for each group of articles which are subject now to different classifications but which are similar in character and in competitive relationship to products of the United States; (iv) changing forms of rates of duty; and (v) establishing consistent and simplified principles and standards of tariff classification.

(b) The schedules prepared in accordance with subsection (a) shall specify two recommended rates of duty for each classification provision in the dutiable schedules, which rates may be identical or different. Such rates shall be respectively (1) the rate, or equal in ad valorem equivalent to the rate or rates, applicable on the date of completion of the schedules (even though temporarily suspended by act of Congress) to articles covered by such classification provision which are products of countries whose products are not at that time entitled to the benefits of reduced rates of duty established pursuant to trade agreements entered into under the authority of section 350 of the Tariff Act of 1930 as amended (U. S. C., 1952 edition, title 19, sec. 1351) and (2) the rate, or equal in ad valorem equivalent to the rate or rates, applicable on the date of completion of the schedules (even though temporarily suspended by act of Congress) to articles covered by such classification provision which are products of countries, other than Cuba and the Philippine Republic, whose products are at that time entitled to the benefits of rates of duty established pursuant to the aforesaid trade agreements. For the purposes of specifying all rates of duty in the schedules, such tolerances shall be applied as the Commission shall deem appropriate to round out the rates within reasonable standards of uniformity. If the Commission in preparing its schedules changes the form of the rate of any duty, or establishes a single classification provision for a group of articles formerly subject to different rates of duty, the revised rates, whether ad valorem, specific, or compound, shall be those which, in the judgment of the Commission, will bring substantially the same amount of duties as would have been collected by application of the superseded rate or rates, based upon reasonably available information as to the amounts of duties which were and would have been collected on imports entered, or withdrawn from warehouse, for consumption, during the calendar years 1952 and 1953.

(c) The schedules prepared in accordance with the preceding subsections shall be accompanied by a statement of the amount of each difference between an existing rate and the corresponding rate in the schedule, based upon reasonably available information as to the amounts of duties which were, and which by application of the schedule rates would have been, collected on imports entered, or withdrawn from warehouse, for consumption, during the calendar years 1952 and 1953. They shall also be accompanied by summaries of all the data on the basis of which the new rates in the schedules were calculated.

On page 5, after line 2, to insert:

(b) The Commission shall seek to accomplish the purposes of subsection (a) without suggesting changes in any rate or rates of duty on individual products, whether those rates are applied by statute or by Presidential proclamation. Where, however, in the judgment of the Commission, the purposes of subsection (a) cannot be accomplished without such changes, the Commission shall specify each incidental change in rates which in its judgment would accomplish such purposes, and shall accompany it with a summary of all the data on which such suggested change was based, together with a statement of the probable effect of such suggested change on any industry in the United States. Before suggesting any changes in rates of duty, the Commission shall give public notice of its intention to do so and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at public hearings with respect to the probable effect of such suggested changes on any industry in the United States.

On page 5, line 21, to change the subsection letter from "(d)" to "(c)"; in line 23, after the word "data", to insert "and statements"; on page 6, line 3, to change the subsection letter from "(e)" to "(d)"; after line 12, to insert:

(e) The Commission may invoke all the powers granted to it under part II, title III, of the Tariff Act of 1930, as amended, and is authorized to make reasonable rules and regulations, for the purpose of carrying out its functions under this title.

After line 17, to insert:

(f) The Commission may procure temporary and intermittent services in accordance with section 15 of the act of August 2, 1946 (5 U. S. C., sec. 55a), but at rates not to exceed $75 per diem for individuals. The Commission may reimburse employees, experts, and consultants for travel, subsistence, and other necessary expenses incurred by them in the performance of their official duties, and make reasonable advances to such persons for such purposes. Service by a person pursuant to the first sentence of this subsection shall not be considered as service or employment bringing such person within the provisions of section 281, 283, 284, or 1914 of title 18 of the United States Code, or section 512 of the Mutual Security Act of 1954, or section 190 of the Revised Statutes (5 U. S. C., sec. 99).

On page 7, line 7, to change the subsection letter from "(f)" to "(g)"; in line 11, in the heading, after "Title II", to strike out "Tariff Classification of"; in line 12, in the heading, after the word "Articles" to insert "American Goods Returned"; on page 8, after line 11, to insert:

CERTAIN METAL ARTICLES RETURNED TO UNITED STATES

SEC. 202. Paragraph 1615 (g) of the Tariff Act of 1930, as amended (U. S. C., 1952 edition, title 19, sec. 1201, par. 1615 (g)), is further amended to read as follows:

"(g) (1) Any article exported from the United States for repairs or alterations may be returned upon the payment of a duty upon the value of the repairs or alterations at the rate or rates which would apply to the article itself in its repaired or altered condition if not within the purview of this subparagraph (g).

"(2) If—

"(A) any article of metal (except precious metal) manufactured in the United States or subjected to a process of manufacture in the United States is exported for further processing; and

"(B) the exported article as processed outside the United States, or the article which results from the processing outside the United States, as the case may be, is returned to the United States for further processing,

then such article may be returned upon the payment of a duty upon the value of such processing outside the United States at the rate or rates which would apply to such article itself if it were not within the purview of this subparagraph (g).

"(3) This subparagraph (g) shall not apply to any article exported—

"(A) from bonded warehouse or from continuous customs custody elsewhere than bonded warehouse with remission, abatement, or refund of duty;

"(B) with benefit of drawback through substitution or otherwise; or

"(C) for the purpose of complying with any law of the United States or regulation of any Federal agency requiring exportation.

"(4) For the purposes of this subparagraph (g), the value of repairs, alterations, or processing outside the United States shall be considered to be—

"(A) the cost to the importer of such repairs, alterations, or processing; or

"(B) if no charge is made, the value of such repairs, alterations, or processing,

as set out in the invoice and entry papers; except that, if the Secretary of the Treasury concludes that the amount so set out does not represent a reasonable cost or fair value, as the case may be, then the value of the repairs, alterations, or processing shall be determined in accordance with section 402 of this act. No appraisement of the imported article in its repaired, altered, or processed condition shall be required unless necessary to a determination of the rate or rates of duty applicable to such article."

On page 11, line 15, after the word "from", to insert "the invoice or other papers or from"; in line 16, after the word "him", to insert "or to any person to whom authority under this section has been delegated"; in line 18, after the word "exporter's", to strike out "sale" and insert "sales"; in line 24, after the word "than", to strike out "sixty" and insert "one hundred and twenty"; in line 25, after the word "been", to insert "raised by or"; on page 12, at the beginning of line 1, to insert "or any person to whom authority under this section has been delegated"; in line 12, after the word "than", to strike out "sixty" and insert "one hundred and twenty"; at the beginning of line 14, to insert "raised by"; in the same line, after the word "Secretary", to insert "or any person to whom authority under section 201 has been delegated"; in line 18, after the word "exporter's", to strike out "sale" and insert "sales"; on page 14, line 13, after "SEC. 402. (a)", to strike out "section 3 of the act of March 3, 1917 (39 Stat. 1133), as amended (U. S. C., 1952 edition, title 48, sec. 1394), is amended to read as follows" and insert "section 28 (d) of the Revised Organic Act of the Virgin Islands, approved July 22, 1954, is amended to read as follows"; in line 18, at the beginning of the line, to strike out "SEC. 3." and insert "(d)"; in line 22, after the word "section", to strike out "3350" and insert "7652 (b)"; in the same line, after the word "Code", to insert "of 1954"; on page 15, after line 3, to strike out:

TITLE V. OBSOLETE PROVISIONS OF CUSTOMS LAWS

SEC. 501. The following obsolete, inoperative, and unnecessary statutes and parts thereof relating to the duties, functions, and operations of certain officers and employees of the Customs Service are repealed:

1. Section 2649, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 12).

2. Section 1 of the act of March 4, 1911 (ch. 285, 36 Stat. 1393), as amended, and so much of the acts of August 15, 1876 (19 Stat. 152), March 3, 1891 (26 Stat. 968), March 4, 1911 (36 Stat. 1393), and March 4, 1923 (42 Stat. 1453), as relate to the number and

titles of special agents or members of the Customs Special Agency Service (U. S. C., 1952 edition, title 19, sec. 13).

3. Section 2651, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 14).

4. Section 2999, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 15).

5. Section 2940, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 16).

6. Section 2941, Revised Statutes (U. S. C., 1952 editon, title 19, sec. 17).

7. Section 2942, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 18).

8. Section 2616, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 21).

9. Section 2614, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 22).

10. Section 2615, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 23).

11. Section 2617, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 24).

12. Section 2611, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 26).

13. Section 11 of the act of February 8, 1875 (ch. 36; 18 Stat. 309), as amended (U. S. C., 1952 edition, title 19, sec. 27).

14. Act of September 24, 1914 (ch. 309, 38 Stat. 716; U. S. C., 1952 edition, title 19, sec. 28).

15. Section 2627, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 40).

16. Section 2687, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 53).

17. Section 2646, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 54).

18. Section 2647, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 55).

19. Section 2944, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 56).

20. Section 2648, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 57).

21. Section 2635, Revised Statutes, as amended (U. S. C., 1952 edition, title 19, sec. 59).

22. Section 2580, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 61).

23. Act of December 18, 1890 (ch. 22, 26 Stat. 690), as amended (U. S. C., 1952 edition, title 19, sec. 62).

24. Section 258, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 37).

25. Section 2612, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 379).

26. Section 2918, Revised Statutes (U. S. C., 1952 edition, title 19, sec. 390).

27. Section 13 of the Act of June 22, 1874 (ch. 391, 18 Stat. 188; U. S. C., 1952 edition, title 19, sec. 494).

28. Act of February 10, 1913 (ch. 35, 37 Stat. 665; U. S. C., 1952 edition, title 19, sec. 542).

29. Section 3650, Revised Statutes, as amended (U. S. C., 1952 edition, title 31, sec. 549).

30. So much of section 3689 of the Revised Statutes (U. S. C., 1952 edition, title 31, sec. 711 (7)) as reads: "Repayment of excess of deposits for unascertained duties (customs): To repay to importers the excess of deposits for unascertained duties, or duties or other moneys paid under protest."

31. So much of section 1 of the act of September 30, 1890 (ch. 1126, 26 Stat. 511), as reads: "And such clerks and inspectors of customs as the Secretary of the Treasury may designate for the purpose shall be authorized to administer oaths, such as deputy collectors of customs are now authorized to administer, and no compensation shall be paid or charge made therefor."

SEC. 502. Subsection (f) of section 500 of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1500 (f)) is amended by deleting from the second sentence the words "take the oath."

SEC. 503. Section 583 of the Tariff Act of 1930 (U. S. C., 1952 edition, title 19, sec. 1583) is amended by deleting therefrom the words "the back of."

On page 18, line 20, to change the title number from "VI" to "V"; in line 22, to change the section number from "601" to "501"; on page 19, line 18, to change the section number from "602" to "502"; on page 20, line 2, after "(a)", to strike out "Every" and insert "Except as specified in the proviso to section 594 of this act, every"; in line 18, to change the section number from "603" to "503"; on page 21, line 18, to change the section number from "604" to "504"; on page 22, line 5, to change the section number from "605" to "505"; in line 18, to change the section number from "606" to "506"; in line 23, to change the section number from "607" to "507"; on page 23, line 3, to change the title number from "VII" to "VI"; in line 4, to change the section number from "701" to "601"; and in the same line, after the word "and" to strike out "VI" and insert "V."

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

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

THE SO-CALLED CUSTOMS SIMPLIFICATION BILL

The PRESIDING OFFICER. The bill having been read a third time, the question is, Shall it pass?

Without objection——

Mr. MALONE. Mr. President, reserving the right to object, I should like to ask the distinguished chairman of the Finance Committee whether all the amendments which have just been read were approved by the Senate Finance Committee.

Mr. MILLIKIN. I think they were approved, after a considerable debate between ourselves—I refer to the distinguished Senator from Nevada and myself—and after numerous meetings with the Government agencies affected, who met with the members of the Senate Finance Committee to discuss the thoughts we developed as we went along to meet the points the Senator from Nevada had in mind.

Mr. MALONE. Mr. President, still reserving the right to object, I want to say for the benefit of the record that for several years we have had a continual stream of these so-called customs simplification bills—customs simplification always including the lowering of the import fees or tariffs or duties as they are called in the Constitution of the United States.

The final net result is always a reduction of such duties or fees through what is called simplification—either through changing the valuation from the American valuation to the foreign valuation, or changing classifications to take a lower duty.

Again for the benefit of the record, let me say that the junior Senator from Nevada has discussed this bill with the Secretary of the Treasury and it is understood that there is no intention on his part of disturbing the tariff structure through this proposed legislation and that the Secretary will cooperate with the Senate Finance Committee in preventing such further misrepresentations under the general heading of simplification.

All over the country we have continuous propaganda relative to customs simplification which always adds up to only one thing, namely, reclassification or revaluation to take a lower duty. The junior Senator from Nevada is tired of it, and serves notice now that any furthere simplification bill cloaking such tariff or duty revisions will be debated on the Senate floor until thoroughly understood by a long-suffering public.

It has become the custom to present such bills during the closing days of the sessions when there is no time for hearings or even adequate reading and study.

It is time the workingmen's jobs and the investors' money is again protected through the principle of a flexible tariff or duty adjusted by the Tariff Commission as an agent of Congress on the basis of fair and reasonable competition—the tariff or duty representing the difference between the wages and taxes here and in the chief competing country.

The PRESIDING OFFICER. Does the Senator from Nevada offer further objection?

Mr. MALONE. Mr. President, I do not object.

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

Mr. MALONE. I am happy to yield for a question.

Mr. DOUGLAS. Do I correctly understand that the Senator from Nevada is objecting to a part of the legislative program fo simplification of tariff duties?

Mr. MALONE. I am objecting to the type of simplification the junior Senator from Illinois always favors—that is a lowering of tariffs and putting foreign sweatshop labor directly into competition with American workers and investors.

Mr. DOUGLAS. Do I correctly understand that the Senator from Nevada is opposed to the President's program?

Mr. MALONE. I am opposed to anybody's program which includes a lowering of tariffs or duties putting the American workingman in direct competition with the sweatshop labor of Europe and Asia. This includes the foreign-trade program, which has always been supported by the Senator from Illinois.

The PRESIDING OFFICER. The amendments having been engrossed, and the bill read a third time; the question is, Shall the bill pass?

The bill (H. R. 10009) was passed.

The title was amended so as to read: "An act to provide for the review of customs tariff schedules, to improve procedures for the tariff classification of unenumerated articles, and for other purposes."

TRANSMITTAL OF INTERNATIONAL AGREEMENTS TO SENATE WITHIN 30 DAYS AFTER EXECUTION

The bill (S. 3067) to require that international agreements other than treaties,

hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof, was announced as next in order.

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

Mr. SMATHERS. There is no objection from this side to the present consideration of the bill.

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

TRIBUTE TO SENATOR PAYNE, OF MAINE

Mr. HOLLAND. Mr. President, reserving the right to object, in connection with the consideration of Senate bill 3067—although I do not intend to object—let me say that in view of the effective activities on the part of the distinguished junior Senator from Maine [Mr. PAYNE], who now is presiding so ably over the Senate—and I refer to his necessary activities in keeping the Members of the Senate in a proper state of discipline and good working order—I think perhaps a brief item just carried on the Associated Press ticker may be appropriately read at this time:

WASHINGTON.—A statistically minded Senate parliamentarian figured out today that the Senate under the rapid gaveling of Senator PAYNE (Republican, Maine) has established an all-time record in bill passage.

Starting in on a mountainous accumulation of bills Tuesday night with Maine's former governor in the chair the Senate whipped through 47 bills in 10 minutes.

With PAYNE again presiding on Wednesday the Senate took up its calendar at 10:15 a. m., and by 2:15 p. m., just 4 hours later, had considered 432 bills, passing 366 and deferring 66 for later action.

At one point PAYNE called up and banged through private immigration bills at the rate of 100 in 10 minutes.

At the end of the gruelling session PAYNE looked fresh but admitted he was "a bit weary."

I thought the insertion into the RECORD at this time of that item might be an inspiration to future presiding officers of the Senate. [Laughter and applause.]

The PRESIDING OFFICER (Mr. PAYNE in the chair). Let the Chair state that if the Chair had the right to do so, he would rule the Senator from Florida out of order. [Laughter.]

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

Mr. HOLLAND. I yield.

Mr. MALONE. Was the distinguished Senator from Florida apologizing for the Senate to the country, or is it supposed to be a compliment to have the Senate pass 47 bills in 10 minutes, without consideration at all?

Mr. HOLLAND. In reply to my distinguished friend, Mr. President, I may say that I think it is a compliment to the Senate committees for their care in getting the bills in excellent shape, and to the expedition of the junior Senator from Maine [Mr. PAYNE], who has been presiding over the Senate in such commendable fashion; and, besides, I thought the inclusion of that item at this particular time might inspire future Senators and future presiding officers to continue to expedite the business of the Senate. In addition, I thought that the people of the Nation might be pleasantly surprised to hear that their Senate, which at times is said to spend vast amounts of time on one bill, can make such speedy progress on occasion?

Mr. HUMPHREY. Mr. President, will the Senator from Florida yield to me?

Mr. HOLLAND. I yield.

Mr. HUMPHREY. I think the Senator from Florida should include in the commendation the distinguished Members of the Senate who serve on the two calendar committees. I notice that the calendar committee on this side of the aisle is composed of Members of the Senate who have been most faithful and loyal in watching over the calendar in behalf of all Members of the Senate on this side of the aisle, as each of us individually watches over the measures relating to our respective interests and fields. I think those Senators have done an extremely fine job.

Mr. HOLLAND. I thoroughly agree with my distinguished friend, the Senator from Minnesota, in extending the commendation to my colleague, the distinguished junior Senator from Florida [Mr. SMATHERS], to the distinguished junior Senator from Tennessee [Mr. GORE], and in referring equally to the calendar committee serving so faithfully and tirelessly on the other side of the aisle, to the distinguished junior Senator from New Jersey [Mr. HENDRICKSON], and to the distinguished junior Senator from Kentucky [Mr. COOPER]. Certainly all of these able Senators are entitled to receive the accolade of the Senate.

TRANSMITTAL OF INTERNATIONAL AGREEMENTS TO SENATE WITHIN 30 DAYS AFTER EXECUTION

The PRESIDING OFFICER. Calendar No. 2365, Senate bill 3067, requiring that international agreements other than treaties, hereafter entered into by the United States, be transmitted to the Senate within 30 days after the execution thereof, has already been announced as next in order.

Is there objection to the present consideration of the bill?

Mr. SMATHERS. Mr. President, reserving the right to object, in order to slow down the proceedings a little, let me state that we have received a request for an explanation of the bill.

Mr. FERGUSON. I should like to give the explanation.

Mr. President, I wish to speak very briefly concerning the bill (S. 3067) which, under the committee amendment, would require international agreements other than treaties to be transmitted to the Senate within 60 days after they have been concluded.

This bill would amend section 112 of title I of the United States Code by adding a new section, 112b, enlarging the duty of the Secretary of State to keep Congress and the people informed concerning the existence of agreements which are concluded between other governments and our own.

At the present time, section 112a requires the Secretary of State to compile and publish all treaties to which the United States is a party, that have been proclaimed during each calendar year. Information with respect to international agreements other than treaties—loosely described as executive agreements—has not in the past been available as quickly as it should have been to satisfy many members of the Senate. The present bill would ensure that the Senate be kept regularly advised as to the subject matter of agreements which are finalized by the Executive alone.

Under the committee amendment, all such agreements must be transmitted to the Senate within 60 days, except for those agreements which, for security reasons, are classified, and which the President does not believe should in the national interest be disclosed to the general public. The latter category would, under the bill, be transmitted, with appropriate security safeguards, to the Senate Committee on Foreign Relations. Members of that committee will thus be kept fully informed as to the nature of the obligations assumed by our Government in such agreements.

The bill will not only encourage greater liaison between the Executive and Congress throughout the entire range of the treaty process, but will remove some of the objections which in the past have been made on this floor, to the effect that this Nation was being committed to undertakings which the Senate had no opportunity to learn about until long afterward.

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

Mr. MONRONEY. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from Michigan if he can inform the Senate who is to decide which of those agreements are executive agreements, and which are made under the President's authority as Commander in Chief of the armed services?

Mr. FERGUSON. This bill would cover all executive agreements, whether they were made under authority of the bill, or under his power as Commander in Chief; and he would determine whether or not they were such that they should be brought only to the Senate committee. There is no objection on the part of the State Department.

As I recall, decision on both sides of the aisle in the committee was unanimous.

Mr. MONRONEY. The distinguished Senator has not yet clarified the question for me, unless he is now telling the Senate that all the agreements made by the Executive, whether or not made as Commander in Chief, even in time of war, must be sent to the Senate and made a matter of public knowledge to the Senate.

Mr. FERGUSON. Not made public knowledge to the Senate. The agreement would be made available to the Senate or, if the President thought the security of the Nation was at stake, to the Foreign Relations Committee. The President would determine that question.

Mr. MONRONEY. I can understand the desire of the Senate to have these international agreements, but since this bill has absolutely nothing in it that I have been able to find, involving the duties and prerogatives of the Executive and the necessary secrecy surrounding the powers of the Commander in Chief in time of war, I wonder if we are not rushing headlong into something which might even threaten us with military disaster.

Mr. KNOWLAND. Mr. President, if the Senator will yield, I do not believe the pending measure would have that effect at all. In the first place, it is not unusual in the history of our country for the President to send to the Senate, under the ban of secrecy, and before the ban of secrecy is removed, treaties which have been negotiated and the Senate ratifies them in open session later. In this case a report was made by a subcommittee representing both sides of the aisle; and, as I recall, the bill was reported unanimously by the Foreign Relations Committee. What we were trying to do was to keep the Senate of the United States, which has the responsibility in the field of foreign policy, from operating in the dark in connection with important executive agreements which might have great effect upon our country, without any knowledge of such agreements on the part of the Senate or the Committee on Foreign Relations of the Senate, which has a direct responsibility in dealing with matters of foreign policy.

When such agreements are filed at the U. N. it seems to me that not to require such information, to deprive the Senate of knowledge of them, is merely blinding ourselves to a source of information which I think the Senate is entitled to have.

Mr. MONRONEY. I am in perfect agreement with respect to international agreements as such, but I tried to get from the distinguished Senator from Michigan [Mr. FERGUSON] a statement as to where the dividing line is as between agreements which are made on a military basis by the Commander in Chief, with respect to which agreements can be permitted in the realm of our military security in relationship to time of war or peacetime, and other international agreements.

Mr. FERGUSON. I quote from the report of the committee:

> At the present time, section 112a of title I of the United States Code requires the Secretary of State to compile and publish, beginning with January 1, 1950, a compilation entitled "United States Treaties and International Agreements," containing all treaties to which the United States is a party, that have been proclaimed during each calendar year, along with international agreements other than treaties concluded by the United States during each calendar year.

To answer the Senator's question, the President of the United States would decide what is to be made public and what is not. When he makes an executive agreement under his power as Commander in Chief, under the present law he must publish it in a volume at the end of the year. The proposed legislation would require him only to give it secretly and confidentially to the Foreign Relations Committee within 60 days. It would speed up operations.

Mr. MONRONEY. The distinguished Senator from Michigan has not yet approached the question on the basis of which I made my reservation of objection, namely, the dividing line as between the constitutional prerogatives with respect to executive agreements and the powers and rights of the Chief Executive as Commander in Chief.

Of course, executive agreements, as such, should come to the Senate and be filed. In time of war or in time of crisis, if a real security question is involved, they should be kept secret. During many weeks of debate on the Bricker amendment, a subject very similar to this, no Member of the Senate, so far as I could tell, could properly define the area of power constitutionally belonging to the President as Commander in Chief and the area of power reserved with respect to treaties and executive agreements. I think it is too much to expect the Senate, on a call of the calendar at 9:30 at night, after 11½ hours of fast debate, to pass on a bill as vital as this may be, requiring disclosures to the Senate, which would conflict with the constitutional prerogatives of the Commander in Chief.

Mr. KNOWLAND. If the Senator desires to cut the Senate off from sources of information, of course, he is entirely within his right in objecting.

Mr. MONRONEY. The majority leader knows I am inquiring about the distinction between the rights of the President as Commander in Chief and the rights and prerogatives of the President with respect to international agreements.

Mr. FERGUSON. There is no distinction in the Constitution between such powers. They are all constitutional powers. The President's Secretary of State has no objection to the bill in this form.

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

Mr. MALONE. Mr. President, reserving the right to object, I should like to ask the distinguished Senator from Michigan a question. Does the requirement with respect to disclosure of these treaties include trade agreements?

Mr. FERGUSON. Yes; it would include all agreements.

Mr. MALONE. If this bill should be enacted, as I understand, the President of the United States would still determine whether a given agreement should be secret or whether it should be disclosed. He would decide whether the security of the country was involved. A former President decided that the agreements made at Yalta should not be disclosed to the country. This provision would not have safeguarded the country from the Yalta agreement.

Mr. FERGUSON. Under the present law the agreements made at Yalta would have had to be published within a year, or at the end of the year. Under the bill which we are now considering they would have to be filed with the Senate within 60 days.

Mr. MALONE. Not if the President of the United States considered the national security to be involved.

Mr. FERGUSON. In any event, he would have to file it with the Committee on Foreign Relations of the Senate. At the end of the year, under the present law, without exception, it would have to be published.

Mr. MALONE. I did not understand the Senator from Michigan to describe it in that manner. I understood him to say that if the President of the United States considered it a security measure, or for security purposes, he would not be required to file it.

Mr. FERGUSON. He must file it. Under present law, it would not be released to the public until it was published at the end of the year, long after execution. Under this bill, he would have to file it with the committee.

Mr. SMATHERS. Mr. President, in view of the fact that there is so much debate and discussion on the bill, I ask that it go over.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

DISPOSITION OF WAGES AND EFFECTS OF DECEASED AND DESERTING SEAMEN

The bill (S. 2017) to revise the procedure in the district courts relating to the disposition of the wages and effects of deceased and deserting seamen was announced as next in order.

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

Mr. GORE. Reserving the right to object, I should like to have an explanation of the bill, particularly as to why the Department concerned was not consulted.

Mr. McCARRAN. While I make this explanation, I hope Senators will also remember that the Senator from Nevada is acting temporarily in the absence of the chairman of the Committee on the Judiciary.

This is a bill designed to provide a better method of dealing with the wages and effects of deceased and deserting seamen. It follows the recommendations of a committee of seven distinguished district judges of the United States.

At the present time, numerous ministerial duties with regard to the effects of deceased and deserting seamen are imposed upon the courts. These include such tasks as having custody of the effects, inventorying them, giving them protection, and so on.

Under this bill, these administrative duties, which have become so burdensome to the courts, would be handed over to the Coast Guard.

Let me stress the fact that only custodial and administrative duties are involved, and that under this bill, performance by the Coast Guard of its new responsibilities would be subject to the Administrative Procedure Act wherever applicable.

This bill has the approval of the Judicial Conference of the United States.

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

Mr. McCARRAN. I yield.

Mr. GORE. Is the Senator advised as to the position of the Coast Guard itself in this regard?

Mr. McCARRAN. My information is that the Coast Guard does not want the job.

Mr. GORE. It does not want the job?

Mr. McCARRAN. That is correct.

Mr. GORE. And the judges want to get rid of the job. Is that true?

Mr. McCARRAN. That is true.

Mr. GORE. That leaves the junior Senator from Tennessee in a worse spot than he was in at the beginning. I shall resolve the doubt in favor of the perspicacity of the senior Senator from Nevada, and withdraw my objection.

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

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That sections 4539, 4540, 4541, 4542, 4543, 4544, and 4545 of the Revised Statutes of the United States (46 U. S. C. 622, 623, 624, 625, 626, 627, 628) are amended to read as follows:

"SEC. 4539. In cases embraced by the preceding section, the following rules shall be observed:

"First. If the vessel proceeds at once to any port in the United States, the master shall, within 48 hours after his arrival, deliver any such effects remaining unsold, and pay any money which he has taken charge of or received from such sale, and the balance of wages due to the deceased, to the Coast Guard official to whom the duties of shipping commissioner have been delegated at the port of destination in the United States.

"Second. If the vessel touches and remains at some foreign port before coming to any port in the United States, the master shall report the case to the United States consular officer there, and shall give to such officer any information he requires as to the destination of the vessel and probable length of the voyage; and such officer may, if he considers it expedient so to do, require the effects, money, and wages to be delivered and paid to him, and shall, upon such delivery and payment, give to the master a receipt; and the master shall within 48 hours after his arrival at his port of destination in the United States produce the same to the Coast Guard official to whom the duties of shipping commissioner have been delegated there. Such consular officer shall, in any such case, indorse and certify upon the agreement with the crew the particulars with respect to such delivery and payment.

"Third. If the consular officer does not require such payment and delivery to be made to him, the master shall take charge of the effects, money, and wages, and shall, within 48 hours after his arrival at his port of destination in the United States, deliver and pay the same to the Coast Guard official to whom the duties of shipping commissioner have been delegated there.

"Fourth. The master shall, in all cases in which any seaman or apprentice dies during the voyage or engagement, give to such officer or Coast Guard official to whom the duties of shipping commissioner have been delegated an account, in such form as they may respectively require, of the effects, money, and wages so to be delivered and paid; and no deductions claimed in such account shall be allowed unless verified by an entry in the official log book, if there be any; and by such other vouchers, if any, as may be reasonably required by the officer or Coast Guard official to whom the duties of shipping commissioner have been delegated to whom the account is rendered.

"Fifth. Upon due compliance with such of the provisions of this section as relate to acts to be done at the port of destination in the United States, the Coast Guard official to whom the duties of shipping commissioner have been delegated shall grant to the master a certificate to that effect. No officer of customs shall clear any foreign-going vessel without the production of such certificate.

"SEC. 4540. Whenever any master fails to take such charge of the money or other effects of a seaman or apprentice during a voyage, or to make such entries in respect thereof, or to procure such attestation to such entries, or to make such payment or delivery of any money, wages, or effects of any seaman or apprentice dying during a voyage, or to give such account in respect thereof as is above directed, he shall be accountable for the money, wages, and effects of the seaman or apprentice to the Coast Guard in whose jurisdiction such port of destination is situate, and shall pay and deliver the same accordingly; and he shall, in addition, for every such offense, be liable to a penalty of not more than treble the value of the money or effects, or, if such value is not ascertained, not more than $1,000; and if any such money, wages, or effects are not duly paid, delivered, and accounted for by the master, the owner of the vessel shall pay, deliver, and account for the same, and such money and wages and the value of such effects shall be recoverable from him accordingly; and if he fails to account for and pay the same, he shall, in addition to his liability for the money and value be liable to the same penalty which is incurred by the master for a like offense; and all money, wages, and effects of any seaman or apprentice dying during a voyage shall be recoverable in the courts and by the modes of proceeding by which seamen are enabled to recover wages due to them.

"SEC. 4541. Whenever any such seaman or apprentice dies at any place out of the United States, leaving any money or effects not on board of his vessel, the consular officer of the United States at or nearest the place shall claim and take charge of such money and effects, and shall, if he thinks fit, sell all or any of such effects, or any effects of any deceased seaman or apprentice delivered to him under the provisions of section 4539 (46 U. S. C. 622), and shall quarterly remit to the Commandant of the Coast Guard all moneys belonging to or arising from the sale of the effects or paid as the wages of any deceased seamen or apprentices which have come to his hands; and shall render such accounts thereof as the Commandant of the Coast Guard requires.

"SEC. 4542. Whenever any seaman or apprentice dies in the United States, and is, at the time of his death, entitled to claim from the master or owner of any vessel in which he has served, any unpaid wages or effects, such master or owner shall pay and deliver, or account for the same, to the Coast Guard official to whom the duties of shipping commissioner have been delegated at the port where the seaman or apprentice was discharged, or was to have been discharged or where he died.

"SEC. 4543. All claims with respect to the money and effects of any seaman, paid, remitted, or delivered to the Coast Guard pursuant to the provisions of section 4539 (46 U. S. C. 622) or section 4604 (46 U. S. C. 706), shall be heard by an examiner of the Coast Guard appointed pursuant to the provisions of the Administrative Procedure Act (5 U. S. C. 1001–1011) with the right of review by appeal within thirty days after final action by the examiner, to the district court embracing the port from which such vessel sailed, or the port where the voyage terminates, by any party.

"SEC. 4544. If the money and effects of any seaman or apprentice paid, remitted, or delivered to the Coast Guard, including the moneys received for any part of his effects which have been sold, either before delivery to the Coast Guard or by direction of an examiner, do not exceed in value the sum of $1,000, then, subject to the provisions hereinafter contained, and to all such deductions for proven expenses incurred in respect to the seaman or apprentice, or of his money and effects, as the said examiner thinks fit to allow, the examiner may direct the Coast Guard to pay and deliver the said money and effects to any claimants who can prove themselves either to be his widow or children, or to be entitled to the effects of the deceased under his will, or under any statute, or at common law, or to be entitled to procure probate, or take out letters of administration or confirmation, although no probate or letters of administration or confirmation have been taken out, and the Coast Guard shall be thereby discharged from all further liability in respect of the money and effects so paid and delivered; or may, if the examiner thinks fit so to do, require probate, or letters of administration or confirmation, to be taken out, and thereupon direct the Coast Guard to pay and deliver the said money and effects to the legal personal representatives of the deceased; and if such money and effects exceed in value the sum of $1,000, then, subject to deduction for expenses, the examiner shall direct the Coast Guard to pay and deliver the same to the legal personal representatives of the deceased.

"SEC. 4545. The Coast Guard, in its discretion, may at any time sell the whole or any part of the effects of a deceased seaman or apprentice, which it has received, and shall hold the proceeds of such sale as the wages of deceased seamen are held. When no claim to the wages or effects or proceeds of the sale of the effects of a deceased seaman or apprentice, received by the Coast Guard, is substantiated within 6 years after the receipt thereof by the Coast Guard, it shall be in the absolute discretion of an Examiner of the Coast Guard appointed pursuant to the provisions of the Administrative Procedure Act (5 U. S. C. 1001–1011), if any subsequent claim is made, either to allow or refuse the same. The Coast Guard shall, from time to time, pay any moneys arising from the unclaimed wages and effects of deceased seamen, which in their opinion it is not necessary to retain for the purpose of satisfying claims, into the Treasury of the United States, and such moneys shall form a fund for, and to be appropriated to, the relief of sick and disabled and destitute seamen of the United States merchant marine."

SEC. 2. Sections 4554 and 4555 of the Revised Statutes of the United States, as amended (46 U. S. C. 651, 652), are amended to read as follows:

"SEC. 4554. Every Coast Guard official to whom the duties of shipping commissioner have been delegated shall hear and decide any question whatsoever (except questions involving wages and effects of deceased or deserting seamen which shall be heard and decided pursuant to the provisions of section 4543 of the Revised Statutes of the United States, as amended (46 U. S. C. 626)) between a master, consignee, agent, or owner and any of his crew, which both parties agree in writing to submit to him; and every award so made by him shall be binding on both parties, and shall, in any legal proceedings which may be taken in the matter, before any court of justice, be deemed to be conclusive as to the rights of parties. And any document under the hand and official seal of such Coast Guard official purporting to be such submission or award, shall be prima facie evidence thereof.

"SEC. 4555. In any proceeding relating to the wages, claims (except claims for wages or effects of deceased or deserting seamen which shall be heard and decided pursuant to the provisions of section 4543 of the Revised Statutes of the United States, as

amended (46 U. S. C. 626)), or discharge of a seaman, carried on before any Coast Guard official to whom the duties of shipping commissioner have been delegated, under the provisions of this title, such Coast Guard official may call upon the owner, or his agent, or upon the master, or any mate, or any other member of the crew, to produce any logbooks, papers, or other documents in their possession or power, respectively, relating to any matter in question in such proceedings, and may call before him and examine any of such persons, being then at or near the place, on any such matter; and every owner, agent, master, mate, or other member of the crew, who, when called upon by such Coast Guard official, does not produce any such books, papers, or documents, if in his possession or power, or does not appear and give evidence, shall, unless he shows some reasonable cause for such default, be liable to a penalty of not more than $100 for each offense; and, on application made by such Coast Guard official to the district court of the district where such Coast Guard official has conducted such proceeding, shall be further punished, in the discretion of the court, as in other cases of contempt of the process of the court."

SEC. 3. Section 4597 of the Revised Statutes of the United States, as amended (46 U. S. C. 702), is amended to read as follows:

"SEC. 4597. Upon the commission of any of the offenses enumerated in the preceding section (46 U. S. C. 701) an entry thereof shall be made in the official logbook on the day on which the offense was committed, and shall be signed by the master and by the mate or one of the crew. The entry thus made shall set forth in detail the full circumstances of the offense. The offender, if still in the vessel, shall, before her next arrival at any port, or, if she is at the time in port, before her departure therefrom, be furnished with a copy of such entry, and have the same read over distinctly and audibly to him, and may thereupon make such a reply thereto by way of admission, or denial, or in mitigation of the offense as he deems necessary. A statement that the entry has been so furnished, or the same has been so read over, together with his reply, if any, made by the offender, shall likewise be entered and signed in the same manner. The Coast Guard official shall forthwith upon receipt of any log containing an entry of desertion by a seaman, obtain a detailed sworn statement, and, if possible, cause to be taken the deposition in the usual formal manner, of the master and first mate of the vessel with respect to such offense. In any subsequent administrative or legal proceedings the entries hereinbefore required shall, if practicable, be produced or proved, and in default of such production or proof an examiner or court hearing the case may, at its discretion, refuse to receive evidence of the offense. Any entry in an official logbook which is made in conformity with the requirements of this section shall be admissible in evidence in a hearing before an examiner of the Coast Guard or the district court."

SEC. 4. Sections 4603 and 4604 of the Revised Statutes of the United States, as amended (46 U. S. C., 705, 706), are amended to read as follows:

"SEC. 4603. Any question concerning the forfeiture of, or deductions from, the wages of any seaman or apprentice (other than wages and effects of deceased or deserting seamen which shall be heard and decided pursuant to the provisions of section 4543 of the Revised Statues of the United States, as amended (46 U. S. C., sec. 626)) may be determined in any proceeding lawfully instituted with respect to such wages, notwithstanding the offense in respect of which such question arises, though made punishable by imprisonment as well as forfeiture, has not been made the subject of any criminal proceeding.

"SEC. 4604. All clothes, effects, and wages which, under the provisions of this title, are forfeited for desertion, shall be applied, in the first instance, in payment of the proven expenses occasioned by such desertion, to the master or owner of the vessel from which the desertion has taken place, and the balance, if any, shall be paid by the master or owner to any Coast Guard official to whom the duties of shipping commissioner have been delegated, resident at the port at which the voyage of such vessel terminates, within 48 hours after such termination. Whenever any master or owner neglects or refuses to pay over to such Coast Guard official such balance, he shall be liable to a penalty of not more than treble the amount of the money or effects, or, if such value is not ascertained not more than $1,000, recoverable by such Coast Guard official in the same manner that seamen's wages are recovered. In all other cases of forfeiture of wages, the forfeiture shall be for the benefit of the master or owner by whom the wages are payable."

BILLS PASSED OVER

The bill (S. 2975) to amend title 28, United States Code, relating to the Customs Court, was announced as next in order.

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

Mr. SMATHERS. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

The bill (S. 1813) to amend title 28, United States Code, so as to extend the privilege of trial by jury to certain cases arising within the special maritime and territorial jurisdiction of the United States was announced as next in order.

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

Mr. GORE. Over.

The PRESIDING OFFICER. Objection is heard, and the bill will be passed over.

The bill (S. 3131) to amend title 28, United States Code, with respect to the United States Court of Customs and Patent Appeals was announced as next in order.

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

Mr. SMATHERS. Over.

The PRESIDING OFFICER. The bill will be passed over.

AMENDMENT OF SECTION 84 (A) (2) OF TITLE 28, UNITED STATES CODE

The Senate proceeded to consider the joint resolution (S. J. Res. 158) to amend section 84 (a) (2) of title 28 of the United States Code, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause, and insert:

That section 84 (a) of title 28 of the United States Code is hereby amended as follows:

(1) By amending the first sentence thereof so as to read: "The Northern District comprises three divisions."

(2) By amending the second subparagraph thereof to read as follows:

"(2) The southern division comprises the counties of Marin, Monterey, San Benito, San Francisco, San Mateo, Santa Clara, and Santa Cruz. Court for the southern division shall be held at San Francisco."

(3) By adding at the end thereof a new subparagraph as follows:

"(3) The eastern division comprises the counties of Alameda and Contra Costa. Court for the eastern division shall be held at the county seat of Alameda County."

The amendment was agreed to.

The joint resolution was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended, so as to read: "A joint resolution to provide for a new third division of the Northern Judicial District of California."

BILL PASSED OVER

The bill (S. 960) to amend sections 1505 and 3486 of title 18 of the United States Code relating to Congressional investigations, was announced as next in order.

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

Mr. SMATHERS. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

FEDERAL FINANCIAL ASSISTANCE TO STATES AND TERRITORIES IN THE CONSTRUCTION OF PUBLIC ELEMENTARY AND SECONDARY SCHOOL FACILITIES

The PRESIDING OFFICER. Earlier this evening two bills were placed at the foot of the calendar. The Secretary will state the first bill.

The LEGISLATIVE CLERK. A bill (S. 2601) to provide for Federal financial assistance to the States and Territories in the construction of public elementary and secondary school facilities.

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

Mr. SMATHERS. Mr. President, by request, I ask that the bill go over. I made the same request a short time ago, and the able Senator from New Jersey asked that I withhold my objection and have the bill go to the foot of the calendar, because the Senator from Kentucky wanted to make a statement.

Mr. COOPER. Mr. President, I understand there is an objection to the passing of the bill on the consent calendar.

The PRESIDING OFFICER. Objection is heard. The bill will go over.

Mr. COOPER. I do not object, but there is an objection.

Mr. SMATHERS. I do not object, either, but there is an objection.

The PRESIDING OFFICER. The bill will go over.

L. R. SWARTHOUT AND THE LEGAL GUARDIAN OF HAROLD SWARTHOUT

The PRESIDING OFFICER. The other bill passed to the foot of the cal-

endar earlier today is S. 1022, which the Secretary will state by title.

The LEGISLATIVE CLERK. A bill (S. 1022) for the relief of L. R. Swarthout and the legal guardian of Harold Swarthout.

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

Mr. WELKER. Mr. President, is the Senate considering Calendar No. 1978, S. 1022?

The PRESIDING OFFICER. That is correct.

Mr. WELKER. Mr. President, I appreciate very sincerely the remarks made by my colleague from Oregon [Mr. MORSE] in connection with this bill. My objection to the bill has been an objection to the fact that attorneys' fees are allowed.

Reserving the right to object, I call the attention of the Senate to the part that there is no question, in my opinion, with respect to liability. I think I am correct in saying that the attorneys in this case no doubt worked diligently for more than 10 years. They lost a lawsuit in the circuit courts in the State of Oregon. As a result of that defeat, they presented the case to the Senate Committee on the Judiciary.

It is my opinion, Mr. President, that the most important work done on this bill was done by my distinguished colleague, the junior Senator from Oregon [Mr. MORSE]. I think we both agree that the essential element of this case is that the person injured should be compensated.

Since we have established a rule in the Committee on the Judiciary that attorneys should not be allowed compensation by virtue of the work done by the junior Senator from Oregon and the Judiciary Committee, I shall object unless the amendment of the Committee on the Judiciary is accepted.

Mr. MORSE. Mr. President, I certainly will not sacrifice the compensation for this boy; and the Senator from Idaho and I are completely in agreement on that matter. After all his interest should prevail.

I think our basic difference here really is with regard to a policy within the Senate, and I do not believe we should try to decide it on the basis of this bill.

I shall not make the request that amendment 5 be stricken from this bill. Amendment 5 is the amendment of the Committee on the Judiciary, which denies attorneys' compensation.

I wish to make perfectly clear for the RECORD, as I did on July 15 in the colloquy with the Senator from New Jersey [Mr. HENDRICKSON] that I believe in the general policy of the Committee on the Judiciary; namely, that attorneys' fees should not be allowed on private claim bills when it can be shown that attorneys' fees have not been earned.

I repeat what I said earlier tonight; I think there are cases in which attorneys' fees are earned in connection with private bills, and in those cases they ought to be allowed.

My friend from Idaho [Mr. WELKER] and I are in disagreement as to whether or not the attorney's fees really were earned in this case. I am going to yield to the Senator's judgment in the matter, in order to facilitate passage of the bill, and to obtain for this boy some compensation, which for 10 long years he has not been able to obtain.

Therefore I accede to the wishes of my friend from Idaho and I say to him and to my friend from Nevada that next January, when we have more time to discuss the general policy, I think we ought to clarify amendment 5 of the Committee on the Judiciary, so that we shall at least have something more definite and certain as a measuring rod for determining when we are to allow the old standard 10 percent for attorney's fees in a meritorious case.

Mr. WELKER. Mr. President, reserving the right to object again, I should like to reply to my distinguished friend from Oregon.

I have seen many disastrous cases such as this, in which the attorneys have lost their lawsuit. The court of last resort is the Committee on the Judiciary, which is not a court of jurisdiction but a court of gratuity, to grant relief.

I have lost many cases in my young lifetime, and I have not come here to ask the taxpayers of the United States to compensate me for my work. Perhaps I am wrong, but attorneys who have worked diligently will make more as a result of the fact that they have done great work and have had the junior Senator from Oregon carry them through this court of last resort than they would have made in the event they had received the 10-percent fee.

Therefore, in view of the remarks of the junior Senator from Oregon, I withdraw my objection.

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

There being no objection, the Senate proceeded to consider the bill (S. 1022) for the relief of L. R. Swarthout and the legal guardian of Harold Swarthout, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "to", to strike out "the legal guardian of"; in line 6, after the name "Swarthout", to strike out the comma and "a minor"; on page 2, at the beginning of line 3, to strike out "$5,260.20" and insert "$4,625.20"; and in line 8, after the word "act", to strike out "in excess of 10 percent thereof", so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to Harold Swarthout the sum of $10,000, in full satisfaction of the claim of the said Harold Swarthout against the United States for compensation for permanent injuries sustained as a result of the severe burns he received when an Army practice bomb that he was examining, while playing in the yard of a neighbor on April 2, 1943, exploded when accidentally dropped, and (2) to L. R. Swarthout, of Burns, Oreg., father of the said Harold Swarthout, the sum of $4,625.20 in full satisfaction of his claim against the United States for reimbursement of medical, nursing, hospital, and other expenses incurred by him on account of the injuries so sustained by the said Harold Swarthout: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

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

The title was amended so as to read: "A bill for the relief of Harold Swarthout and L. R. Swarthout."

DISCONTINUANCE OF CERTAIN REPORTS

Mr. HENDRICKSON. Mr. President, I am interested in calendar No. 1985, House bill 6290. I was under the impression, at the call of the calendar on yesterday, that we had asked unanimous consent that calendar 1985, House bill 6290, to discontinue certain reports now required by law, be included, but I was in error. In view of the assurance I gave to the distinguished Senator from Maine that it had been included in the calendar call, I think it should be included.

The PRESIDING OFFICER. Is there objection?

Mr. KNOWLAND. Mr. President, reserving the right to object—and I shall, of course, not object, because of the circumstance the Senator from New Jersey has mentioned—I understand there is a similar bill which Senators on the other side of the aisle desire to have considered. I think this is entirely within the spirit of the call. I have been assured by both calendar committees that it will not open up a discussion.

Mr. HENDRICKSON. We are in complete agreement.

Mr. SMATHERS. There is a bill which was reported by the Senator from Utah [Mr. WATKINS] to which an objection was made inadvertently.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 6290) to discontinue certain reports now required by law, which had been reported from the Committee on Government Operations, with amendments, on page 4, after line 4, to strike out:

11. Annual report submitted to Congress in accordance with section 18 of the Federal Airport Act (60 Stat. 180; 49 U. S. C. 1117), describing operations conducted under the Federal Airport Act.

On page 4, line 9, to change the section number from "12" to "11"; in line 13, to change the section number from "13" to "12"; in line 18, to change the section number from "14" to "13"; in line 22, to change the section number from "15" to "14"; on page 5, line 2, to change the section number from "16" to "15"; in line 9, to change the section number from "17" to "16"; in line 21, to change the section number from "18" to "17"; on page 6, line 5, to change the section number from "19" to "18"; in line 9, to change the section number from "20" to "19"; in line 13, to change the section number from "21" to "20"; in line 17, to

change the section number from "22" to "21"; in line 21, to change the section number from "23" to "22"; on page 7, line 2, to change the section number from "24" to "23"; in line 6, to change the section number from "25" to "24"; in line 11, to change the section number from "26" to "25"; in line 18, to change the section number from "27" to "26"; in line 23, to change the section number from "28" to "27"; on page 8, line 4, to change the section number from "29" to "28"; in line 9, to change the section number from "30" to "29"; in line 12, to change the section number from "31" to "30"; in line 16, to change the section number from "32" to "31"; in line 21, to change the section number from "33" to "32"; in line 23, after the word "appropriation" to strike out "and for funds on the books of the Government and also funds in the official custody of officers and employees of the United States in which the Government is financially concerned, for which no accounting is rendered to the General Accounting Office, as in the judgment of the Comptroller General, after a survey thereof, may be in the public interest."

On page 9, line 5, to change the section number from "34" to "33."

The amendments were agreed to.

Mr. HENDRICKSON. Mr. President, I send to the desk an amendment and ask to have it stated by the clerk.

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

The LEGISLATIVE CLERK. It is proposed to strike out, on page 1, item 1, and to renumber all succeeding items.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

ORDER FOR RECESS TO 10 A. M. TOMORROW

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its session tonight it stand in recess until 10 o'clock tomorrow morning. This is in keeping with the prior understanding with reference to the special order for tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

RELIEF OF S. H. PRATHER

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

Mr. KNOWLAND. I yield.

Mr. WELKER. Mr. President, earlier in the afternoon I discussed with the distinguished majority leader House bill 9357, for the relief of S. H. Prather, and, because of the fact that I must leave soon, I ask unanimous consent for the immediate consideration of that bill. It was reported unanimously by the Judiciary Committee. It was suggested by the senior and junior Senators from Georgia and Representatives from Georgia.

Mr. KNOWLAND. Mr. President, because the Senator from Idaho must leave in the fairly near future, and because the distinguished Senator from Georgia [Mr. GEORGE], who has heavy responsibilities, had also asked that this bill be taken up, I do not object, in view of the nature of the bill.

The PRESIDING OFFICER. Is there objection to the consideration of House bill 9357?

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill?

Mr. WELKER. Mr. President, this case arose in Marcus, Ga., when two revenue agents who were traveling down a road saw a suspicious car. They knew the occupants of the car. They had no reasonable grounds or probable cause to believe that they were violating any law whatsoever, but, notwithstanding that fact, the revenue agents of the United States Government pursued the car and drove at a rapid rate of speed into an intersection in a large city——

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

Mr. WELKER. I yield.

Mr. HENDRICKSON. I recall distinctly the bill and the discussions in the Senate Committee on the Judiciary, and I need no further explanation.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill (H. R. 9357) for the relief of S. H. Prather, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 22, after the word "act" to strike out "in excess of 10 percent thereof."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

AMENDMENT OF REFUGEE ACT OF 1953

Mr. SMATHERS. Mr. President, I ask unanimous consent for the immediate consideration of Calendar No. 2070, House bill 8193, to amend the Refugee Relief Act of 1953. It was objected to by the minority calendar committee, but it was done inadvertently.

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

There being no objection, the Senate proceeded to consider the bill (H. R. 8193) to amend the Refugee Relief Act of 1953, which had been reported from the Committee on the Judiciary with amendments, on page 1, line 10, to strike out "Subdivision" and insert "Subsection; on page 2 line 10, to strike out "birth, nationality, and last residence" and insert "birth, or nationality, or last residence"; and to add a new section, as follows:

SEC. 4. That subsection (a) of section 7 be amended by adding at the end thereof the following: "No visa shall be issued under the allotment of 45,000 visas heretofore made by paragraph (5) of subsection 4 (a) of this act to refugees in Italy, or under the allotment of 15,000 visas heretofore made by paragraph (7) of subsection 4 (a) of this act to refugees in Greece, or under the allotment of 15,000 visas heretofore made by paragraph (9) of subsection 4 (a) of this act to refugees in the Netherlands, to an alien who qualifies under the preferences specified in paragraph (2), (3), or (4) of section 203 (a) of the Immigration and Nationality Act, until satisfactory evidence is presented to the responsible consular officer to establish that the alien in question will have suitable employment and housing, without displacing any other person therefrom, after arrival in the United States. Verification of such available employment and housing shall be made in accordance with such regulations as the Administrator may, in his discretion, prescribe for the administration of the act, including job order clearances by the United States Employment Service and its affiliated State employment services, and a certification by local housing authorities wherever they exist and are authorized and prepared to make such certifications."

Mr. McCARRAN. Mr. President, if the committee amendments to this bill are adopted it will be a good bill, and I shall vote for it. These amendments were worked out on the basis of an agreement between the senior Senator from Utah [Mr. WATKINS], the chairman of the standing subcommittee on immigration, and the senior Senator from Nevada [Mr. MCCARRAN]. If these amendments are not agreed to, the bill will be objectionable to the senior Senator from Nevada.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

INTERGOVERNMENTAL COMMITTEE FOR EUROPEAN MIGRATION

Mr. McCARRAN. Mr. President, I ask unanimous consent that certain testimony before the Internal Security Subcommittee of the Senate with reference to the Intergovernmental Committee for European Migration be inserted in the RECORD at this point, as part of my remarks.

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

UNITED STATES SENATE,
SUBCOMMITTEE ON INTERNAL SECURITY,
Washington, D. C., July 30, 1954.

The subcommittee met, pursuant to call, at 3:45 p. m., in room F-52, the Capitol, Hon. PAT MCCARRAN presiding.

Present: Senator MCCARRAN.

Also present: Richard Arens, special counsel to subcommittee.

Senator MCCARRAN. The committee will come to order.

You do solemnly swear the testimony you are about to give before the subcommittee of the Committee on the Judiciary of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOYT. I do, Senator.

Senator MCCARRAN. You may proceed.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

TESTIMONY OF DAVID D. HOYT, SARASOTA, FLA.

Mr. HOYT. My name is David D. Hoyt. I am presently residing at Sarasota, Fla., the home of my brother-in-law, Dr. Cecil E. Mil-

ler. I have been employed for some 9 years as an investigator and security officer with the State Department. I was loaned by the State Department to the Migration Committee for 2 years and 3 months.

Mr. ARENS. What migration committee is that?

Mr. HOYT. That is known as ICEM, I-C-E-M, Intergovernmental Committee for European Migration.

Mr. ARENS. And when were you loaned to the Intergovernmental Committee for European Migration?

Mr. HOYT. I was last loaned to them on April 1, 1952, as the security officer with the committee.

Mr. ARENS. Would you tell us what was your particular job with the Intergovernmental Committee for European Migration?

Mr. HOYT. My particular job was to act as the committee's security officer, in that capacity performing the normal work of a security officer, screening the staff and so forth.

Mr. ARENS. Were you the chief person employed by the Intergovernmental Committee for European Migration on security matters?

Mr. HOYT. I was the only one, sir. I was the only security man.

Mr. ARENS. How long were you so engaged?

Mr. HOYT. From April 1, 1952, until July 9 of 1954.

Mr. ARENS. And what precipitated the severance of your relationship with the Intergovernmental Committee for European Migration?

Mr. HOYT. I left generally because I was dissatisfied with the security within the committee and principally in relation to the screening of migrants moving to South America.

Mr. ARENS. Did you resign?

Mr. HOYT. I resigned.

Mr. ARENS. It was not a forced resignation in any sense of the word?

Mr. HOYT. No, sir.

Mr. ARENS. And you anticipate shortly being reengaged in the Department of State of the United States in security work; is that correct?

Mr. HOYT. Yes, sir.

Mr. ARENS. I understood you to say a moment ago you left because you were dissatisfied with screening of migrants.

Mr. HOYT. That's correct.

Mr. ARENS. Tell us, first of all, who are the people who are moved by the Intergovernmental Committee for European Migration.

Mr. HOYT. The people moved are European member governments of the committee who are financially unable to move themselves.

Mr. ARENS. They are not necessarily in the refugee or displaced persons category, are they?

Mr. HOYT. Not necessarily, but they may be.

Mr. ARENS. And what is the volume of movement of the Migration Committee? May I ask you if you know the prospective volume, say, for 1954?

Mr. HOYT. About 118,000, sir.

Mr. ARENS. And these people will be moved from Europe during 1954 principally into the Western Hemisphere, will they not?

Mr. HOYT. Principally.

Mr. ARENS. They will go into Argentina, Brazil, Venezuela, Chile, and other countries principally in the Western Hemisphere; is that not correct?

Mr. HOYT. Yes, sir; and Canada, and the only member government outside of the Western Hemisphere is Australia where we are moving migrants.

Mr. ARENS. On the basis of your background as a security officer and on the basis of your knowledge and observation of the screening operations of the Intergovernmental Committee for European Migration, can you tell this committee whether or not in your judgment the security screening of these people who are being moved into the Western Hemisphere from Europe is a satisfactory screening?

Mr. HOYT. For those migrants moving to South American countries, with minor exceptions, the security is entirely inadequate.

Mr. ARENS. The people who are being moved are people principally from Italy; are they not?

Mr. HOYT. Principally from Italy, but quite a number from Greece.

Mr. ARENS. And in Italy there is a 40-percent Communist vote; is there not?

Mr. HOYT. That is correct.

Mr. ARENS. In your judgment is the present process of moving people in vast numbers from Europe who are inadequately screened from a security standpoint a risk to the security of the Western Hemisphere and to the United States of America?

Mr. HOYT. I feel very strongly that it is.

Senator MCCARRAN. I want to express my gratitude and the gratitude of the committee for your coming before the committee to give your testimony here and enlightening us on the subject because it is highly important.

Mr. HOYT. Thank you, Senator.

Senator MCCARRAN. Thank you for coming up here.

(Whereupon, at 3:35 p. m., Friday, July 30, 1954, the hearing was recessed, subject to the call of the Chair.)

CLAIM OF THE BUNKER HILL DEVELOPMENT CORP.

Mr. JOHNSTON of South Carolina. Mr. President, I ask unanimous consent that the Senate proceed to consider Senate bill 2980, conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp.

The PRESIDING OFFICER. Is there objection to the request?

Mr. JOHNSTON of South Carolina. Mr. President, 2 bills relating to this matter have already been passed, 1 of which has become an act.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (S. 2980) conferring jurisdiction upon the United States District Court for the Southern District of New York to hear, determine, and render judgment upon a claim of the Bunker Hill Development Corp., was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the jurisdiction conferred upon the United States District Court for the Southern District of New York by subsection (b) of section 1346, title 28, United States Code, is hereby extended to a civil action, which may be commenced not later than 1 year after the date of the enactment of this act, asserting any claim or claims of Bunker Hill Development Corp., of Newburgh, N. Y., against the United States for alleged damages arising out of the construction of Stewart Field, a United States Air Force base located at Newburgh, N. Y., in such a manner as to allegedly damage its golf course and buildings as a result of weed-laden soil dust and cement dust blowing over its properties in 1942 and 1943, and to destroy a proposed housing development of said corporation, and for alleged damages to the property of said corporation by reason of the alleged failure of the Government to provide and maintain proper drainage from said Stewart Field, which resulted and successively results in the storm-flooding of the property of the corporation. Any such civil action may be joined for trial with any pending action between the Bunker Hill Development Corp. and the United States relative to damages in the construction of Stewart Field. Except as otherwise provided in this act, all provisions of law applicable in and to such subsection, and applicable to judgments therein and appeals therefrom, are made equally applicable in respect of the civil actions authorized by this act. Nothing in this act shall constitute an admission of liability on the part of the United States.

Mr. KNOWLAND. That completes the call of the calendar of bills to which there is no objection.

The PRESIDING OFFICER. What is the pleasure of the Senate?

MUTUAL SECURITY ACT OF 1954—CONFERENCE REPORT

Mr. KNOWLAND. Mr. President, there is at the desk a privileged matter. I ask unanimous consent that the unfinished business be temporarily laid aside and that the Senate proceed to the consideration of the conference report on the mutual security bill.

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

Mr. KNOWLAND. I yield.

Mr. JOHNSON of Texas. Does the Senator plan to take up the mutual security bill conference report tonight?

Mr. KNOWLAND. Yes.

Mr. JOHNSON of Texas. How late does the Senator plan to have the Senate remain in session?

Mr. KNOWLAND. I had understood there would be no necessity to have a yea-and-nay vote on the mutual security bill conference report. I know of no objection to the conference report; I believe it was unanimously agreed to. This is not the appropriation bill; it is the authorization bill.

Mr. JOHNSON of Texas. I understand.

Mr. KNOWLAND. When action on the conference report has been completed, it will be my intention to move that the Senate recess until tomorrow morning.

Mr. JOHNSON of Texas. If action is completed on it by 10 o'clock?

Mr. KNOWLAND. By 10 o'clock tomorrow morning?

Mr. JOHNSON of Texas. No; by 10 o'clock tonight.

Mr. KNOWLAND. I believe there is a reasonable chance of doing so. The distinguished Senator from Nevada has a matter to take up, which he informs me will not take long.

Mr. JOHNSON of Texas. I have no objection to the consideration of the conference report on the Mutual Security bill. I had expected that it would follow the call of the calendar, as the Senator from California told me it would. But if it involves any prolonged discussion or a yea-and-nay vote, I desire to have it understood that there will not be a yea-and-nay vote tonight.

Mr. KNOWLAND. I do not expect that there will be a yea-and-nay vote. I doubt if it will be necessary to have one.

Mr. WILEY. 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. 9676) to promote the security and foreign policy of the United States by furnishing assistance to friendly nations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of August 9, 1954, pp. 13787–13797, CONGRESSIONAL RECORD.)

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

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

The PRESIDING OFFICER. The question is on agreeing to the conference report.

Mr. MANSFIELD. Mr. President, I desire to ask the Senator from Wisconsin a few questions.

Mr. WILEY. I shall be glad to answer them, if I can.

Mr. MANSFIELD. Under the terms of the conference report, it is understood, is it not, that the Foreign Operations Administration as an independent agency will go out of existence by next June 30?

Mr. WILEY. That is correct.

Mr. MANSFIELD. The technical assistance program, point 4, will be handled by the State Department. Is that correct?

Mr. WILEY. That is correct.

Mr. MANSFIELD. Military aid will be continued through the Department of Defense, without a termination date; is that correct?

Mr. WILEY. That is correct.

Mr. MANSFIELD. Title 2, the economic development and assistance program, will go out of existence next June 30, with a 1-year liquidation period. Is that correct?

Mr. WILEY. That is correct.

Mr. MANSFIELD. In other words, the Foreign Operations Administration will be terminated completely and finally on June 30, 1955. Is that correct?

Mr. WILEY. The bill so provides.

Mr. MANSFIELD. I thank the distinguished chairman.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. WILEY. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a statement which I have prepared on the mutual security bill conference report.

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

STATEMENT BY SENATOR WILEY ON THE MUTUAL SECURITY BILL CONFERENCE REPORT

I submit for the approval of the Senate the report of the Senate conferees on the Mutual Security Act of 1954. I believe that the conferees did a commendable job in taking care of the interests of the Senate. The report was unanimously approved and was signed by all five Senate conferees—Senator SMITH of New Jersey, Senator HICKENLOOPER, Senator GEORGE, Senator GREEN, and myself, as chairman. For the most part, the changes which the Senate insisted on retaining in the House bill were accepted by the House conferees.

I shall say just a word about the amount authorized in the pending bill. The committee of conference agreed upon a total authorization of $3,252,886,000. This represents a reduction of $314,040,000 from the House figure and an increase of $314,040,000 over the Senate bill.

I do not propose to detain the Senate with a detailed account of the decisions taken by the conference. The House accepted the provisions of the Senate bill with respect to the following matters:

1. The development of weapons of advanced design.

2. Opposition to the seating of Red China in the United Nations.

3. The 50–50 shipping clause.

4. Elimination of the program relating to strategic materials.

5. The provisions relating to the use of counterpart currency.

There are 3 or 4 matters that I wish to discuss very briefly. These are the provisions of the bill relating to loans, agricultural surplus, transferability, and finally, the termination of the program.

1. Agricultural surplus: The House bill earmarked $500 million of the funds available for the purchase and export of surplus agricultural commodities. The Senate bill set aside $350 million for this purpose. The conferees agreed upon the $350 million figure and, with some changes, the language contained in the Senate bill.

2. Loans: A similar compromise was achieved with respect to loans. The House bill provided, in general, that not less than 10 percent of the amounts available should be used in the form of loans. The Senate, on the other hand, provided that not less than $150 million of the total amount available should be used to make loans. The conferees agreed upon $200 million, which is the figure contained in the bill before the Senate. It is our hope that the administration will be able to make effective use of these funds on a loan basis.

3. Transferability of funds: There was also a substantial difference in the House and Senate versions relating to the transferability of funds from one section of the bill to another. While I personally prefer the Senate provision because it provides a broader transfer authority, the conferees finally adopted a compromise which is considerably less liberal than the Senate had approved but still much less restrictive than the language in the House bill. It is my hope that even with this reduced transferability, there will be enough flexibility in the bill to enable the President to meet any unforeseen emergency.

4. Termination of the program: The conferees also adopted substantially the Senate language with respect to the termination of the Foreign Operations Administration. The bill as now drafted makes it clear that the FOA shall come to an end on June 30, 1955, and provides for its remaining functions to be transferred to the appropriate departments of the Government at that time.

I commend to the Senate the work of the conferees. The bill which we present is another important step in our collective efforts to build the defensive strength of the free world. I hope the Senate will give the conference report its overwhelming approval.

AMENDMENT OF SECTION 32 OF TRADING WITH THE ENEMY ACT

The PRESIDING OFFICER (Mr. PAYNE in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 2420) to amend section 32 of the Trading With the Enemy Act, as amended, which was to strike out all after the enacting clause and insert:

That section 32 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby further amended by adding at the end thereof the following subsection:

"(h) The President may designate one or more organizations as successors in interest to deceased persons who, if alive, would be eligible to receive returns under the provisos of subdivision (C) or (D) of subsection (a) (2) thereof. An organization so designated shall be deemed a successor in interest by operation of law for the purpose of subsection (a) (1) hereof. Return may be made, to an organization so designated, (a) before the expiration of 2 years from the vesting of the property or interest in question, if the President or such officer or agency as he may designate determines from all relevant facts of which he is then advised that there is no basis for reasonable doubt that the former owner is dead and is survived by no person eligible under section 32 to claim as successor in interest by inheritance, devise, or bequest; and (b) after the expiration of such time, if no claim for the return of the property or interest is pending. Total returns pursuant to this subsection shall not exceed $3 million.

"No return may be made to an organization so designated unless it files notice of claim before the expiration of 1 year from the effective date of this act and unless it gives firm and responsible assurance approved by the President that (i) the property or interest returned to it or the proceeds of any such property or interest will be used on the basis of need in the rehabilitation and settlement of persons in the United States who suffered substantial deprivation of liberty or failed to enjoy the full rights of citizenship within the meaning of subdivisions (C) and (D) of subsection (a) (2) hereof; (ii) it will transfer, at any time within 2 years from the time that return is made, such property or interest or the equivalent value thereof to any person whom the President or such officer or agency shall determine to be eligible under section 32 to claim as owner or successor in interest to such owner, by inheritance, devise, or bequest; (iii) it will make to the President, with a copy to be furnished to the Congress, such reports (including a detailed annual report on the use of the property or interest returned to it or the proceeds of any such property or interest) and permit such examination of its books as the President or such officer or agency may from time to time require; and (iv) will not use such property or interest or the proceeds of such property or interest for legal fees, salaries or any other administrative expenses connected with the filing of claims for or the recovery of such property or interest.

"The filing of notice of claim by an organization so designated shall not bar the payment of debt claims under section 34 of this act.

"As used in this subsection, 'organization' means only a nonprofit charitable corporation incorporated on or before January 1, 1950, under the laws of any State of the United States or of the District of Columbia with the power to sue and be sued."

SEC. 2. The first sentence of section 33 of the Trading With the Enemy Act of October 6, 1917 (40 Stat. 411), as amended, is hereby amended by striking out the period at the end of such sentence, and inserting in lieu thereof a semicolon and the following: "except that return may be made to successor organizations designated pursuant to section 32 (h) hereof if notice of claim is filed before the expiration of 1 year from the effective date of this act."

Mr. McCARRAN. Mr. President, this is the bill dealing with "heirless property." It provides that certain property

seized by the United States on the theory that it was owned by enemy nationals but which has been found, in fact, to have been owned by persecuted persons, who have now died without heirs, may be turned over to nonprofit organizations designated by the President for the use of persons in the same class as the original owners.

As Senators know, by far the largest class of persecutees whose property would be affected by this bill were Jews. I am informed that the interested Jewish organizations have been consulted in connection with the House amendments to this bill, which are substantially technical, and that the House amendments are acceptable to these organizations, and that Senate concurrence is desired.

I ask unanimous consent that there may be printed at this point in the RECORD a letter which I have received from Mr. Seymour J. Rubin, reciting the facts as I have stated them.

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

LANDIS, COHEN, RUBIN & SCHWARTZ,
Washington, D. C., August 9, 1954.

The Honorable PAT MCCARRAN,
United States Senate,
Washington, D. C.

DEAR SENATOR MCCARRAN: The undersigned understands that S. 2420, the heirless property amendment to the Trading With the Enemy Act, with certain amendments, was passed today by the House of Representatives.

The interested Jewish organizations were consulted in connection with the amendments in question. The amendments are therefore acceptable to those organizations, and, in the interests of insuring enactment in the present session of Congress, they would be in favor of Senate concurrence in those amendments.

It goes without saying that we are most appreciative of your great contribution to passage of this bill.

For the American Jewish Committee, I am,
Most sincerely yours,
SEYMOUR J. RUBIN.

Mr. MCCARRAN. Mr. President, I move that the Senate concur in the House amendment to the bill (S. 2420).

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

The motion was agreed to.

LABELING OF PACKAGES CONTAINING FOREIGN-PRODUCED TROUT

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2033) relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear on the menus of public eating places serving such trout, which were, on page 1, line 6, strike out "(n)" and insert "(o)"; on page 1, lines 8 and 9, strike out "of this title"; on page 2, lines 10 and 11, after "(2)" strike out "each part of the contents of the package is contained in a wrapper" and insert "if the package is broken while held for sale, each unit for sale (consisting of one or more trout) is in a package;"; on page 2, line 12, strike out "and wrapper"; on page 2, strike out line 17 over to and including line 2, page 3, and insert:

(b) No person shall possess in a form ready for serving or shall serve at a public eating place trout produced outside the United States, its Territories or possessions, unless a notice is displayed prominently and conspicuously in such eating place stating that "——— trout is served in this restaurant," the blank space to be filled with the name of the country in which such trout was produced.

On page 3, after line 13, insert:

SEC. 4. This act shall take effect 6 months after the date of its enactment.

And to amend the title so as to read: "An act relating to the labeling of packages containing foreign-produced trout sold in the United States, and requiring certain information to appear in public eating places serving such trout."

Mr. FERGUSON. Mr. President, today the senior Senator from Ohio [Mr. BRICKER] asked for the consideration of the House amendments to Senate bill 2033. The minority leader desired to have time to consider the matter. I now desire to have the House amendments considered.

The House has amended the bill. However, since introduction of the bill, Public Law 518 of the 83d Congress, 2d session, has been passed, and that law has added a section 408 to the Federal Food, Drug, and Cosmetic Act, as amended (21 U. S. C. 341 et seq.). Accordingly, I move that the Senate concur in the House amendment with a perfecting amendment as follows:

On page 2, line 6, of S. 2033, strike: "Sec. 408." and insert in lieu thereof: "Sec. 409."

On page 1, line 8, of S. 2033, strike "section 408" and insert in lieu thereof: "section 409."

Mr. JOHNSON of Texas. Mr. President, earlier in the day the distinguished chairman of the Committee on Interstate and Foreign Commerce [Mr. BRICKER] suggested that the Senate concur in the House amendments. At the time he made the suggestion I had not had an opportunity to confer with the minority members of the committee. I assured the distinguished chairman of the committee that as soon as I could do so, I would clear the proposed legislation. That has been done.

I concur in the request made by the distinguished Senator from Michigan. I hope that the House amendments will be concurred in and the bill passed.

Mr. FERGUSON. Senators on this side of the aisle appreciate the efforts which the distinguished minority leader has put forth.

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

The motion was agreed to.

HAWAII-ALASKA STATEHOOD

Mr. MALONE. Mr. President, I have received a very informative letter from Hon. Ingram M. Stainback, supreme court justice at Honolulu, T. H., relative to the temper of the people of that Territory regarding the issue of statehood.

Judge Stainback asks that statehood for Hawaii be denied, and that a bill providing for commonwealth status—electing their own governor and adopting their own constitution, subject to the approval of Congress—be reintroduced in the 1st session of the 84th Congress in January 1955.

Mr. President, I ask unanimous consent that Judge Stainback's two letters dated July 20 and 21, respectively, be printed at this point in the RECORD.

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

SUPREME COURT, TERRITORY OF HAWAII,
Honolulu, T. H., July 20, 1954.

Senator GEORGE W. MALONE,
United States Senate,
Washington, D. C.

DEAR SENATOR: Perhaps you will be interested in the enclosed articles I wrote for the Honolulu Advertiser which appeared in the July 15, 16, 17, and 18 issues. The reaction has been very favorable according to the oral comments and letters I have received. The editor of the Advertiser gives me a similar report. I believe if the people of the Territory knew something about the advantages of commonwealth they would overwhelmingly favor the same.

Hawaii appears to be deep in the red and unemployment is increasing daily. The economic situation looks very bad indeed.

Governor King is back in Washington making last desperate efforts to put over statehood. I hope you will block it for this session. I believe that by another year if we can get the people informed of the great advantages of commonwealth they will favor it by a large majority.

With kindest personal regards, I am,
Yours sincerely,
INGRAM M. STAINBACK.

SUPREME COURT, TERRITORY OF HAWAII,
Honolulu, T. H., July 21, 1954.

Senator GEORGE W. MALONE,
United States Senate,
Washington, D. C.

DEAR SENATOR: Supplementing my letter of yesterday, I am enclosing clipping from the Honolulu Advertiser of this morning with a statement made by Mr. Harold Rice of Maui in which I thought you might be interested.

Yours sincerely,
INGRAM M. STAINBACK.

Mr. MALONE. Mr. President, I ask unanimous consent that the four articles, dated July 15, 16, 17, and 18, from the Honolulu Advertiser, be printed at this point in the RECORD.

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

[From the Honolulu Advertiser of July 15, 1954]

A COMMONWEALTH FOR HAWAII—JURIST SAYS HAWAII SHOULD FORGET STATEHOOD AND TAKE COMMONWEALTH STATUS—AND PROSPERITY

(EDITOR'S NOTE.—The following was written by a former Democratic governor of Hawaii, now associate justice of the Territorial supreme court. It is the first of a series of articles.)

(By Ingram M. Stainback)

Hawaii's government is in the red and the Territory is faced with increasing unemployment.

If Hawaii would forget its seemingly futile agitation for statehood and accept commonwealth status, we might be put onto the path of prosperity very quickly. Puerto Rico is showing the way and we in Hawaii have

much better natural advantages than Puerto Rico.

There is nothing of second-class citizenship in commonwealth status, quite the contrary. We would have almost complete independence, would govern ourselves, and we would have from $135 million to $185 million a year that now goes into Federal taxes. In a biennium that would mean that the government here would have $3.50 to spend for every dollar it now uses. We would have $4.50 if we kept the present Territorial taxes. That would abolish the red ink in our present system.

Even our lavish Territorial government could hardly spend three and a half dollars where it now spends one. And we could abolish the present Territorial tax system, especially that upon new businesses which would be expected to develop in a thriving, semi-independent commonwealth in the mid-Pacific.

I realize that the politicians think that if they yell statehood loud enough it is an open sesame to political office. I know that the statehooders are on the popular side. But let us look at this statehood question realistically. Let us examine for a moment what would happen under a commonwealth form of government, which I am confident could be achieved speedily if we asked for it.

What is a commonwealth? It is a body of people constituting a State or politically organized community. It is a State. The very word "commonwealth" is attached officially to the States of Massachusetts, Pennsylvania, Virginia, and Kentucky.

Hawaii's Commonwealth would be a State but not a State of the Union.

We would send no United States Senators or Representatives to the Congress.

But all Federal taxes, including customs duties collected here, would be remitted.

We would constitute a self-governing State freely associated with the United States, using the same postal system, and our courts would be associated with those of the Federal Government as our State courts are at present. We would and should make our normal contribution in manhood to the armed services. We would remain under the protection of those selfsame Armed Forces.

The fine status of a commonwealth would put Hawaii into practically the same relationship with the United States Government as that of Canada or Australia to England.

With our hands freed we could proceed to the development of this region here to the extent of our capabilities. We would foster new industries and continue building up tourism. We would do this as first-class citizens in every respect.

[From the Honolulu Advertiser of July 16, 1954]

WHY STATEHOOD?—FORMER GOVERNOR OF HAWAII SAYS COMMONWEALTH OFFERS HIGH IDEALS OF HUMAN DIGNITY

(EDITOR'S NOTE.—In this article, second of a series, a former Governor of Hawaii, now associate justice of the Territorial supreme court, continues to state his case in favor of commonwealth status for Hawaii.)

(By Ingram M. Stainback)

Any consideration of what Hawaii might expect as a semiautonomous State, or Commonwealth, freely associated with the United States, has to be in the light of developments in the Commonwealth of Puerto Rico.

There the United States Congress, fully recognizing the principle of government by consent, entered into a compact with the people of Puerto Rico so that the population might organize a government with a constitution of their own adoption.

Little Puerto Rico has an area of only 3,423 square miles, about one-half that of Hawaii. But the population in 1950 was more than 2,210,000, about 5 times that of Hawaii.

If Hawaii had the same density of population as Puerto Rico, we would have more than 4 million people living in these islands. We do not expect that, but Hawaii is growing and we want to create new opportunities for the new crops of youth as they come along. At present no very concentrated campaign is being carried out. A commonwealth type of government would automatically open the way for new opportunities for our reservoir of skilled labor, just as it did in Puerto Rico.

There a miracle of sorts has been achieved. The government by Operation Bootstrap has raised the standard of living until it is the highest in the Caribbean. Admittedly it is not as high as that of America, but it still is being raised. In the process, more than 250 new factories have been built and at least 50,000 new jobs have been created. The national income has risen one-third.

The situation in Puerto Rico was so bad a few years ago that a Senate committee called it unsolvable because it was a scandal of slums, disease, overpopulation, and poverty. Today there is an atmosphere of high hope and the tax moneys formerly drained into the Federal Treasury now are utilized for the benefit of Puerto Rico.

The Puerto Rican Legislature, only this year, in a concurrent resolution, is on record as declaring that the people of Puerto Rico "have chosen democratically and for themselves to be a free people voluntarily associated with the United States and have rejected, as the legislative assembly in their name now rejects, any proposal for separation whatsoever."

Another interesting commentary on the state of mind which welcomed so enthusiastically commonwealth status is contained in another paragraph of that concurrent resolution. It declared that "the Commonwealth is neither a transitory status nor a status intermediate between Federal statehood and absolute independence, since it is a status in itself which fulfills the highest ideals of human dignity and which is dynamic in its potentialities for growth."

And the legislature rejected outright President Eisenhower's endorsement of more complete or even absolute independence. "Common citizenship, and therefore common defense of and common loyalty to the concept of liberty, are the essential bases of the association between the people of the United States and the people of Puerto Rico," the resolution went on.

Hawaii could have similar status.

In the interest of progress let us cease to follow the ignis fatuus of statehood into the swamps and sloughs of depression.

[From the Honolulu Advertiser of July 17, 1954]

PROSPECTS FOR COMMONWEALTH—TERRITORY OF HAWAII JUDGE SAYS CONGRESS IN MOOD TO GIVE HAWAII FULL RIGHT TO LOCAL SELF-GOVERNMENT

(EDITOR'S NOTE.—This is the third of a series of articles by Hawaii's former Governor, now a Supreme Court Associate Justice, listing arguments in favor of Commonwealth status for Hawaii.)

(By Ingram M. Stainback)

In two articles I have spoken of the very great advantages of a Commonwealth status for Hawaii, explaining that remission of Federal taxes could give the Territory 3½ times as much income, almost immediately.

With those advantages so striking, one may wonder what prospect we have of achieving Commonwealth status if we asked for it. I believe the prospects are very good.

Debate in the Congress over Hawaiian affairs has, in general, demonstrated that the majority of Representatives and Senators are keenly conscious of their own responsibilities to the people of these islands. Their deliberations have been conducted in a studious atmosphere but with a keen grasp of the realities.

Some of them, including Senator MALONE, of Nevada, and Senator EASTLAND, of Mississippi, in Senate debate only in March of this year, went into extreme detail concerning the needs of Hawaii, while opposing statehood for Hawaii on the old but sound grounds of noncontiguity.

They showed a surprising understanding of the Communist grip upon the ILWU and of the grip of the ILWU on Hawaii.

Opposition of some clear-thinking Senators is based on the principle that statehood should not be granted to noncontiguous areas. Senator MONRONEY, of Oklahoma, is one who presented a powerful argument on this ground in a speech in the Senate only last March. Others in the Senate have expressed fear that moving into the Pacific or into the Atlantic and beyond would mean the losing sight of America as a homogeneous Nation while we were building an empire. Empire building will weaken our American system of government.

Some years ago a New England Senator—Lodge, I believe—circulated a memorandum among Senators, pointing out that creation of a State in the mid-Pacific, such as Hawaii, would be an abandonment of the principles upon which this Government was founded.

But it is not a question of statehood or nothing. We do not have to stay in our present situation; neither is statehood necessary. We can have all our freedom and independence under commonwealth status.

Senator MONRONEY, proposing to restore the taxation power to Hawaii, said that this would give recognition to the right of representation in tax matters. "Instead of being a sop," said the Senator, "I think it is a recognition of the importance of commonwealth status to them (Hawaii) on the basis of self-government."

Another quotation from this speech is in order:

"We would offer them in this commonwealth plan the right to levy and collect all their own taxes and to determine how these tax moneys can best be spent to develop and improve their areas.

"Because of their strategic location (Hawaii and Alaska), the Government expenditures in huge amounts for military bases and for military personnel will undoubtedly continue to be large for the foreseeable future.

"It would seem to me that such a plan, granting full rights of local self-government, full use of all tax resources of these areas, to be spent by their own local governments; full protection of the United States both in military and civilian matters, plus free trade and free access, offers a better and more beneficial program for offshore areas than that enjoyed by any possessions of any foreign country the world over."

I think it should be noted parenthetically, however, that the granting of Commonwealth status to Hawaii would be no bar to statehood in the future if conditions should change.

This was pointed out by Senator MALONE in the hearings last January.

[From the Honolulu Advertiser of July 18, 1954]

CASE FOR COMMONWEALTH—FORMER GOVERNOR VISUALIZES FINEST, BEST PAID SCHOOL SYSTEM, OTHER ADVANTAGES

(Editor's NOTE.—This is the fourth and last of a series of articles in which a former Governor, now a Territorial supreme court justice, outlines his arguments in favor of a Commonwealth status for Hawaii.)

(By Ingram M. Stainback)

In closing the case for a Commonwealth of Hawaii it should be noted that such status

would give us at once more revenue than we have dreamed of. I need not describe in detail what could be done with 3 or 4 times our present revenues in the way of improving our schools, hospitals, public building, our roads, our parks, and recreation centers.

But imagine what could be done in the way of developing, with more than adequate financing, one of the best school systems in the world, a system with the finest and the highest paid personnel, to be found anywhere. That is just one of the possibilities.

Let us explore and develop the water resources of the Territory. It might be possible to convey Molokai's windward water to make fertile its near-desert lands. Kona would be rich, indeed, if we develop a water source there. There also are undeveloped water possibilities on Maui, where there are immense water supplies on the windward side. On Kauai we could curb the Waimea River with dams and reservoirs to furnish irrigation and cheap power.

Consider, too, the highway system that could be perfected, both for our own needs and to open scenic routes inaccessible but beautiful portions of these islands for the benefit of the expanding tourist industry. On Kauai we could build attractive roads into the Napali cliff area. On Hawaii we could have a scenic drive into remote and romantic Waipio Valley. Molokai offers possibilities. Some beautiful areas can be reached only by difficult trail or boat at present.

Another bit of construction that suggests itself as a tourist attraction would be the completion of the scenic highway to the summit of Mauna Loa, together with the establishment of botanical gardens along the route. This road, called the Stainback Highway, I mention with due modesty, would extend through a system of plantings ranging from lush tropical growth at sea level to the higher elevations that favor the various plants and shrubs of the temperate zones. We already have tried experiments in growing various temperate zone plants at Kulani Camp. The results were promising, indeed, as far as we went. Unfortunately these experiments have not been continued.

These are only a few suggestions as to the many ways in which we could attain added prosperity through Territorial expenditures of funds made available because of commonwealth status of Hawaii. In addition we could attract numerous new industries by giving them exemption from taxation, as is done in Puerto Rico.

It has been suggested by some that one of the reasons for the attraction of new industry to Puerto Rico is the low wages of labor. Low wages, however, do not mean cheap production. Puerto Rico had no labor to begin with except agricultural workers, many ill-educated or illiterate, subject to disease and far from being skilled workers. Hawaii in contrast has a surplus of well-trained, well-educated, healthy, and competent workers whose wages, though higher, would be cheaper in the end because of their high productivity.

Some have suggested that we are far from markets and assert freight rates would be a bar to establishment of industry in Hawaii. This might be a bar to heavy industries such as steel, but should be no handicap to the production of any number of high-class commodities. Power is as cheap here, too, as in many States, because transportation of fuel oil by steamer is cheaper than by rail.

I need not repeat the arguments of Senator MONRONEY and others on the essentially homogeneous nature of the United States but I know that those arguments do have a powerful appeal to many broad-minded citizens who also are friends of Hawaii. In this connection it should be remarked that some of our statehood advocates are appealing to racial prejudice themselves when they claim that it is racially prejudiced southerners who are keeping Hawaii from statehood. Obviously Senator MALONE, of Nevada, a strong advocate of the commonwealth plan for Hawaii, is far from being a southerner, while RUSSELL LONG, an ardent advocate of statehood, is from the deep South. Just incidentally, the bill to provide commonwealth status for Alaska was introduced by the late Senator Butler of Nebraska.

This plan has not received support in Hawaii because we have lacked information on the subject. Let us put aside our prejudices and preconceived ideas and examine this important question objectively and intelligently. Clearly, if we accomplish half as much as Puerto Rico has done there will be no unemployment and no deficit in the Territorial budget.

I trust that this brief exposition of the benefits of a commonwealth for Hawaii will encourage others to speak up in behalf of a system of government that offers our people prosperity and a great measure of independence.

Mr. MALONE. Mr. President, I ask unanimous consent that the article appearing in the Honolulu Advertiser, July 21, 1954, be printed at this point in the RECORD.

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

RICE BACKS STAINBACK'S HAWAII PLAN

Judge Ingram M. Stainback's stand in favor of commonwealth status for Hawaii has attracted an extraordinary amount of attention. Reaction to the series by the former Democratic governor, now an associate justice of the Territorial supreme court, has been both favorable and unfavorable.

Harold W. Rice, of Maui, said yesterday that "I can see no other way for the Territory to get out of its financial morass except by relief from taxes. If that has to come by the method of making the territory a commonwealth, so be it."

Mr. Rice, a rancher and leading Democrat, onetime territorial Senator and vice president of the 1950 constitutional convention, made his statement in Wailuku during a telephone conversation with The Advertiser.

"There are some technical questions in my mind that would need answers before I could make a statement of unqualified support for a commonwealth," he continued. "How, for instance, can you retain Federal Government services without paying for them?"

Whatever the emergency unemployment committee may do to create more jobs in Hawaii can be only a stopgap at best, he went on. "Where do we go after that money has been spent? We simply have to have more industries in Hawaii and we must go after them ourselves.

"We must remember the situation in the Pacific has changed a great deal since the 1950 constitutional convention." Since then, America's Pacific outpost has been pushed westward from Pearl Harbor, he observed.

Mr. MALONE. Mr. President, I ask unanimous consent that my letter of August 10, 1954, to Justice Stainback be printed at this point in the RECORD.

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

UNITED STATES SENATE,
COMMITTEE ON INTERIOR
AND INSULAR AFFAIRS,
August 10, 1954.

HON. INGRAM M. STAINBACK,
Supreme Court, Territory of Hawaii,
Honolulu, T. H.

DEAR JUDGE: I have received your two letters of July 20 and 21, and appreciate your interest in this important matter. My intention is to submit the articles for the CONGRESSIONAL RECORD, since I believe that all Members of Congress will be extremely interested in your point of view since you have served as governor, and as a member of the Supreme Court of the Territory of Hawaii.

I remember well my visit with you in 1943, when I was on my way to the South Pacific serving as special consultant to the Senate Military Affairs Committee to make a confidential investigation of the Pacific area, which included a report not only on the situation in Hawaii, but throughout the South Seas and as far as our military activities had taken us at that time, in New Guinea and beyond, where we had just conquered Buna at New Guinea and were still fighting at Lae. It was my privilege to fly over most of the Pacific area in this investigation.

You will remember that you had two governors then. Gen. Robert C. Richardson, Jr., was the military governor, and Adm. Chester Nimitz was in charge of the fleet, technically under Gen. Douglas MacArthur. Admiral Nimitz held a special staff meeting for me there and briefed me on the whole situation before I left for the Fiji Islands, New Caledonia, Australia, and New Guinea.

I have had an exceptional opportunity to know your problems and I agree with you that the Territory of Hawaii should start by electing her own governor, adopting a constitution within the purview of the Constitution of the United States, approved by Congress, and proceed to run her own business in the same general category that Congress has elected to place Puerto Rico.

In 1945 I was chosen as 1 of the 5 Senators to visit Puerto Rico. They were then very insistent upon statehood and after a thorough examination we recommended to our full Interior and Insular Affairs Commitee, and thence to Congress, that they not be given statehood but that they be set up under a constitution that they themselves would adopt subject to approval by Congress, to elect their own governor and proceed to run their own business.

Apparently it has been very successful and very satisfactory, and, if it meets with approval of the people of Hawaii, I would be very glad to reintroduce my Senate bill 2003 in January 1955, and in the meantime if your people have any specific suggestions for improvement in the bill, I will be very glad to receive them.

With best wishes, I am,

Sincerely yours,

GEORGE W. MALONE,
United States Senator.

Mr. MALONE. Mr. President, statehood for Puerto Rico, Hawaii, and Alaska has been proposed for many years. Few citizens have considered the full import of the precedent of admitting to statehood with full voting privileges in the United States Senate and House of Representatives of the offshore noncontiguous areas.

Mr. President, I was 1 of 5 Senators who reported on Puerto Rico's applicatio for statehood in 1947 after full investigation of that Territory. Our report was adverse for statehood, and favorable to a self-governing area electing its governor and adopting its own constitution, approved by the Congress of the United States.

This was done, and Puerto Ricans have experienced satisfaction with their own self-government.

The position has long been maintained that offshore noncontiguous areas should not be accepted as States, with Senators and Congressmen in the Congress of

the United States, since there is no opportunity for a homogeneous people; and that if one offshore State is accepted then there is no stopping place, and the Senate and the Congress could be controlled through the balance of power furnished by such offshore areas.

I intend to reintroduce my Senate bill, S. 2003, in January 1955, providing for the election of a governor and for the adoption of a constitution, approved by the Congress of the United States, by the people of the Territory of Hawaii; and I hope that it will be adopted without undue delay.

The CONGRESSIONAL RECORD, volume 99, part 4, page 5635, contains my statement and a copy of my bill, S. 2003, already described.

The late Senator Hugh Butler, the former chairman of the Committee on Interior and Insular Affairs, introduced a similar bill for the Territory of Alaska. It should be reintroduced early in the 84th session of Congress.

CRITICAL MATERIALS—MICA

Mr. President, a recent dispatch in the Wall Street Journal of May 5, 1954, is concrete evidence of the complete lack of perception and understanding of the continual progress through laboratory research and experiments and through inventions, by the so-called experts advancing the doctrine that we are a "have not" nation.

The report of the Minerals, Materials, and Fuels Economics Subcommittee of the Committee on Interior and Insular Affairs submitted, as Senate Report 1627, on July 9, 1954, said of mica as a critical material:

Western Hemisphere: Self-sufficiency can be attained through expansion of reconstituted and synthetic expansion.

Mr. President, I ask unanimous consent that the dispatch from the Wall Street Journal be printed in the RECORD at this point as a part of my remarks.

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

NEW JERSEY FIRM TO PRODUCE SYNTHETIC FORM OF MICA TO COMPETE WITH FOREIGN SUPPLY

(By Richard P. Cooke)

NEW YORK.—Mica, a strategic material without which the electrical and electronic industries would find it hard to function, is soon to be produced synthetically for the first time on a commercial scale.

The manufacturer will be Mycalex Corporation of America, of Clifton, N. J., which has been cooperating for several years with five Government agencies—the Bureau of Mines, Bureau of Ships, Office of Naval Research, National Bureau of Standards, and the Army Signal Corps—on a pilot operation. By the end of this year the new facility should be turning out high-grade mica, a superinsulator vital to the manufacture of such products as vacuum tubes.

Today the United States is dependent on India for most of its electrical quality mica. There's a considerable output in Brazil, too, but this mica isn't of as high quality as the Indian product. Much low-grade mica is produced in the United States for such nonelectrical uses as roofing paint and chicken feed. But this country produces only about 5 percent of the high-quality mica used. All told, more than 10,000 tons of mica, worth about $20 million, is imported annually.

Like most new synthetics, synthetic mica is going to cost more at first than natural mica, which has a wide price range—from as little as 3 cents a pound for the low grade used in paint to several dollars a pound for large crystals. Superlarge crystals command much higher prices, but most grades of electrical mica range from 15 cents to $1 a pound.

Jerome Taishoff, president of Mycalex Corp., is confident that with the achievement of substantial volume (nearly 200,000 pounds already has been produced at the pilot plant at the Bureau of Mines Electrotechnical Laboratory at Norris, Tenn.), prices will come down to a range comparable with natural mica.

SYNTHETICS BETTER

Synthetic mica has a big advantage to start with. It is chemically pure and considerably more efficient as an insulator, particularly at high temperatures, than natural mica. This is an important quality, since the efficiency of many types of electrical equipment, including electric motors, triples when the operating temperature doubles. This is the sort of thing synthetic mica can do best.

So far, synthetic mica has been made only in small crystals. The Mycalex technical staff believes that in 1 or 2 years the problems of making larger crystals can be solved. Much sharper images on TV, for example, can be obtained by using large crystals of synthetic mica. Sylvania Electric Products, Inc., important manufacturer of vacuum tubes, is already purchasing most of the larger synthetic mica crystals (although these are quite small) being made. And Mycalex Corp. is cooperating with Rutgers University in further improving the already high qualities of synthetic mica.

Mr. Taishoff believes it won't be too long before synthetic mica plants can free this country from dependence on India, whose supply of the material might be shut off in case of war. The raw materials for the synthetic product are readily available in this country: Magnesium, silicon, aluminum, and fluorine. The trick is to melt these ingredients together electrically and then cool them slowly under perfect control. Even the slightest vibration will be harmful.

GLASS-BONDED MICA

Although the big crystals are needed for TV camera tubes, a leading form of mica insulation is in what is called glass-bonded mica, a combination of high-quality glass and powdered mica. Mycalex Corp. is owner of the registered trade-mark name "Mycalex" for the glass-bonded product. General Electric Co. and Westinghouse Electric also make glass-bonded mica with the names "G-E Mycalex" and "Insanol," respectively. But Mycalex Corp. considers itself the leader in the field.

Glass-bonded mica has a big range of important uses, from improving the safety of airplanes to improving transmission in the growing field of microwave.

The aircraft application highlights the qualities of this tough material. A couple of Boeing Airplane Co. engineers, Thomas J. Martin and Raymond L. Hauter, after 3 years' research found that glass-bonded mica was about the only safe material to use in the fuse box (called a "current limiter" in technical parlance) in an airplane, an installation similar to the one in home cellars where a fuse may blow if there is a short circuit. Only in a plane, where the current is much more powerful than in homes, a blown fuse may result in a hot arc of electrical flame, causing the block on which it is mounted to catch fire or to become a conductor instead of an insulator. Mycalex was the material used by the Boeing men in this test.

As a result of these tests, it now seems likely that Mycalex will replace other types of insulation in key spots in aircraft where fires could result through short-circuiting of overheating.

In the microwave field, the company soon will offer commercially a series of "microstrip" components using a thin layer of silver paste on a Mycalex backing to replace much bulkier apparatus now used for the directional "beaming" of radio waves. The microstrip, developed by Federal Telecommunications Laboratories of International Telephone & Telegraph Co., must be baked at high heat to make the silver paste stick, and glass-bonded mica has been found able to withstand this heat. A 5-pound microstrip can replace a complex machine-made metal apparatus weighing 32 pounds, it has been found by Mycalex engineers.

ATOMIC ENERGY GUIDED MISSILES

Glass-bonded mica also is finding increasing uses in atomic energy installations. Wires which must pass through nuclear barriers (insulating walls against radiation) require connectors which can withstand radiation which would destroy certain other types.

Glass-bonded mica is a leading material for miniature vacuum tube sockets, and although Mycalex generally is more expensive than competing materials, such substantial volume has been attained in this type of product that Mycalex prices are about in line with those of the sockets made from cheaper ingredients.

Still another important application of the substance is in telemetering, which means the automatic transmission of messages from guided missiles, remote stations in oil fields or flood control areas unattended by human operators. In this type of installation, the utmost precaution against fires or breakdown due to overheating must be taken, and glass-bonded material has proved the best, Mycalex engineers claim.

Mr. MALONE. Mr. President, there is no question, according to the evidence before the Minerals, Materials, and Fuels Economic Subcommittee, during the investigation under Senate Resolution 143, to determine the accessibility of the critical materials in time of war, for our expanding economy and for our security, that the Western Hemisphere is the only dependable supply of such materials in the event of world war III, and that it can be made self-sufficient in its production considering substitutes and replacements.

The noted progress in the case of synthetic mica is a case in point.

Mr. President, I yield the floor.

SOCIAL SECURITY AMENDMENTS OF 1954—AMENDMENT

Mr. JOHNSTON of South Carolina submitted an amendment intended to be proposed by him to the bill (H. R. 9366) to amend the Social Security Act and the Internal Revenue Code so as to extend coverage under the old-age and survivors insurance program, increase the benefits payable thereunder, preserve the insurance rights of disabled individuals, and increase the amount of earnings permitted without loss of benefits, and for other purposes, which was ordered to lie on the table and to be printed.

Mr. HUMPHREY submitted amendments intended to be proposed by him to House bill 9366, supra, which were ordered to lie on the table and to be printed.

EXECUTIVE REPORTS OF A COMMITTEE

As in executive session,

The following favorable report of a nomination was submitted:

By Mr. CARLSON, from the Committee on Post Office and Civil Service:

E. George Siedle, of Pennsylvania, to be an Assistant Postmaster General, vice John C. Allen, resigned.

EXECUTIVE MESSAGES REFERRED

As in executive session,

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

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

RECESS

Mr. KNOWLAND. Mr. President, pursuant to the prior order of the Senate, I move that the Senate now stand in recess until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 10 o'clock and 2 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Friday, August 13, 1954, at 10 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate August 12 (legislative day of August 5), 1954:

DEPARTMENT OF THE NAVY

William Birrell Franke, of New York, to be an Assistant Secretary of the Navy.

POSTMASTERS

The following-named persons to be postmasters:

ALABAMA

Prince W. Cofield, Bexar, Ala., in place of Pearce Goggans, retired.

John T. Knight, Hayneville, Ala., in place of R. R. Hairston, retired.

ARKANSAS

Louie C. Horn, Searcy, Ark., in place of G. O. Yingling, retired.

CALIFORNIA

Charles C. Clark, Fullerton, Calif., in place of F. D. Lowrey, removed.

Emma M. Fernald, Julian, Calif., in place of E. C. McGowan, retired.

CONNECTICUT

Edward J. Butner, Sr., Westport, Conn., in place of Edward McElwee, deceased.

DELAWARE

Howard W. Dill, Harrington, Del., in place of C. F. Wilson, retired.

GEORGIA

Thomas Adamson 3d, Cedartown, Ga., in place of C. R. Brumby, retired.

ILLINOIS

Ray C. Rogers, Bonnie, Ill., in place of O. I. Hicks, transferred.

Vernon W. Dickey, Marissa, Ill., in place of C. G. Sinn, resigned.

Earl J. Thompson, O'Fallon, Ill., in place of J. L. Anheuser, resigned.

Owen W. Morell, Shobonier, Ill., in place of F. E. Donaldson, retired.

James W. O'Brien, Thayer, Ill., in place of Jennie Puma, retired.

INDIANA

Fred V. Hayden, Lowell, Ind., in place of H. A. Loyce, transferred.

Lloyd D. Spann, Madison, Ind., in place of Stella Cisco, retired.

Joseph S. Dean, Napoleon, Ind., in place of E. A. Behlmer, retired.

Robert Craig Dillon, New Augusta, Ind., in place of R. A. Shaw, removed.

IOWA

Ray L. Haefner, Arthur, Iowa, in place of A. C. Watts, retired.

KANSAS

Wayne E. Richards, Arkansas City, Kans., in place of C. T. Hills, deceased.

KENTUCKY

Paul D. Fowler, Saint Mary, Ky., in place of W. R. Logsdon, retired.

LOUISIANA

Leo S. Behrens, Madisonville, La., in place of J. H. Scheppf, retired.

MAINE

Leo T. Spain, Houlton, Maine, in place of M. E. Peabody, retired.

MARYLAND

James W. Scott, La Plata, Md., in place of B. H. Barnes, deceased.

MICHIGAN

Calvin C. Oke, Richmond, Mich., in place of J. W. Winkel, retired.

Almon Schoch, Romeo, Mich., in place of J. L. Lucas, retired.

Harold J. Hawkins, Wayland, Mich., in place of M. R. Ehle, removed.

MINNESOTA

Erling M. Wollan, Glenwood, Minn., in place of C. C. O'Donnel, resigned.

MISSISSIPPI

John H. Magee, Magee, Miss., in place of J. B. Vinson, retired.

Virginia M. Hatcher, Scott, Miss., in place of E. B. Comegys, retired.

Keith D. Davis, Terry, Miss., in place of A. F. Fleck, retired.

MISSOURI

Allen B. Cooper, Charleston, Mo., in place of T. W. Gwaltney, retired.

Cyrenius J. Jones, Jonesburg, Mo., in place of J. B. Diggs, resigned.

MONTANA

Olga Strand, Reserve, Mont., in place of E. K. Riley, retired.

Alma E. Fischer, Somers, Mont., in place of Ralph Drew, deceased.

NEW HAMPSHIRE

Jessie G. Thompson, Moultonboro, N. H., in place of R. E. Goodwin, retired.

John W. Crawford, Tilton, N. H., in place of F. M. Boynton, retired.

NEW JERSEY

Harry C. Lake, Hampton, N. J., in place of K. A. Butler, retired.

Agnes V. Huenke, Thorofare, N. J., in place of M. E. Lyster, retired.

John Dawson, Trenton, N. J., in place of J. L. Malley, deceased.

NEW MEXICO

Hugh P. Cooper, Albuquerque, N. Mex., in place of J. A. Werner, removed.

NEW YORK

Peter Hillen, Jr., Amityville, N. Y., in place of T. L. Wardle, deceased.

Howard W. Wheeler, Kinderhook, N. Y., in place of C. M. Magee, retired.

Louis B. Cartwright, Rochester, N. Y., in place of D. A. Dailey, resigned.

Donald M. Tobey, Victor, N. Y., in place of F. B. Mead, retired.

NORTH CAROLINA

Lyle B. Cook, Boone, N. C., in place of J. E. Brown, Jr., removed.

Numa D. Redmon, Jr., Leaksville, N. C., in place of W. W. Hampton, retired.

NORTH DAKOTA

John B. Williams, Barney, N. Dak., in place of R. A. Halvorson, resigned.

OHIO

Smith B. Applegarth, Barton, Ohio, in place of M. I. Timko, resigned.

Lewis J. Dye, Bergholz, Ohio, in place of M. N. Morrow, retired.

Homer H. Goltzene, Defiance, Ohio, in place of E. L. Partee, deceased.

OKLAHOMA

Carson Scott, Okmulgee, Okla., in place of H. B. Torbett, removed.

Joseph T. Courts, Quinton, Okla., in place of F. R. Hendrickson, retired.

OREGON

Mary J. Rugg, Pilot Rock, Oreg., in place of F. L. Hartmen, retired.

Lola N. Steagall, Seneca, Oreg., in place of B. I. Denson, resigned.

Nellie A. Bembry, Sisters, Oreg., in place of S. J. May, resigned.

PENNSYLVANIA

Harry H. Birney, Athens, Pa., in place of S. J. Morley, retired.

Americo P. Campagna, Lilly, Pa., in place of A. B. Kearney, deceased.

Robert Howard McFarland, Jr., Oaks, Pa., place of L. I. Brower, retired.

SOUTH CAROLINA

Clara C. Drake, Blenheim, S. C., in place of J. B. Ayers, removed.

SOUTH DAKOTA

Percy C. Heinzen, Frederick, S. Dak., in place of A. H. Hoffman, transferred.

Ranald A. Bishop, Hurley, S. Dak., in place of S. P. Hutchinson, resigned.

TENNESSEE

William T. Starbuck, Hohenwald, Tenn., in place of J. H. Warf, removed.

TEXAS

Charles A. Joplin, Littlefield, Tex., in place of W. D. T. Storey, retired.

Evelyn Neale Walker, Robstown, Texas, in place of R. B. Horney, resigned.

VERMONT

Francis A. Bolles, Bellows Falls, Vt., in place of T. J. Fitzgerald, retired.

WASHINGTON

Joseph E. Shannon, Dash Point, Wash., in place of C. P. Steele, resigned.

Dean M. Corliss, Port Orchard, Wash., in place of R. J. Caretti, resigned.

WEST VIRGINIA

Adrian Fray Lilly, Beckley, W. Va., in place of J. T. Hollandsworth, Jr., retired.

Obie H. Young, Dunbar, W. Va., in place of F. C. Ellis, retired.

Frank J. Ailiff, Fort Gay, W. Va., in place of V. D. Sorensen, resigned.

Leland S. Griffith, Jr., Hurricane, W. Va., in place of G. C. Sowards, retired.

Harry O. Rogers, Keyser, W. Va., in place of T. F. Ward, deceased.

Victoria B. Lindamood, Omar, W. Va., in place of P. D. Young, removed.

WISCONSIN

Arnold L. Peters, Marinette, Wis., in place of W. F. Coffey, resigned.

Lawrence T. Hoyt, Rosendale, Wis., in place of A. O. Randall, deceased.

Maurice W. Schaefer, Sauk City, Wis., in place of A. E. Von Wald, retired.

Irene Peterson, Wilson, Wis., in place of L. J. Mulvaney, deceased.

Albert O. Olson, Woodville, Wis., in place of J. G. Behm, retired.

HOUSE OF REPRESENTATIVES

THURSDAY, AUGUST 12, 1954

The House met at 12 o'clock noon.

The Chaplain, Rev. Bernard Braskamp, D. D., offered the following prayer:

God of all grace, whose blessings cannot be numbered and whose treasury of goodness is inexhaustible, lift us now to the lofty spiritual heights, whence cometh our wisdom and strength for each new day.

Grant that we may never place our supreme confidence in human ingenuity, but in the God of all wisdom and blessedness.

May our vision of the coming of the kingdom of righteousness never fade. Inspire us to carry on with humility and courage, trusting in Thy faithfulness.

Hear us in Christ's name. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Ast, one of its clerks, announced that the Senate had passed without amendment bills, joint resolutions, and a concurrent resolution of the House of the following titles:

H. R. 669. An act for the relief of George D. Kyminas;

H. R. 787. An act for the relief of Israel Ratsprecher and Maryse Ratsprecher;

H. R. 803. An act for the relief of Christakis Modinos;

H. R. 804. An act for the relief of Enrichetta F. C. Meda-Novara;

H. R. 818. An act for the relief of Mrs. Emma Martha Staack;

H. R. 868. An act for the relief of Ciriaco Catino;

H. R. 905. An act for the relief of Franciszek Wolczek;

H. R. 950. An act for the relief of Panoula Panagopoulos;

H. R. 970. An act for the relief of George Economos;

H. R. 977. An act for the relief of Mrs. Aimee Dutour Rovzar;

H. R. 1171. An act for the relief of Mrs. Wai-Jan Low Fong;

H. R. 1324. An act for the relief of Georgina Chinn;

H. R. 1463. An act for the relief of Ilona Elizabeth Carrier;

H. R. 1646. An act for the relief of Arthur Neustadt and Mrs. Emma Neustadt;

H. R. 1697. An act for the relief of Mrs. Katharina Batke;

H. R. 1843. An act to increase the retired pay of certain members of the former Lighthouse Service;

H. R. 1897. An act for the relief of Mrs. Betty E. LeMay;

H. R. 1974. An act to amend the third paragraph of section 4, chapter 1, title I, of the act entitled "An act making further provision for a civil government for Alaska, and for other purposes," approved June 6, 1900 (31 Stat. 322; 48 U. S. C., sec. 101), as amended;

H. R. 2051. An act for the relief of Ivo Markulin;

H. R. 2358. An act for the relief of Dr. Vahram Uluhogian;

H. R. 2359. An act for the relief of Joseph Veich, also known as Guiseppe Veic;

H. R. 2635. An act for the relief of Olga Abitia;

H. R. 2654. An act for the relief of Sisters Linda Salerno, Luigiana C. Cairo, Antonietta Impieri, Anna Impieri, Rosina Scarlato, Iolanda Gaglianone, Maria Assunta Scaramuzzo, Franceschina Cauterucci, and Filomena Lupinacci;

H. R. 2793. An act for the relief of Miyoko Nagare;

H. R. 2843. An act to authorize the Secretary of the Interior to investigate and report to the Congress on the conservation, development, and utilization of the irrigation and reclamation resources of the Waimanalo, Oahu; Waimea, island of Hawaii; and Molokai projects, Territory of Hawaii;

H. R. 2874. An act to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment upon the claim of Mary K. Reynolds, as successor in interest to the Colonial Realty Co.;

H. R. 2879. An act to stay deportation proceedings on Juan Onativia;

H. R. 2901. An act for the relief of Tokuko Kobayashi, and her minor son;

H. R. 3116. An act for the relief of Dimitra Makhavitzki;

H. R. 3125. An act for the relief of Alexander Hahn and Suzanne Hahn;

H. R. 3144. An act for the relief of Elias Y. Richa;

H. R. 3238. An act for the relief of Danica Maria Vavrova;

H. R. 3344. An act for the relief of Carmen Salvador and her daughter, Ruby Salvador;

H. R. 3419. An act to authorize a $50 per capita payment to members of the Red Lake Band of Chippewa Indians from the proceeds of the sale of timber and lumber on the Red Lake Reservation;

H. R. 3444. An act for the relief of Toki Yaeko;

H. R. 3616. An act for the relief of Nicoletta Di Donato;

H. R. 3677. An act for the relief of Sister Paolina (Angela Di Franco);

H. R. 3759. An act for the relief of Babette Mueller Esposito;

H. R. 3855. An act for the relief of Sister Agrippina (Agrippina Palermo), Sister Battistina (Franceschina Serpa), Sister Romana (Angela Iolanda Morelli), Sister Franceschina (Maria Caruso), and Sister Bruna (Giuseppina De Caro);

H. R. 4092. An act for the relief of Mira Tellini Napoleone;

H. R. 4213. An act to authorize works for development and furnishing of water supplies for waterfowl management, Central Valley project, California, and for other purposes;

H. R. 4371. An act for the relief of June Ann Sakurai;

H. R. 4620. An act for the relief of Natale Joseph John Ratti;

H. R. 4721. An act to provide that the excess-land provisions of the Federal reclamation laws shall not apply to lands in the Owl Creek unit of the Missouri Basin project;

H. R. 4740. An act for the relief of Kaoru Yoshioka;

H. R. 4881. An act to amend the Canal Zone Code in reference to the survival of things in action;

H. R. 4959. An act for the relief of Muhittin Schuer;

H. R. 4998. An act for the relief of Paul Frkovich;

H. R. 5072. An act for the relief of Carmen D'Ottavio, also known as Cameron D'Ottavio;

H. R. 5077. An act for the relief of Sophia Nassopoulos;

H. R. 5443. An act for the relief of Eva Lowinger;

H. R. 5639. An act for the relief of Edeltraut Kamberg Douglass;

H. R. 5822. An act for the relief of Evanthia Demetrios Makrozonari;

H. R. 5832. An act to authorize the commissioner of public lands of the Territory of Hawaii to sell public lands to certain lessees, permittees, and others;

H. R. 5944. An act for the relief of Alberto Ugo Landry;

H. R. 5997. An act to enable the Legislature of the Territory of Hawaii to authorize the issuance of general obligation bonds, the proceeds thereof to be used for veterans' mortgages;

H. R. 6113. An act to amend title 18 of the United States Code, so as to increase the penalties applicable to the smuggling of goods into the United States;

H. R. 6127. An act to amend the act entitled "An act to create a Board for the Condemnation of Insanitary Buildings in the District of Columbia, and for other purposes," approved May 1, 1906, as amended, and for other purposes;

H. R. 6253. An act to amend Public Law 410, 78th Congress, with regard to compensation for overtime, Sunday, and holiday work of employees of the United States Public Health Service, Foreign Quarantine Division;

H. R. 6367. An act for the relief of Nobu Nogawa Nitta;

H. R. 6393. An act granting the consent and approval of Congress to an interstate forest fire protection compact;

H. R. 6414. An act for the relief of Barbara Pator Allen;

H. R. 6885. An act to amend section 1 of Joint Resolution 12 enacted by the 25th Legislature of the Territory of Hawaii, in the regular session of 1949 and approved by the 81st Congress of the United States of America at the second session (Public Law 746, ch. 833);

H. R. 6886. An act to ratify and confirm sections 5 and 6 of Act 254 and Act 280 of the Session Laws of Hawaii, 1953, and to authorize the issuance of certain public improvement bonds by the Territory of Hawaii;

H. R. 6955. An act for the relief of Margers Nulle-Siecenieks;

H. R. 6987. An act for the relief of Gene C. Szutu and Florence C. Szutu;

H. R. 7051. An act for the relief of Mary George Solomon;

H. R. 7088. An act for the relief of Antonio Cazzato;

H. R. 7138. An act for the relief of Rosa Marie Adelheid Herok;

H. R. 7251. An act to authorize the Secretary of the Interior to transfer to Vernon F. Parry, the right, title, and interest of the United States, in foreign countries, in and to a certain invention;

H. R. 7398. An act to repeal the requirement of section 3921 of the Revised Statutes that postmasters report to the Postmaster General failure to cancel postage stamps;

H. R. 7399. An act to authorize the sale of postage-due stamps for philatelic purposes;

H. R. 7451. An act for the relief of Erika Jette Lavery;

H. R. 7460. An act to pay Warren P. Hoover for services rendered the Army of the United States;

H. R. 7486. An act to amend section 1071 of title 18, United States Code, relating to the concealing of persons from arrest, so as to increase the penalties therein provided;

H. R. 7494. An act for the relief of Elizabeth Forster Austin;

H. R. 7508. An act for the relief of James Dore, Jr.;

H. R. 7517. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7518. An act to enable the Legislature of the Territory of Hawaii to authorize the city and county of Honolulu, a municipal corporation, to issue public improvement bonds;

H. R. 7568. An act to authorize and direct the Farm Loan Board of Hawaii to convey certain land and to ratify and confirm certain acts of said Farm Loan Board;

H. R. 7569. An act to authorize the removal of a restrictive covenant on land patent numbered 9628, issued to the board of the

Hawaiian Evangelical Association on January 18, 1929, and covering lots 5 and 6 of Waimea town lots, situated in the county of Kauai, T. H.;

H. R. 7584. An act for the relief of Angele Marie Boyer (nee Pieniazeck);

H. R. 7593. An act for the relief of Theresia Probst Uhl;

H. R. 7606. An act for the relief of Michael Henry LaFleur;

H. R. 7612. An act for the relief of Enrico Intravaia;

H. R. 7628. An act for the relief of Mrs. Adriana M. Truyers Aretz;

H. R. 7629. An act for the relief of Mrs. Ruth Gruschka Krug;

H. R. 7635. An act for the relief of Martti Iimari Timonen, Maj-Lis Timonen, and Marja Timonen;

H. R. 7807. An act for the relief of Heinz Gerhard Rolappe;

H. R. 7924. An act for the relief of Giuseppi Clementi;

H. R. 7925. An act for the relief of Mrs. Dina Mianulli (nee Kratzer);

H. R. 7945. An act for the relief of Bart Blaak (formerly Johannes J. M. Gijsbers);

H. R. 7987. An act for the relief of Roger Feghali;

H. R. 8006. An act to authorize the Secretary of the Interior to issue patents for certain lands in Wisconsin bordering upon inland lakes or rivers;

H. R. 8034. An act for the incorporation of the Sons of Union Veterans of the Civil War;

H. R. 8066. An act for the relief of Mrs. Gertrud Eckerl Strickland;

H. R. 8115. An act for the relief of Tannous Estephan;

H. R. 8146. An act for the relief of Palmina Smarrelli (nee Lattanzio);

H. R. 8180. An act to increase the amount of Federal aid to State or Territorial homes for the support of disabled soldiers, sailors, and airmen of the United States;

H. R. 8334. An act for the relief of Helmut Cermak and Hana Cermak;

H. R. 8365. An act to confirm the authority of the Secretary of the Interior to issue patents in fee to allotments of lands of the Mission Indians in the State of California prior to the expiration of the trust period specified in the act of January 12, 1891, as amended;

H. R. 8384. An act to authorize the Secretary of the Interior to construct, operate, and maintain the Talent division of the Rogue River Basin reclamation project, Oregon;

H. R. 8385. An act to amend section 2382 of the Revised Statutes, in order to make the size of town lots conform in size to local standards;

H. R. 8520. An act to provide for the inclusion of the Ainsworth, Lavaca Flats, Mirage Flats Extension, and O'Neill irrigation developments in the Missouri River Basin project;

H. R. 8634. An act to amend section 22 of the Organic Act of Guam;

H. R. 8658. An act to amend title 18, United States Code, to provide for the punishment of persons who jump bail;

H. R. 8736. An act to authorize the issuance of a land patent to certain public lands, situate in the county of Kauai, T. H., for school purposes;

H. R. 8821. An act to authorize the exchange of lands acquired by the United States for the Catoctin recreational demonstration area, Frederick County, Md., for the purpose of consolidating Federal holdings therein;

H. R. 8897. An act to authorize and direct the Secretary of the Interior to transfer 40 acres of land in the Northern Cheyenne Indian Reservation, Mont., to school district No. 6, of Rosebud County, Mont.;

H. R. 8921. An act to establish the rate of compensation for the position of the General Counsel of the Department of Commerce;

H. R. 9194. An act to provide for the conveyance of certain land owned by the Federal Government near Vicksburg, Miss., to Vicksburg, Miss.;

H. R. 9336. An act for the relief of Marianne Geymeier;

H. R. 9390. An act to extend certain civilian-internee and prisoner-of-war benefits under the War Claims Act of 1948, as amended, to civilian internees and American prisoners of war captured and held during the hostilities in Korea;

H. R. 9582. An act to provide for the disposition of surplus personal property to the Territorial Government of Alaska;

H. R. 9584. An act to protect the rights of vessels of the United States on the high seas and in territorial waters of foreign countries;

H. R. 9630. An act to authorize the Secretary of the Interior to execute an amendatory contract with the Black Canyon Irrigation District, Idaho, and for other purposes;

H. R. 9671. An act for the relief of Dr. Liang Nun Wang and his wife and child, Fa-chi Ling Wang and Eileen Wang;

H. R. 9814. An act for the relief of Alfio Capizzi;

H. R. 9821. An act to amend titles 18 and 28 of the United States Code;

H. R. 9882. An act to incorporate the Foundation of the Federal Bar Association;

H. R. 9888. An act to amend the laws granting education and training benefits to certain veterans to extend the period during which such benefits may be offered;

H. R. 9889. An act to authorize the Secretary of the Interior to execute an amendatory contract with American Falls Reservoir District No. 2, Idaho, and for other purposes;

H. R. 9996. An act for the relief of Susan Ellen Heiney;

H. J. Res. 356. Joint resolution authorizing the erection of a memorial gift from the people of the Netherlands;

H. J. Res. 359. Joint resolution designating the period from October 11 to October 16, inclusive, 1954, as National Nurse Week;

H. J. Res. 560. Joint resolution to authorize the Commissioners of the District of Columbia to promulgate special regulations for the period of the American Legion National Convention of 1954, to authorize the granting of certain permits to the American Legion 1954 Convention Corporation on the occasion of such convention, and for other purposes;

H. J. Res. 561. Joint resolution to authorize the quartering in public buildings in the District of Columbia of troops participating in activities related to the American Legion National Convention of 1954; and

H. Con. Res. 254. Concurrent resolution, favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills and concurrent resolutions of the House of the following titles:

H. R. 270. An act to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes;

H. R. 1514. An act for the relief of Clint Lewis;

H. R. 1797. An act to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes;

H. R. 1912. An act for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan;

H. R. 2009. An act to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes;

H. R. 2010. An act to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes;

H. R. 2012. An act to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a camp site and other public purposes;

H. R. 2014. An act to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska;

H. R. 2015. An act to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska;

H. R. 2024. An act for the relief of Frank L. Peyton;

H. R. 2163. An act for the relief of Lillian Schlossberg;

H. R. 2263. An act to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service;

H. R. 2615. An act for the relief of Julio Mercado Toledo;

H. R. 2645. An act for the relief of Donald James Darmody;

H. R. 2791. An act for the relief of Esther E. Ellicott;

H. R. 2815. An act for the relief of Floyd C. Barber;

H. R. 2881. An act for the relief of Mrs. Rosaline Spagnola;

H. R. 3008. An act for the relief of Esther Smith;

H. R. 3216. An act for the relief of E. C. Mills;

H. R. 3217. An act for the relief of Mrs. Florence D. Grimshaw;

H. R. 3273. An act for the relief of Edgar A. Belleau, Sr.;

H. R. 3732. An act for the relief of Catherine (Cathrina) D. Pilgard;

H. R. 3854. An act to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska;

H. R. 3951. An act for the relief of Frank G. Koch;

H. R. 4118. An act to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands;

H. R. 4175. An act for the relief of Charles R. Logan;

H. R. 4329. An act for the relief of Huntington, McLaren & Co.;

H. R. 4474. An act for the relief of Frederick Joseph Buttaccio and others;

H. R. 4531. An act for the relief of Lyman Chalkley;

H. R. 4580. An act for the relief of the Florida State Hospital;

H. R. 5028. An act for the relief of Petra Ruiz Martinez and Marcelo Maysonet Mirell and Maria Benitez Maysonet Mirell;

H. R. 5086. An act for the relief of George Eldred Morgan;

H. R. 5092. An act for the relief of Robert Leon Rohr;

H. R. 5093. An act for the relief of Mrs. Dorothy J. Williams, widow of Melvin Edward Williams;

H. R. 5460. An act for the relief of Chancy C. Newsom;

H. R. 5461. An act for the relief of Wah Chang Corp.;

H. R. 5489. An act for the relief of Rocco Forgione;

H. R. 5986. An act for the relief of Harold E. Wahlberg;

H. R. 6332. An act for the relief of James Philip Coyle;

H. R. 6455. An act to create a National Monument Commission, and for other purposes;

H. R. 6562. An act for the relief of Capt. C. R. MacLean;

H. R. 6566. An act for the relief of Daniel D. Poland;

H. R. 6814. An act to facilitate the acquisition of non-Federal land within areas of the national-park system, and for other purposes;

H. R. 6959. An act to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site;

H. R. 7045. An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, Raymundo, and Marciano, and Mrs. Brigida de Gutierrez;

H. R. 7290. An act to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg.;

H. R. 7413. An act for the relief of Harold J. Davis;

H. R. 7734. An act to amend section 47 of the National Defense Act concerning the requirement for bond covering certain property issued by the United States for use by Reserve Officers' Training Corps units maintained at educational institutions;

H. R. 7835. An act for the relief of S. Sgt. Frank C. Maxwell;

H. R. 7853. An act to permit retired policemen, firemen, and teachers of the District of Columbia to waive all or part of their annuities, relief, or retirement compensation;

H. R. 7886. An act for the relief of Mrs. Cecil Norton Broy;

H. R. 8020. An act authorizing the transfer of certain property of the United States Government (in Klamath County, Oreg.) to the State of Oregon;

H. R. 8128. An act to amend section 1089 of the Code of Law for the District of Columbia relating to attachment proceedings;

H. R. 8252. An act for the relief of the city of Fort Smith, Ark.;

H. R. 8628. An act to amend the Tariff Act of 1930 to insure that crude silicon carbide imported into the United States will continue to be exempt from duty;

H. R. 8647. An act to amend Revised Statutes 4426;

H. R. 8915. An act to amend the act entitled "An act to consolidate the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court of appeals for the District of Columbia, and for other purposes";

H. R. 8932. An act to reclassify dictaphones in the Tariff Act of 1930;

H. R. 9248. An act to amend section 308 (5) of the Tariff Act of 1930, as amended;

H. R. 9924. An act to provide for family quarters for personnel of the military departments of the Department of Defense and their dependents, and for other purposes;

H. Con. Res. 227. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens; and

H. Con. Res. 267. Concurrent resolution authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic Energy relative to the contribution of atomic energy to medicine.

The message also announced that the Senate had passed bills, joint resolutions, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 17. An act to provide general rules of practice and procedure before Federal agencies;

S. 19. An act to suspend the running of the statutes of limitations applicable to offenses involving performance of official duties by Government officers and employees during periods of Government service of the officer or employee concerned;

S. 47. An act for the relief of Joseph Andrew Wright;

S. 101. An act for the relief of Phed Vosniacos;

S. 209. An act for the relief of Irene C. Karl;

S. 221. An act to amend subsection (a) of section 6 of the War Claims Act of 1948, as amended, to include claims of certain American citizens who served in the Armed Forces of any government allied with the United States during World War II and who were taken prisoner of war;

S. 264. An act to provide for the conveyance of certain lands in the State of Maryland to the Disney-Bell Post 66 of the American Legion, Bowie, Md.;

S. 346. An act for the relief of Alick Bhark;

S. 377. An act for the relief of the State of Oklahoma;

S. 547. An act for the relief of Hava Shpak, A. A. Shpak, and Sympcha Shpak;

S. 575. An act for the relief of Moniek Lemberger, Frida Lemberger, and Peysach Lemberger;

S. 675. An act to amend sections 2311, 2312, and 2313 of title 18, United States Code, so as to extend the punishment for the transportation of stolen motor vehicles in interstate or foreign commerce to tractors, commercial truck trailers, and truck semitrailers, and for other purposes;

S. 831. An act for the relief of Pietro Meduri;

S. 1061. An act for the relief of Norman F. George;

S. 1083. An act for the relief of Kurt Glaser;

S. 1291. An act for the relief of Charalampos Socrates Iossifoglu, Nora Iossifoglu, Helen Iossifoglu, and Efrossini Iossifoglu;

S. 1336. An act for the relief of Euline Saliba Sihwel (Eveline Saliba Suhweil);

S. 1338. An act for the relief of Nabiha Elias Audi;

S. 1341. An act for the relief of Salamy Khouri;

S. 1417. An act for the relief of Gerard Lucien Dandurand;

S. 1445. An act for the relief of Evelyn Hardy Waters;

S. 1601. An act for the relief of Jeremy Allen Clore;

S. 1604. An act for the relief of Margot Herta Matulewitz;

S. 1605. An act for the relief of James Arthur Cimino and Joan Cimino;

S. 1622. An act for the relief of Constantinos Pantermalis;

S. 1625. An act for the relief of Milan K. Jovanovic;

S. 1687. An act for the relief of T. C. Elliott;

S. 1692. An act for the relief of Francis C. Pollard;

S. 1720. An act for the relief of Capt. George Gafos, Eugenia Gafos, and Adamantios George Gafos;

S. 1838. An act for the relief of Azzam Isaac Rafidi;

S. 1852. An act for the relief of Juan Antonio Gorrona Lejarzabulo and Jesus Maria Ojenola Guernica;

S. 1871. An act for the relief of Antonio Fopp;

S. 1873. An act for the relief of Ursula Wilke and Mike Mario Wilke;

S. 1887. An act to amend sections 3182 and 3183 of title 18 of the United States Code so as to authorize the use of an information filed by a public prosecuting officer for making demands for fugitives of justice;

S. 1890. An act for the relief of Olivia Mary Orciuch;

S. 1893. An act for the relief of Andreas Georges Vlaston (Andreas Georges Vlastos);

S. 1898. An act for the relief of Walter H. Berry;

S. 1978. An act for the relief of Dr. Chang Ho Cho;

S. 2010. An act for the relief of Alexy W. Katyll and Ioanna Katyll;

S. 2056. An act for the relief of Deborah Jordan Williams (Grace Yoko Watanabe);

S. 2064. An act for the relief of Aniceto Sparagna;

S. 2109. An act for the relief of Claire Heiszler;

S. 2216. An act for the relief of Vasilios Demetriou Kretsos and his wife Chryssa Thomaidou Kretsos;

S. 2316. An act for the relief of the Birmingham Iron Works, Inc.;

S. 2329. An act for the relief of Garabed Papazian;

S. 2452. An act for the relief of David Wei-Dao Lea and Julia An-Fong Wang Lea;

S. 2486. An act authorizing the Secretary of the Interior to transfer certain property of the United States Government (in the Wyoming National Guard Camp Guernsey target and maneuver area, Platte County, Wyo.) to the State of Wyoming;

S. 2496. An act for the relief of Harvey Schwartz;

S. 2525. An act for the relief of Lupe M. Gonzalez;

S. 2532. An act for the relief of Giuseppina Latina Mozzicato and Giovanni Mozzicato (John Mozzicato);

S. 2536. An act for the relief of Ellen Henriette Buch;

S. 2540. An act to amend the act entitled "An act to provide for the registration and protection of trade-marks used in commerce, to carry out the provisions of international conventions, and for other purposes," approved July 5, 1946;

S. 2613. An act for the relief of Dr. Luciano A. Legiardi-Laura;

S. 2632. An act for the relief of Epes Transportation Corp.;

S. 2633. An act for the relief of Stanislavas Racinskas (Stacys Racinskas);

S. 2634. An act for the relief of Mrs. William A. Curran;

S. 2636. An act for the relief of Arturo Rodriguez Diaz;

S. 2640. An act for the relief of Esther Joanne Potter;

S. 2646. An act for the relief of Victoriana Areitio Berincua;

S. 2649. An act for the relief of Chaya Frangles;

S. 2669. An act for the relief of Andree M. Doyle;

S. 2674. An act for the relief of Moxon J. van den Abeele;

S. 2678. An act for the relief of Liselotte Warmbrand;

S. 2679. An act for the relief of Ahti Johannes Ruuskanen;

S. 2682. An act for the relief of Maria Bertagnolli Pancheri;

S. 2695. An act for the relief of Francoise O. McMahon;

S. 2709. An act for the relief of Peter Haberl;

S. 2731. An act for the relief of Jean Cantalini;

S. 2768. An act for the relief of Lydia Tischler;

S. 2789. An act for the relief of Gianni Bernardis;

S. 2791. An act for the relief of Ernesto DeLeon;

S. 2801. An act for the relief of Graphic Arts Corp. of Ohio;

S. 2830. An act for the relief of Christos Paul Zolotas;

S. 2840. An act for the relief of Jonas Dercautan;

S. 2841. An act for the relief of Vittoria Alberghetti, Daniele Alberghetti, Anna Maria Alberghetti, Carla Alberghetti, and Paolo Alberghetti;

S. 2843. An act for the relief of Ursula Else Boysen;

S. 2849. An act for the relief of Elisa-Pompea Roppo (Elisa-Pompea Cardone);

S. 2877. An act for the relief of Philopimin Michalacopoulos (Mihalakopoulos);

S. 2879. An act for the relief of Peter Julian Newberry and Prudence Ellen Newberry;

S. 2884. An act for the relief of Sister Anna Scrinzi, Sister Giuliana Paladini, Sister Iolanda Mazzocchi, and Sister Giuseppina Zanchetts;

S. 2885. An act for the relief of Sandra Lea McMullin;

S. 2887. An act for the relief of Hon Cheun Kwan;

S. 2904. An act for the relief of Jan Hajdukiewicz;

S. 2921. An act for the relief of Ervin Fuchs;

S. 2922. An act for the relief of Robert A. Borromeo;

S. 2925. An act for the relief of Evantiyi Yorgiyadis;

S. 2936. An act for the relief of Elisa Palumbo Castaldo;

S. 2941. An act for the relief of Kim Kwang Suk and Kim Woo Shik;

S. 2945. An act for the relief of Eulalio Rodriguez Vargas;

S. 2950. An act for the relief of Domenico Scaramuzzino;

S. 2954. An act for the relief of Christine Thum;

S. 2968. An act for the relief of Franciszek Janicki and Stefania Janicki;

S. 2973. An act for the relief of Henry Duncan;

S. 2984. An act for the relief of Roger Ouellette;

S. 2993. An act for the relief of Ruch Wehrhan;

S. 2994. An act for the relief of Mr. and Mrs. Edward H. Hon;

S. 2996. An act for the relief of Sister Ramona Maria (Ramona E. Tombo);

S. 3017. An act for the relief of Thomas Barron;

S. 3024. An act for the relief of Malbina Rouphael David, nee Gebrael;

S. 3029. An act for the relief of Miroslav Slovak;

S. 3031. An act for the relief of Antonin Volejnicek;

S. 3032. An act for the relief of Bohumil Suran;

S. 3033. An act to authorize the Secretary of Commerce, acting through the Coast and Geodetic Survey, to assist the States of Maryland and Delaware to reestablish their common boundary;

S. 3043. An act to authorize the leasing of restricted Indian lands in the State of Arizona, other than those of the Navaho or Hopi Indians, for public, religious, educational, recreational, residential, business, and other purposes requiring the grant of long-term leases;

S. 3045. An act for the relief of Margaret Isabel Byers;

S. 3046. An act for the relief of Nejibe El-Sousse Slyman;

S. 3047. An act for the relief of Luzia Cox;

S. 3054. An act for the relief of Rosita A. Jocson;

S. 3055. An act for the relief of Jan R. Cwiklinski;

S. 3056. An act for the relief of S. Sgt. Silvestre E. Castillo;

S. 3058. An act for the relief of certain nationals of Italy;

S. 3065. An act for the relief of Ernest Ludwig Bamford and Mrs. Nadine Bamford;

S. 3071. An act to amend the act authorizing agricultural entries under the nonmineral land laws of certain mineral lands in order to increase the limitation with respect to desert entries made under such act to 320 acres;

S. 3076. An act to provide for the reimbursement of Meadow School District No. 29, Upham, N. Dak., for loss of revenue resulting from the acquisition of certain lands within such school district by the Department of the Interior;

S. 3084. An act for the relief of Elsa Lederer;

S. 3087. An act for the relief of Peter Charles Bethel (Peter Charles Peters);

S. 3094. An act for the relief of Christa Harkrader;

S. 3101. An act to amend section 490 of title 14, United States Code, entitled "Coast Guard," and for other purposes;

S. 3104. An act for the relief of Theodore J. Harris;

S. 3105. An act for the relief of Stanley Rydzon and Alexander F. Anderson;

S. 3110. An act for the relief of the Portsmouth Sand & Gravel Co.;

S. 3112. An act for the relief of Emiko Watanabe;

S. 3116. An act to amend section 1073 of title 18 of the United States Code to provide for the punishment of any individual who travels in interstate or foreign commerce to avoid prosecution or punishment for indecent molestation of a minor;

S. 3138. An act for the relief of Wakako Niimi and her minor child, Katherine;

S. 3148. An act for the relief of Francesco Pugliese;

S. 3150. An act for the relief of Zanthi Georges Komporozou;

S. 3156. An act for the relief of Slavoljub Djurovic and Goran Djurovic;

S. 3160. An act for the relief of Irene Julienne Givens;

S. 3163. An act for the relief of Myung Sik Hong;

S. 3164. An act for the relief of Rosario Estevez de Aponte (nee Frias), otherwise known as Rosario Estevez Aponte;

S. 3187. An act to authorize the United States of America to quitclaim all its right, title, and interest in and to certain lands in Arizona, except for mineral interests therein, and for other purposes;

S. 3200. An act to amend section 3 of the Travel Expense Act of 1949, as amended, to provide an increased maximum per diem allowance for subsistence and travel expenses;

S. 3218. An act for the relief of Maria Elena Venegas and Sarah Lucia Venegas;

S. 3221. An act for the relief of Ingeborg Otto;

S. 3234. An act for the relief of Aron Klein and Zita Klein (nee Spielman);

S. 3251. An act to provide for the conveyance of certain mineral rights to Mrs. Pearl O. Marr, of Crossroads, N. Mex.;

S. 3273. An act for the relief of Cirino Lanzafame;

S. 3276. An act for the relief of Cleophat Robert Joseph Caron;

S. 3293. An act for the relief of Lt. P. B. Sampson;

S. 3304. An act conferring jurisdiction upon the Court of Claims of the United States to consider and render judgment on the claim of the Cuban-American Sugar Co. against the United States;

S. 3322. An act for the relief of Ali Hassan Waffa;

S. 3327. An act for the relief of Rev. Lorenzo Rodriguez Blanco and Rev. Alejandro Negredo Lazaro;

S. 3341. An act to provide punishment for certain confidence game swindles;

S. 3343. An act for the relief of Babette Bayer Trisler;

S. 3392. An act for the relief of Anna C. Giese;

S. 3393. An act authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis.;

S. 3400. An act to authorize the issuance of commemorative medals to certain societies of which Benjamin Franklin was a member in observance of the 250th anniversary of his birth;

S. 3404. An act for the relief of Anni Stroee Jacobsen;

S. 3413. An act for the relief of Shigeko Nakamura Bulmer;

S. 3415. An act for the relief of June Rose McHenry;

S. 3424. An act for the relief of Anneliese Hofmann;

S. 3429. An act to authorize the assessment of costs and reasonable attorneys' fees against the United States in certain appellate proceedings;

S. 3436. An act for the relief of Laurie Dea Holley and the legal guardian of Karmen Lael Holley, minor child;

S. 3485. An act for the relief of Liselotta Kunze;

S. 3494. An act for the relief of the Central Railroad Company of New Jersey;

S. 3562. An act for the relief of McMahon Co., Inc.;

S. 3569. An act for the relief of Mrs. Lisa Lear;

S. 3577. An act for the relief of Milos Knezevich;

S. 3582. An act for the relief of Col. David W. Stonecliffe;

S. 3585. An act to amend the Strategic and Critical Materials Stockpiling Act (60 Stat. 596);

S. 3586. An act for the relief of Mrs. Hildegard Simon Walley;

S. 3595. An act to direct the Secretary of the Army to convey certain property located in El Paso, Tex., and described as part of Fort Bliss, to the State of Texas;

S. 3598. An act for the relief of Elonore Schmucker and her child;

S. 3622. An act to provide for the preparation of plans and specifications for a museum building for the Smithsonian Institution;

S. 3625. An act for the relief of Mrs. Juana Padilla de Caballero (Mrs. Juana Padilla de Ontiveros);

S. 3627. An act to amend the Civil Service Retirement Act, as amended;

S. 3628. An act to amend Public Law 815, 81st Congress, in order to extend for 3 additional years the program of assistance for school construction under title III of that act;

S. 3629. An act to postpone the effective date of the 3-percent absorption requirement in Public Law 874, 81st Congress, for 1 year;

S. 3652. An act for the relief of Francis Timothy Mary Hodgson (formerly Victor Charles Joyce);

S. 3666. An act for the relief of Mary Palanuk;

S. 3688. An act for the relief of Helga Schart Coulson;

S. 3689. An act for the relief of Gisela Nagel (nee Maireder);

S. 3712. An act to authorize the Commander, Air University, to confer appropriate degrees upon persons who meet all requirements for those degrees in the Resident College of the United States Air Force Institute of Technology;

S. 3744. An act to change the name of Gavins Point Reservoir back of Gavins Point Dam to Lewis and Clark Lake;

S. 3750. An act to direct the Secretary of the Air Force or his designee to convey certain property located in proximity to San Antonio, Bexar County, Tex., to the State of Texas;

S. 3756. An act for the relief of Howard Carl Kaiser;

S. 3773. An act to authorize reciprocal fire protection agreements between departments and agencies of the United States and public or private organizations engaged in firefighting activities, and for other purposes;

S. 3774. An act to extend the benefits of the Watershed Protection and Flood Prevention Act to Alaska, Hawaii, Puerto Rico, and the Virgin Islands;

S. 3800. An act to amend section 6 of the act of August 30, 1890, as amended, and section 2 of the act of February 2, 1903, as amended;

S. 3816. An act to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.;

S. 3822. An act to authorize the conveyance to the State of Texas of approximately 9 acres of land in Houston, Tex., to be used for National Guard purposes;

S. J. Res. 183. Joint resolution to extend greetings to the Gold Coast and Nigeria; and

S. Con. Res. 104. Concurrent resolution to print additional copies of part 4 of the hearings held before a subcommittee of the Committee on Interior and Insular Affairs relative to stockpile and accessibility of strategic and critical materials to the United States in time of war.

The message also announced that the Senate agrees to the amendments of the House to bills, a joint resolution, and a concurrent resolution of the Senate of the following titles:

S. 1225. An act for the relief of Brunhilde Walburga Golomb, Ralph Robert Golomb, and Patricia Ann Golomb;

S. 1748. An act to incorporate the National Fund for Medical Education;

S. 2744. An act to provide for the termination of Federal supervision over the property of the Alabama and Coushatta Tribes of Indians of Texas, and the individual members thereof; and for other purposes;

S. 3302. An act granting to the Las Vegas Valley water district, a public corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3303. An act granting to Basic Management, Inc., a private corporation organized under the laws of the State of Nevada, certain public lands of the United States in the State of Nevada;

S. 3532. An act to provide for the partition and distribution of the assets of the Ute Indian Tribe of the Uintah and Ouray Reservation in Utah between the mixed-blood and full-blood members thereof; and for the termination of Federal supervision over the property of the mixed-blood members of said tribe; to provide a development program for the full-blood members of said tribe; and for other purposes;

S. J. Res. 140. Joint resolution to establish a commission for the celebration of the two hundredth anniversary of the birth of Alexander Hamilton; and

S. Con. Res. 92. Concurrent resolution favoring the suspension of deportation in the case of certain aliens.

The message also announced that the Senate agrees to the report of the Committee of Conference on the amendment of the House to the bill of the following title:

S. 3546. An act to provide an immediate program for the modernization and improvement of such merchant-type vessels in the reserve fleet as are necessary for national defense.

SPECIAL ORDER GRANTED

Mr. JAVITS asked and was given permission to address the House for 20 minutes on Monday next, following the legislative program and any special orders heretofore entered.

COMMITTEE ON PUBLIC WORKS

Mr. DONDERO. Mr. Speaker, I ask unanimous consent that the Committee on Public Works may sit this afternoon briefly in an emergency matter while the House is in session.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

WITHDRAWAL OF DENMARK FROM NATO

Mr. GROSS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. GROSS. Mr. Speaker, to those Members of Congress who have been voting through the years for billions of dollars in so-called foreign aid I call attention to the fact that Denmark, one of the chief beneficiaries has now pulled out of NATO.

This leaves a gaping hole in the defensive wall from Western Germany to Norway on the northern flank. Moreover, the Danish Government firmly refuses to permit the stationing of NATO troops or construction of NATO airfields on the soil of that country.

I have previously called attention of the House to the fact that in addition to military aid, the United States, in 1953, bought nearly 5½ million pounds of butter from Denmark and shipped it to the Far East Command. This was done at the instigation of the State Department in an effort to curry favor with Denmark even though there was a huge surplus of butter in this country.

Mr. Speaker, the withdrawal of Denmark from NATO points up the complete fallacy of a foreign policy that is predicated on the buying of friends.

SPECIAL ORDERS GRANTED

Mr. STAGGERS asked and was given permission to address the House for 5 minutes today, following the legislative program and any special orders heretofore entered.

Mr. SHELLEY. Mr. Speaker, I ask unanimous consent that the special order heretofore granted to the gentleman from Connecticut [Mr. DODD] for today be transferred to Tuesday next.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

HORACE CHANDLER DAVIS

Mr. VELDE. Mr. Speaker, I offer a privileged resolution (H. Res. 704) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusal of Horace Chandler Davis to answer questions before the said Committee on Un-American Activities, together with all of the facts in connection therewith, under seal of the House of Representatives, to the United States attorney for the western district of Michigan, Grand Rapids, Mich., to the end that the said Horace Chandler Davis may be proceeded against in the manner and form provided by law.

The resolution was agreed to, and a motion to reconsider was laid on the table.

DESIGNATION OF ACTING CLERK

The SPEAKER laid before the House the following communication which was read by the Clerk:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, D. C., August 12, 1954.

The honorable the SPEAKER,
House of Representatives.

SIR: Desiring to be away from the office for a few days, I hereby designate Don Bostwick, an official in my office, to sign any and all papers and do all other acts for me which he would be authorized to do by virtue of this designation and clause 4, rule III of the House.

Respectfully yours,
LYLE O. SNADER,
Clerk of the House of Representatives.

THE AIR NATIONAL GUARD—AMERICA'S LOW COST DEFENSE IN DEPTH

Mr. EDMONDSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, the other day I had the opportunity to visit one of our Nation's great Air National Guard units—the relatively new unit located at Fort Smith, Ark., which is just across the State line from the Oklahoma district which I have the honor to represent.

Once again, I was deeply impressed by the tremendous return which Uncle Sam receives on the defense dollar which the Government invests in the National Guard—both in the air and on the ground.

The Air Force is to be congratulated on the decision, which I understand was announced the other day, to make greater use of our country's fine Air National Guard through a series of runway alerts which will be maintained by ANG units in many parts of the Nation.

At comparatively low cost, we will have the benefit of many additional combat-ready planes and men at strategic points in the great alert system of the Air Defense Command. The men who stand these runway alerts will be on guard at the air approaches of their own home towns and communities, and their presence in the defense system will add sharp and experienced eyes as well as aerial muscle to America's air arm.

There are many strong and valid arguments for expansion of the Air National Guard in these times of atomic peril and budgetary difficulty for our Government.

Because of its very nature, an Air Guard unit can be maintained in a state of readiness at only a fraction of the cost of a Regular Air Force outfit. Full-time personnel requirements are of course only fractional, housing and medical needs are at a minimum, and many other cost items are nominal or nonexistent.

While no one contends that Air Guard units could replace needed Regular Air Force squadrons in some functions, no

one will deny the following ANG advantages:

First. Air Guard units provide the most economical air defense in depth available.

Second. Air Guard units assure continued training and readiness for thousands of combat-experienced pilots and crewmen.

Third. Air Guard units are equally helpful in continued training and experience for needed technicians, mechanics, and ground crews.

Fourth. Air Guard units provide a convenient means to keep in fighting trim a great number of airplanes which are surplus to regular Air Force requirements.

Fifth. Air Guard units assure the coordination of many additional airports and communities in the air defense effort, and serve to enlist the active interest in air defense of millions of Americans.

There are many other reasons to be proud of America's Air Guard and the fine job its officers and men are doing in manning our Nation's ramparts of the air.

For my part, Mr. Speaker, I repeat that congratulations are due the Air Force for putting to greater use this fine defense force, and I sincerely hope that next year will see an even more active and expanded effort in this well-justified direction.

CONSENT CALENDAR

The SPEAKER. Under the previous order of the House, the calling of the Consent Calendar is in order today. The Clerk will call the first bill on the calendar.

TAX REFUNDS ON CIGARETTES LOST IN THE FLOODS OF 1951

The Clerk called the bill (H. R. 4319) to authorize tax refunds on cigarettes lost in the floods of 1951.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wiscousin?

There was no objection.

INCREASE OF COMPENSATION FOR CERTAIN DISABILITIES

The Clerk called the bill (H. R. 7712) to amend the veterans' regulation to provide an increased statutory rate of compensation for veterans suffering the loss or loss of use of an eye in combination with the loss or loss of use of a limb.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

ADDITIONAL COMPENSATION FOR CERTAIN DISABILITIES

The Clerk called the bill (H. R. 7851) to amend the veterans' regulations to provide additional compensation for veterans having the service-incurred disability or loss, or loss of use of both buttocks.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

SPECIAL PENSION PAYABLE TO PERSONS AWARDED THE MEDAL OF HONOR

The Clerk called the bill (H. R. 8900) to increase the rate of special pension payable to certain persons awarded the Medal of Honor.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

EXTENSION WORK AMONG INDIAN TRIBES

The Clerk called the bill (S. 3385) to provide for more effective extension work among Indian tribes and members thereof, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MARSHALL, Mr. FERNANDEZ, and Mr. METCALF objected and the bill was stricken from the calendar.

STATE OF NORTH CAROLINA

The Clerk called the bill (H. R. 6427) for the relief of the State of North Carolina.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AMENDMENT TO MERCHANT MARINE ACT OF 1936

The Clerk called the bill (S. 3233) to amend the Merchant Marine Act, 1936, to provide permanent legislation for the transportation of a substantial portion of waterborne cargoes in United States-flag vessels.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 901 of the Merchant Marine Act, 1936, as amended, is hereby amended by inserting "(a)" after "SEC. 901." and by adding at the end of the section the following new subsection:

"(b) whenever the United States shall procure, contract for, or otherwise obtain for its own account, or shall furnish to or for the account of any foreign nation without provision for reimbursement, any equipment, materials, or commodities, within or without the United States, or shall advance funds or credits or guarantee the convertibility of foreign currencies in connection with the furnishing of such equipment, materials, or commodities, the appropriate agency or agencies shall take such steps as may be necessary and practicable to assure that at least 50 percent of the gross tonnage of such equipment, materials, or commodities (computed separately for dry bulk carries, dry cargo liners, and tankers), which may be transported on ocean vessels shall be transported on privately owned United States-flag commercial vessels, to the extent such vessels are available at fair and reasonable rates for United States-flag commercial vessels, in such manner as will insure a fair and reasonable participation of United States-flag commercial vessels in such cargoes by geographic areas: *Provided*, That the provisions of this subsection may be waived whenever the Congress by concurrent resolution or otherwise, or the President of the United States or the Secretary of Defense declares that an emergency exists justifying a temporary waiver of the provisions of section 901 (b) and so notifies the appropriate agency or agencies. Nothing herein shall repeal or otherwise modify the provisions of Public Resolution No. 17, 73d Congress (48 Stat. 500), as amended."

With the following committee amendment:

Page 2, line 21, after "agencies:", insert the following: "*And provided further*, That the provisions of this subsection shall not apply to cargoes carried in the vessels of the Panama Canal Company."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GRAND TETON NATIONAL PARK, WYO.

The Clerk called the bill (H. R. 4770) to provide for taxation by the State of Wyoming of certain property located within the confines of Grand Teton National Park, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, the bill, S. 1706, is identical with the House bill, H. R. 4770, and I ask unanimous consent that the Senate bill be considered in lieu of the House bill.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That the act entitled "An act to establish a new Grand Teton National Park in the State of Wyoming, and for other purposes," approved September 14, 1950 (64 Stat. 849), is amended by adding at the end thereof the following new section:

"SEC. 10. (a) The State of Wyoming or any duly constituted taxing authority thereof, shall have the jurisdiction and power to levy taxes with respect to any hotel or public facility for lodging purposes erected by persons, firms, or corporations pursuant to an agreement with any department, establishment, or agency of the United States, upon land embraced within Grand Teton National Park, together with all personal

property appurtenant thereto or used in connection therewith.

"(b) In the event title to any property described in subsection (a) above is acquired by the United States by gift, donation, or purchase, payments in lieu of taxes lost as a result of such acquisition shall be made to the State of Wyoming for distribution to the county in which such property is located in accordance with the following schedule of payments: For the fiscal year in which such property may be acquired there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on such property pursuant to the authority granted by this section, less any amount, to be determined by the Secretary of the Interior, which may have been paid on account of taxes for a period falling within such fiscal year. For each succeeding fiscal year, in perpetuity, there shall be paid an amount equal to the full amount of annual taxes last assessed and levied on such property: *Provided,* That no payments shall be made with respect to any such property that has been disposed of by the United States, or that has been demolished or destroyed, prior to the beginning of the fiscal year for which such payments would otherwise be made.

"(c) As soon as practicable after the end of each fiscal year, the amount then due for such fiscal year under subsection (b) above shall be computed and certified by the Secretary of the Interior, and shall be paid by the Secretary of the Treasury: *Provided,* That such amount shall not exceed that portion of the revenues received by the United States during such fiscal year from visitors to Grand Teton National Park and Yellowstone National Park which is in excess of the payments for such fiscal year required by section 5 of this act. Payments made to the State of Wyoming by the United States under this section shall be distributed to such public taxing units in the county where the property is located and in such manner as the State of Wyoming may prescribe.

"(d) No person, firm, or corporation shall be relieved from liability for payment of, collection of, or accounting for any tax levied by the State of Wyoming, or by any duly constituted taxing authority thereof, pursuant to authority contained in this section, on the ground that the property, with respect to which such tax is levied, is located in whole or in part within a Federal area; and such State or taxing authority shall have full jurisdiction and power to levy and collect such tax to the same extent and with the same effect as though such area was not a Federal area."

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 4770) was laid on the table.

A motion to reconsider was laid on the table.

INCREASING ANNUITIES OF CERTAIN EMPLOYEES OF PANAMA CANAL

The Clerk called the bill (H. R. 3660) granting increases in the annuities of certain former civilian officials and employees engaged in and about the construction of the Panama Canal, and for other purposes.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

PRESCRIBING CERTAIN LIMITATIONS WITH RESPECT TO OUTPATIENT DENTAL CARE FOR VETERANS

The Clerk called the bill (H. R. 9866) to prescribe certain limitations with respect to outpatient dental care for veterans.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. LONG. Mr. Speaker, I object.

There being no further objections, the Clerk read the bill, as follows:

Be it enacted, etc., That Veterans' Regulation No. 7 (a) is hereby amended by adding the following sentence thereto:

"No outpatient dental services and treatment, or related dental appliances, shall be furnished by authority of the provisions of this Veterans' Regulation No. 7 (a), or the provisions of section 6, Public Act No. 2, 73d Congress, as amended, unless the dental condition or disability (1) is service connected and of compensable degree; or (2) is service connected, shown to have been in existence at time of discharge and application for treatment is made within 1 year after discharge or by December 31, 1954, whichever is the later; or (3) is associated with and held to be aggravating disability from some other disease or injury which was incurred in, or aggravated by, service: *Provided,* That the foregoing limitations shall not apply to veterans of the Spanish-American War, including the Philippine Insurrection and the Boxer Rebellion, nor shall they be construed to restrict the authority provided by Public Law 16, 78th Congress, as amended and extended, to furnish dental services to veteran trainees thereunder: *Provided further,* That benefits (except for a dental condition or disability due to combat wounds or other service trauma or of a former prisoner of war) afforded under clause (2) shall be on a one-time completion basis only, unless the services rendered on a one-time basis are found unacceptable within the limitations of good professional standards, in which event such additional limited services may be afforded as are required to complete professionally acceptable treatment."

SEC. 2. The provisos to the item "Outpatient care" under the caption "Veterans' Administration" in the Second Independent Offices Appropriation Act, 1954 (67 Stat. 191), approved July 27, 1953, and the Independent Offices Appropriation Act, 1955 (68 Stat. 272), approved June 24, 1954, are hereby repealed.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXTENDING TO CERTAIN NATURALIZED CITIZENS OF THE UNITED STATES THE BENEFITS OF THE ACT OF MAY 29, 1944

The Clerk called the bill (H. R. 2305) to extend to certain naturalized citizens of the United States the benefits of the act of May 29, 1944, entitled "An act to provide for the recognition of the services of the civilian officials and employees, citizens of the United States, engaged in and about the construction of the Panama Canal."

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

AUTHORIZING PAYMENT FOR LOSSES SUSTAINED BY OWNERS OF WELLS IN THE VICINITY OF COLD BROOK, S. DAK.

The Clerk called the bill (S. 546) to authorize payment for losses sustained by owners of wells in the vicinity of Cold Brook Dam by reason of the lowering of the level of water in such wells as a result of the construction of Cold Brook Dam, S. Dak.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. FORD. Mr. Speaker, reserving the right to object, I would like to ask a question or two concerning this legislation. As I understand it, as a result of the construction of the Cold Brook Dam in South Dakota certain wells have been adversely affected. This bill would authorize the Federal Government to pay approximately $15,000 to make those wells effective again.

Will this additional $15,000 in cost be considered as a part of the original cost of the construction of the project and, if so, will any repayments made against the cost of construction include the amortization of this $15,000?

Mr. BERRY. I assume that is correct.

Mr. FORD. Could I get the assurance of the gentleman from South Dakota and also the chairman of the Committee on Public Works of the House of Representatives that this $15,000 will be added to the cost of the project and that the $15,000 will be amortized against any repayments made to the United States Treasury?

Mr. DONDERO. Mr. Speaker, if the gentleman will yield, answering the question of the gentleman from Michigan, I cannot give that assurance to the gentleman for this reason: This is a Senate bill. Our committee did not hold hearings on it. But, it was explained to me that the wells were completely destroyed by the engineers in the erection of the dam, and this money is to enable those people to dig new wells where they are carrying water today in pails from the river for household purposes and for their stock. It simply makes restitution to those people who were injured.

Mr. FORD. I understand what the gentleman has said. However, this $15,000, or approximately that amount, should be construed as a portion of the cost of the construction of the project, because the damage was done while the project was being built.

Mr. DONDERO. I would so consider it.

Mr. FORD. Therefore, it is my belief that this $15,000 should be added to the overall cost of the project and amortized out of any repayments which are made.

Mr. DONDERO. I believe it should be, and I am of the opinion it will be.

Mr. FORD. I do not like to interfere with the approval of this legislation, but

I think we should have something written into the bill in the form of an amendment to guarantee that this aim and objective is achieved. I would be glad to withdraw my objection if such an amendment could be drafted and included in the bill. Otherwise, I might be constrained to object.

Mr. DONDERO. I hope the gentleman will not object. It is a Senate bill. The Senate has already passed it. And, as I have already explained, it is simply to make restitution where the Government has caused damage to these people who are in no way at fault, and it simply provides means where they can have new wells dug.

Mr. FORD. Is this a multipurpose project?

Mr. BERRY. This is a flood-control project.

Mr. FORD. Is there any hydroelectric power connected with it?

Mr. BERRY. No.

Mr. FORD. Any irrigation?

Mr. BERRY. No; it is entirely flood control.

Mr. FORD. It is entirely, 100 percent, flood control? Under those circumstances, there is no payment made from revenues derived from the project.

Mr. DONDERO. That is correct.

Mr. FORD. Under those circumstances, I think, then, that since there will be no payments made to the Government that there is no point in trying to include such an amendment. But, certainly the cost, this additional $15,000, should be charged against the benefits accruing from the project.

Mr. BERRY. That is correct.

Mr. DONDERO. I agree with the gentleman from Michigan on that.

Mr. FORD. I withdraw my reservation of objection, Mr. Speaker.

Mr. BERRY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

Mr. BERRY. Mr. Speaker, S. 546 authorizes payment for losses sustained by property owners below the Cold Brook Dam in Fall River County, S. Dak. The damages were created by lowering the water level in the construction of Cold Brook Dam.

This dam was part of a flood-control project to protect the city of Hot Springs, S. Dak., in my district. The project was begun in 1950 and completed in 1952.

Construction of Cold Brook Dam required the construction of a grout curtain in the rock formation under the dam and an impervious cutoff trench in the alluvium material overlaying the rock formation. To accomplish this work it was necessary for a period of about a year to intercept the normal stream flow and to bypass this water in a temporary channel. These interceptions to the stream flow have apparently resulted in lowering the ground water table in the alluvium. As a result, at least eight wells in the valley area below Cold Brook Dam have had a greatly reduced water supply.

This reduction in water supply has created a grave hardship for the property owners affected, and it has also caused a substantial reduction in the value of the property involved. Since the cause of this decreased water supply can be traced directly to the construction work on Cold Brook Dam performed by the Corps of Engineers, I feel the Federal Government is obligated to compensate these individuals for their loss. Early this year, therefore, I introduced H. R. 8176 with the same objective as S. 546. My bill was referred to the House Judiciary Committee, but before it could be acted upon by that group, the Senate passed and referred to your committee S. 546. In order to expedite action, I have asked that H. R. 8176 be tabled if S. 546 is passed by the House.

Although the cost of improving or replacing the affected wells has been estimated at only $15,000, the importance of this measure to the individual landowners involved is tremendous. I am firmly convinced the Federal Government is responsible for the damages these property owners have suffered, and I strongly urge the passage of S. 546 to provide the relief necessary.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Army, through the Chief of Engineers, is authorized and directed to compensate the owners of water wells in the vicinity of Cold Brook Dam in South Dakota for losses determined by him to have been sustained by reason of the lowering of the level of water in such wells as a result, wholly or partially, of the construction and operation of Cold Brook Dam. Losses compensable under this act shall include, but not be limited to, (1) the expense of improving or replacing the affected wells so that an amount of water equal to the amount previously obtainable from the affected wells will be available to the owners; (2) the expense of maintaining an adequate supply of water pending the completion of the improvement or replacement of the affected wells; and (3) injuries to property resulting from the lack of an adequate supply of water pending the completion of the improvement or replacement of the affected wells.

SEC. 2. Claims for losses compensable under this act shall be submitted to the Secretary of the Army, through the Chief of Engineers, in such form and in such manner as the Secretary may prescribe. Any such claim shall be submitted not later than 2 years after the date of enactment of this act, or not later than 2 years after the lowering of the level of water which is the basis for the claim, whichever is the later.

SEC. 3. Payment of claims for losses compensable under this act shall be made by the Secretary of the Army out of any funds available for flood control.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ADJUST TOLLS ACROSS BRIDGE NEAR ST. FRANCISVILLE, MO.

The Clerk called the bill (H. R. 8651) to provide for the adjustment of tolls to be charged by the Wayland Special Road District No. 1 of Clark County, Mo., in the maintenance and operation of a toll bridge across the Des Moines River at or near St. Francisville, Mo.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That in the event that the Wayland Special Road District No. 1 of Clark County, Mo., shall issue toll bridge revenue refunding bonds for the purpose of refunding or redeeming its outstanding 4 percent toll bridge revenue bonds dated December 1, 1935, which were issued to provide funds for the construction of the bridge authorized by an act of the 72d Congress, 1st session, approved February 14, 1933 (Public Law 337), or in the event that the said District shall extend the maturity date or dates of said outstanding bonds, the rates of toll to be charged for the use of said bridge shall be so adjusted as to provide sufficient revenues to pay for the reasonable cost of maintaining, repairing, and operating said bridge and its approaches under economical management and to provide a fund sufficient to pay the principal, interest, and redemption premium, if any, of such toll bridge revenue refunding bonds, or of said outstanding bonds, as soon as possible under reasonable charges, but within a period of not exceeding 30 years from the date of approval of this act, and such tolls shall be continued until such payments shall have been made. After such bonds and the interest thereon shall have been paid, said bridge shall thereafter be maintained and operated free of tolls. An accurate record of the expenditures for maintaining, repairing, and operating said bridge, and of the daily tolls collected, shall be available for the information of all persons interested.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

COMPENSATION OF CHAIRMAN OF COUNCIL OF ECONOMIC ADVISORS

The Clerk called the bill (H. R. 6790) to amend the act of October 15, 1949, with respect to the rate of compensation of the Chairman of the Council of Economic Advisors.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to increase rates of compension of the heads and assistant heads of executive departments and independent agencies," approved October 15, 1949 (Public Law 359, 81st Cong.; 63 Stat. 880), is amended by inserting "the Chairman of the Council of Economic Advisors," immediately after "the Administrator of General Services."

SEC. 2. Section 4 of such act of October 15, 1949, is amended by striking out "members of the Council of Economic Advisors" and inserting in lieu thereof "members (other than the Chairman) of the Council of Economic Advisors."

SEC. 3. The incumbent Chairman of the Council of Economic Advisors on the effective date of this act may, if he so elects, continue to receive compensation under section 4 of such act of October 15, 1949, for such period as he may determine.

SEC. 4. This act shall take effect on the first day of the first pay period which begins after the date of enactment of this act.

With the following committee amendments:

Page 2, line 5, strike out section 3.

Page 2, line 10, strike out "4" and insert "3."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND SECTIONS 5 (A) OF THE FEDERAL TRADE COMMISSION ACT

The Clerk called the bill (H. R. 9916) to amend section 5 (a) of the Federal Trade Commission Act with respect to certain unfair methods of competition in connection with the sale of manufactured products.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CELLER. Mr. Speaker, reserving the right to object, will the proponents of the bill give us an explanation? I object, Mr. Speaker.

AMEND THE FEDERAL TRADE COMMISSION ACT

The Clerk called the bill (H. R. 9917) to amend section 5 (a) of the Federal Trade Commission Act with respect to certain unfair methods of competition in connection with the sale of motor vehicles.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. OAKMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. OAKMAN. Mr. Speaker, first, the proposed amendments have not received sufficient study. Neither the automobile manufacturers nor the manufacturers of other products were invited to attend the hearings, and no manufacturer appeared. The proposed amendments could have far-reaching effects on manufacturers and whole industries. Such legislation should not be passed until they have been heard and their views given appropriate consideration. The methods for charging freight currently in use in the automotive industry have been in use for more than 30 years.

Second. The proposed amendments are ambiguous. It is not at all clear from the bills whether inbound freight to assembly plants, warehouses and depots may be included in charges for freight by manufacturers to customers. If inbound freight cannot be so included, multiplant manufacturers or manufacturers with branch warehouses or depots will be penalized, while their dealers or customers in outlying areas will receive a windfall which will give them a competitive advantage over customers of single-plant manufacturers.

Third. The proposed bills have not been given study to determine their effect on industry. More specifically, in the case of H. R. 9917, no study has been given to the effect of the bill on the smaller motor-vehicle producers who have no branch assembly plant, and on their dealers. Current pricing methods are believed to permit single-plant producers to compete with multiplant producers in outlying areas. Reduction of prices in outlying areas by those producers having branch assembly plants in such areas would injure substantially the competitive position of the smaller, single-plant car and truck manufacturers.

Fourth. H. R. 9917 is unworkable in the automobile industry. In order that prices to dealers be fair as between and among dealers in a particular line of vehicles, there must be "blending" of prices at many points. Moreover, when a multiplant manufacturer ships cars to a dealer from several different assembly plants, it is necessary for the manufacturer to adjust its prices so that the price for the same model car to the same dealer is the same, even though the cars are shipped from different plants. Both of these practices are permissible under existing law because they have no substantial, adverse effect on competition. Both would be outlawed by H. R. 9917.

Fifth. The present practices of charging for freight in the automotive industry are not the primary cause of bootlegging. As was pointed out by representatives of the NADA at the hearings, bootlegging is a practice which takes place in low-freight areas as well as high-freight areas. A change in the present practice of freight charges in the automotive industry would not stamp out bootlegging, which presently is the principal subject of concern to the NADA. The NADA has strongly endorsed H. R. 9769, which is directed specifically to the bootlegging problem. Most of the testimony in the hearings was related to that bill, and was not designed to bring out the facts relevant to H. R. 9916 and H. R. 9917. No facts have been developed as to the extent, if any, to which so-called phantom freight may exist in the automotive industry.

Sixth. The committee report compares rail freight rates with the costs of caravanning. This is not a fair comparison. Caravanning is not licensed by the Interstate Commerce Commission whereas freight rates are set by the ICC. This purported comparison emphasizes the lack of study given to the proposed bill. There are no data at all as to actual costs of the manufacturers.

Seventh. The Federal Trade Commission has taken a position in opposition to the bills. No reference to this is made in the committee report.

AMEND ACT OF JUNE 30, 1948

The Clerk called the bill (H. R. 9790) to amend the act of June 30, 1948, so as to extend for 5 additional years the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title.

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent that this bill may be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

REPLACEMENT OF GOVERNMENT-OWNED FACILITIES AT GLACIER NATIONAL PARK

The Clerk called the bill (H. R. 10074) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That for the purpose of facilitating the installation of adequate electric and communication facilities at Glacier National Park and Grand Canyon National Park, the Secretary of the Interior is authorized to exchange, on an equal value basis, the existing inadequate facilities at these parks for more modern and efficient facilities.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INVESTIGATION BY THE ATTORNEY GENERAL OF CERTAIN OFFENSES

The Clerk called the bill (S. 2308) to authorize and direct the investigation by the Attorney General of certain offenses, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. MULTER. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. JAVITS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

OFFICE OF GOVERNMENT INVESTIGATION

Mr. JAVITS. Mr. Speaker, H. R. 6898 which I introduced on January 6, 1954, to establish an Office of Government Investigation within the General Accounting Office seeks to attain the same result as S. 2308 by what I consider to be a much more effective method and without incurring the dangers of S. 2308. Under my bill the Office of Government Investigation would be responsible to the Congress and would be established as part of the Comptroller General's Department. It would be a permanent agency to investigate corruption and unethical acts relating to the transaction of the business of the Federal Government. This new agency should go far to build into the structure of the Government the machinery which has been built into the structure of the government of New York State and New York City for a year-round and constant review of the actions of Government officials and Government employees bear-

ing both on their integrity and ethics. The responsibilities of the Comptroller General in his authority over books and accounts is limited essentially to the audit function and to the propriety of paying out money under applicable law while the activities of the office which I recommend could be coordinated with the other responsibilities of the Comptroller General and under his general authority while carrying out a function which the history of government shows to be vital.

The office created by my bill is to be headed by a Commissioner of Investigation and by a Deputy Commissioner, both appointed by the President with the advice and consent of the Senate, for a single stated term of 10 years, but neither of these officials may be removed sooner except by joint resolution of Congress or impeachment. The Commissioner is given the power to subpena witnesses and records, subject to court review and upon the consent of the United States attorney and the United States district court in the jurisdiction where an investigation is being conducted, the power to grant immunity to a witness required to testify in such investigation. All departments, agencies, and establishments of the executive department including law enforcement officials are required to furnish to the Commissioner such information as he may require to carry out his duties.

The Commissioner, according to my bill, may undertake studies and make recommendations for the correction and prevention of improper, illegal, or unethical acts relating to the transaction of the official business of the Federal Government by any such officer or employee. He is required, through the Comptroller General, to make to the President when requested by him and to the Congress at the beginning of each regular session a report in writing of the work of the Office of Government Investigation containing recommendations concerning the legislation he may deem necessary for the prevention of improper and illegal acts relating to the transaction of the official business of the Federal Government by such officers and employees.

It will be noted that the bill does not give the Commissioner of Investigation power to investigate Members of Congress or the judiciary. This is necessary in order to maintain the integrity of three great branches of the Federal Government. The investigatory powers of the Congress and the normal processes of the courts as well as the frequently recurring elections can deal effectively with wrongdoing in the legislative branch and the congressional power to impeach Federal judges are adequate to deal with wrongdoing in the judiciary.

I think that H. R. 6898 is very desirable legislation and hope it will receive attention in the next Congress.

TO ESTABLISH FINALITY OF CONTRACTS BETWEEN GOVERNMENT AND COMMON CARRIERS

The Clerk called the bill (S. 906) to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HESELTON. Mr. Speaker, reserving the right to object, I ask unanimous consent to extend my remarks in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. HESELTON. Mr. Speaker, the information I have received, particularly through the departmental reports, as to S. 906 leaves a very real doubt in my mind as to whether it should pass in its present form. However, I am impressed with the argument that common carriers should be able to count on some definite period of finality with reference to the rate agreements involved and I do not feel justified in opposing the present consideration of the bill particularly in view of the almost complete support of it by my other colleagues on the committee, whose opinions I respect thoroughly.

If it were not for the situation now confronting the House, I would be inclined to attempt to carry out the recommendations of the Comptroller General that the 180-day period be extended to 1 year and the 2-year period be extended to 3 years.

I do have in mind that experience can be gained under this bill if it becomes law which may well warrant further consideration of the matter and some possible amendments being considered in the next session.

Therefore, and since the letters are not included in the committee report, I am including these letters at this point:

OFFICE OF THE ASSISTANT
SECRETARY OF DEFENSE,
WASHINGTON, D. C., *July 8, 1954.*

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.

DEAR MR. CHAIRMAN: This refers to S. 906, a bill to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act, and to the report of the Department of Defense on H. R. 3288 which was forwarded to the House Committee on Interstate and Foreign Commerce on April 28, 1954. H. R. 3288 is identical with S. 906, as introduced in the Senate. This Department submitted identical unfavorable reports to the Senate and House Committees on Interstate and Foreign Commerce on S. 906 and H. R. 3288, and, in addition, witnesses from the Department of Defense testified in opposition to S. 906 before the Senate Committee. However, subsequent to the submission of the reports, the Senate passed S. 906 with three amendments.

The Department of Defense still considers legislation, such as H. R. 3288 and S. 906, as amended by the Senate, objectionable and reiterates its opposition to those bills for the reasons set forth in its report of April 28, 1954. The amendments made to S. 906 by the Senate in no way alter the position of this Department.

Further, it is believed that if legislation of this type were enacted, it would deny to the Government a right accorded to private shippers; that is, the right to have the reasonableness of a rate adjudicated by the Interstate Commerce Commission. A rate negotiated between a private shipper and a carrier, which is published in a tariff and filed with the Commission in accordance with current procedures, remains subject, at any time, to the right of the private shipper to have a determination of the reasonableness of the rate made by the Commission. Under the proposed legislation, however, if the Government negotiates a rate with a carrier who, for reasons of its own, incorporates that rate in a section 22 tender instead of a tariff, and the rate is accepted by the Government, it would be conclusively presumed to be just and reasonable and the right accorded to the private shipper to appeal to the Commission would not be available to the Government.

Because of the urgency for submitting this report to your Committee for immediate consideration, time has not permitted its prior submission to the Bureau of the Budget for advice as to its relationship to the program of the President. However, when such advice is available, it will be forwarded to your committee.

Sincerely yours,

ROBERT TRIPP ROSS
(For the Assistant Secretary.)

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, July 16, 1954.

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives.

DEAR MR. CHAIRMAN: Reference is made to your letter of July 9, 1954, requesting comments of the General Accounting Office on S. 906, 83d Congress, which was passed by the Senate on July 6, 1954, and is now pending before your committee.

The General Accounting Office furnished a report on S. 906 to the Senate Committee on Interstate and Foreign Commerce on May 19, 1953, setting forth in detail the reasons why the General Accounting Office does not recommend favorable consideration of the bill. In addition, a representative of the General Accounting Office appeared before the Senate committee on April 29, 1954, in opposition to the bill. Copies of the report of May 19, 1953, and of the statement of the General Accounting Office representative given on April 29, 1954, are enclosed. It is noted from the printed hearings of the Senate committee that the Department of Defense, the Department of Justice, and the General Services Administration also opposed favorable consideration of the bill.

The General Accounting Office has no reason to change its previous recommendations, notwithstanding the amendments made by the Senate which would provide that quotations or contracts made under section 22 of the Interstate Commerce Act would not become final until after 180 days, or 2 years in the case of contracts entered into during a national emergency declared by the Congress. However, in the event your committee decides to report the bill favorably, it is urged that both the 180-day period and the 2-year period be extended. Insofar as the General Accounting Office is concerned it is often several months after an agreement is entered into before the paid vouchers for transportation services rendered are submitted for audit and then it is rarely possible to place the vouchers under immediate scrutiny. In periods of national emergency the situation is greatly aggravated. In order that the interests of the Government may be protected, it is recommended that the 180-day period be changed to 1 year and that the 2-year period be changed to 3 years.

Sincerely yours,

FRANK H. WEITZEL,
Acting Comptroller General of the United States.

COMPTROLLER GENERAL
OF THE UNITED STATES,
Washington, May 19, 1953.

Hon. CHARLES W. TOBEY,
Chairman, Committee on Interstate and Foreign Commerce, United States Senate.

MY DEAR MR. CHAIRMAN: Further reference is made to your letter of February 14, 1953, acknowledged by telephone on February 17, 1953, requesting any comments that may be considered desirable concerning S. 906, entitled "A bill to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act."

This bill is in most material respects similar to bills introduced in the 2d session of the 81st Congress, S. 4067, and in the 2d session of the 82d Congress, S. 2355. In its reports to the Congress on the said bills, this office recommended that they be not favorably considered and it continues to be the view here that amendment of section 22 of the Interstate Commerce Act in the proposed manner should not be effectuated.

The purpose of section 22 of the Interstate Commerce Act was to settle beyond doubt that preferential treatment of certain classes of shippers and travelers including those representing the United States is to be permitted. *Nashville, C. & St. L. Ry.* v. *State of Tennessee* (262 U. S. 318). This section must be read in connection with other sections of the act. (*Handling of Exhibits for Expositions and Fairs* (235 I. C. C. 603, 604).) The various other obligations of the carriers with respect to the charges they may exact for their services are not canceled by reason of a contractual or implied contractual relationship created through employment of a section 22 quotation and the act does not deny to the Interstate Commerce Commission authority to prescribe reasonable ratings and rates on traffic covered by section 22 quotations. On the contrary, the act prohibits every excessive charge, whether exacted directly or obtained by indirection, and its provisions are designed to prevent evasion of the rule that every charge for transportation shall be just and reasonable. *Lewis-Simas-Jones Co.* v. *Southern Pacific Company* (283 U. S. 654, 660). If enacted the proposed amendment would deprive the United States of the benefit of the procedure, available to all other shippers, for testing the reasonableness of rates and charges collected by carriers pursuant to section 22 quotations.

A legal rate under the Interstate Commerce Act is not necessarily a lawful rate. To be lawful a rate must not be in conflict with the requirement for reasonableness, for while a published and filed tariff which contains the legal rates in the sense that they are filed with the Interstate Commerce Commission and required to be observed by carriers in collecting charges from shippers as enjoined by section 6 (7) of the act, has the force and effect of a statute—*Lowden* v. *Simonds-Shields-Lonsdale Grain Co.* (306 U. S. 516, 520); *Boone* v. *United States* (109 F. 2d 560, 562) it must, in event of a contest, reflect adherence to the limitations and principles enunciated in the act and enforced by the Commission. No presumption arises as to lawfulness from the mere fact of filing tariffs with the Commission, for "Charges to be lawful are required to be reasonable and just and no omission to express disapproval, nor any failure to challenge them anywhere can make rates lawful, which are unreasonable and unjust." 4 ICC 104, 115; order held invalid on other grounds, *Interstate Commerce Commission* v. *Atchison, T. & S. F. Ry. Co.* (50 Fed. 295; appeal dismissed, 149 U. S. 264); *J. T. Rather & Co.* v. *Nashville, C. & St. L. Ry.* (174 S. W. 1113).

Concerning common carriers by railroad subject to the act, lawfulness implies, among other things, that rates and charges are just and reasonable (49 U. S. C. 1 (5)) and it is the carriers' responsibility to initiate just and reasonable rates. In this connection, it is interesting to note that the recent case of *Reconstruction Finance Corp.* v. *Akron, C. & Y. Ry. Co.* (287 ICC 353, 383), dismissing the Government's complaint seeking reparation on past shipments of aluminum ingots, the dissenting opinion by Chairman Alldredge, of the Interstate Commerce Commission, in which Commissioners Mahaffie and Arpaia concurred, contained the statement that:

"The aluminum industry, as is commonly known, is a metal industry which received tremendous acceleration during the war. It is, however, one of our newer industries. Its products had not, at the beginning of World War II, and probably have not now, found their settled places in our economy. Rates on aluminum raw materials and aluminum products had likewise not been fitted into our general freight-rate system with any degree of permanency when the war started. Many of the movements which took place immediately before and during the war were, to be sure, unexpected; some of them were sporadic. Such things, however do not defeat the right of the Government as a shipper, or of any other shipper, to just and reasonable charges on its shipments. The responsibility rests upon the carriers under the law to initiate just and reasonable rates on the traffic which they transport and to keep them within the bounds of justness and reasonableness at all times."

What is true of aluminum and aluminum products, as to the fact that the freight rates on such materials had not been fitted into the general freight rate system with any degree of permanency when the war started, is also probably true of many materials and articles which were newly developed and transported for the first time during the war and thereafter.

The courts have long declined to assume jurisdiction over matters involving the reasonableness of rates, regulations, practices, etc., pointing out that the law confides that duty to a body of experts like the Interstate Commerce Commission. *Texas & P. Ry. Co.* v. *Abilene Cotton Oil Co.* (204 U. S. 426); *Southern Ry. Co.* v. *Tift* (206 U. S. 428); *Mitchell Coal & Coke Co.* v. *Pennsylvania R. Co.* (230 U. S. 247, 258); *Florida* v. *United States* (292 U. S. 1, 12); and *General American Tank Car Corp.* v. *El Dorado Term. Co.* (308 U. S. 422). In the last cited case it was held that determination of the rights of a tank car company and a private shipper under a contract covering the lease of tank cars should have been held in abeyance pending conclusion of an appropriate proceeding before the Interstate Commerce Commission regarding the validity of the practice involved. In *Union Pacific R. Co.* v. *United States* (121 C. Cls. 463, 465), it was stated:

"The defendant adds that it desires 'to present and develop in a manner not done at the former trial the basic principles which underlie the whole matter of classification and ratemaking.' We have neither the facilities nor the experience to go into the complicated field of ratemaking. Besides, that is a function placed by Congress in the hands of the Interstate Commerce Commission.

"We have no means of finding whether a rate established by the Commission is too high or too low. In fact, we are not authorized to pass on that question. We have no ratemaking functions.

"If the rate is too high the defendant may make a showing of that fact to the Interstate Commerce Commission and may ask for a different classification."

And in *Board of Trade* v. *United States* (314 U. S. 534, 546), it was stated:

"The process of ratemaking is essentially empiric. The stuff of the process is fluid and changing—the resultant of factors that must be valued as well as weighed. Congress has therefore delegated the enforcement of transportation policy to a permanent expert body and has charged it with the duty of being responsive to the dynamic character of transportation problems."

See also *Railroad Commission* v. *Oil Co.* (310 U. S. 573, 581–582). In the same vein it was stated in the case of *New York* v. *United States* (331 U. S. 284, 335):

"These problems of transportation economics are complicated and involved. For example, the determination of transportation costs and their allocation among various types of traffic is not a mere mathematical exercise. Like other problems in cost accounting, it involves the exercise of judgment born of intimate knowledge of the particular activity and the making of adjustments and qualifications too subtle for the uninitiated."

It is difficult to understand how shipping and procuring officers of the Government, not having available to them the detailed facts available to the regulatory bodies or adduced at open hearings held by them, and not enjoying ordinarily the broad perspective which those bodies acquire through their comprehensive and continuing study of transportation facilities and economics, can be expected adequately to balance and apply the factors inherent in ratemaking or rate adjustment problems and give due consideration to the provisions of the act relative to the establishment of just and reasonable rates under section 15 a. (2) of the act. It seems probable that carriers and Government shippers, in negotiating arrangements for rates and charges, will not, because of the complexities involved, be able to give due consideration and effect to all the standards applied by the Interstate Commerce Commission in proceedings involving the reasonableness of rates, and a conflict in the administration of transportation policy would seem to be encouraged by making section 22 arrangements conclusive upon the parties in the manner specified in this bill.

If the law contemplates that there must be uniformity in the establishment of reasonable rates, so that the decisions of the Commission, which in effect voices the attitudes and policies of Congress, will continue to be guideposts by which shippers and carriers may mark out the course of their relationship, it is not believed that the Commission's exclusive responsibility in this regard should be impinged upon to allow other Government agencies to make conclusive determinations as to the reasonableness of section 22 rates and charges. In the event this bill becomes law any extensive utilization of section 22 quotations, would tend to distort rate relationships over wide territories and undermine the vital role the Commission plays in seeking to maintain reasonable rates and charges for the benefit of shippers, including the Government, and carriers alike. In this connection a report prepared for the Bureau of the Budget, by a special committee consisting of W. B. Hammer, Charles E. Bell, and Emory B. Ussery, printed in part in the CONGRESSIONAL RECORD for February 1, 1946, 92 CONGRESSIONAL RECORD, part 1, pages 697, 699, indicates that there was not, at the time of procuring section 22 quotations during World War II any organization in the War Department adequately equipped, staffed, and fully empowered to negotiate, with the carriers, necessary revisions of transportation rates, ratings, charges, rules, and regulations.

It does not appear unusual for shippers of freight to apply to responsible railroad officers and their committees for revisions of tariff rates. The provisions of section 5 (a) of the act of June 17, 1948 (62 Stat. 472; 49 U. S. C. 5 (b)), authorize common carriers and freight forwarders subject to the act to apply to the Interstate Commerce Commission for approval of any agreement among such carriers relative to rates, fares, classifications, etc. Such agreements reflect strong consolidations of ratemaking functions of

individual carrier organizations and a specialization in the control and development of rates and charges of the participating carriers. One type of such an agreement is discussed in Western Traffic Association Agreement (276 ICC 183). But whether rate proposals are initiated by shippers or carriers, they are still subject to review and to supervision on complaint or on the Interstate Commerce Commission's own initiative. (See page 215 of the above case.)

The private shipper is not deprived of his right to contest the reasonableness or lawfulness otherwise of rates charged and collected pursuant to tariff in conformity with requests of the shipper after study and approval by carrier representatives, and he may seek an award of reparation representing the difference between the collected charges and those computed on a basis found lawful by the Interstate Commerce Commission. There is no apparent reason why the Government should be deprived by statute of a privilege exercised or within reach of shippers generally, and there would seem to exist the possible danger of needlessly sacrificing public funds by prior statutory waiver of a right ordinarily afforded an aggrieved party in the circumstances. Certainly the assertion that reduced rates to the Government results in burdening other shippers with higher rates does not justify the mantenance of unreasonable rates on Government traffic. The proposed bill, in denying the Government the right to seek relief from unlawful rates in the same manner as afforded the general public, would result in a discrimination against the Government which would seem to circumvent one of the essential purposes for which the Interstate Commerce Act was designed.

It seems noteworthy that under the proposed bill the parties may cancel or terminate rates, fares, etc., negotiated under the authority of section 22, as sought to be amended, on not less than 90 days' written notice. Such a provision would operate to extend the life of negotiated rates and fares for a period of 3 months after it may have been definitely established that the particular rates or charges covered by section 22 quotations exceed the reasonable or otherwise lawful rates found proper in application to the public and for an additional 90 days leave the Government without recourse to any remedy for recovery of excess charges on transportation performed under the terms of those quotations. The Government should not be prevented from withdrawing, at any time, from any arrangement which precludes liability for unreasonableness for prior charges, and the allowance to the carriers of 90 days during which the conclusive presumption of reasonableness would operate could result in unjust enrichment of the interested carriers at the expense of the United States. The finality that this provision affords section 22 negotiated rates would, for example, require that a negotiated rate of 28 cents per designated unit of shipment must be considered as final and binding upon the Government, until the agreement therefor is canceled, which under the terms of the amendment can be effected only upon notice of not less than 90 days, even though, on a petition filed by a private shipper, the Interstate Commerce Commission may find that a tariff rate of 30 cents, applicable commercially on the identical type of service for which the negotiated rate of 28 cents applies, is and has been unreasonable for a period extending from 2 years prior to the date of the filing of the petition, to the extent that it exceeds 25 cents. Upon such a finding the commercial shippers would be entitled to reparation sufficient to reduce the charges retained by the carrier to those due on the basis of the reasonable rate of 25 cents, but the Government presumably would have to regard the 28-cent rate collected from it for similar service as final and not subject to attack in the absence of actual fraud, deceit, or clerical mistake.

And in the case where application of the section 22 quotation accepted by the Government as to shipments made in contemplation thereof results in the charging by railroads subject to the Interstate Commerce Act more for a shorter than for a longer haul or more for a through haul than the aggregate of the intermediate rates, without special relief to the railroads as authorized by section 4 of the act, the Government would be powerless to enforce recovery of the excess charges so resulting although it is well established that apart from the statutory enactment such charges are prima facie unreasonable. See *Patterson* v. *L. & N. Railroad* (269 U. S. 1, 11); *Davis* v. *Portland Seed Co.* (264 U. S. 403).

It is desired to make clear that there is no basis for quarrel with the view that protection should be afforded carriers against the revocation of the terms of a proper section 22 quotation which in fact provides for special services or special rates not otherwise available to the United States so long as such rates are just and reasonable and therefore lawful. It would seem equally clear, however, that the laws and regulations which govern the operations of the transportation industry requiring adherence to a standard of reasonableness and affording a means of testing such adherence before the Interstate Commerce Commission, should be no less available in the case of services for the Government than in the case of charges for services rendered the general public. Whenever injustices occur because of unreasonableness, or any purported requirement for the payment by the Government of higher-than-tariff rates opportunity should not be denied the United States to seek redress for the injustices so sustained in the same manner as is afforded the private shipper.

In summary, it is considered that enactment of the present bill is not desirable because it is believed that there should not be created by statute a conclusive presumption that rates, fares, or charges, etc., are just and reasonable simply because they are a matter of negotiation between common carriers and the Government as shipper. However, if passage of this bill be deemed proper, it is believed that a due protection of the interests of the United States would require that provision be incorporated therein which would assure at least that nothing in said section 22 shall be construed to authorize payment by the United States of any charges to any common carrier or freight forwarder in excess of those based on contemporaneously applicable rates, fares, or charges, and rules, regulations, or practices, prescribed in schedules duly published and filed with the Interstate Commerce Commission and that nothing therein shall prevent the United States from availing itself of any benefit or privilege that the general public may have or obtain as a result of determinations made by the Interstate Commerce Commission in proceedings filed by private, as distinguished from Government, shippers.

Sincerely yours,

FRANK L. YATES,
Assistant Comptroller General of the United States.

STATEMENT OF ROBERT F. KELLER, ASSISTANT TO THE COMPTROLLER GENERAL, BEFORE THE SUBCOMMITTEE ON SURFACE TRANSPORTATION, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, UNITED STATES SENATE, ON S. 904, 83D CONGRESS, ACCOMPANIED BY HARRELL O. HOAGLAND, DIRECTOR, TRANSPORTATION DIVISION, GENERAL ACCOUNTING OFFICE

Mr. Chairman and members of the committee, the General Accounting Office opposes the enactment of S. 904, as indicated in the Comptroller General's report to this committee of March 13, 1953. While passage of the legislation would result in an increased cost of governmental operations of several million dollars our comments are not restricted to that basis alone.

The most significant areas for consideration appear to be those which relate to (1) the fact that the proposed legislation is not supported—so far as we are aware—by a substantial majority of the carriers who conduct the business of movement of household goods for the Government or by some of the largest carriers in this limited field; (2) the proposed legislation is much more drastic than is apparent on the surface since it would bar voluntary or negotiated tenders at less than tariff rates for the movement of hospital equipment and office furniture and fixtures of Government agencies as covered in existing tariffs published voluntarily by carriers; and (3) the effect of this bill would be to impose control by congressional action within a segment of industry as to which each household-goods carrier could accomplish such result without legislation.

It is not required by law that any carrier submit a tender for reduced rates to the United States. That such rates are continuously offered by carriers of substance and by a large number of carriers raises considerable doubt in our minds as to whether the industry, as a whole, favors the enactment of the legislation.

Aside from the fact previously mentioned, that this proposed legislation affects Government movements of hospital equipment and office furniture and fixtures, although not clearly stated therein, there has not been brought to the attention of the General Accounting Office any situation as to which household-goods carriers generally have complained to it of Government practices relative to this traffic or of serious economic reactions by reason of carrier operation under the present law.

Finally, it could be that the present situation might follow the foot-in-the-door technique so far as abolition of section 22 and related sections of the law are concerned. If this be so, we believe the proposed legislation should be rejected as failing to represent an open and uniform approach by all interested and related carrier industries.

GENERAL SERVICES ADMINISTRATION,
Washington, D. C., July 22, 1954.

Re S. 906

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce,
House of Representatives,
Washington, D. C.

DEAR CONGRESSMAN WOLVERTON: Your letter of July 9 requests a report and our comments on S. 906, which has been adopted by the Senate. On April 29, 1954, we submitted a report to you recommending against H. R. 3288, a bill pending in the House, which is substantially the same as S. 906. We wish to reiterate our opposition to this type of legislation, and refer you to our views on H. R. 3288, a copy of which is attached.

Our traffic officials seek to obtain on Government traffic rates which are comparable to so-called commodity rates applying on commercial traffic. When the carriers act on our requests, the option lies with them as to whether to do it by tariff publication or by the issuance of a quotation under section 22 of the Interstate Commerce Act. If the carriers choose to respond to our requests by a tariff adjustment, we may seek retroactive review of the rate under sections 8 and 13 of that act, if we are dissatisfied, in the same manner as a commercial shipper. Under the proposed legislation, however, if the carrier elects to publish the rate in the form of a section 22 quotation, it would be beyond review. Such option, exercised by the carrier, would remove the right of review enjoyed by all other shippers.

The reasons advanced for this type of regulation are that the rates received by the Government under section 22 are extremely low, adversely affecting the earnings of the carriers; that there is a reluctance by the carriers to deal with the Government under section 22; and that a growing number of reparation cases might bog down the work of the Commission. In our opinion, the record does not justify any of these contentions.

Actual studies introduced at the hearings on S. 906 indicate conclusively that section 22 rates produce a high level of earnings, considerably higher than on commodity rate traffic generally. Further, the Government departments are experiencing no resistance or reluctance by the carriers to the use of section 22 rate adjustments; to the contrary, we would be gratified if more of these adjustments were made by tariff publication. Finally, there is no indication of a growing number of reparation cases, the last of the wartime reparation cases having been filed in 1948 and covering traffic which generally moved prior to October 1, 1946.

A report recommending against the enactment of S. 906 was submitted April 28, 1954, to the former Chairman, Senate Committee on Interstate and Foreign Commerce. The reports on S. 906, as well as H. R. 3288, were cleared with the Bureau of the Budget, which advised that there was no objection to the submission of those reports and that they would recommend against the enactment of the proposed legislation.

Cordially yours,

EDMUND F. MANSURE,
Administrator.

EXECUTIVE OFFICE OF
THE PRESIDENT,
BUREAU OF THE BUDGET,
Washington, D. C., August 3, 1954.

Hon. CHARLES A. WOLVERTON,
Chairman, Committee on Interstate and Foreign Commerce, House of Representatives, New House Office Building, Washington, D. C.

MY DEAR MR. CHAIRMAN: This is in reply to your letter of July 9, 1954, requesting the views of this office on S. 906, a bill to establish the finality of contracts between the Government and common carriers of passengers and freight subject to the Interstate Commerce Act.

The Secretary of Defense and the General Services Administrator, in the reports they have made to your committee on this act, recommended against its enactment for the reasons set out therein.

This office concurs with the views contained in these reports and recommends that this measure not be enacted.

Sincerely yours,

HAROLD PEARSON,
Assistant Director.

Mr. HARDY. Mr. Speaker, reserving the right to object, I served on a subcommittee with the able gentleman from Ohio [Mr. BENDER] in the 80th Congress, at which time we considered a great many of these transportation matters. I do not believe this is a proper bill. I notice also that it is opposed by the Secretary of Defense. Therefore, I object.

The SPEAKER. Objection is heard.

WASHITA RIVER BASIN RECLAMATION PROJECT, OKLAHOMA

The Clerk called the bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, this would cost approximately $37 million. I understand that an endeavor is being made to get a rule. There is entirely too much money involved to pass this bill on the unanimous-consent calendar and therefore I ask unanimous consent that it be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

AMENDING CIVIL SERVICE RETIREMENT ACT OF 1930

The Clerk called the bill (H. R. 9586) to amend the Civil Service Retirement Act.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following:

"Notwithstanding any provision of law to the contrary, title to annuity payable from the civil service retirement and disability fund shall not arise from any separation unless the officer or employee so separated has, within the 2-year period immediately preceding such separation, completed at least 1 year of creditable civilian service during which he was subject to this act. Any annuity rights based on a separation which (a) terminated service meeting this requirement or (b) occurred prior to this amendment, shall be restored upon separation from subsequent service which fails to meet said requirement.

"No credit shall be allowed for any service subsequent to the date of the separation on which title to annuity is based. Any amounts deducted from salary for retirement purposes during such service shall upon separation be refunded to such officer or employee without interest, and shall be subject to redeposit as provided in section 12 (b) (2) of this act. Any such amount not so refunded to the officer or employee before his death shall be paid in the order of precedence prescribed in section 12 (e)."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REIMBURSEMENT FOR EQUIPMENT OWNED BY POSTMASTERS AT DISCONTINUED OFFICES

The Clerk called the bill (S. 3028) to require the Postmaster General to reimburse postmaster: of discontinued post offices for equipment owned by the postmaster.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That whenever a post office is discontinued, the Postmaster General shall reimburse the postmaster of such discontinued post office, on a fair and equitable basis, for any fixtures and equipment in use in such post office at the time of discontinuance, which were furnished by such postmaster out of personal funds and which were necessary to the efficient operation of such post office.

SEC. 2. That there is hereby authorized to be appropriated such amount each year as may be necessary to enable the Postmaster General to make reimbursement to postmasters of discontinued post offices under the provisions of this act, except a post office of the fourth class.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PREVENTING ENTRY OF LIVESTOCK AND POULTRY DISEASES INTO THE VIRGIN ISLANDS

The Clerk called the bill (H. R. 10077) to amend section 6 of the act of August 30, 1890, as amended, and section 2 of the act of February 2, 1903, as amended.

Mr. FORD. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

INCLUSION OF SERVICE RENDERED STATES TOWARD CIVIL SERVICE RETIREMENT

The Clerk called the bill (H. R. 1553) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BROWN of Ohio. Mr. Speaker, reserving the right to object, I should like to inquire just what this bill does.

Mr. HARVEY. This makes vocational teachers who might be drafted into the service of the United States Department of Agriculture eligible under the same conditions that a county agent would be for certain civil-service benefits.

Mr. BROWN of Ohio. It applies only to those particular employees?

Mr. HARVEY. That is right.

Mr. BROWN of Ohio. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the first paragraph thereof the following:

"Subject to the conditions contained in this paragraph, there shall be included, in determining for the purposes of this act the aggregate period of service rendered by an officer or employee who is serving in a position within the purview of this act (other than a position described in this paragraph) at the time of his retirement or death, all periods of service rendered by him as an employee of a State, or any instrumentality thereof, exclusively or primarily in the carrying out of—

"(1) the program of a State Rural Rehabilitation Corporation created for the purpose of handling rural relief the funds for which were made available by the Federal Emergency Relief Act of 1933 (48 Stat. 55), the act of February 15, 1934 (48 Stat. 351), and the Emergency Appropriation Act, fiscal year 1935 (48 Stat. 1055), and any laws or parts of laws amendatory of, or supplementary to, such acts;

"(2) the Federal-State cooperative program of agricultural experiment station re-

search and investigation authorized by the act of March 2, 1887, as amended and supplemented (7 U. S. C., ch. 14);

"(3) the Federal-State cooperative program of vocational education authorized by the act of February 23, 1917, as amended and supplemented (20 U. S. C., ch. 2);

"(4) the Federal-State cooperative program of agricultural extension work authorized by the act of May 8, 1914, as amended and supplemented (7 U. S. C., secs. 341–348);

"(5) the Federal-State cooperative program of forest and watershed protection authorized by section 2 of the act of March 1, 1911 (16 U. S. C., sec. 563), and by the act of June 7, 1924, as amended and supplemented (16 U. S. C., secs. 564–568b);

"(6) the Federal-State cooperative program for the control of plant pests and animal diseases authorized by the provisions of law set forth in chapters 7 and 8 of title 7 and in section 114a of title 21 of the United States Code.

The period of any service specified in this paragraph shall be included in computing length of service for the purposes of this act of any officer or employee only upon compliance with the following conditions:

"(A) the performance of such service is certified, in a form prescribed by the Civil Service Commission, by the head, or by a person designated by the head, of the department, agency, or independent establishment in the executive branch of the Government of the United States which administers the provisions of law authorizing the performance of such service;

"(B) the officer or employee shall have to his credit a total period of not less than 5 years of allowable service under this act, exclusive of service allowed by this paragraph;

"(C) the officer or employee shall have deposited with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, to the credit of the civil-service retirement and disability fund a sum equal to the aggregate of the amounts which would have been deducted from his basic salary, pay, or compensation during the period of service claimed under this paragraph if during such period he had been subject to this act.

If the annuity computed under this act of any individual entitled to the benefits of this paragraph, when combined with any annuity received by him from a State, exceeds an amount equal to 80 percent of the highest average annual basic salary, pay, or compensation received by such individual during 5 consecutive years of allowable service under this act (including service allowed by this paragraph), the annuity payable under this act shall be so reduced that the aggregate amount received from such annuities shall not exceed an amount equal to 80 percent of such highest average annual basic salary, pay, or compensation. As used in this paragraph the term 'State' includes Alaska, Hawaii, and Puerto Rico."

SEC. 2. The first paragraph of section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following: "Such time limitation may also be waived by the Civil Service Commission in the case of an officer or employee who failed to file the required application for retirement within the prescribed time limit because at the date of separation from service the position he was occupying was not considered to be within the purview of this act; but the application in such case must be filed with the Civil Service Commission not later than 6 months after the determination that such position is within the purview of this act, except that in the case of any such person heretofore separated from service, application may be filed within 6 months after the date of the enactment of this sentence."

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. The Clerk will call the first bill on the Private Calendar.

CARLOS M. COCHRAN

The Clerk called the bill (S. 820) for the relief of the estate of Carlos M. Cochran.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Carlos M. Cochran, late of Miami, Fla., the sum of $5,000. Payment of such sum shall be in full settlement of all claims of such estate against the United States on account of the death of the said Carlos M. Cochran in line of duty, while he was serving as private, first class, in the military forces of the United States (XC–3119193), when he was shot by a sentry at the north auxiliary gate on Highway No. 98 at Tyndall Field, Fla., on December 19, 1942: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 3, after the word "act", strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARY BEATON DENNINGER

The Clerk called the bill (S. 3064) for the relief of the estate of Mary Beaton Denninger, deceased.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the estate of Mary Beaton Denninger, deceased, the sum of $780.36. The payment of such sum shall be in full settlement of all claims of the said estate against the United States for payment of the proceeds under the Servicemen's Indemnity Act of 1951, accruing to said Mary Beaton Denninger, deceased, during her lifetime: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 11, strike out "in excess of 10 percent thereof."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HUGO KERN

The Clerk called the bill (S. 232) for the relief of Hugo Kern.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Hugo Kern shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon the payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MARTIN GENUTH

The Clerk called the bill (S. 2456) for the relief of Martin Genuth.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of Martin Genuth. From and after the date of enactment of this act, the said Martin Genuth shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have been issued.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. MERLE CAPPELLER WEYEL

The Clerk called the bill (S. 45) for the relief of Mrs. Merle Cappeller Weyel.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mrs. Merle Cappeller Weyel, of Reno, Nev., the sum of $5,437.21. Payment of such sum shall be in full settlement of all claims of the said Mrs. Merle Cappeller Weyel against the United States arising out of the death, on December 5, 1948, of her husband, Lt. Comdr. Oscar H. Weyel, United States Navy, serial No. 35612, for compensation for medical expenses incurred, $2,707.33; and for the difference between active-duty pay from the date of his retirement, on March 5, 1948, to the date of his death, $2,729.88: *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this

claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 2, after "pay", insert "and retired pay."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

LEONARD HUNGERFORD

The Clerk called the bill (S. 1308) for the relief of Leonard Hungerford.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Leonard Hungerford shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the granting of permanent residence to such alien as provided for in this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. IAN YUNG-CHENG HU

The Clerk called the bill (S. 1845) for the relief of Dr. Ian Yung-cheng Hu.

There being no objection, the Clerk read the bill, as folows:

Be it enacted, etc., That, for the purposes of the immigration and naturalization laws, Dr. Ian Yung-cheng Hu shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of the required visa fee. Upon the enactment of this act, the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

OTTILIE THERESA WORKMANN

The Clerk called the bill (S. 1904) for the relief of Ottilie Theresa Workmann.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Ottilie Theresa Workmann may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. ANNEMARIE NAMIAS

The Clerk called the bill (S. 1959) for the relief of Mrs. Annamarie Namias.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Mrs. Annemarie Namias may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOHN ENEPEKIDES, HIS WIFE, ANNA, AND HIS SON, GEORGE

The Clerk called the bill (S. 2156) for the relief of John Enepekides, his wife, Anna, and his son, George.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the provision in the second sentence of subsection (c) of section 316 of the Immigration and Nationality Act, waiving the requirements of subsection (b) for an uninterrupted period of at least 1 year of physical presence in the United States, shall be applicable to John Enepekides, his wife, Anna, and his son, George.

With the following committee amendment:

Page 1, line 4, strike out "waiving" and insert "modifying."

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

BERTA HELLMICH

The Clerk called the bill (S. 2461) for the relief of Berta Hellmich.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Berta Hellmich, the fiance of Alfred Martin, a citizen of the United States, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Berta Hellmich is coming to the United States with a bona fide intention of being married to the said Alfred Martin and that she is found otherwise admissible under the immigration laws. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Berta Hellmich, she shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Berta Hellmich, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Berta Hellmich as of the date of the payment by her of the required visa fee.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ERTOGROUL OSMAN

The Clerk called the bill (S. 2618) for the relief of Ertogroul Osman.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

IDA REISSMULLER AND JOHNNY DAMON EUGENE REISSMULLER

The Clerk called the bill (S. 2958) for the relief of Ida Reissmuller and Johnny Damon Eugene Reissmuller.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (9) of the Immigration and Nationality Act, Ida Reissmuller, the fiancée of Sgt. Howard E. Quinton, a citizen of the United States, and her minor child, Johnny Damon Eugene Reissmuller, shall be eligible for visas as nonimmigrant temporary visitors for a period of 3 months, if the administrative authorities find (1) that the said Ida Reissmuller is coming to the United States with a bona fide intention of being married to the said Sgt. Howard E. Quinton, and (2) that they are otherwise admissible under the Immigration and Nationality Act. In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Ida Reissmuller and the minor child, Johnny Damon Eugene Reissmuller, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Ida Reissmuller and her minor child, Johnny Damon Eugene Reissmuller, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Ida Reissmuller and her minor child, Johnny Damon Eugene Reissmuller, as of the date of the payment by them of the required visa fees.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RENE RACHELL LUYSE KUBICEK

The Clerk called the bill, H. R. 1190, for the relief of Rene Rachell Luyse Kubicek.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provision of the 11th category of section 3 of the Immigration Act of 1917, as amended, Rene Rachell Luyse Kubicek may be admitted to the United States for permanent residence if she is found to be otherwise

admissible under the provisions of the immigration laws.

With the following committee amendment:

Strike out all after the enacting clause and insert the following: "That, notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, Rene Rachell Luyse Kubicek may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act: *Provided,* That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DR. REUBEN RAPAPORT

The Clerk called the bill (H. R. 2030) for the relief of Dr. Reuben Rapaport.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That (a) effective June 12, 1946, for the purposes of section 212 of the Economy Act of June 30, 1932, as amended (5 U. S. C., sec. 59a), Dr. Reuben Rapaport (Army serial number O1689011), Brooklyn, N. Y., is granted all the rights, benefits, and privileges which are granted to commissioned officers retired for disability incurred in combat with an enemy of the United States.

(b) The Secretary of the Army shall pay to the said Dr. Reuben Rapaport, from and after the first day of the first month following the month in which this act is enacted, the disability retirement pay which he is entitled to receive by reason of the enactment of the preceding subsection.

SEC. 2. The Secretary of the Army is authorized and directed to certify to the Secretary of the Treasury an amount equal to the amount of the disability retirement pay which has been withheld from the said Dr. Reuben Rapaport pursuant to section 212 of the Economy Act of June 30, 1932, as amended (5 U. S. C., sec. 59a), during the period beginning June 12, 1946, and ending on the last day of the month in which this act is enacted; and the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Dr. Reuben Rapaport, in a lump sum, the amount so certified. No part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FREDERICK F. GASKIN

The Clerk called the bill (H. R. 7362) for the relief of Frederick F. Gaskin.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $500 to Frederick F. Gaskin, route 88, Rodgers Avenue (Alexton), Harrisburg, Pa., in full settlement of all claims against the United States as reimbursement for bond posted for Maria Grazia Stoudt (nee Russo) on October 6, 1947: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JOSEPH H. WASHBURN

The Clerk called the bill (H. R. 7717) for the relief of Joseph H. Washburn.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Joseph H. Washburn, Long Beach, Calif., the sum of $6,100. The payment of such sum shall be in full settlement of all claims of the said Joseph H. Washburn against the United States arising out of his erroneous recall to extended active duty in the United States Marine Corps on July 29, 1950, after he had been discharged from the Marine Corps on July 6, 1950, and out of the hardships and privations which he and his dependents were forced to undergo during the period (beginning July 29, 1950, and ending February 11, 1951) in which he was performing such active duty (including extensive combat duty in Korea) as a result of such erroneous recall: *Provided,* That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 1, line 6, strike out "$6,100" and insert in lieu thereof "$2,500."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

FAY JEANNETTE LEE

The Clerk called the bill (H. R. 8261) for the relief of Fay Jeannette Lee.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, the alien Fay Jeannette Lee, a stepchild of Samuel Thorn, a citizen of the United States, shall be held and considered to be under 21 years of age.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That for the purposes of section 101 (a) (27) (A) and section 205 of the Immigration and Nationality Act, the alien, Fay Jeannette Lee, shall be held and considered to be the minor natural-born alien child of Samuel Thorn, a citizen of the United States."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

HAROLD C. NELSON AND DEWEY L. YOUNG

The Clerk called the bill (H. R. 8994) for the relief of Harold C. Nelson and Dewey L. Young.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harold C. Nelson, of Fairbanks, Alaska, the sum of $77.28, and to Dewey L. Young, of Fairbanks, Alaska, the sum of $84.90, in full settlement of all claims against the Government of the United States, as reimbursement for handtools destroyed as the result of a fire which occurred on December 22, 1953, at the Alaska Road Commission's Gardiner Creek construction camp, Alaska: *Provided,* That no part of the amounts appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with these claims, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE PANTELAS

The Clerk called the bill (S. 154) for the relief of George Pantelas.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Attorney General is authorized and directed to discontinue any deportation proceedings and to cancel any outstanding order and warrant of deportation, warrant of arrest, and bond, which may have been issued in the case of George Pantelas. From and after the date of enactment of this act, the said George Pantelas shall not again be subject to deportation by reason of the same facts upon which such deportation proceedings were commenced or any such warrants and order have issued.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. HELEN STRYK

The Clerk called the bill (S. 3085) for the relief of Mrs. Helen Stryk.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, notwithstanding the provisions of section 212 (a) (6) of the Immigration and Nationality Act, Mrs. Helen Stryk may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of such act: *Provided*, That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

REGINA BERG VOMBERG

The Clerk called the bill (H. R. 8215) for the relief of Regina Berg Vomberg.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, in the administration of the Immigration and Nationality Act, Regina Berg Vomberg, the fiancée of John C. Fenerty, a citizen of the United States, and her children, Wilma and Helga Vomberg, shall be eligible for a visa as a nonimmigrant temporary visitor for a period of 3 months: *Provided*, That the administrative authorities find that the said Regina Berg Vomberg is coming to the United States with a bona fide intention of being married to the said John C. Fenerty and that she is found admissible under all of the provisions of the Immigration and Nationality Act, other than section 212 (a) (9): *Provided further*, That this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice had knowledge prior to the enactment of this act.

In the event the marriage between the above-named persons does not occur within 3 months after the entry of the said Regina Berg Vomberg and her children, Wilma and Helga Vomberg, they shall be required to depart from the United States and upon failure to do so shall be deported in accordance with the provisions of sections 242 and 243 of the Immigration and Nationality Act. In the event that the marriage between the above-named persons shall occur within 3 months after the entry of the said Regina Berg Vomberg and her children, Wilma and Helga Vomberg, the Attorney General is authorized and directed to record the lawful admission for permanent residence of the said Regina Berg Vomberg and her children, Wilma and Helga Vomberg, as of the date of the payment by them of the required visa fee.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill for the relief of Regina Berg Vomberg, and her children, Wilma and Helga Vomberg."

A motion to reconsider was laid on the table.

SISTER MARY BERARDA

The Clerk called the bill (H. R. 5964) for the relief of Sister Mary Berarda.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, for the purposes of the immigration and nationality laws Sister Mary Berarda shall be held and considered to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act, upon payment of required visa fee. Upon the granting of permanent residence to such alien as provided for in this act the Secretary of State shall instruct the proper quota-control officer to deduct one number from the appropriate quota for the first year that such quota is available.

With the following committee amendment:

On page 1, lines 3 and 4, strike out "immigration and nationality laws" and substitute "Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GEORGE D. HOPPER

The Clerk called the bill (H. R. 5844) for the relief of George D. Hopper.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to George D. Hopper, Foreign Service officer, class 1, American Foreign Service, retired, of Asheville, N. C., the sum of $710.28. Payment of such sum shall be in full settlement of all claims of the said George D. Hopper against the United States for reimbursement of the amount of the loss sustained by him while in the American Foreign Service in making payment from his personal funds of the amount of a certain trust fund to the proper parties after having paid the amount of such trust fund in Stockholm, Sweden, to an individual not entitled to such payment who subsequently confessed to being an imposter: *Provided*, That no part of the amount appropriated in this act in excess of 10 percent thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of bills on the Private Calendar.

DR. MARCIANO GUTIERREZ ET AL.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7045) for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, Raymundo, and Marciano, and Mrs. Brigida de Gutierrez, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Page 1, line 6, after "Rebecca", insert "and."

Page 1, line 6, strike out "and Marciano."

Page 2, line 3, strike out "seven" and insert "six."

Amend the title so as to read: "An act for the relief of Dr. Marciano Gutierrez, Dr. Amparo G. Joaquin Gutierrez, and their children, Rosenda, Rebecca, and Raymundo, and Mrs. Brigida de Gutierrez."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

HAYIK (JIRAIR) VARTIYAN ET AL.

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1912) for the relief of Hayik (Jirair) Vartiyan, Annemarie Vartiyan, and Susanig Armenuhi Vartiyan, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill .

The Clerk read the Senate amendment, as follows:

Line 11, strike out "two" and insert "three."

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania [Mr. GRAHAM]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AMENDING SECTION 1089 OF THE CODE OF LAW FOR THE DISTRICT OF COLUMBIA

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8128) to amend section 1089 of the Code of Law for the District of Columbia relating to attachment of proceedings, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 9, strike out "1809" and insert "1089."

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. HYDE]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

THE MUNICIPAL COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

Mr. HYDE. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8915) to amend the act entitled "An act to consolidate the police court of the District of Columbia, to be known as the municipal court of appeals for the District of Columbia, and for other purposes," with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 1, strike out "121" and insert "1121."

Amend the title so as to read: "An act to amend the act entitled 'An act to consolidate

the police court of the District of Columbia and the municipal court of the District of Columbia, to be known as the municipal court for the District of Columbia, to create "the municipal court of appeals for the District of Columbia," and for other purposes'."

The SPEAKER. Is there objection to the request of the gentleman from Maryland [Mr. HYDE]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

AMENDMENTS TO CLASSIFICATION ACT OF 1949

Mr. REES of Kansas. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2263) to authorize the Postmaster General to readjust the compensation of holders of contracts for the performance of mail-messenger service, together with Senate amendments, disagree to the Senate amendments and agree to the conference asked.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Kansas? [After a pause.] The Chair hears none and appoints the following conferees: Mr. REES of Kansas, Mr. BROYHILL, and Mr. MURRAY.

SALE OF CERTAIN LAND IN ALASKA TO BAPTIST MID-MISSIONS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6959) to authorize the sale of certain land in Alaska to the Baptist Mid-Missions, an Ohio nonprofit corporation, for use as a church site, together with a Senate amendment, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out lines 3 to 11, inclusive, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Baptist Mid-Missions only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

Mr. GAVIN. Reserving the right to object, Mr. Speaker, will the gentleman explain what this bill is about?

Mr. MILLER of Nebraska. This is a bill that confers to the Baptist Mid-Mission in Ohio, a nonprofit corporation of Cleveland, Ohio, for the period of 1 year, a certain tract of land in Alaska for missionary purposes.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CONVEYANCE OF CERTAIN LAND IN THE STATE OF OKLAHOMA FOR USE AND BENEFIT OF EASTERN OKLAHOMA AGRICULTURAL AND MECHANICAL COLLEGE

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 1797) to provide for the conveyance of certain land to the State of Oklahoma for the use and benefit of the Eastern Oklahoma Agricultural and Mechanical College at Wilburton, Okla., and for other purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 1, strike out all after "SEC. 2." down to and including "otherwise" in line 5 and insert "The conveyance authorized by this act shall be conditional upon the State of Oklahoma agreeing to pay to the Secretary of the Interior, in return for the lands conveyed, an amount equal to the appraised fair market value of such lands."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LAND IN ALASKA TO LLOYD H. TURNER

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2015) to authorize the sale of certain land in Alaska to Lloyd H. Turner, of Wards Cove, Alaska, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 15, strike out all after "laws" down to and including "permits" in line 19 and insert ": *Provided further*, That the coal and other mineral deposits in the land shall be reserved to the United States, together with the right to prospect for, mine, and remove the same under applicable laws and regulations to be prescribed by the Secretary of the Interior."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN PUBLIC LANDS IN ALASKA TO THE ALASKA COUNCIL OF BOY SCOUTS OF AMERICA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2012) to authorize the sale of certain public lands in Alaska to the Alaska Council of Boy Scouts of America for a campsite and other public purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 3, strike out lines 9 to 16, inclusive, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Alaska Council of Boy Scouts of America only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LAND IN ALASKA TO THE TURNAGAIN ARM COMMUNITY CLUB OF ANCHORAGE, ALASKA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3854) to authorize the sale of certain public land in Alaska to the Turnagain Arm Community Club of Anchorage, Alaska, together with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 9 over to and including line 3 on page 3 and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Turnagain Arm Community Club of Anchorage, Alaska, only if

the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN PUBLIC LAND IN ALASKA TO THE COMMUNITY CLUB OF CHUGIAK, ALASKA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2014) to authorize the sale of certain public land in Alaska to the Community Club of Chugiak, Alaska, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out lines 1 to 15, inclusive, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Community Club of Chugiak, Alaska, only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LAND IN ALASKA TO THE ALASKA EVANGELIZATION SOCIETY OF LEVELOCK, ALASKA

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2010) to authorize the sale of certain land in Alaska to the Alaska Evangelization Society, of Levelock, Alaska, for missionary purposes, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 15, over to and including line 2 on page 3, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C., sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Alaska Evangelization Society only if the organization pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

PUBLIC-SCHOOL FACILITIES AT KLAMATH INDIAN RESERVATION

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 7290) to authorize an appropriation for the construction of certain public-school facilities on the Klamath Indian Reservation at Chiloquin, Oreg., with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert "That there is hereby authorized to be appropriated the sum of $206,880 to be used by the Secretary of the Interior for assisting the Klamath County School District in constructing and equipping new public-school facilities, which shall include an elementary school site, school building, and necessary equipment, on the Klamath Indian Reservation at Chiloquin, Klamath County, Oreg.

"SEC. 2. The expenditure of any money appropriated pursuant to the first section of this act shall be subject to the express conditions that (1) 40 percent of the cost of such facilities shall be paid by the Klamath County School District; (2) such facilities shall be available to all Indian children of the district on the same terms, except as to payment from Federal funds of tuition of Indian children under Federal supervision, as other children of the district; (3) the cost of preparing the plans and specifications for such facilities, to be furnished by the local or State authorities, shall be paid out of the appropriation authorized in this act in the same proportion as the building costs; (4) upon the approval of such plans and specifications by the Secretary of the Interior, the actual work shall proceed under the supervision of such local authority; and (5) payment for the work completed shall be made monthly on vouchers properly certified by the local officials of the Bureau of Indian Affairs."

Mr. GAVIN. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MILLER of Nebraska. The other body passed the bill rearranging the names of the tribes. I hope the gentlemen will not ask me to go into that.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

SALE OF CERTAIN LANDS IN ALASKA TO HOSPITAL GROUP

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 2009) to authorize the sale of certain land in Alaska to the Ninilchik Hospital Association, of Ninilchik, Alaska, for the use as a hospital site and related purposes, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, strike out all after line 4, over to and including line 7 on page 3, and insert:

"SEC. 2. Such conveyance shall be subject to the terms and conditions provided for the sale of public lands to a nonprofit corporation or nonprofit association under the act of June 4, 1954 (Public Law 387, 83d Cong., 2d sess.): *Provided*, That the conveyance hereby authorized shall not include any land covered by a valid existing right initiated under the public land laws, or a valid possessory right based upon section 8 of the act of May 17, 1884 (23 Stat. 24), section 14 of the act of March 3, 1891 (26 Stat. 1095), or section 27 of the act of June 6, 1900 (31 Stat. 321; 48 U. S. C. sec. 356): *Provided further*, That notwithstanding any of the provisions of this act, the Secretary shall convey the lands to the Ninilchik Hospital Association only if the association pays the price fixed by the Secretary within 5 years after notification by the Secretary of the price."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CONTROL AND EXTINGUISHMENT OF UNDERGROUND COAL FIRES

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 270) to provide for the control and extinguishment of outcrop and underground fires in coal formations, and for other purposes, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 3, line 14, after "SEC. 5.", insert "(a)."

Page 3, line 21, strike out "(a)" and insert "(1)."

Page 4, line 1, strike out "(b)" and insert "(2)."

Page 4, after line 3, insert:

"(b) The Secretary of the Interior shall require in connection with any project for the control or extinguishment of fires in any inactive coal mine on any lands not owned or controlled by the United States or any of its agencies, except where such project is necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, (1) that the State or person owning or controlling such lands contribute on a matching basis 50 percent of the cost of planning and executing such project, or (2), if such

State or person furnishes evidence satisfactory to the Secretary of the Interior of an inability to make the matching contribution herein provided for, that such State or person pay to the Government, within such period of time as the Secretary of the Interior shall determine, an amount equal to 50 percent of the cost of planning and executing such project. At least 75 percent of the funds expended in any fiscal year, from any appropriation available to carry out the purposes of this act, in connection with projects for the control or extinguishment of fires in inactive coal mines where such action is not necessary for the protection of lands or other property owned or controlled by the United States or any of its agencies, shall be expended in conformity with clause (1) of this subsection."

Page 4, line 8, after "act", insert "of 1949."

Page 5, line 10, strike out all after "fund" down to and including "require," in line 12 and insert "to be disbursed by the Secretary of the Treasury upon certification by the Secretary of the Interior in accordance with the terms of the grant."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CREATION OF NATIONAL MONUMENT COMMISSION

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6455) to create a National Monument Commission, and for other purposes, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 15, after "Arts", insert ", and thereafter submitted to Congress for legislative authorizations."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

TO FACILITATE ACQUISITION OF FEDERAL LANDS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 6814) to facilitate the acquisition of non-Federal land within areas of the National Park System, and for other purposes, with Senate amendments and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "areas" and insert "existing boundaries."

Page 1, line 4, strike out "the" where it appears the second time and insert "any."

Page 1, line 4, strike out "System."

Amend the title so as to read: "An act to facilitate the acquisition of non-Federal land within the existing boundaries of any national park, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

EXCHANGE OF FACILITIES IN GLACIER AND GRAND CANYON NATIONAL PARKS

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to return to the Consent Calendar and consider the bill (H. R. 10074) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent that an identical Senate bill (S. 3816) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz., be considered in lieu of the House bill.

Mr. GAVIN. Mr. Speaker, reserving the right to object, will the gentleman explain the bill?

Mr. MILLER of Nebraska. The bill authorizes replacement of certain Government-owned facilities in Glacier National Park, Mont. The gentleman from Montana [Mr. D'EWART] is familiar with the bill, and I will ask him to explain it.

Mr. D'EWART. This bill was introduced at the request of the National Park Service because a year ago we passed legislation having to do with certain management policies in the park. In that bill the word "exchange" was left out. We now find that they want to exchange certain telephone lines and electric lines for REA services in Glacier National Park and in Grand Canyon National Park. This bill permits the exchange with the approval of the Secretary of these facilities so that the REA can come into these two areas.

Mr. GAVIN. How much land would be involved?

Mr. D'EWART. No land is involved whatever. It has to do only with utilities.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

Mr. BROOKS of Louisiana. Mr. Speaker, reserving the right to object, is there any private enterprise in this at all?

Mr. D'EWART. My understanding is that these are exchanges so that the REA can come in. I am not sure who owns the lines, but I think the National Park Service owns them.

Mr. BROOKS of Louisiana. It is the Government turning the mover to REA?

Mr. D'EWART. That is true.

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That, for the purpose of facilitating the installation of adequate electric and communication facilities at Glacier National Park and Grand Canyon National Park, the Secretary of the Interior is authorized to exchange, on an equal value basis, the existing inadequate facilities at these parks for more modern and efficient facilities.

The bill was ordered to be read a third time, was read the third time, and passed.

A similar House bill (H. R. 10074) was laid on the table.

A motion to reconsider was laid on the table.

PREPARATION OF ROLLS OF CERTAIN PERSONS OF INDIAN BLOOD (OREGON)

Mr. MILLER of Nebraska. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 4118) to authorize the preparation of rolls of persons of Indian blood whose ancestors were members of certain tribes or bands in the State of Oregon, and to provide for per capita distribution of funds arising from certain judgments in favor of such tribes or bands, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out all after "the" where it appears the second time down to and including "Oregon" in line 8 and insert "Molel or Molallalas Tribe of Oregon and of the Confederated Bands of the Umpqua Tribe of Indians and the Calappoias residing in the Umpqua Valley, and of the Tillamook, Coquille, Tootootoney, and Chetco Tribes of Oregon."

Page 2, line 13, strike out "115 Ct. Cl. 463" and insert "119 C. Cls. 835."

The SPEAKER. Is there objection to the request of the gentleman from Nebraska?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

AUTHORIZING SECRETARY OF THE INTERIOR TO CONSTRUCT, OPERATE, AND MAINTAIN THE WASHITA RIVER BASIN RECLAMATION PROJECT, OKLAHOMA

Mr. WICKERSHAM. Mr. Speaker, I ask unanimous consent to return to No. 571 on the Consent Calendar, and for the immediate consideration of the bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma.

The Clerk read the title of the bill.

The SPEAKER. Has the gentleman conferred with the objectors in reference to this matter?

Mr. WICKERSHAM. Mr. Speaker, I have talked to the objectors about this bill.

Mr. HALLECK. Mr. Speaker, under the circumstances I will have to object. I do not see any of the gentlemen who objected here at the moment.

AUTHORIZING SECRETARY OF THE INTERIOR TO ISSUE PATENTS FOR CERTAIN PUBLIC LANDS IN MONROE COUNTY, MICH.

Mr. MEADER. Mr. Speaker, I ask unanimous consent to return to No. 564 on the Consent Calendar, and for the immediate consideration of the bill (H. R. 9790) to amend the act of June 30, 1948, so as to extend for 5 additional years the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act authorizing the Secretary of the Interior to issue patents for lands held under color of title," approved June 30, 1948 (Public Law 856, 80th Cong.), as amended, is amended by striking out "within 6 years after passage of this act" and inserting in lieu thereof "within 11 years after passage of this act."

SEC. 2. The amendment made by the first section of this act shall take effect as of June 29, 1954.

With the following committee amendment:

Page 1, line 8, strike out "eleven" and insert "seven."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read the third time, was read the third time, and passed.

The title was amended so as to read: "A bill to amend the act of June 30, 1948, so as to extend for 1 year the authority of the Secretary of the Interior to issue patents for certain public lands in Monroe County, Mich., held under color of title."

A motion to reconsider was laid on the table.

SPECIAL ORDERS GRANTED

Mr. HINSHAW asked and was given permission to address the House for 30 minutes today, following the legislative program and any special orders heretofore entered.

Mr. SPRINGER asked and was given permission to address the House today for 20 minutes, following any special orders heretofore entered.

KLAMATH COUNTY, STATE OF OREGON

Mr. COON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8020) authorizing the transfer of certain property of the United States Government in Klamath County, Oreg., to the State of Oregon, with Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 4, line 18, strike out all after "of" down to and including line 21 and insert "section 203 (d) (2) (D) of the Federal Property and Administrative Services Act of 1949, as amended (40 U. S. C., 484 (k) (2) (D))."

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

Mr. GAVIN. Mr. Speaker, reserving the right to object, will the gentleman explain what this is about?

Mr. COON. The Senate amendment just states the new provision of the law.

Mr. GAVIN. What does the House bill involve?

Mr. COON. The House bill is to transfer a small piece of property to the National Guard Association of Oregon to build an Armory at Glen Falls.

Mr. GAVIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CLINT LEWIS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 1514) for the relief of Clint Lewis, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. CELLER. Mr. Speaker, reserving the right to object, may I ask what this bill is about?

Mr. REED of Illinois. The amendment provides that no attorney's fees shall be paid.

Mr. CELLER. What does it refer to? What is the subject matter generally?

Mr. REED of Illinois. It is a bill for the relief of Clint Lewis, of Texas, in the sum of $200.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FRANK L. PEYTON

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2024) for the relief of Frank L. Peyton with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

JULIO MERCADO TOLEDO

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2615) for the relief of Julio Mercado Toledo with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, after "to", insert "the estate of."

Page 1, line 11, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

DONALD JAMES DARMODY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2645) for the relief of Donald James Darmody, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 8, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

ESTHER E. ELLICOTT

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2791) for the relief of Esther E. Ellicott with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 4, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FLOYD C. BARBER

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2815) for the relief of Floyd C. Barber with Senate

amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 5, strike out "$1,853" and insert "$1,596.38."

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

MRS. ROSALINE SPAGNOLA

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 2881) for the relief of Mrs. Rosaline Spagnola with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

ESTHER SMITH

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3008) for the relief of Esther Smith with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

E. C. MILLS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 3216) for the relief of E. C. Mills, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, line 11, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. EVINS. Mr. Speaker, reserving the right to object, I should like to ask the distinguished gentleman, the chairman of the Judiciary Committee, if this is going to be the future and continuing policy on all of these claim bills? It is my understanding that the subcommittee and the full Committee on the Judiciary have reported these claim bills with the usual 10 percent attorney fee proviso, but when they reach the Senate committee certain Members of the other body write this amendment in each claims bill which prohibits the payment of any attorney's fee. Although the House authorized it, the Senate will not, and we have to go along. It is my information that within the last few days injunctive proceedings have been filed in the Federal Court for the Middle District of Tennessee, questioning the constitutionality of a similar rider as here proposed, as impairing the obligation of contracts. Suppose a lawyer has already entered into an agreement with a client relative to a reasonable fee for assistance on a claim and he does a substantial amount of work upon it and later this rider is attached to the bill, are we not thus impairing a private contract entered into between a client and a lawyer? It is a most unusual precedent, a most unusual procedure to insist upon these no-fee riders. It is my information also that the Treasury Department and the Office of the Solicitor of the Treasurer of the United States do not think it good practice, and state that those who oppose this procedure have a very good point in raising the question. I wonder whether we will continue to yield to 1 or 2 members of the Judiciary Subcommittee of the other body insisting on these riders being attached to these claims. I am just asking for information.

Mr. REED of Illinois. It is a limitation, of course, upon an appropriation, and so far we have not been able to come to any agreement with the Senate regarding these riders. We hope to be able to at the next session. We have not been able to do so thus far. All these private bills would be held up if we did not agree.

Mr. EVINS. Mr. Speaker, further reserving the right to object, may not the court authorize and provide for a fee, upon a hearing in these cases?

Mr. REED of Illinois. I do not know that these cases will come before a court.

Mr. FORRESTER. Mr. Speaker, will the gentleman yield?

Mr. EVINS. I yield to my distinguished friend.

Mr. FORRESTER. I should like to ask my distinguished chairman if we are not down to this point in this situation, that irrespective of what is going to be done in the future, if these bills are to pass at this session of Congress, we will have to accede to the position taken by the Senate in this matter. The remedy, if there is any, is that if anyone has a bill providing for attorney's fees and they do not want the bill passed with the provision for attorney's fees stricken, they can get up and say so.

Mr. REED of Illinois. That is correct.

Mr. FORRESTER. But there are many other bills here where, as a matter of fact, no attorney's fees are involved. We on the Committee on the Judiciary find ourselves in these closing days in the situation where, if we do not agree with the Senate committee, whether they are right or wrong, the bills simply cannot be passed.

Mr. REED of Illinois. The gentleman is absolutely correct.

Mr. EVINS. Mr. Speaker, I feel that this is a very bad practice and precedent, that one or two Members of the other body can override the views of a subcommittee or the full Committee on the Judiciary or the wish of the House. I think the conferees should object to a continuation of this practice.

Mr. BROOKS of Louisiana. Mr. Speaker, will the gentleman yield?

Mr. EVINS. I yield to the gentleman.

Mr. BROOKS of Louisiana. I should like to join in what my colleague has said in reference to this matter, and I should like to ask the gentleman this question. Are these bills so framed that they cannot allow any attorney's fees?

Mr. REED of Illinois. The Senate proviso is to the effect that no part of the amount appropriated in excess of 10 percent shall be paid or delivered to or received by any agent or attorney on account of services rendered.

Mr. BROOKS of Louisiana. And that is stricken out?

Mr. REED of Illinois. That is right.

Mr. BROOKS of Louisiana. Therefore, it would be illegal for any attorney to charge any fee. It would be in violation of the law?

Mr. REED of Illinois. That is right.

Mr. BROOKS of Louisiana. Over a period of years we have had a uniform practice of limiting attorney's fees so that a person could not be gouged by an attorney, could not be taken advantage of.

Mr. REED of Illinois. That is correct.

Mr. BROOKS of Louisiana. I think there should be some means of providing that an attorney's fees should be moderate. I do not think we should attempt to abandon the practice of setting a reasonable attorney's fee. I am not going to object now, but it seems to me, with all the time that we have here, that we might work out some agreement, even before this Congress adjourns, on this matter.

Mr. KEATING. Mr. Speaker, will the gentleman from Tennessee [Mr. EVINS] yield to me?

Mr. EVINS. I yield to the gentleman from New York.

Mr. KEATING. The way these bills are worded, as I interpret them, they would only bar the attorney from receiving pay for services in connection with getting the particular claim through; that is, the services rendered in connection with this particular claim. If the attorney rendered services other than in connection with getting the bill through Congress, I should think he would be eligible for compensation by his client. This bill says that no part of the money can be used to pay the attorney.

Mr. EVINS. In other words, if a claimant had moneys other than the moneys provided in the bill, he could pay the attorney with those "other moneys"—moneys not here authorized or appropriated?

Mr. KEATING. I should think that is so. I might say to the gentleman from Tennessee [Mr. EVINS] that I know that the clerk of the Committee on the

Judiciary followed the practice with reference to one of these bills in which I was personally interested of calling me to find out whether I objected to the Senate action. I am quite sure that in other cases he has done the same. As was said, if any Member who had a bill in objected to the elimination of that phrase by the Senate, he would have that opportunity, I feel sure. It is quite true what the gentleman from Georgia [Mr. FORRESTER] has said, that the only way we can get these bills through in this session is by agreeing with the Senate amendments. I quite agree with the gentleman from Tennessee [Mr. EVINS] that it is a matter that we should take up with the Committee on the Judiciary in the other body and try to iron out some of the differences that are involved.

Mr. EVINS. I appreciate the gentleman's views. I rather think that it is the feeling of the Committee on the Judiciary and of the House that this practice of inserting this rider should not be continued. As I have indicated, a petition is now pending in Federal district court questioning the constitutionality and legality of this prohibitive rider on a claims bill previously passed. I think this should be called to the attention of the Members. Under the circumstances, I shall not object at this time, but I feel that the practice should not be continued.

Mr. GROSS. Further reserving the right to object, Mr. Speaker, this would not preclude a private contractual relation between a client and a lawyer?

Mr. REED of Illinois. I cannot see that it would.

Mr. GROSS. Not being a lawyer, I wonder what these lawyers do charge. Can the gentleman tell me?

I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MRS. FLORENCE D. GRIMSHAW

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3217) for the relief of Mrs. Florence D. Grimshaw, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 11, after "insurance", insert ": *Provided*, That no part of the amount appropriated in this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

EDGAR A. BELLEAU, SR.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3273) for the relief of Edgar A. Belleau, Sr., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 6, strike out "$1,209" and insert "$1,101.75."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CATHERINE (CATHRINA) D. PILGARD

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3732) for the relief of Catherine (Cathrina) D. Pilgard, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 14, after "to" where it appears the second time, insert: "the date of application filed following date of."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FRANK G. KOCH

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 3951) for the relief of Frank G. Koch, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 5, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CHARLES R. LOGAN

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4175) for the relief of Charles R. Logan, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 6, strike out "$800" and insert "$2,799.93."

Page 2, line 5, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

HUNTINGTON, McLAREN & CO.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4329) for the relief of Huntington, McLaren & Co., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 1, lines 11 and 12, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FREDERICK JOSEPH BUTTACCIO AND OTHERS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4474) for the relief of Frederick Joseph Buttaccio and others, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 7, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

LYMAN CHALKLEY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4531) for the relief of Lyman Chalkley, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

FLORIDA HOSPITAL

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 4580) for the relief of the Florida Hospital, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

PETRA RUIZ MARTINEZ AND MARCELO MAYSONET MIRELL AND MARIA BENITEZ MAYSONET MIRELL

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5028) for the relief of Petra Ruiz Martinez and Marcelo Maysonet Mirell and Maria Benitez Maysonet Mirell, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 6 and 7, strike out "Marcelo Maysonet Mirell, and Maria Benitez de Maysonet Mirell" and insert "Mr. and Mrs. Marcelo Maysonet Mirell."

Page 1, line 10, strike out "Juan Gilbert Maysonet Benitez" and insert "Juan Gilberto Maysonet Benitez."

Page 2, lines 1 and 2, strike out "when they were struck by a United States Army truck" and insert "in an accident involving a United States Army truck, which occurred."

Page 2, lines 4 and 5, strike out "in excess of 10 percent thereof."

Amend the title so as to read: "An act for the relief of Petra Ruiz Martinez and Mr. and Mrs. Marcelo Maysonet Mirell."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

GEORGE ELDRED MORGAN

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 5086) for the relief of George Eldred Morgan, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

ROBERT LEON ROHR

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5092) for the relief of Robert Leon Rohr, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. REED]?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MRS. DOROTHY J. WILLIAMS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5093) for the relief of Mrs. Dorothy J. Williams, widow of Melvin Edward Williams, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Line 9, after "duty", insert ": *Provided*, That no part of any proceeds paid as the result of the enactment of this legislation shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Amend the title so as to read: "An act for the relief of the survivors of Melvin Edward Williams."

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. REED]?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

CHANCY C. NEWSOM

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5460) for the relief of Chancy C. Newsom, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert "That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, (1) to the legal guardian of Susan M. Newsom, a minor, the sum of $17,473, in full satisfaction of all claims against the United States for personal and permanent injuries, pain and suffering, facial and other physical disfigurement sustained by the said Susan M. Newsom on February 21, 1952, when she was severely burned by the explosion of an oil switch at Camp Wood, Kumamoto, Kyushu, Japan, and (2) to Chancy C. Newsom, of 28 Northwest 36 Court, Miami, Fla., father of the said Susan M. Newsom, the sum of $327, in full satisfaction of his claim against the United States for reimbursement for hospital and other expenses incurred by him on account of the injuries so sustained by the said Susan M. Newsom: *Provided*, That no part of the amount appropriated by this act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

Amend the title so as to read: "An act for the relief of Chancy C. Newsom and the legal guardian of Susan M. Newsom, a minor."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

WAH CHANG CORP.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk (H. R. 5461) with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert "That notwithstanding any statute of limitations, lapse of time, or any prior court decision on this claim by any court of the United States, jurisdiction is hereby conferred upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp., against the United States for compensation for loss of property and for removal expenses incurred as a result of the acquisition in the year 1942 by the United States for military purposes of pier No. 13, New York foreign trade zone, Staten Island, N. Y., which had theretofore been leased by said Wah Chang Corp., and upon which the said Wah Chang Corp., had erected and maintained a tungsten processing plant.

"SEC. 2. Suit upon such claim may be instituted hereunder not later than 1 year after the date of the enactment of this act: *Provided, however*, That nothing contained in this act shall be construed as an inference of liability on the part of the United States Government."

Amend the title so as to read: "An act to confer jurisdiction upon the United States Court of Claims to hear, determine, and render judgment on the claim of Wah Chang Corp., against the United States."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

ROCCO FORGIONE

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5489) for the relief of Rocco Forgione, with Senate amendment thereto and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 7, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

HAROLD E. WAHLBERG

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 5986) for the relief of Harold E. Wahlberg, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, after "amended", insert ": *Provided*, That no part of any proceeds paid as the result of the enactment of this legislation shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

JAMES PHILIP COYLE

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6332) for the relief of James Philip Coyle, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Line 9, after "1938.", insert "Current applicable appropriations shall be available for the payment of any claims resulting from the enactment of this act".

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CAPT. C. R. MacLEAN

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6562) for the relief of Capt. C. R. MacLean, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 1, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

DANIEL D. POLAND

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 6566) for the relief of Daniel D. Poland, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 3, strike out all after "act" down to and including "act" in line 5.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

HAROLD J. DAVIS

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7413) for the relief of Harold J. Davis, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 9 and 10, strike out "on the 3d and 4th of July" and insert "on or about the 3d or 4th day of June."

Page 2, line 3, strike out "medical expenses shall" and insert "hospital and medical expenses actually incurred shall."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendments were concurred in, and a motion to reconsider was laid on the table.

S. SGT. FRANK C. MAXWELL

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 7835) for the relief of S. Sgt. Frank C. Maxwell, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, line 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

CITY OF FORT SMITH, ARK.

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H. R. 8252) for the relief of the city of Fort Smith, Ark., with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Page 2, lines 1 and 2, strike out "in excess of 10 percent thereof."

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

MRS. CECIL NORTON BROY

Mr. REED of Illinois. Mr. Speaker, I ask unanimous consent to take from the Speaker's table (H. R. 7886) for the relief of Mrs. Cecil Norton Broy, together with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois? [After a pause.] The Chair hears none, and appoints the following conferees: Mr. JONAS of Illinois, Mr. BURDICK, and Mr. FORRESTER.

ARTHUR S. ROSICHAN—CONFERENCE REPORT

Mr. REED of Illinois. Mr. Speaker, I call up the conference report on the bill (H. R. 3522) for the relief of Arthur S. Rosichan, and I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2575)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3522) for the relief of Arthur S. Rosichan, 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 and agree to the same.

EDGAR A. JONAS,
WILLIAM E. MILLER,
THOMAS J. LANE,
Managers on the Part of the House.

ALEXANDER WILEY,
JOHN M. BUTLER,
OLIN D. JOHNSTON,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 3522) for the relief of Arthur S. Rosichan submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The bill as passed the House would relieve Arthur S. Rosichan, of Buffalo, N. Y., of all liability to pay to the United States the sum of $1,935.85, said amount representing sums disbursed by him while he was employed from September 1, 1933, through December 31, 1934, as disbursing agent for the District of Columbia Transient Service of the Federal Emergency Relief Administration. In the settlement of the accounts of any officer of the United States or the District of Columbia, full credit shall be given for any amount for which liability is relieved by this act.

The Senate amended the bill by reducing the amount to which Mr. Rosichan would be relieved of to the sum of $659.85. At the conference the Senate conferees concurred in the House action, and receded from its amendment.

EDGAR A. JONAS,
WILLIAM E. MILLER,
THOMAS J. LANE,
Managers on the Part of the House.

The SPEAKER. The question is on the conference report.

The conference report was agreed to, and a motion to reconsider was laid on the table.

STATEHOOD FOR HAWAII

Mrs. FARRINGTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentlewoman from Hawaii?

There was no objection.

Mrs. FARRINGTON. Mr. Speaker, 56 years ago today Hawaii voluntarily became a part of the United States of America. I would be derelict in my duty to the people of Hawaii if I did not speak to the issue closest to their hearts on this day when the people of Hawaii voluntarily became a part of the United States of America, especially since the question was raised in a slight colloquy between the able chairman of the House Interior and Insular Affairs Committee, the distinguished gentleman from Nebraska, and the masterful leader of the minority, the distinguished gentleman from Texas, on the floor on Tuesday.

I will not present any arguments for statehood for Hawaii. Those have already been presented to you in this session by my late husband more eloquently than I could ever offer them to you and so convincingly that two-thirds of you have already voted for the bill.

The Hawaiian statehood bill went from this House to the Senate and was returned with the Alaskan amendment.

Those who oppose Hawaiian statehood have momentarily stopped the progress of the measure. Although, we of Hawaii, are bitterly disappointed we acknowledge that those who oppose us are enjoying a momentary success. But this parliamentary maneuver, plus the death of my husband who gave his life for this cause, have inspired the people of Hawaii to greater zeal than ever before to carry on our fight until victory is achieved.

Meanwhile, may I suggest that it would be an act of courage upon the part of those who have won the battle to send this bill to conference despite their fears, for I can assure you it is far too late for us to win the war in this session.

It would be an act of vision because, even at this late hour, it would tell the freedom-loving peoples of Asia, who are engaged in a great struggle against communism, that we Americans do practice what we preach.

Hawaii is the lighthouse of democracy in the Pacific. That lighthouse is being watched day by day by freemen in Asia to guide them to their rightful destiny while the Communists of Asia hope that that light will go out so that freedom may perish on our rockbound shores.

Why else did Madame Chiang Kai-shek, Syngman Rhee, and many other crusaders for freedom in Asia, immediately send messages of sympathy to me when the leader of this crusade was taken? We spend billions to try to stop the wars in Asia. Thousands of our own boys have given their lives in Korea, when without the expenditure of one penny or the cost of one precious life, statehood for Hawaii would accomplish far, far more for peace.

It would be an act of integrity to send this bill to conference because it would indicate that statesmen—and I believe my colleagues to be statesmen—are running the Government of the United States. The voice of the Nation, through its duly elected representatives in both the Senate and the House by a two-thirds vote in each body, has spoken. For a willful few to deny the people a final opportunity to vote on this measure by holding it from conference is not democracy in action. It is a declaration to all the world that we, who profess to be the champions of freemen everywhere, deny the very freedoms we claim to cherish.

Our President, once elected, must be our trusted leader if freedom is to survive. He has repeatedly, and again this past week, urged the leaders of this Congress to resolve the issue of Hawaiian statehood. Can we do less than find a way to send this bill to conference now?

It may be too late to hope for action in the Senate. But at least the House of Representatives can adjourn, secure in the knowledge that a nation, run by statesmen, can long endure.

CONFERENCE REPORT ON AGRICULTURAL BILL (H. R. 9680)

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that the conferees on the bill H. R. 9680, the agricultural bill, may have until midnight Saturday night to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

ADJOURNMENT OVER

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at noon on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

GUESTS IN THE VISITORS GALLERY

Mr. REAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. REAMS. Mr. Speaker, one of the happy privileges of membership in this House of Representatives is to be host to our guests in the gallery. There are many of us here who, observing a session of this legislative body from the gallery, were inspired to plan to become a Member of Congress. Thousands of other citizens and visitors from abroad have had a better understanding and greater appreciation for the problems that faced the Nation because they have been guests in the gallery of this House.

There are rules that are necessary for the conduct of our visitors. These have never been published or circulated to the Members. Oftentimes when guests violate the rules with reference to reading, or applause, or other demonstrations, they are greatly embarrassed when their attention is called to it. I am convinced that very rarely have any of our guests in the gallery intentionally violated the rules under which they are permitted to visit with us during our sessions. It has seemed to me for some time that we should furnish them with a copy of the few simple rules which they are asked to observe when they enter the gallery of this Chamber.

We issue to them visitors' cards which are entirely blank on the reverse side. May I suggest to you, Mr. Speaker, or to the proper committee responsible for this matter, that on the reverse side of the guest card some such statement as the following be printed:

Guests of Members seated in the gallery will please observe these rules:

(1) Speak quietly if conversation is necessary.

(2) Reading is not allowed.

(3) Applause or demonstration of any kind is prohibited.

We hope that you will enjoy your visit with us.

There may be other rules which should be added. I offer these as a suggestion.

I am quite sure that this will prevent our guests being embarrassed by unwittingly violating the rules and curtail the necessity of its being called to their attention.

INTERIM AUTHORITY TO THE SPEAKER AND THE CLERK OF THE HOUSE

Mr. HALLECK. Mr. Speaker, I ask unanimous consent that notwithstanding the adjournment of the House until Monday next, the Clerk be authorized to receive messages from the Senate and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

FARM AND RETAIL FOOD PRICES

Mr. BROOKS of Louisiana. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BROOKS of Louisiana. Mr. Speaker, I think one phase of our congressional work has been overlooked, by us, and this deals with a problem that should receive the careful consideration of the Congress as well as the executive department of the Government. The House Agriculture Committee referred to this problem from the viewpoint of the farmer and I commend this committee for these timely remarks.

I have reference to the failure of retail prices of food commodities to fall in accordance with production levels.

Congress has had many investigations in the course of the last several months. None of these investigations have focused the spotlight of pitiless publicity upon the fact that prices of agricultural commodities are falling without a compensating fall in the prices of these same commodities to the consumer. In other words, the farmer is getting less for his product, but the public is not benefiting from the softening of farm prices. Somewhere between the producer of food and the housewife who buys in the grocery store, someone steps in to absorb almost every price reduction. In other words, to put the matter differently, retail prices are not following producer prices in their downward trend.

A committee of Congress to investigate the reason why this anomalous situation is occurring could do excellent work. The farmer is being hit hard by the drooping of farm prices. Farm prices will drop even further; but if the farmer is to be forced to accept this squeeze caused by lowering of farm prices, I certainly think that the consuming public should get the full benefit of compensating price reductions and a committee of Congress for this problem could be of great assistance to our 48 million American families. This committee could emphasize to the public the heavy losses the farmer is taking and at the same time, it could tell the American public who is making the inordinate profit which holds retail prices up on stilts. We should name exactly who is profiteering and give some data as to the exent of the inordinate profit.

CONVEYANCE OF CERTAIN LANDS TO MILWAUKEE COUNTY, WIS.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3393) authorizing the Administrator of Veterans' Affairs to convey certain property to Milwaukee County, Wis. I may say that this has been cleared with the leadership.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Administrator of Veterans' Affairs is authorized and directed to convey to Milwaukee County, Wis., for use for highway, motor vehicle parking, and recreational purposes all right, title, and interest of the United States in and to a tract of 28 acres of land, more or less, together with structures thereon, constituting a portion of the reservation of the Veterans' Administration Center, Wood, Wis., and situated along the southwesterly boundary of certain land conveyed to Milwaukee County by the Administrator pursuant to the act of September 1, 1949 (63 Stat. 683), and described therein as parcel II. The exact legal description of the land to be conveyed shall be determined by the Administrator or his designate and, in the event that a survey is required in order to make such determination, Milwaukee County shall bear the expense thereof.

SEC. 2. The deed of conveyance shall—

(a) provide that Milwaukee County shall construct for the Veterans' Administration two service buildings, a duplex house and two-car garage, an animal house (all with necessary utilities and service drives), a water meter pit, necessary fencing, and a service road, all of which construction shall be in accordance with plans, and at locations on the reservation of the Veterans' Administration Center, Wood, Wis., to be mutually agreed upon by the Administrator of Veterans' Affairs or his designate and Milwaukee County;

(b) provide that if Milwaukee County fails to use the tract of land so conveyed for highway, motor vehicle parking, and recreational purposes or alienates or attempts to alienate all or any part thereof, title thereto shall revert to the United States; and

(c) contain such additional terms, conditions, reservations, and restrictions as may be determined by the Administrator of Veterans' Affairs to be necessary to protect the interests of the United States.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, the bill before us, Senate bill 3393, authorizing the Administrator of Veterans' Affairs to convey certain land to Milwaukee County, Wis., will benefit all parties concerned.

The Veterans' Administration Center at Wood, Wis., will receive $225,000 worth of construction and improvements under this measure. In return, Milwaukee County will acquire land much needed for the completion of our expressway, and for the expansion of parking facilities at the Milwaukee County Stadium.

As all the Members of this august body undoubtedly know, our ball team is fighting for the National League pennant. The team has been receiving the wholehearted support of the people of our city, and will continue to do so. It would be a great help if the great throngs which drive up to the County Stadium each time that the Milwaukee Braves are playing at home, had ample space to park their automobiles. I am certain all sportsmen would favor this.

The bill before us passed the other body just yesterday. In view of the scheduled early adjournment, it is imperative that the bill receive the favorable consideration of this House as expeditiously as possible. If the bill should fail of enactment during this Congress, and I earnestly hope that this will not occur, our Milwaukee expressway program would be delayed for at least a year. This would have a serious effect on our city and compound our traffic problems.

I want to take this opportunity to express my appreciation to the leadership on both sides of the aisle, and to the distinguished chairman of the Veterans' Affairs Committee, the gentlewoman from Massachusetts, Mrs. EDITH NOURSE ROGERS, for permitting such immediate floor action on Senate bill 3393. The people of my district, and the people of the entire city of Milwaukee, are deeply interested in this measure. It is a good bill and one of the few pieces of legislation through which the Federal Government will benefit by enjoying a net gain.

I want to urge the membership of this body, Mr. Speaker, to allow this bill to pass.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRINTING OF ADDITIONAL COPIES OF HEARING BY JOINT COMMITTEE ON ATOMIC ENERGY

Mr. SCHENCK. Mr. Speaker, by direction of the Committee on House Administration, I ask unanimous consent to take from the Speaker's desk House Concurrent Resolution 267, authorizing the printing of additional copies of the hearings held by the Joint Committee on Atomic Energy relative to the contribution of atomic energy to medicine, with a Senate amendment and concur in the Senate amendment.

The Clerk read the title of the resolution.

The Clerk read the Senate amendment, as follows:

Line 3, strike out "fifteen" and insert "twenty-five."

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The Senate amendment was concurred in, and a motion to reconsider was laid on the table.

EXTENDING GREETINGS TO THE GOLD COAST AND NIGERIA

Mr. JAVITS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the resolution (S. J. Res. 183) to extend greetings to the Gold Coast and Nigeria.

The Clerk read the resolution, as follows:

Whereas it is the policy of the United States to encourage efforts toward independence and self-government truly expressive of the desires of the people and as they show their capability to establish and protect free institutions; and

Whereas the continent of Africa is a vital part of the free world area; and

Whereas a revised constitution of the Gold Coast was approved on April 29, 1954, and the first formal meeting of the legislature of that territory under this constitution will take place on July 29, 1954; and

Whereas a revised constitution of Nigeria is expected to be approved during August 1954, and the first meeting of the federal legislature of that territory under this constitution is expected to take place shortly thereafter; and

Whereas these occasions mark important milestones in their progress toward self-government and independence: Now, therefore, be it

Resolved, etc. That the Congress of the United States extend its most cordial greetings to the representative bodies of the Gold Coast and Nigeria on the occasion of the first meeting of their legislatures under the revised constitutions, in recognition of the democratic ideals shared by the United States and those territories, and in reaffirmation of the friendship of the United States for the peoples of Africa; and be it further

Resolved, That the Secretary of State is hereby requested to appoint a United States delegation at the appropriate time to represent the United States at ceremonies marking the achievement of complete self-government for these territories.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

SPECIAL ORDER GRANTED

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to transfer my special order for 10 minutes today to Monday next following any other special orders heretofore entered.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

ACCOMPLISHMENTS OF THE 83D CONGRESS

Mr. PELLY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. PELLY. Mr. Speaker, about 10 days ago a Member remarked in the well of this House that as we approached the end of the session, we were getting mellow. As for me, Mr. Speaker, I do not think I am any more mellow now than I was last January and, in spite of the pressure and the work, I am not conscious of any change of emotion, except in one respect and that is, Mr. Speaker, that ever since the first day of the first session of the 83d Congress I have been conscious of a mounting sense of admiration for the majority leadership of this House.

In particular I would like to pay my respects and congratulate our majority leader the gentleman from Indiana [Mr. HALLECK]. Day in and day out he has been under pressure, yet has always demonstrated self-restraint and consideration for opposing viewpoints. Under the responsibility of getting legislation through this House, beset as he was with problems, some of which arose from the right side of the aisle and some from the left side of the aisle, he has been always considerate, forceful, and fair.

In the light of history, Mr. Speaker, the leadership of this House has given us what may well prove to be one of the greatest legislative programs in the history of the Nation. It has been during the long and difficult days of achieving this program that my admiration for our respected and beloved majority leader the gentleman from Indiana [Mr. HALLECK] has been mounting and now I cannot resist expressing commendation for the able and effective manner in which he has exercised his duties and responsibilities. To you, too, Mr. Speaker, for your unfailing fairness, cooperation, and good programing, as well as to the gentleman from Indiana, I offer this simple tribute, and I know that my colleagues on both sides of the aisle share this sentiment. Under great leadership we have established a record of accomplishment that will go down in the annals of the history of this great body with lasting credit.

Mr. COON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. COON. Mr. Speaker, I wish to associate my remarks with those of the gentleman from Washington [Mr. PELLY], and also express my admiration for the leadership of the House.

I think our majority leader, the gentleman from Indiana [Mr. HALLECK], has done a most outstanding job. I want to say as one who is serving a first term in the Congress, that the gentleman from Indiana [Mr. HALLECK] has always had time and been willing to help me in the many problems that I have taken to him. He has assisted me on a number of occasions. For a man who has the great responsibilities which his official duties carry, he has been most considerate to each and every one of us. Even with the daily pressures that he has had upon him, still he has had great tolerance and patience and has met every situation in a most commendable way. It seems to me that he has done a magnificent job in handling the legislative program that has come before us. He has always been just and fair and has done this big job in such a way that he has won the admiration and respect of his colleagues.

And our Speaker, Mr. JOSEPH MARTIN, has been untiring in his efforts to get a good legislative program for the good of all of the people in the United States. He has presided ably and with fairness to all, and he has always had time to help us whenever we asked him for assistance or advice. His efforts to get President Eisenhower's program through to completion have been outstanding, and he has helped greatly in accomplishing our legislative aims. We can be justly proud of our Speaker of the House.

Mr. BUDGE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection.

Mr. BUDGE. Mr. Speaker, I am most happy that the gentleman from Washington has taken a few minutes to express the feeling of all of us toward our Speaker and toward our majority floor leader, the gentleman from Indiana [Mr. HALLECK]. I know that he expresses the sentiments and the profound regard which each Member of the 83d Congress has for them.

There would be little which I could add except to say that in my 4 short years as a Member of the House of Representatives there has never been a time when either or both of them would not take time out from their extremely busy schedules to assist me and help me in the problems which I encountered and which the people of my district encountered. Their assistance to the new Members of Congress will be a thing not soon forgotten. No finer gentlemen have been called upon by their colleagues to lead them in the conduct of the Congress, and their leadership during the 83d Congress has certainly been admirable and something for which all of us owe them a personal debt of gratitude.

AMERICA'S FUTURE

The SPEAKER. Under special order heretofore entered, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, another school year has rolled around, but not every child will be extended the educational opportunity he is entitled to under the rights of our Constitution.

Members of Congress, as well as most Americans, are aware of the teacher shortage, overcrowded classrooms, lack of trained personnel, and so forth. But who really seems to care, or who is doing anything about it. The teachers are the only ones who seem to be crusading to right this wrong, but their voice is like one out of the wilderness, drowned out by those who are seeking selfish personal advantages and are not farsighted enough to know or to see the future of America lies in the strength of the school system.

The greatest resources of any nation are its children. Virtually all important differences between man today and man 10,000 years ago are due to education. Man is no stronger physically although he has a longer span of life due to advances in medical science which are, in turn, due to education. Scientists tell us that man has no greater mental capacity than he had 10,000 years ago. All his achievements can be accredited to education—to knowledge discovered, transmitted, and applied.

Whatever we can do to improve the education of our young people will make our country stronger and bring its everyday practice nearer to its great ideals.

The first and foremost problem in improving and even in providing education for our young people today, is to make some effort to solve the shortage of teachers. The shortage of teachers,

coupled with overcrowded classrooms, continues to deprive at least 500,000 pupils of full-time schooling today in our country.

Nearly a hundred years ago, Horace Mann, one of our country's greatest teachers, said:

> All the high hopes which I do avowedly entertain of a more glorious future for the human race are built upon the elevation of the teacher's profession and the enlargement of the teacher's usefulness. Whatever ground of confidence there may be for the perpetuation of our civil and religious liberties; whatever prospect of the elevation of our posterity; whatever faith in a more glorious future for the world—these aspirations and this faith depend upon teachers, more than upon any, more than upon all other human instrumentalities united.

What can be done by the Congress of the United States to help find a solution for this shortage of teachers?

Dr. William G. Carr, executive secretary of the National Education Association, points out that the task of securing a sufficient number of qualified teachers is directly affected by four things: The economic rewards of teaching; competing demands for manpower, both civilian and military; public attitudes toward teaching in comparison with other occupations and working conditions, including such matters as stability of employment and opportunities for growth.

Of these four, the first—economic rewards of teaching—is by far the most important and the one which is keeping our young people out of the teaching profession and making it impossible for some good teachers to remain in the profession.

The public schools, elementary and secondary, employed approximately 1 million teachers in the school year 1953–54. Next year, if the usual pattern is followed—and we have no reason to believe it will not be—nearly one-tenth of this total will leave the profession. Such a loss of skilled personnel would be regarded as disastrous in most business organizations. In education, this loss occurs year after year among both qualified and unqualified teachers.

Can you blame these teachers for seeking more money in fields that are better paid?

A high-school principal was looking for a man to teach auto shop in his vocational course. He could not find a qualified teacher who would not make more money working in a garage as a mechanic?

In my own State of West Virginia, the average yearly wage of teachers is $2,960, and that is the average—some are paid as little as $700, and none are paid as much as $4,500. Teachers are paid by taxpayers, and taxes are already too high, the public says. True, county taxes are high, and it is county taxes in general which pay the teachers' salaries, with some State aid. But let us look at the salaries of civil-service workers in my State, and Government workers are not notably overpaid. Civil-service salaries range from $1,742 to $10,330, with an average of $4,742. Compared to teaching, working for the Government as a stenographer, or even as a janitor, offers greater opportunities for increased income. I have six children to educate in West Virginia. I certainly want them to have a good education and an equal opportunity with every other man's child, but on the other hand, I want every other man's child to have an equal opportunity with mine.

We must recognize that manpower supply and occupational choices are directly affected by salaries. To attract and to hold enough qualified teachers, salary schedules must be promptly and substantially raised.

The counties cannot do it—many of them are already spending as much as 80 percent of their income on schools—the States cannot do it. States with the lowest income are using the greatest percentage of their funds for education. Federal aid is the only answer.

Only through Federal aid can teachers' salaries be made attractive to the type of professional worker you would want to influence and mold your child. Only through Federal aid can teachers' salaries be made more uniform so that a teacher is not worth twice as much in California as he is in Arkansas.

Since 1928 there have been 7 national conferences and $7 million spent by the Federal Government in surveying our schools. Each conference reported there was only one solution to make an equal education available to every man's child, and that is by Federal equalization. Now this administration has proposed another conference on top of the previous set of seven, which will spend more millions and will not report back until 1956.

If we could keep our Nation's children from growing for 2 years, if we could give them some sort of pills so that, like junior Rip Van Winkles, they would sleep for 2 years; maybe the administration's solution would be the best one. It is not, however, a realistic one.

This year, there was an increase of approximately 1,197,000 in enrollments in public elementary and secondary schools. The 1951 babies will enter the first grade in 1957. They constitute an all-time new high for an entering class—nearly 4 million. Will we be prepared for them?

This is a time for action, not more conferences and surveys.

In the first session of this Congress, three bills were introduced which would alleviate the teacher shortage through Federal aid. Everyone of these measures safeguarded the State rights to have complete control over the educational system, which I agree with wholeheartedly. Sixty-four universities in our Nation, located in every State in the Union, receive Federal aid and the Federal Government has not attempted to interfere in the internal affairs of these schools. I believe if Federal aid is granted to our public schools that the Government should not interfere in any way. It should be a pure grant to the State in order to equalize education throughout the Nation.

Our country's prime domestic responsibility is the extension and improvement of education. The greatest single force in the American way of life is the school system.

A well-known writer and student of school problems has said: "The Duke of Wellington said, after the Battle of Waterloo, that this victory which saved Europe from Napoleon's domination, was won on the playing fields of Eton." It is my carefully considered opinion that the freedom of our country and, therefore, the non-Communist world, will be lost or preserved in the classrooms of our schools.

During the year 1952 we spent for alcoholic beverages alone $9,570,000,000; for cosmetics and tobacco $7,951,000,000—making a total of $17,521,000,000. Compare this with our expenditures of $9,600,000,000 for public education, which includes all building, teaching, and maintenance programs. Certainly we can do better than this in the building of a better America.

This Nation spends $38 billions for defense. Yet our most important factor in the defense of our Nation is the education of our young people. And we must have teachers in order to educate them, also classrooms to teach them in. This situation is critical now. Shall we, as Members of Congress, face the problem and accept our responsibility, or will we let it drift on until some other Congress is alerted to and removes this roadblock in the pathway to America's future. You, and you alone, have the answer.

THE HONORABLE WILLIAM HENRY HARRISON

The SPEAKER. Under special order heretofore entered, the gentleman from Illinois [Mr. SPRINGER] is recognized for 20 minutes.

Mr. SPRINGER. Mr. Speaker, today I want to pay tribute to a great American, in my estimation, who is leaving this body at the end of the present session. He is now in the closing days of his term as a Member of this House. I refer to WILLIAM HENRY HARRISON, of Wyoming.

Mr. Speaker, when I first came to the Congress in January 1951, I met BILL HARRISON and came to know him well. Out of the high regard that the Members of the 82d group had for Mr. HARRISON, they elected him as the president or the chairman of the 82d group, which included all of the Republican Members who came in in the 82d Congress. He served so well in that capacity that when I took over as chairman of that same group in January of 1952, there was very little for me to do to keep the organization going.

I have watched BILL HARRISON from day to day on the floor. I think it will be admitted that in his attendance to the duties of this House there was none who did a better job. That has been true during all of the 4 years he has been a Member of this body. During that same time he has been a member of the Committee on Interior and Insular Affairs. He has done a fine job as a member of that committee. I have checked from time to time with the gentleman from Montana, chairman of that committee, during the last 2 years, and know of the splendid work performed by Mr. HARRISON.

Mr. BUDGE. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Idaho.

Mr. BUDGE. Mr. Speaker, coming from the adjoining State of Idaho, may I say that all of us in the West appreciate the fine work that Mr. WILLIAM HENRY HARRISON has done for the West. He has served as chairman of the Committee on Irrigation and Reclamation, a committee which means much to all of us in the arid States of the West. Not only for that reason has he been one of the foremost spokesmen for everything that affects the Western States.

It is with profound regret that we see him leave the House of Representatives and all of us wish him well in his new endeavors.

Mr. ADAIR. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. ADAIR. Mr. Speaker, I am very happy to join my colleagues in these expressions on behalf of the Honorable WILLIAM HENRY HARRISON. Those of us who have served with him during the 82d and 83d Congresses are aware of his great ability and the diligence with which he has performed his duties as a Representative from that great State of Wyoming. He is truly a zealous and fair-minded Representative and has made a magnificent record in this House. We wish him well in the future.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Ohio [Mr. BETTS].

Mr. BETTS. Mr. Speaker, I wish to associate myself with the remarks of the gentleman from Illinois, concerning BILL HARRISON. I learned to know him well ever since we first came to the 82d Congress, because his room was next to mine in the Old House Office Building. We associated together informally as well as on the floor of the House. I had the honor to succeed the gentleman from Illinois [Mr. SPRINGER] and BILL HARRISON as head of the 82d group, and I am proud that I followed in their footsteps. I am happy to know that BILL HARRISON will still be with us. Through our friendship I have found that he has always been not only a perfect gentleman through and through, a true inheritor of all his rich ancestry, which goes back to William Henry Harrison, a President of the United States, but he is also an able legislator. I certainly hope that he will be able to continue with us and grace the other body.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Indiana [Mr. HARVEY].

Mr. HARVEY. Mr. Speaker, I wish to associate myself with the gentleman from Illinois in commending our colleague, the gentleman from Wyoming, WILLIAM HENRY HARRISON. The name "Harrison" carries with it a great tradition in the political life of our country. Our colleague has upheld that fine tradition, and I think deserves not only the congratulations but the best wishes of all those associated with him here. We wish him every success.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Indiana [Mr. BEAMER].

Mr. BEAMER. Mr. Speaker, the gentleman from Illinois [Mr. SPRINGER] recognizes that on the fifth floor of the House Office Building where we now have offices, by coincidence there are five Members from Indiana. However, we call it Hoosier Hall because there are two other distinguished Members from other States whose roots came from the Hoosier State. The gentleman who has the floor at the present time, the gentleman from Illinois [Mr. SPRINGER] was born and reared in Sullivan County, Ind. We like to claim him from Indiana as his home. Equally well, we always think of the Harrison family, more specifically WILLIAM HENRY HARRISON, as one of our outstanding Hoosiers. I had the privilege a few years ago, in 1950, to be a member of the Indiana Territory Sesquicentennial Commission. In 1800 the United States recognized Indiana as a territory. The first Governor was William Henry Harrison, who later became a President of the United States. There is an interesting story told about that period, and I wish I had the time to relate it. However, throughout the period of Indiana history we also found another Harrison, Benjamin Harrison, grandfather of the man we respectfully submit to you. In my personal contact with WILLIAM HENRY HARRISON and his graceful, charming wife, Mary, we have found them to be people above reproach; we have found them to be people of high moral standards, and in every way good American citizens, and an example to all of us. I know that when WILLIAM HENRY HARRISON moves into the other body it will be a loss to this House, but a gain for the other side.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from Nebraska [Mr. MILLER].

Mr. MILLER of Nebraska. Mr. Speaker, I join my colleagues in speaking a kind word about WILLIAM HENRY HARRISON. You know, the name "Harrison" is emblazoned in history, and many footprints in the political sands are marked by that name. WILLIAM HENRY HARRISON is a graduate of the University of Nebraska. He married a Nebraska girl. My district, incidentally, borders Wyoming, and he represents the empire State of Wyoming. As chairman of the Committee on Interior and Insular Affairs, I have had the pleasure of having Mr. HARRISON as a subcommittee chairman of the Indian Affairs Committee and lately on the Committee on Irrigation and Reclamation. His knowledge of western problems has been of tremendous value to the committee. WILLIAM HENRY HARRISON has worked hard. He has been faithful in attendance and has made contributions at all times not only to the subcommittee but to the full committee. I am sorry, in a way, that Mr. HARRISON is going to leave the Committee on Interior and Insular Affairs of which he was such a valuable member. I hope as he goes over to the other body—as I know he will—he will carry with him much information and knowledge which will be of benefit to him there.

Mr. SPRINGER. Mr. Speaker, I yield at this time to the gentleman from California [Mr. HUNTER].

Mr. HUNTER. Mr. Speaker, I, too, would like to associate myself with the remarks of my colleagues who have spoken concerning our friend and colleague, BILL HARRISON. As a member of the 82d Club, I appreciated very much the fine job he did as the first president of our organization. During this session of Congress I have noted the splendid work he has done as chairman of the Subcommittee on Irrigation and Reclamation of the Committee on Interior and Insular Affairs.

Mr. HARRISON has demonstrated a wide knowledge and a deep understanding of irrigation and reclamation problems. These are matters of great importance to me representing, as I do, an area in California which is dependent primarily on irrigation water for the production of its crops. Water is the very lifeblood of our economy. We have felt very fortunate in having BILL HARRISON as chairman of this particular subcommittee. I wish him the best of luck in all of his present and future endeavors. His services will be missed by the House.

Mr. SPRINGER. Mr. Speaker, I yield at this time to the gentleman from Arizona [Mr. RHODES].

Mr. RHODES of Arizona. Mr. Speaker, I should like to add my words to those of my colleagues who have commended the service of WILLIAM HENRY HARRISON, our colleague from Wyoming. In the early part of my career in this body I was instrumental in organizing the 83d Congress Club. As the first president of the 82d Club, BILL HARRISON volunteered to help us perfect our organization. His help was very valuable. Without it we would have had a very much more difficult time than we experienced.

As a member of the Committee on Interior and Insular Affairs, I had occasion to work with him on numerous projects. I found him always to be thoroughly informed and very helpful to his freshmen colleagues on the committee. Because of the fact that he came from a western State, and a State with a small delegation, he had many of the same problems that I had. He was very understanding of my problems and I shall never forget his kindness on many occasions.

I hope that he will be successful in any future endeavor and although he will not be on this side of Capitol Hill, he will be with us on the other side.

Before taking my seat, Mr. Speaker, I should like to observe that the Committee on Interior and Insular Affairs seems to breed the type of men who run for seats in the other body. We have four members of the committee who are candidates for a seat in the other body. I should like particularly to mention the gentleman from Montana [Mr. D'EWART], who has been chairman of the very important Subcommittee on Public Lands. I do not know any man who is a Member of this House who has as much knowledge of public lands and the ramifications of that subject as does the gentleman from Montana [Mr. D'EWART]. He has been a very hard-working and intelligent member of this committee. I wish him also all the luck

in the world in any undertaking which he may pursue in the future.

Mr. SPRINGER. Mr. Speaker, I yield at this time to the gentleman from Montana [Mr. D'EWART].

Mr. D'EWART. Mr. Speaker, I want to join my colleagues in paying tribute to WILLIAM HENRY HARRISON. He serves a State that adjoins mine and has the same kind of problems; irrigation, reclamation, power, mining, oil.

It has been a pleasure to work with him during his service in Congress and to work under him as chairman of the Subcommittee on Indian Affairs and Irrigation and Reclamation. He is an able Member and deserves the commendation he is receiving today. I know his wife; I have visited with his family in their home; they are friends of mine. I wish him and his family well in all future undertakings.

Mr. SPRINGER. Mr. Speaker, I yield to the gentleman from South Dakota [Mr. BERRY].

Mr. BERRY. Mr. Speaker, as a neighbor from the State bordering on the east of Wyoming, I wish to join with my colleagues in expressing the thought that it has been a great privilege for me to have known and to have served with BILL HARRISON. I worked with Mr. HARRISON on the same committee and I know of the careful and thorough job he has done on that committee, both on the Subcommittee on Indians Affairs and the Subcommittee on Reclamation. While the Senate is getting a very valuable man, I feel that we in the House are losing one.

Like the gentleman from Arizona who just spoke, I should like to mention also the loss this House is suffering as the gentleman from Montana [Mr. D'EWART] goes over to the other body. I shall never forget when I came to the House that my predecessor, Senator FRANCIS CASE, came to the floor with me and introduced me to a number of the Members. Before he introduced me to this Member he said, "I want you to meet a man who, if you ever need any help, here is the place to get it," and he introduced me to Congressman WESLEY D'EWART of Montana. I have found in the years I have been here the truth in the statement Senator CASE made then. I have always felt that Congressman D'EWART is probably one of the most capable if not the most capable man on the floor of the House.

The House is losing two of the most capable men from the Middle West as Representative HARRISON of Wyoming and Representative D'EWART graduate to the other body. I join with my colleagues in wishing them every possible success.

Mr. McINTIRE. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Maine.

Mr. McINTIRE. I certainly want to join my colleagues in this expression of esteem and appreciation to BILL HARRISON for kindnesses he extended me as I came to the Congress in the second session of the Eighty-second. It was a privilege to affiliate myself with the Eighty-second Club, which he was serving as president at that time. His many helpful suggestions were deeply appreciated.

I have also had the privilege of visiting in Wyoming as a member of the Committee on Agriculture and enjoyed the hospitality of the Harrisons while there. I am very happy to say at this time that the things which have been said by our colleagues about him are certainly well deserved. May I join with them in wishing him unbounded success in the future and the rewards in health and happiness which he and his family so richly deserve.

Mr. BRAY. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield to the gentleman from Indiana.

Mr. BRAY. Mr. Speaker, perhaps I have known BILL HARRISON longer than anyone on this floor. We practiced law 30 miles from each other back in Indiana. I always found him a capable and highly respected lawyer. He came from a family that has been long famous in the Nation and has been famous and highly respected in the State of Indiana since the founding of that State. He has always stood for the things that are right and is willing to fight for them.

I was very happy when BILL HARRISON was elected to Congress from the State of Wyoming. I also had the pleasure of serving with him as secretary of the Eighty-second Club at the time that he was president of that club. We will deeply feel the loss of BILL HARRISON in this body. After all, though, our loss will be the gain of the other body. He has been a fine gentleman, a capable and loyal legislator. He will always do a good job wherever he is. I have always viewed with a great deal of pride my long friendship and association with BILL HARRISON.

Mr. YOUNG. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. YOUNG. When I commenced my service in Congress I felt a special kinship to BILL HARRISON, who, like me, has the honor of representing an entire State. His problems are similar to my problems. I admire not only the outstanding way he served his people but also the competent manner in which he served as chairman of three important subcommittees—the Irrigation and Reclamation Subcommittee, one special Indian Affairs Subcommittee, and the regular Subcommittee on Indian Affairs. As chairman of the special Subcommittee on Indian Affairs and the regular Subcommittee on Indian Affairs, I think he has played an important role, together with the distinguished gentleman from South Dakota [Mr. BERRY], in presenting to the American people a truly outstanding record of legislative accomplishment. As chairman of the Subcommittee on Irrigation and Reclamation, he considered 37 bills, some 28 of which were approved by the House. Some, I believe, are still pending. When serving as chairman of the Irrigation and Reclamation Subcommittee while considering the upper Colorado River development bill he performed an outstanding service to his people, demonstrating that he is a true friend of reclamation and vitally interested in the problems of the West.

I would also like to pay tribute to the gentleman from Montana [Mr. D'EWART], who is likewise seeking to serve his State in the other body. In my opinion, he has been one of the most outstanding Members of Congress. He has consistently displayed a profundity of knowledge in the Committee on Interior and Insular Affairs which has brought him the admiration and appreciation of his associates.

He has been a source of inspiration to the new members of the committee and a bulwark of strength in working for the development of the West.

I hope that the other body will be fortunate enough to benefit by the service of these two outstanding legislators and Americans who are terminating their work here.

Mr. SPRINGER. Mr. Speaker, I thank the gentleman of the House who have today so ably and well pointed out the contribution which WILLIAM HENRY HARRISON has made in this body as a legislator. It happens that I was born within a few miles of the place he was born in the State of Indiana. I know that Bill came to the Congress with a great heritage and a great background and oftentimes possibly a man may not measure up to that heritage and that background, but I want to say that Bill has measured up to all of his forebears in every way that could be expected of him. He has done a great work here in the House and I am sure everyone here wishes him every success as he starts on his new job in January.

Mr. DAWSON of Utah. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. DAWSON of Utah. Mr. Speaker, I, too, join my colleagues in expressing my appreciation for the association I have had with both the gentleman from Montana [Mr. D'EWART] and the gentleman from Wyoming [Mr. HARRISON]. I do not think we have 2 abler men on the floor of this House than these 2 gentlemen. They have labored long and hard on many detailed matters which required long hours of application and study. I think they are as well informed and as well able to represent their districts as any two individuals with whom I am acquainted. I endorse all that has been said in their behalf.

Mr. COON. Mr. Speaker, will the gentleman yield?

Mr. SPRINGER. I yield.

Mr. COON. Mr. Speaker, we regret to see WILLIAM HENRY HARRISON leaving the House of Representatives. I have come in contact on many occasions with Mr. HARRISON on matters relating to our Second Congressional District in Oregon.

As chairman of the Committee on Irrigation and Reclamation, Mr. HARRISON has been very instrumental in helping us with legislation relating to our reclamation projects. He has been a strong supporter of all legislation for the West and particularly for the State of Wyoming, which he so ably represents. All of us who have served with him recognize his ability, and we wish him well in his new venture.

Mr. AYRES. Mr. Speaker, I wish to take this opportunity to bid farewell to

my very able colleague, the Honorable WILLIAM HENRY HARRISON, of Wyoming.

BILL and I came to Congress together, and I have not only valued him as a friend but I have come to respect his ability and integrity as a legislator. The House will miss him. However, I am confident that he will prove to be as much of a success in his future political endeavors. I want to thank my colleague for a job well done and wish him the best of luck.

TRANSOCEAN AIRLINES

Mr. MILLER of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point and include additional matter.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MILLER of California. Mr. Speaker, I am in receipt of a telegram signed by the employees of the Transocean Airlines of Oakland, Calif., containing over 1,500 names. The telegram reads as follows:

> The Transocean Airlines application for transpacific certificate is now before the Civil Aeronautics Board for decision. Transocean is not asking for subsidy or mail pay such as other airlines receive. The Transocean family represents the third largest employer in the East Bay area. Over 2,500 employees. Payrolls have totaled $55,295,000. We the undersigned constituents and employees of the Transocean family urge you to help us in this just and vital fight for our job security and save millions of dollars of the taxpayers money in subsidy and mail pay.

Sometime ago it was my privilege to address this House setting forth the record of Transocean, which is a proud one.

These people are, naturally, concerned about their jobs and the whole east bay community of California is also concerned about the economic impact that will be felt in that area if this fine team is allowed to disintegrate. I am hopeful that the Civil Aeronautics Board in reaching its decision will take into consideration the plight in which these employees find themselves and further that they give consideration to the potential that these employees offer the defense establishment in the event of immediate and unforeseen emergency.

You can build buildings and accumulate the equipment out of the surplus and stand by stockpiles that we have set up to expand our production in time of hostilities but you cannot bring together a smooth well-oiled functioning group of employees over night.

This group of well-trained, well-organized, and well-coordinated specialists in the field of airplane maintenance and repair is a valuable national asset that cannot be lightly tossed aside.

COMMERCIAL AVIATION RELATIONS BETWEEN THE UNITED STATES AND INDIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from California [Mr. HINSHAW] is recognized for 30 minutes.

Mr. HINSHAW. Mr. Speaker, I should like to address myself, before the Congress adjourns, to a subject of tremendous importance in the field of international aviation. The increase in the development of international commercial aviation has been so dynamic, and we tend to take it so much for granted, that sometimes we lose sight of many of the past, present, and future problems which are involved in the operation by American-flag airlines to all the countries of the world. Recently I was drawn up short by the announcement of the Government of India that it proposed to reject, effective January 17, 1955, an existing air-transport agreement between the United States and India.

The renunciation of this agreement by the Indian Government impressed me with the importance of our international air operations and with the shortsightedness of the Indian Government in its proposed rejection of existing reciprocal air rights between the Government of India and our own United States.

I think it worth while to review briefly the history of United States experience with air-transport agreements, since without them our air commerce and that of other nations of the world would not have developed so rapidly.

Freedom of the air, as a concept, does not prevail in the international law of air transportation as freedom of the seas does in marine transportation. Ever since international aviation operations began it has been necessary to negotiate bilateral or multilateral agreements between nations authorizing the aircraft of one nation to enter the airspace over another.

Prior to World War II the commercial air-transport operations of the world were conducted under painfully negotiated bilateral agreements that were basically restrictive in their nature. A review of them now would indicate that the negotiators were then afraid of air transportation and sought to restrict its scope rather than develop it.

The war was a great impetus to the development of international consciousness of the importance of air transportation. We, all of us, became aware that the world had shrunk and that no country was more than hours away from any other. Then came peace, and with it the realization that commerce by air was a world business. There was also an appreciation that a greater degree of international air travel was an important force for continued peace in the world. From the very outset, the United States took the initiative in trying to negotiate agreements with other countries that would assure to all of us the freedom of the air, much as we had enjoyed for centuries the freedom of the seas.

We negotiated with many foreign countries but, at the outset, convinced just a few. In February of 1946, we concluded the Bermuda agreement with the United Kingdom. The basis of that agreement was a mutual extension of what we have come to refer to as the five freedoms of the air. Here are what these freedoms mean to us and to those countries who have accepted them as a result of bargaining and negotiation:

First. The privilege to fly across the territory of any other country without landing.

Second. The privilege to land anywhere for nontraffic purposes.

Third. The privilege to put down passengers, mail, and cargo in that country when those passengers have been taken on in the United States.

Fourth. The privilege to take on passengers, mail, and cargo for the United States in that country.

Fifth. The privilege to take on and put down in that country passengers, mail, and cargo coming from or destined for a third country.

The Bermuda agreement was entered into only between the United Kingdom and the United States and authorized air transportation operations between points within the territories of these two nations. It went beyond this, however, as you will note, and also authorized a fifth freedom-type of traffic, the most controversial of all traffic rights extended, since it permitted the carriage of traffic between points not only in the territories of our two nations but also from and to a third country. The right to transport such traffic was recognized at an early date by our air transport operators as of utmost importance, because they recognized that, on long international routes, it would be absolutely essential to be able to pick up traffic in an intermediate country and move it to another intermediate country.

However, in granting these traffic rights, particularly the fifth freedom rights, the Bermuda agreement and others like it have included limitations on capacity. By that, I mean limitations on the amount of service that a particular airline may operate along a route. This restriction may seem odd to the Members of the House, because traditions in the United States favor greater and greater air transport service and no community in this country ever thinks that it will receive too much service. However, these capacity limitations are contained in our bilateral agreements. They are general in nature, but they are carefully drawn with the objective of permitting an air carrier to meet the demands of existing traffic, to develop new traffic, and to take other action necessary and appropriate to maintain the economy of our international air operations.

We assume that, following the consummation of the Bermuda agreement, freedom of competition, and not restriction of competition, would characterize the air-transport agreements that the United States would negotiate in the future. Our hopes were fulfilled in large part since, after the precedent set in the Bermuda agreement, we were able to negotiate air-transport agreements with other countries which included these principles. Today, the United States has concluded over 40 of these agreements, including 1 with India, all of them in the image of the Bermuda agreement and each of them opening up to an even greater extent

the opportunities implicit in a free exchange of air-traffic rights between nations.

In each instance the United States has given at least as much as it has received, and I should state quite frankly that I believe that we have given up in each instance a good deal more than we may have gotten in return. But that is the basis of reciprocity and fair exchange, even though it can be freely acknowledged that more tourists originate in the United States and a great number of American dollars fly with them into the nations of the world who need American tourism as a source of income. This is indeed a logical way in which to implement our international economic slogan of "Trade, Not Aid."

I said before that I thought the Government of India was shortsighted in renouncing this agreement. It seems to me to be completely at odds with the professions of cooperation by the leaders of that country. This renunciation seems to be at variance with the efforts of India to live in greater understanding with the other democracies of the free world.

The Government of India contends that the bilateral is being renounced because the traffic rights granted to American carriers under it are to the disadvantage of India's own air-transport industry. The Indian Government maintains that the flow of traffic between the United States and India via intermediate countries is limited, and that air-carrier capacity should be similarly limited.

To this I say that air transportation is no different from any other communication between peoples. Communication is limited only by such artificial barriers which may be erected and which are, accordingly, self-limiting. Therefore, our basic objection to this shift in position by the Government of India is that a cutback in international air service must result in substantial reduction in air communication between the two countries at the very time when we need to increase this communication and build good will. It is an arbitrary restriction of a very dangerous kind, and it is in contravention of the philosophy of freedom of air rights which we have both embraced in the past.

At the present time, Pan American World Airways and Trans World Airlines are operating a total of 10 flights a week into India. This is a minimum of service. There should be more. We believe stimulants to international communication of all kinds is good business—for ourselves and for the rest of the world.

Here in the United States, international communication, through trade and travel, has been the subject of great promotional efforts by the Randall Commission. President Eisenhower, in his foreign economic policy speech on March 30, emphasized the importance of international trade and travel to world peace. The International Civil Aviation Organization and the International Air Transport Association exist for the purpose of activating these intentions through the facilitation of international communication by air. Through the continuing efforts of these organizations, much of the redtape surrounding world commerce and travel has been removed.

India's proposed restriction of air transportation would set a bad precedent for other nations of the world. It is a step backward and a dangerous one. In fact, since India announced her intention to terminate the bilateral agreement with the United States, other countries have demonstrated a similar tendency to restrictionism. A related danger lies in the fact that restrictionism in one sense can expand into a general attitude of exclusion and bring corresponding retaliation. This is international isolationism of the worst sort. And the world should know by now the evils which may result from this kind of isolationism.

Cutting back air service has a most adverse effect on world aviation, and on the development of a global network of air routes. Under a system of free enterprise operating in a highly competitive market, international carriers must have the right to carry fifth freedom traffic in order to support their long-line routes. For example, a United States international carrier flying from New York to Bombay would probably discharge some passengers in Paris, Geneva, Rome, Athens, and other stations along the route. If the carrier could not fill the vacated seats at those points with new passengers with fifth-freedom passengers—the through traffic—the passengers going all the way to Bombay—would have to pay a very much higher fare. Without fifth-freedom rights, the through traffic would then rarely justify the operation. Accordingly, scheduled flights, such as those to India, would have to be cut. This would mean, of course, that service to the intermediate points would also be reduced in number. This basic economic fact of international air transport was one of those firmly recognized in the Bermuda agreement. The experience of all international carriers indicates that civil aviation—both national and international—will continue to improve only so long as the customer has the privilege of selecting the airline on which he will fly. This is true of every country with international-flag carriers and not just of the United States.

While it is true that India's restrictionist attitude would seriously affect the progress of international air transportation as a whole, this attitude will prove especially harmful to her own interests. India has every reason to maintain close working relations with the countries with whom she has been traditionally friendly and with whom her future development lies. The United States is such a country. Since 1951, United States aid to India will have totaled about $484 million through the fiscal year ending June 30, 1955. Each American family, therefore, can be said to be contributing over $10 out of the family purse to India's prospective development and in India's improving democratic way of life.

India is now a free and sovereign nation. Since its independence from Great Britain, it has made enormous strides in the direction of improving its economy and making itself felt as a force in the world community. The United States has contributed happily and freely to this development. As an example, India's trade with the United States has been growing steadily. Today United States-India trade volume is second only to India's trade with the United Kingdom. The United States purchased from India in 1953 more than $228 million worth of Indian merchandise.

The friendship which the United States has traditionally expressed toward India was demonstrated again recently when a special Ford Foundation team, at India's invitation, spent 3 months in that country studying opportunities for increasing Indian industrial production and employment. The Ford Foundation report stipulates that India is one of the largest potential consumer markets in the world. It states that, if fully developed in both cities and villages, the Indian domestic market could stimulate perhaps the greatest industrial revolution ever seen and make India one of the foremost producing and consuming areas in the world. With such a potential, it must be to India's advantage that she keep open the avenues of trade and commerce with those countries which can absorb as well as stimulate her productive output.

The increase in interest, in the Far East, of tourists, especially from the United States, is another reason why India's own interests would appear to lie in developing the best communication facilities possible. Tourism to India has experienced substantial growth since World War II; 1953 showed an increase over 1951 of about 35 percent in the Indian tourist trade, and it is estimated that 1954 will register an increase of more than 50 percent over 1951.

Of the approximately 30,000 tourists traveling to India in 1953, about one-fourth were from the United States. These visitors spent nearly $4 million on goods and travel within India. This is significant in that 1 rupee earned out of the United States tourist dollar is worth 10 rupees earned locally. This is so because the United States dollar is worth more than the rupee on the world market.

American interest in India at the present time is small compared with expectations for the future. The excellent work being done by the Government of India tourist office in New York to acquaint Americans with what India has to offer is attracting American tourist interest to that land. Through that office, Americans are learning of India's rich cultural heritage and of her industrial and technical progress. They are learning that today India offers to the traveler, hotel accommodations and modes of transportation almost on a par with their own. Today, 18 months since its inception, this office has grown from a small operation involving 3 persons to a flourishing enterprise with a staff of 12. It has become a member of the American Society of Travel Agents and is assisting the United States travel agent, the United States air carriers, and

the individual United States tourist with extensive advice and information about India. All of this is salutory and worthwhile, but it will be dissipated effort unless supported by free exchange of persons between our two countries.

The international airlines of the United States have been cooperating with the Government of India in its efforts to encourage travel to India. Low cost tourist fares are making air travel to India increasingly attractive, as evidenced by the 10-percent increase in the number of tourists in 1953 over 1952 flying from the United States to India and the expectation of an even further increase in 1954. Recently, nonstop tourist air service was inaugurated between Bombay and Cairo by an international carrier of the United States, reducing the air-travel time by 2½ hours between India and the United States. These tourist fares have been pioneered by United States airlines and have helped to lower the cost barrier which seriously affects the flow of tourist traffic.

The international airlines of the United States cooperate with India's tourist interests in other ways. They train their Indian employees in the United States. They cooperate with the Government of India in making India's tourist attractions better known in the States. As an example, United States flag-airlines are distributing Go-India tourist films on a coast-to-coast film hookup. United States airline employees themselves are traveling to India in increasing numbers on their vacations.

In a general sense, India stands to benefit from the delayed-payment plan recently inaugurated by Pan American World Airways and Trans World Airlines. Under this pay-later arrangement, more than 90 percent of the tickets sold by Pan American during the first 6 weeks of operation represented new business. India's distance from the United States suggests that many of our tourists who normally could not afford to include a visit to the subcontinent in their itineraries will now be inclined to do so on credit. It is significant to note that, in addition to the basic travel costs, the financing under the pay-later plan, covers all-expense tours to the countries visited.

These, then, are some of the methods whereby tourists are being encouraged to travel to India. Yet, in view of India's proposal to cut back the means of transportation which makes these visits increasingly possible, tourist promotion to India becomes a glaring contradiction. What is the value of a program designed to stimulate tourists from the United States to travel to India, if a policy of restrictionism is pursued by the Indian Government? For example, the current Textile Centenary Exhibition in Bombay, which features such travel-inducing items as unique Indian embroidery, a scale model of the Taj Mahal and other evidences of India's achievement, is scheduled to be exhibited soon at important cities in the United States. Why does the Government of India send such exhibitions advertising the wonders of India to the important cities of the United States on the one hand, and, then, on the other, place obstacles in the way of traveling to see them?

It must be obvious that, in terminating the bilateral air agreement with the United States, the Government of India denies the United States international airlines the ability to serve India—in terms of tourists and in terms of trade. But that is not all. Denied India, air service by flag carriers of the United States to a large segment of the world would be adversely affected.

Such a development would represent a severe blow to the progress of civil aviation. It would represent a step backward in the pioneering efforts of our international carriers to develop a strong network of worldwide air routes.

Undoubtedly, there will be further negotiations between the United States and India before the date on which India has indicated she will terminate the existing bilateral air transport agreement. Spokesmen for the United States in these negotiations must insist upon the position which we developed at Bermuda in 1946. This agreement adopted a philosophy of free exchange of air transport rights which, in the years since 1946, has been a tremendous stimulant in the development of international air commerce. Our negotiators must impress the representatives of the Government of India with the anomaly of their position. The Government of India would call for a free exchange in all fields except in the field of air commerce on the grounds that the interests of India might be better served through more restricted air operations on the part of the airlines of the United States. This is a narrow approach. It is an approach which will limit rather than expand the growth of air commerce from the United States to India, along with the advantages which result from extensive tourism. Even more important is that unrestricted communication by air gives rise to an exchange of ideas which, ultimately, brings greater understanding.

The Government of India must realize that its decision to renounce its air transport agreement with the United States must not be taken in a vacuum. It should be reanalyzed in the light of all the relations that exist between the United States and India. It should be reassessed as part of a philosophy of mutual understanding and good will. The Government of India must appreciate that the rejection of this air agreement will not find favor in a country which has, since India attained her independence, been unselfish in its direct contributions to India's advance and in the many indirect benefits which result from a free exchange of people and ideas between our two democracies.

I am sure that, after considered consultation, India will realize that a continuation of the existing agreement is of vital importance to India, to the United States, and as an example to all the world. I feel somewhat optimistic that, on that basis, the Government of India will reconsider and recognize that there can be erected no artificial limitations on communication between democracies.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include such matter as may appear in my typed remarks in tabular form.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

AMENDING DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. HALLECK. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (S. 3482) to amend the District of Columbia Unemployment Compensation Act, and for other purposes, with House amendments, insist on the amendments of the House, and agree to the conference asked by the Senate.

Mr. RAYBURN. Mr. Speaker, reserving the right to object, the gentleman from Iowa just spoke to me about that. This is the first I heard of it. I ask if he cleared the matter with the gentleman from South Carolina [Mr. McMILLAN]. I do not know whether he has or not.

Mr. TALLE. Mr. Speaker, I have not talked with the gentleman from South Carolina today. However, I did last week. He informed me it would be all right last week. However, I did want to check with him, but I cannot reach him at his office. I have just tried again.

Mr. RAYBURN. If the gentleman from South Carolina [Mr. McMILLAN] said last week it was all right, I presume it is all right today.

The SPEAKER. Is there objection to the request of the gentleman from Indiana? [After a pause.] The Chair hears none, and appoints the following conferees: Messrs. TALLE, KEARNS, and TEAGUE.

DISTRICT OF COLUMBIA UNEMPLOYMENT COMPENSATION ACT

Mr. TALLE. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia may have until midnight Saturday night to file a conference report.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to Mr. MACK of Washington, for 10 days, on account of official business.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the RECORD, or to revise and extend remarks, was granted to:

Mr. CRUMPACKER.

Mr. YOUNG in three instances.

Mr. ALLEN of California and to include extraneous matter.

Mr. CLEVENGER, reciting some of the accomplishments of the Subcommittee for State, Justice of the Appropriations Committee.

Mr. COOLEY (at the request of Mr. MATTHEWS) and include extraneous matter.

Mr. O'HARA of Illinois and to include extraneous matter.

Mr. BEAMER.

Mrs. HARDEN and include extraneous matter.

Mr. OSMERS.

Mr. ZABLOCKI and include extraneous matter.

Mr. HUNTER and to include extraneous matter.

Mrs. FRANCES P. BOLTON and to include extraneous matter.

Mr. GWINN and to include additional matter.

BILLS PRESENTED TO THE PRESIDENT

Mr. LECOMPTE, from the Committee on House Administration, reported that that committee did on August 11, 1954 present to the President, for his approval, a bill of the House of the following title:

H. R. 8300. An act to revise the internal revenue laws of the United States.

ADJOURNMENT

Mr. HALLECK. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 1 o'clock and 56 minutes p. m.), under its previous order, the House adjourned until Monday, August 16, 1954, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

1817. Under clause 2 of rule XXIV, a letter from the Assistant Secretary of the Interior, transmitting one copy each of certain bills and resolutions passed by the Municipal Council of St. Thomas and St. John, pursuant to section 16 of the Organic Act of the Virgin Islands of the United States approved June 22, 1936 was taken from the Speaker's table and referred to the Committee on Interior and Insular Affairs.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. TALLE: Committee of conference. S. 3482. A bill to amend the District of Columbia Unemployment Compensation Act, and for other purposes. (Rept. No. 2657). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER:

H. R. 10227. A bill to amend the Refugee Relief Act of 1953; to the Committee on the Judiciary.

By Mr. FENTON:

H. R. 10228. A bill to provide for temporary measures of flood control and anthracite mine drainage, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. REAMS:

H. R. 10229. A bill to provide for the incorporation of the National Woman's Relief Corps, Auxiliary to the Grand Army of the Republic, organized 1883; to the Committee on the Judiciary.

By Mr. BAKER:

H. J. Res. 584. Joint resolution to designate Mrs. Elizabeth (Ben) Kennedy as "United States GI Mother"; to the Committee on Veterans' Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. HOLT (by request):

H. R. 10230. A bill for the relief of Howard J. Gensler; to the Committee on the Judiciary.

By Mr. HUNTER:

H. R. 10231. A bill for the relief of the estate of Joseph Kelsch; to the Committee on the Judiciary.

By Mr. KING of California:

H. R. 10232. A bill for the relief of Jiro Kunisaki and Mrs. Fuji Kunisaki; to the Committee on the Judiciary.

By Mr. MAILLIARD:

H. R. 10233. A bill for the relief of Alexander A. Niflodoff; to the Committee on the Judiciary.

By Mr. ROOSEVELT:

H. R. 10234. A bill for the relief of Sophie K. Valmas; to the Committee on the Judiciary.

By Mr. SHELLEY (by request):

H. R. 10235. A bill for the relief of George K. Jue (also known as Jew Ten); to the Committee on the Judiciary.

By Mr. SHELLEY (by request):

H. R. 10236. A bill for the relief of Ko Wai Sing and Go You Gin; to the Committee on the Judiciary.

PETITIONS, ETC.

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

1139. By the SPEAKER: Petition of Ramon Magsaysay, President, Manila, Philippines, relative to proclamation No. 52, declaring August 13, 1954, Philippine-American Day, and calling for all Filipinos and Americans residing within Philippine territory to observe this date; to the Committee on Foreign Affairs.

1140. Also, petition of Lee In Jai, president, Kyong Nam Brick Co., Seoul, Korea, relative to a claim for bricks used by the United States Eighth Army between May 1951 and March 1952, and requesting that payment be made for same; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Indiana Voters and the 83d Congress

EXTENSION OF REMARKS
OF

HON. CECIL M. HARDEN

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mrs. HARDEN. Mr. Speaker, during March and April of this year I conducted an extensive survey of voter opinion in my district on portions of President Eisenhower's legislative program. More than 12,500 completed questionnaires were received, many of them representing the views of whole families or of groups.

Now, as Congress prepares to adjourn, I think it of interest to the Members to review the results of that poll as compared with the legislative action which has taken place on the issues involved. A full report is contained in the table below.

The hundreds and hundreds of letters which accompanied poll returns are deserving of more than passing attention. I learned much from them. Many letters covered points and issues not contained in the poll. This indicates a wide interest among the people in legislative affairs. It is a healthy interest, and I am very grateful to those who participated.

The response indicated moreover that people generally are confident that in President Eisenhower they have a leader whom they can trust. They are anxious for him to succeed and they are likewise anxious that their representatives in the Congress help him succeed.

For my part, I am happy that my record in support of President Eisenhower's legislative program is among the best in the Congress. I have supported the President wholeheartedly, for the program he presented to this Congress has as its goal the achievement of prosperity and security at home, peace and good will abroad.

The President of the United States has what is probably the most difficult job in the world. Dwight Eisenhower has met the challenge with dignity, with confidence, and with great ability. He has seen much of his program enacted.

The war in Korea has been ended and today no American lives are being lost in wars anywhere in the world.

We have strengthened our national defense while cutting the cost of its maintenance by billions of dollars.

A firm, consistent foreign policy guides our path toward a just and lasting peace.

Rigid economy and elimination of waste in the Federal Government have resulted in a $14 billion reduction in spending.

Taxes have been reduced by $7.4 billion, most of the reduction going to individuals.

Inflation has been halted, the value of the dollar preserved.

Controls are gone.

The social-security system has been broadened and benefits increased.

A far-reaching highway construction program was approved.

Better care for our older citizens and high health standards for the Nation will result from a 3-year program involving construction of diagnostic centers, hospitals for the chronically ill, and rehabilitation and nursing homes.

Three measures provide the groundwork for research and study in the field of education. Yet there has been no move toward Federal control in this vital field.

Home ownership is encouraged by a new and liberalized Housing Act.

The St. Lawrence seaway will soon be a reality, joining the Midwest to the Atlantic Ocean.

Recognizing weaknesses in the farm program, Congress and the President agreed on an equitable long-range price support law.

Fourteen major reorganization plans to increase efficiency and promote economy in the Federal Government are in operation. The Department of Health, Education, and Welfare was elevated to Cabinet status.

Nearly a quarter of a million unnecessary jobs have been abolished from the Federal payroll.

Internal security has been tightened and new weapons forged for use by the Department of Justice in its war on traitors.

Hundreds of suspected or proved subversives have been removed from the Federal payroll. Many have been deported. Court convictions have increased. The drive continues on a 24-hour-a-day basis.

We have moved successfully to take government out of competition with private enterprise. States and local government have been encouraged to assume more direction of their own affairs.

America is economically sound.

We have achieved prosperity without war.

Results of Harden legislative poll

	Yes	No	No opinion	Action by Congress
1. Grant 18-year-olds the right to vote	6,347	4,693	442	Defeated by Senate.
2. Extend social-security coverage to farmers	6,612	3,469	1,401	Passed by House; pending in Senate.
3. Strip citizenship rights from Americans convicted of conspiring to overthrow our form of government.	10,985	294	203	Passed by House; pending in Senate.
4. Amend the Taft-Hartley Labor-Management Act, as suggested by President Eisenhower.	7,171	2,450	2,061	Defeated by Senate.
5. Shift agricultural price-support program from fixed levels, as in present law, to flexible support program advocated by Secretary of Agriculture Benson.	8,074	1,724	1,684	Approved.
6. Join with Canada in building the St. Lawrence seaway	8,499	1,387	1,596	Approved.
7. Continue United States support of the United Nations	8,013	2,318	1,152	Approved.

NOTE.—A special tabulation was made among farm voters on questions 2 and 5, since both are of prime importance to farm families. Farmers voted 1,377 "yes" 1,144 "no", and 216 "no opinion" on the question of extending social security. Flexible price supports won out by a margin of 1,625 "yes," 806 "no," and 306 "no opinion."

The Cost of Using American-Flag Ships

EXTENSION OF REMARKS

OF

HON. JOHN J. ALLEN, JR.

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. ALLEN of California. Mr. Speaker, on at least two occasions during the present session members of the Merchant Marine and Fisheries Committee have risen to urge that there should be included in bills reported by other committees a provision that at least 50 percent of the cargoes financed by our Government should move in American-flag ships. The amendments proposed have been resisted on the basis that the cost of transportation in American-flag ships exceeded the cost that would be paid for transportation in foreign-flag ships. I believe that the presentations which were made in opposition to the American-flag ships were made without full information and were based upon a consideration of only one element of the cost which might be involved. Accordingly, I inquired for further information, and some was made available to me. It seemed to me that this information, the facts involved in which I believe to be true and the conclusions drawn from which I believe to be reasonable, should be included in the CONGRESSIONAL RECORD.

Recently a Member stated on the floor of the House that under our foreign-aid programs approximately $700 million of the $1 billion paid for shipping the foreign-aid commodities overseas has been paid to American-flag vessels. In his statement he emphasized that it cost our Government $121 million more by shipping the commodities on American-flag ships than it would have if shipped aboard foreign-flag ships. He implied that this increased cost was a direct contribution by the American taxpayer to American-flag shipping.

I do not know what assumptions have been applied to the cost of shipping our foreign-aid cargoes to arrive at the so-called increased cost of $121 million. However, even though we assume that the $121 million figure is correct, I believe that dollarwise the American taxpayer realizes a savings by having our foreign-aid cargoes shipped in American bottoms.

To begin with, any analysis of comparative costs between American- and foreign-flag ships must consider the type of service in which the ships are engaged and the dollar values of the foreign-aid cargoes carried. This breakdown is contained in table I:

TABLE I.—*Transportation costs for United States foreign aid,[1] April 1948 to June 1953*

[In million dollars]

	Total United States and foreign ships	Carried by United States-flag ships	
		Total out of United States and foreign ports	Total out of United States ports
All services	1,040	763	629
Tramps	429	346	341
Liners	337	274	270
Tankers	267	138	17
Miscellaneous	7	5	1

[1] Includes CF and CIF shipments freight elements of above shipments.

Source: Foreign Operations Administration.

The above table shows that American-flag ships in our liner services received $274 million for the carriage of foreign-aid commodities between April 1948 and June 1953. However, it is important to note that the great majority of ships in liner services are members of conferences of which member shipowners of foreign-flag ships charge the same shipping rates as American-flag ships. Therefore, if all of these cargoes were carried in foreign-flag liners the cost to our Government would have been the same. Thus, the shipment of foreign-aid cargoes aboard our liners does not in any way increase the cost to our Government.

Of the $267 million paid for the carriage of liquid foreign-aid cargoes, $138 million was paid to American-flag tankers. However, it is important to note in table I that only $17 million of these cargoes originated from United States ports. The remaining liquid cargoes carried by American-flag ships originated in foreign ports and, therefore, American tankship owners lifted them at the world market rates. The higher cost which resulted from transporting these cargoes aboard American-flag ships is negligible, and, therefore, is not to be considered as an important factor in the $121 million figure which is quoted.

After studying table I, it is obvious that the so-called increased cost of $121 million largely applies to the difference of cost between American-flag and foreign-flag tramp ships. This observation should not be taken to mean that our Government is wasting money by having the American tramp ships carry these cargoes. Both the Department of Defense and the Department of Commerce have arrived at the very definite conclusion that an American tramp fleet is essential for our national defense. Also, Congress has time and time again mandated that our ships shall carry at least 50 percent of our foreign-aid cargoes, including the bulk cargoes which are carried by tramp ships.

Also, it is important to note that in the immediate post-World War II period and during the Korean war there was a shortage of ships to carry our foreign economic- and military-aid cargoes. In fact, during the Korean war our Government was compelled to activate over 600 ships from our national-defense reserve fleet in order to meet the shipping needs of the free world. Therefore, it is clear that if our tramp fleet had not been available to carry our aid cargoes, the bidding for such cargoes in the open market, short of ships, would have resulted in rates much higher than those

paid to the American tramp-ship operators. This is in accordance with the basic economic law of price being set by supply of and demand for a given commodity or service. This was proved to be true in World War I when our Nation was caught short of ships and general cargo rates soared over 1,000 percent with some rates rising over 2,000 percent. It is a matter of record that many foreign shipowners were able to realize profits from a single voyage equal to the total cost of the ships. Therefore, even though the reservation of foreign-aid cargoes is a form of Government aid to the tramp shipowners, there is absolutely no validity in a statement charging that our taxpayers paid $121 million more by shipping in American merchant ships than they would have if shipped in foreign ships.

No one would lightly dismiss the tariff question by saying that the elimination of all American tariffs would result in a savings to the American consumer and taxpayer. This complex subject must be considered in its entirety as pertaining to the protection afforded to the American farmer, businessman, and worker, and the end result of adjusting American income to the American standard of living. This is also true when the American merchant marine is considered. The American merchant marine is a vital industry which is not only required to develop our foreign trade in times of peace, but to serve as a military auxiliary in time of war. Because the memories of two World Wars and the Korean war are still fresh in our minds, we shall not attempt to go into the details for the necessity of achieving and maintaining an adequate American merchant marine.

Aside from the need of the American merchant marine for the development of our foreign markets and for our national defense, it is essential that we study the effect of the industry upon our national economy. In order to limit our analysis we shall present data pertaining to the disbursement of the dollars earned by American shipowners in the carriage of our foreign-aid cargoes, the domestic jobs created, and the taxes collected by our Government. These basic facts in our analysis are contained in the following table:

TABLE II.—*Estimated disbursement and resulting jobs created from ocean transportation of foreign-aid cargoes from April 1948 to June 1953*

	Amount disbursements of subsidized lines in 1950 Col. A [1]	Percent of total disbursements Col. B	Resultant number of direct and indirect employed Col. C [1]	Estimated amount disbursements from foreign-aid programs, 1948–53 Col. D	Estimated resultant number of direct and indirect employed Col. E
Direct employment:					
Domestic salaries and wages paid to:					
Administrative-type personnel	$20,475,000	6.20	7,100	$36,890,000	12,797
Seamen	88,507,000	26.81	33,400	159,519,500	60,200
Longshoremen	11,982,000	3.63	6,400	21,598,500	11,535
Subtotal	120,964,000	36.64	46,900	218,008,000	[2] 84,532
Indirect employment: [3]					
Domestic vessel expenditures, other than above salaries and wages	179,263,000	54.30	38,600	323,085,000	69,573
Other domestic overhead and miscellaneous expenditures	29,889,000	9.06	6,400	53,907,000	11,535
Subtotal	209,152,000	63.36	45,000	376,992,000	81,108
Grand total	330,116,000	100.00	91,900	595,000,000	165,640
Foreign expenditures for necessary port charges, etc				35,000,000	
Estimated earnings				70,000,000	
Total paid for United States-flag carryings				700,000,000	

[1] Analysis of Construction and Operating Subsidies Under Merchant Marine Act, 1936, as amended, the Ocean Shipping Panel to the Transportation Council for the Department of Commerce, Oct. 12, 1953, schedule III, excluding capital expenditures, p. 29.
[2] In man-years.
[3] Based on Department of Commerce productivity factors.

Although that portion of table II which refers to the disbursements of the dollars earned by American shipowners by carrying our foreign-aid cargoes is listed as "estimated," the area of error is at a minimum and negligible. We shall explain how these figures were arrived at.

The $35 million item for foreign expenditures for port charges and similar items is estimated on the basis of 5 percent of the total $700 million foreign aid cargo revenues received by American shipowners. This figure is not larger due to the fact that most recipient nations were required to provide their own discharging services and, therefore, neither the American steamship companies nor the United States Government incurred any cost in this connection. The figure of $35 million, therefore, would cover only such cargoes which moved under berth term shipment through commercial channels. This is a reasonable estimate of the amounts so expended.

The item of $70 million as the estimated earnings has been fixed at approximately 10 percent of the freight revenue of $700 million. Creditable evidence shows this figure represents the maximum amount believed to have been earned by shipping companies on this carriage during these years.

Columns A and C of table II were carefully calculated by the Ocean Shipping Panel to the Transportation Council for the Department of Commerce. These figures are based upon the disbursements of the subsidized lines during 1950, and the resultant number of man-years of domestic employment created by these disbursements.

Column B contains the percentages of each disbursement item to total disbursements. For example, the first percentage in column B is 6.20 percent. This was arrived at by dividing the grand total of $330,116,000 disbursements into the $20,475,000 paid as salaries and wages to administrative type personnel. The percentages of all of the other individual items were arrived at by the same type of calculation.

Columns D and E are statistical projections based upon columns A, B, and C. Although columns A, B, and C pertain to the subsidized lines only while columns D and E pertain to both subsidized and unsubsidized lines, the projection is accurate because the earnings and operating costs on the revenue dollar have been substantially similar for the subsidized and unsubsidized liners and tramps during these years. This is confirmed by the maritime subsidy policy study, which was published by the Office of the Under Secretary of Commerce for Transportation and the Maritime Administration in April 1954.

The individual items of column D are arrived at by applying the percentages of column B to the total of $595 million which is the amount of disbursements of revenues from the foreign-aid programs, excluding foreign expenditures for port charges, capital expenditures, and estimated earnings for the period April 1948 to June 1953 of the $700 million freight revenues paid to American operators. For example, domestic salaries and wages paid to administrative type personnel by the subsidized lines in 1950 was $20,475,000 or 6.20 percent of their grand total disbursements of $330,116,000. Therefore 6.20 percent of the $595 million which is the amount of disbursements of revenues from the foreign-aid programs, resulted in the figure $36,890,000 as the domestic wages and salaries paid to administrative-type personnel. In this manner the remainder of the percentages of column B were applied to the $595 million figure to arrive at the projected disbursement for each item.

Column E is the projected estimated number of man-years of direct and indirect domestic employment resulting from the disbursement of revenues from the foreign-aid programs. This is based on the ratio of the $595 million disbursements of the revenues from foreign-aid programs to the $330,116,000 disbursements of the subsidized lines in 1950 and the resulting employment. Five hundred and ninety-five million dollars divided by $330,116,000 is 180.24 percent. Therefore, each individual employment item of column C was increased by 180.24 percent to arrive at the man-years of employment shown in column E.

The grand total of man-years of employment resulting from the disbursements of $595 million of revenues from foreign-aid programs is estimated at 165,640 man-years. This is approximate-

ly 50 percent[1] of the total number of persons employed in our anthracite coal-mining industry and 25 percent[1] of the number employed in the local railways and bus lines industry during the 5-year period 1948 through 1952. No one would question the fact that this is a significant direct contribution to our national economy. In fact, the full employment impact of the revenues realized by American shipping companies from foreign-aid cargoes is not contained in the above data. If this revenue had not been forthcoming, many shipping companies would not have realized sufficient profits to continue their commercial nongovernmental cargo operations which result in the employment of more than 6 times the man-years of employment resulting from the foreign-aid shipping revenues.

The estimated minimum taxes paid into the United States Treasury as a result of the carriage of foreign-aid cargoes in American bottoms is contained in table III below:

TABLE III.—*Taxes paid into U. S. Treasury*

A. Taxes on direct wages at minimum rates of 22 percent[1]	$48,000,000
B. Taxes on indirect employment at minimum rates of 22 percent[1]	83,000,000
C. Corporate taxes and taxes paid by stockholders on dividends received at 50 percent	35,000,000
Total minimum increase in U. S. Treasury Revenues	166,000,000

[1] Internal Revenue, Washington, D. C.

Thus, even if one subtracts the supposed saving of $121 million which might have been realized through carriage of our foreign-aid tramp cargoes in foreign tramp ships, we still find the United States Treasury has benefited by $45 million. Moreover, there has been created and maintained 165,000 man-years of employment for American citizens. However, we again state that this supposed saving is unrealistic because the shipping rates of the foreign shipowners would have been much higher had not American ships been available during this period.

A very important saving realized by our Government by having subsidized ships carry foreign-aid cargoes is in the recapture provision contained in the Merchant Marine Act of 1936. This provision enables the Government to recapture one-half of the profits which are over 10 percent of capital necessarily employed over 10-year periods of the operating subsidy contracts up to the amount of subsidy accrual. The amount of foreign-aid shipment revenues received by the subsidized lines would be recaptured by the United States Government in the degree of the recapture position of the companies. The three main categories of recapture are as follows:

First. Companies which, even with the foreign-aid revenues, would not have earned over 10 percent of the capital necessarily employed in the business. In this case, the Government would not recapture any of the foreign-aid shipment revenues.

Second. Companies which are in a recapture position because of the additional profits realized from foreign-aid cargo revenues. In this case, the Government would recapture one-half of the profits resulting from foreign-aid cargo carriage which is above the 10 percent of capital necessarily employed.

Third. Companies which are in full recapture position because of their commercial non-foreign-aid cargoes and foreign-aid cargoes. When companies are in a full recapture position, the Government recaptures one-half of the profits which are over 10 percent of the capital necessarily employed and this amounts to the full subsidy accrual. In this case, the Government may well recapture all of the profits realized by the company from foreign-aid shipment revenues.

In the Maritime Subsidy Policy, published by the Under Secretary of Commerce for Transportation and the Maritime Administration, there is contained a statement pertaining to the effect of cargo carriage on subsidy payable. In part, this statement is as follows:

> The amount of cargo available to subsidized American-flag vessels is an important factor in the ultimate amount of subsidy payable by the Government. * * * Consequently, if private industry is to provide a merchant fleet adequate for national requirements, all Government assistance in providing cargo and protection against unfair competition should be provided.

It is estimated that for the 5-year period, 1948 through 1952, the Government will recapture 30 percent[2] of the subsidy accrual for these years. It is obvious that a substantial amount of this recapture results from the foreign-aid shipping revenues received by the subsidized lines. This should be encouraging to the American taxpayers who are interested in developing their national economy and protecting their national security at a minimum cost.

In addition to the foregoing, there are other factors which cannot and must not be ignored. For example, during the 5 calendar years, 1948 through 1952, the American shipowners paid the United States Government a total of $185,862,278 as charter hire of Government-owned ships.[3] A primary reason for the charter hire of these ships was to carry our foreign-aid cargoes over the world shipping lanes short of ships. Therefore, we can safely say that the shipment of foreign-aid cargoes in American bottoms resulted in many millions of dollars of charter-hire revenue to the United States Treasury.

Also, our Nation benefits through the maintenance of a self-perpetuating merchant marine which is needed to develop our foreign markets in peacetime and also serve as a military auxiliary in times of war.

All of the above facts barely touch upon the many reasons why American-flag shipping makes real and continuing contributions to our American way of life and why we must preserve unto ourselves a fair share of our foreign commerce, especially that foreign commerce which consists of our economic and military-aid cargoes to foreign nations.

APPENDIX TABLE A.—*Employees in anthracite coal and local railways[1] and buslines industries: 1948–52*

Year	Anthracite coal	Local railways and buslines
1948	80,000	163,000
1949	77,300	158,000
1950	75,100	145,000
1951	69,100	139,000
1952	63,400	134,000
Total	364,900	739,000

[1] Source: U. S. Department of Labor, Bureau of Labor Statistics, published in current Labor Review.

NOTE.—Number employed includes all full-time and part-time employees who worked during, or received pay for, any part of the pay period ending nearest 15th of month. The above annual data are averages of the monthly data.

APPENDIX TABLE B.—*Total charter hire paid to U. S. Government by United States ship operators,[1] 1948–52*

Calendar year:	*Charter hire paid*
1948	$84,942,410
1949	39,400,242
1950	14,557,486
1951	28,915,490
1952	18,046,650
Total	185,862,278

[1] Source: U. S. Maritime Administration, Washington, D. C., July 21, 1954.

Letter From Senator Reynolds Regarding Requests for Government Assistance to the Automobile Industry

EXTENSION OF REMARKS
OF
HON. SAM W. REYNOLDS
OF NEBRASKA
IN THE SENATE OF THE UNITED STATES
Thursday, August 12, 1954

Mr. REYNOLDS. Mr. President, the junior Senator from Nebraska, like many other Senators, has been literally bombarded in the last few days with communications from automobile dealers, relative to a bill known as the bootleg bill.

My reply to those communications sets forth my views on the proposition of an industry's running to the Government whenever that industry has a problem which it cannot solve within its own ranks.

I ask unanimous consent to have my letter on that subject printed in the RECORD.

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

UNITED STATES SENATE,
COMMITTEE ON FINANCE.

This will acknowledge your message relative to S. 3596, having to do with certain

[1] Source: U. S. Department of Labor, Bureau of Labor Statistics, published in current Labor Review (see appendix, table A).

[2] Maritime subsidy policy, Office of the Under Secretary of Commerce for Transportation and the Maritime Administration, April 1954, appendix, table 17.

[3] Source: Maritime Administration, July 21, 1954 (see appendix, table B).

practices now prevalent in the automobile industry.

The writer has been engaged in the coal business for 46 years. No great industry has been plagued with cutthroat competition and ruinous trade practices more than has the coal industry.

In 1937, this great industry threw in the towel and came running to Uncle Sam crying for help. In effect, it said to its Government, "We have neither the courage nor the ability to solve our own problems. We abdicate the rights of free American businessmen to run their own affairs, the rights under which our forebears built a great industry. We ask the Government to take over and run the coal business. Let your bureaucrats write the rules and regulations."

The result was the infamous Guffey Coal Act of 1937. Fortunately, that act expired in 5 years under its own terms. Five years was enough. Never again will we coalmen ask the Government to solve problems which should be solved within our own industry, and solved without violation of antitrust laws.

I will oppose any bill which comes to the Senate as a result of some industry running to Uncle Sam for help because it is unable to control bad practices within its own ranks.

Yours very truly,

SAM W. REYNOLDS,
United States Senator, Nebraska.

Achievements of the 83d Congress

EXTENSION OF REMARKS
OF

HON. S. J. CRUMPACKER, JR.

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. CRUMPACKER. Mr. Speaker, the Republican 83d Congress has established an outstanding record of legislative achievement. Although handicapped by the fact that the Republicans held only a slim majority in the House and for a time were in a minority in the Senate, a major portion of President Eisenhower's program has been enacted.

The New Deal spending spree has been halted; inflation has been checked; social security benefits have been expanded; home ownership has been made easier; farm prices are being stabilized; the St. Lawrence Seaway is on the road to reality; Communists and security risks have been expelled from Government; and the people at long last have seen honesty and integrity restored in Washington. Above all, the Nation is at peace.

The Democrats did succeed in killing some segments of the Eisenhower program: the right of 18-year-olds to vote, statehood for Hawaii, health reinsurance, and revision of the Taft-Hartley Act.

The foundation of the Eisenhower program has been laid. Our economy has been placed firmly on the pathway of American enterprise after 20 years of straying off into leftwing experiments. A new approach has been made to the Lincoln doctrine of government of, by, and for the people.

The record of accomplishments of the Republican 83d Congress is a long one, but here is a summary of its major achievements:

The fighting has been stopped in Korea and today no American lives are being lost or endangered in wars anywhere in the world.

We have strengthened our defense structure while cutting the cost of its maintenance by billions.

A firm, consistent foreign policy, based on the principle of collective security, guides our path toward a just and lasting peace.

Rigid economy and elimination of waste in the Federal household has cut Government spending by billions.

This has made possible the greatest tax reduction program in history, with savings of $7.4 billion to individuals and business, the lion's share going to the people themselves.

We have halted inflation, preserving the value of the dollar.

Controls are gone.

The social-security system has been broadened and benefits increased.

Home ownership is encouraged by the new Housing Act which corrects abuses in existing law, expands the mortgage credit system, and provides for slum clearance.

Development of the St. Lawrence Seaway project, stripped of frills, is assured by action of the 83d Congress.

Contending with weaknesses in the farm program, this Congress has moved to insure agriculture its fair share of the national income. Immediate needs have been accommodated with laws dealing with such problems as surpluses and drought.

Fourteen major reorganization plans to increase efficiency and promote economy in the Federal Government are in operation, and a Department of Health, Education, and Welfare has been elevated to cabinet status.

More than 200,000 unnecessary jobs have been abolished from the Federal payroll.

Internal security has been tightened and new weapons have been forged for use by the Department of Justice in its war against traitors.

We are getting more government back home and we have moved to take government out of competition with private enterprise.

This record adds up to good stewardship—the kind that should merit continued confidence and support of the American people.

Public Opinion

EXTENSION OF REMARKS
OF

HON. FRANK C. OSMERS, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. OSMERS. Mr. Speaker, in June I mailed 100,000 questionnaires to voters in the Ninth Congressional District of New Jersey, which I represent. About 15,000 replies have already been received and because of the interest among Members in public opinion, under unanimous consent, I insert the questions and the percentages of the replies thus far received. They follow:

Recapitulation

Do you favor—	Yes	No	Undecided
1. Investigation and exposure of Communists in Government?	96.0	3.5	0.5
2. Senator McCarthy's methods?	42.6	51.0	6.4
3. Outlawing the Communist Party?	68.6	22.9	8.5
4. Lowering the voting age to 18?	27.4	64.0	8.6
5. Universal military training?	80.3	13.0	6.7
6. Statehood for Alaska?	76.1	13.2	10.7
7. Statehood for Hawaii?	77.5	13.3	9.2
8. Pay raises for postal and Federal employees?	58.9	26.6	14.5
9. Raising the postal rates to cover the postal deficit?	74.1	19.5	6.4
10. Ending Government competition with private business?	71.4	19.4	9.2
11. Lower tariffs even if some American industry is hurt?	48.9	38.5	12.6
12. Deferring income tax cuts until budget is balanced?	65.0	27.4	7.6
13. Changing the Taft-Hartley Act?	50.0	37.3	12.7
If answer is "yes":			
Change to favor labor? 39.5			
Change to favor management? 60.5			
14. Regulation of workers pension and welfare funds?	73.4	14.9	11.7
15. Social security for all not now covered?	74.7	15.4	9.9
16. Pay raises for Congressmen?	63.6	22.6	13.8
17. Income tax deduction for depreciation on homes?	75.6	16.0	8.4
18. The record of the Eisenhower administration?	65.9	19.1	15.0

Postal Pay Increases

EXTENSION OF REMARKS
OF

HON. JOHN V. BEAMER

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. BEAMER. Mr. Speaker, I supported H. R. 9245, the Corbett bill, in its original form and signed discharge petition No. 9 in its behalf.

Then, when it seemed possible that the Congress might adjourn before action could be taken on that bill, I voted for the bill combining salary raise and postage increase with the feeling that the postal employees were entitled to some consideration.

Since this particular measure was brought out under suspension of rules, two-thirds vote of the Members was necessary and the bill failed to pass.

However, the Congress was delayed in its adjournment plans and thus on Monday, August 9, the original Corbett bill, H. R. 9245, came to the House for vote. It was approved and again I supported this salary increase.

The bill also provides for a study of reclassification and personnel. Several other provisions of the bill were for the improvement of service and conditions in the Post Office Department. To me

these improvements are worthy and a salary increase was due the postal people. I am pleased that the House of Representatives acted before the Congress adjourned.

Congressman Hunter Represents Working People

EXTENSION OF REMARKS
OF
HON. OAKLEY HUNTER
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. HUNTER. Mr. Speaker, as the Representative in Congress from the 12th California District, I believe it is important that I report to the people of my district on legislative activities which affect them and my action on such issues. The vast majority of these people are conscientious, thrifty, energetic persons who work hard at their jobs to earn their livelihood. Some of them have passed their productive years and have retired after a lifetime of labor.

Because these people are working, or have worked and are retired, I intend to discuss at this time legislation of special importance to them.

TAX RELIEF

The 83d Congress completely revised our complicated tax structure, closing numerous loopholes which had been giving unfair advantages to the rich, and eliminating or lowering many taxes which had been creating a real hardship on the working people. More than two-thirds of the tax relief goes to wage earners, families, and other individuals. I supported these tax-relief measures. This is the biggest tax cut in our history—nearly $7½ billion.

Specifically, the workingman has received tax relief through drastically slashed excise taxes on drugstore items, cosmetics, baby oils, ladies' handbags, telephone bills, and numerous other items. The 10 percent tax on home washing machines has been eliminated entirely. This means that when you go to the store, you have more to spend on yourself and your family, and the tax collector gets less from you. Earlier this year, the tax bill of each individual taxpayer was reduced 10 percent. In addition, the new tax-revision bill gives more generous deductions for medical expenses, freedom from taxation for a retired couple if they have $200 monthly pension income, and children working after school or during summer vacation can now earn more than $600 in a year and still be listed as a dependent. Also, salesmen have fairer means of computing expenses, thus saving money under the new tax law. Working widows will be permitted to deduct the cost of child care.

HOSPITALS AND HEALTH

The 83d Congress has taken important and vigorous steps to promote and protect the Nation's health. One of its first acts was to create a new executive Department of Health, Education, and Welfare with Cabinet rank.

Legislation has been passed to provide Federal aid in the construction of public and nonprofit hospitals, diagnostic and treatment centers, rehabilitation facilities, and nursing homes. Research into health problems is encouraged through the National Heart Institute and the National Institute of Dental Research. Additional funds have been appropriated to expand the State-Federal vocational rehabilitation system, which is designed to help disabled persons to become economically independent.

A new law aids Federal law officers in seizing and destroying unsafe fabrics used in certain inflammable cowboy suits and explosive sweaters which have burned many children in home accidents. It is now also against the law to ship dangerous fireworks into any state which bans their sale.

At the present time, Congress is considering legislation to encourage the establishment or expansion of voluntary private health insurance plans—permitting a broadening of their coverage in some cases, with increased protection, or lower rates in others. Approximately 92 million Americans are already covered by private plans, but better protection is needed, particularly against long-term illness. This legislation has had my support.

SCHOOLS AND EDUCATION

Congress has authorized an extension of the program of assistance in construction of schools in crowded defense centers and other areas which have grown abnormally because of Federal activities. Congress has also granted similar assistance for school operating expenses. Legislation has been enacted to allow expanded use of surplus foods in the school-lunch program.

HOUSING

The Housing Act of 1954 will raise housing standards, help more of our people to acquire homes, assist communities in getting rid of slums and in improving older neighborhoods, and strengthen our mortgage credit system. In the future, the new law will also stimulate the Nation's entire economy, particularly the construction industry.

The new act makes it possible to buy new homes under FHA-insured loans with much lower down payments. For example, on a $10,000 new home under FHA, a buyer previously had to make a downpayment of $1,250. Now the downpayment is only $700.

HIGHWAYS

The new highway law means that we in the 12th Congressional District can drive our cars with greater convenience and personal safety. Almost all of our gasoline-tax money will be used for highways instead of being diverted for other uses. California gets a big share of funds authorized in this law for freeways, secondary roads, and streets. I cast my vote for more and better roads for my district.

VETERANS

Our Nation's war veterans will have plenty of hospital space for treatment required as a result of service to our country. Congress has provided this year for a record number of beds in veterans' hospitals. Last year I joined with my colleagues in voting for an extension of the GI bill of rights for veterans of the Korean war. This year, as in 1951, I voted for increases in rates of compensation and pensions payable to veterans and their dependents. In view of the present cost of living, these increases were necessary and reasonable.

GOVERNMENT EMPLOYEES

In 1951 Congress gave postal workers and classified civil-service employees a long-overdue pay raise. Due to inflation, however, the ordinary civilian Federal employee today is economically worse off than in 1939. You cannot recruit or keep competent employees to conduct the business of the United States with that kind of economic prospect confronting them. Aware of this situation, I have supported legislation this year providing for further pay increases. Government employees and others living on fixed incomes can be thankful that the present administration has brought a halt to the deadly spiral of constantly climbing prices.

RAILROAD RETIREMENT

New legislation enacted by the House liberalized the provisions of the railroad retirement system by reducing the eligibility age of widows from 65 to 60, raising maximum earnings from $75 to $100, increasing maximum creditable compensation from $300 to $350, and in many other ways. In the meantime, the unemployment insurance was raised from $7 to $8.50 a day. I supported these provisions.

SENIOR CITIZENS

The House has increased social-security and old-age and survivors insurance benefits by raising benefit amounts, increasing the earning base, eliminating the 5 lowest years of earnings in computing averages, raising minimum primary insurance amounts, increasing maximum family benefits from $168.75 to $200, broadened coverage, and expanded benefits in many other ways. I have supported these provisions and have personally supported Dr. Francis Townsend in his attempt to develop an adequate pay-as-you-go pension plan to assure our senior citizens a dignified standard of living.

Remarkable Man

EXTENSION OF REMARKS
OF
HON. HAROLD D. COOLEY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, August 12, 1954

Mr. COOLEY. Mr Speaker, herewith I submit for the RECORD a brief editorial about a remarkable man and a very friendly fellow—a man who has cultivated the sweet flowers of friendship throughout his native land and on far-distant shores. Wherever he has traveled, at home or abroad, his constant

companion has been a genial smile. His open heart has been his passport and his warm handclasp has been his visa. Real friendships are priceless and real friends are few, but it does not cost much to smile. Some people are too busy to be friendly, too important to be kind, and too selfish even to smile or to speak a kindly word. Here is a man who has labored in the laboratories of his Lord—never too great to be humble, never too busy to be kind, and never in his life has he been cruel.

Surely he was not born great, nor has greatness been thrust upon him, but he has achieved greatness in the fields of spiritual, civic and social welfare and has endeared himself to the people of his native land. He is great, not because he is a physical giant and big, tall and strong, but merely because he is a gentle man who has planted seeds of friendship along the thoroughfares of life. All who have known him have been impressed with the unaffected elegance and amiable simplicity of his manners.

This remarkable man of whom I speak is James A. Farley, known everywhere as Jim. He has lived a long and useful life, but he shall never grow old because he is animated by the spirit of youth. He has lived well and magnificently and always and ever he has lived above the fog in public duty and in private thinking. From the dawn of manhood's morning to the golden hours of his great life he has been inspired by lofty principles and high ideals and attended by a righteous influence. Surely he has the right to exact from life the real compensations which by his life and love and labor he has so richly earned. He is a man of courage and conviction, and is remarkable merely because of the life he has lived. In politics he has been powerful; in public office he has been a paragon.

Perhaps you wonder why I am having all this to say. Certainly I am not nominating Jim Farley for public office. Neither am I singing a political swan song, and surely this brief tribute is not a requiem. Actually, the little editorial in the Gastonia Gazette prompted me to say these few kind words about Jim Farley, whose friendship most all of us have enjoyed through the years. He has walked with kings, but he has never lost the common touch.

REMARKABLE MAN

Congratulations to Belmont Abbey College on securing James A. Farley as the principal speaker for the approaching commencement exercises.

Jim Farley is one of the most remarkable politicians in American history. And one of the most remarkable personalities of his generation.

Now well in his seventies, and we believe nearing 80, Jim Farley has changed very little in appearance in the last 20 years. Just a few years ago we saw him marching with the Knights of Columbus in the mammoth parade which welcomed Gen. Douglas MacArthur to New York.

He marched the full 5 miles or more without missing a step, walking as erect and with as firm a step as the youngest man in the crowd.

It has been said that Jim Farley knows at least 100,000 people by name, knows where they come from and what their business is.

We can testify to the fact that he has a most remarkable memory, for when we spoke to him at a dinner in New York several years ago, he boomed out, before we could tell him who we were:

"Hello, Atkins. How are things in Gastonia?"

The remarkable thing about it was that we had talked with him only briefly when he was passing through Gastonia some 15 years before, on his way to Newton to dedicate a new post office. That was when he was serving as Postmaster General under President Franklin Roosevelt.

Farley doesn't brag about it, or claim any particular moral preeminence for it, but he has never taken a drink or smoked in his life. Unusual, to say the least, for a national politician.

He is really an outstanding man, and perhaps the most astute politician of his day.

We welcome him to Gaston County to address the graduates at Belmont Abbey.

Mr. Speaker, the fine and friendly editor who wrote the editorial Remarkable Man was in error in estimating the age of the man about whom he was writing. Actually, Jim Farley is well on the south side of 3 score years and 10, and my fondest hope is that he shall reach 100 years and take a new lease on life. May Heaven's blessings attend him and light his pathways through many years to come.

Congressman Young Will Hold Conferences in Nevada

EXTENSION OF REMARKS

OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. YOUNG. Mr. Speaker, since I have been in Congress I have attempted to keep in close communication with the people whom I represent.

Immediately following my return to Nevada, I will make an official business tour of the 17 counties in my State. A temporary office will be established in various communities, and local citizens will have an opportunity to confer informally with their Representative in Congress. A member of my Washington staff will accompany and assist me.

The schedule for the first part of my tour is as follows:

Monday and Tuesday, August 30 and 31, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., Federal courtroom, Las Vegas.

Thursday, September 2, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., Townsite Elementary School, room 12, Henderson.

Friday, September 3, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., municipal council chambers, Boulder City.

Tuesday, September 7, 1954: 1 p. m. to 5 p. m.; 7 p. m. to 10 p. m., mayor's office, city hall, Sparks.

Wednesday, September 8, 1954: 9 a. m. to 12 m., courthouse, Yerington.

Wednesday, September 8, 1954: 2 p. m. to 5 p. m., courthouse, commissioner's room, Hawthorne.

Thursday, September 9, 1954: 9 a. m. to 12 m., courthouse, Fallon.

Thursday, September 9, 1954; 2 p. m. to 5 p. m., courthouse, Carson City.

Friday and Saturday, September 10 and 11, 1954: 9 a. m. to 12 m.; 1 p. m. to 5 p. m., courthouse, commissioners' room, Reno.

No appointments are necessary for these conferences. Any or all of my constituents are urged to meet with me on the date most convenient to them to discuss problems where my office may be of assistance. I am looking forward with enthusiasm to this tour.

Philippine-American Day

EXTENSION OF REMARKS

OF

HON. BARRATT O'HARA

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. O'HARA of Illinois. Mr. Speaker, tomorrow will be observed in Manila and on the islands of the Philippines as Philippine-American Day, marking the 55th anniversary of the inauguration of relations between the Philippines and the United States of America.

As the last veteran of the Spanish-American War in this body, I have an especial interest in this anniversary. When the *Maine* was sunk in Habana Harbor on February 15, 1898, the Philippines were under the cruel yoke of Spanish rule. Then came our war with Spain and shortly after the declaration of hostilities Dewey and the American Fleet on that memorable 1st of May of 1898 started the islands on the road to a long-dreamed-of but insufferably long-denied freedom. It is to the eternal credit of the United States that our pledge of Filipino independence was kept with fidelity. It is to the eternal credit of the people of the Philippines that in the hour of our need their friendship to us was proved to the utmost. Whatever the future has in store for this world of ours we may be certain that throughout the years and centuries the people of the Philippines and the people of the United States will stand together as brothers on the firm foundation of a friendship tried and proved.

We wish for President Ramon Magsaysay an administration of brilliant accomplishment and for the men, women, and children of the Republic of the Philippines all the blessing of a benevolent God and a free country.

By unanimous consent, I am extending my remarks to include the proclamation of President Magsaysay:

PROCLAMATION NO. 52 BY THE PRESIDENT OF THE PHILIPPINES DECLARING AUGUST 13, 1954, PHILIPPINE-AMERICAN DAY

Whereas August 13, 1899, marked the official beginning of relations between the Philippines and the United States and the commencement of a happy and mutually profitable association between Filipinos and Americans;

Whereas on the occasion of the 55th anniversary of that event, it is appropriate that the two peoples renew and further strengthen the bonds that bind them in view, particularly, of the prevailing critical world conditions that threaten their security and the democratic institutions that they have jointly developed and stanchly defended at the cost of their resources and blood;

Whereas it is meet and proper that this historic event in the lives of the two nations, loyal partners in the active defense of freedom, be properly commemorated so that it may ever remain a source of inspiration in the noble effort to insure the success and permanence of the free and democratic enterprises in which they are engaged and which constitute their contribution to the peace of the world and the happiness of mankind; and

Whereas it is desirable that the two peoples be afforded every opportunity to get together on an intimate basis and encouraged to find a common medium for the friendly, intelligent, and unselfish appraisal of the problems as well as the advantages that arise from their present relationship, always in a spirit of cooperation and with due regard for each other's rights, interests, and aspirations;

Now, therefore, I, Ramon Magsaysay, President of the Philippines, do hereby declare August 13, 1954, as Philippine-American Day. I call upon all our people and all Americans residing within Philippine territory to observe this date with appropriate ceremonies designed to promote mutual understanding and helpfulness and to enhance the practical significance of the intimate association existing between Filipinos and Americans and between the Government of the Republic of the Philippines and the Government of the Republic of the United States of America. I especially call on all civic, business, religious, and service organizations and schools, both public and private, to devote this date to exercises calculated to advance knowledge and wider appreciation of the value of Philippine-American relationship and of the benefits derived from it.

In witness whereof, I have hereunto set my hand and caused the seal of the Republic of the Philippines to be affixed.

Done in the city of Manila, this 29th day of July, in the year of our Lord, 1954, and of the independence of the Philippines, the ninth.

RAMON MAGSAYSAY,
President of the Philippines.

By the President:

FRED RUIZ CASTRO,
Executive Secretary.

Eighty-third Congress Appropriations

EXTENSION OF REMARKS
OF
HON. CLIFF CLEVENGER
OF OHIO
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. CLEVENGER. Mr. Speaker, the one big promise the Republican Party made to the people 2 years ago was to cut unnecessary spending, deficit financing, and arrest the rapid deflation of our dollar and cut our taxes.

The first must come from saving through less spending; the next, stopping inflation through checking the great borrowing in excess of national ability to pay more taxes.

What is the record of the 83d Republican Congress?

83d Cong.	Budget estimate	House Appropriations Committee recommendation	Approved	Decrease below budget estimated
1st sess.	$68, 621, 899, 638	$53, 989, 760, 150	$54, 539, 342, 491	−$14, 082, 557, 147
2d sess.	50, 238, 590, 985	46, 780, 200, 703	47, 642, 131, 205	−2, 596, 459, 780

It will be noted from the above that the reductions in the Truman budget estimates in the 1st session of the 83d Congress totaled $14,082,557,147. The reduction for the 2d session totaled $2,596,459,780. The total appropriations for the last session of the 82d Congress exceeded $75 billion. The following table shows the reductions recommended by my subcommittee for the State Department, Commerce Department, and the United States Information Administration:

Bill	Budget estimate	House subcommittee recommendation	Decrease below estimate
State, Justice, and Commerce, fiscal year, 1954	$1, 469, 494, 515	$1, 143, 146, 712	−$326, 347, 803
The supplemental, 1954	147, 854, 042	72, 018, 242	−75, 835, 800
State, Justice, Commerce, and USIA, fiscal year, 1955	1, 313, 920, 960	1, 146, 988, 000	−166, 932, 960
The supplemental, 1955	129, 305, 746	23, 291, 297	−106, 014, 449
Total	3, 060, 575, 263	2, 385, 444, 251	−675, 131, 012

From the above table it will be seen that the State, Justice, and Commerce Departments subcommittee, of which it is my privilege to be chairman, made one of the deepest percentage cuts of any committee.

The men on my committee, Mr. COUDERT, Mr. Bow, and Mr. COON—and for the most part sustained by the three from the minority party, Mr. ROONEY, Mr. PRESTON, and Mr. SIKES—and the members of the full Committee on Appropriations all deserve the thanks of the American taxpayers everywhere. This subcommittee recommended reductions of more than $675 million below the budget estimates, which represent a reduction of over 22 percent.

Every time an appropriations request is reduced those responsible therefor are severely criticized. It is a thankless task, but one which must be done if this great Nation is to remain solvent.

Report to the People of the Fourth Congressional District of Wisconsin—My Record and Votes on Major Issues in the 83d Congress

EXTENSION OF REMARKS
OF
HON. CLEMENT J. ZABLOCKI
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. ZABLOCKI. Mr. Speaker, the 2d session of the 83d Congress is coming to an end. It is timely, therefore, to pause for a moment, survey the past 2 years, and see what this Congress has achieved, and where it has failed.

We must look at the record, and compare the promises made during the past election campaign with the performance of the 83d Congress. Such stock-taking will help us—and help all the people of the United States—to evaluate the work of our elected Representatives. It will help to elect a good Congress for 1955–56.

This report to the people of the Fourth Congressional District of Wisconsin deals with the work of the 83d Congress. It covers the major issues considered by Congress during the past 2 years, and shows my stand and votes on those questions.

I realize full well that my legislative record may not please each and every one of my constituents. That is to be expected in a democracy, where each and every one of us has the right to his own opinion—a right that we must always respect and safeguard.

Nevertheless, I believe that the voters have the right to know how their Representatives voted on issues of importance to our Nation. For that reason, I have always reported to my constituency on my actions as their Congressman. I want the people of the Fourth Congressional District of Wisconsin to know that I have conscientiously tried to represent them to the best of my ability.

POLITICS AND REALITY

The 1st session of the 83d Congress—described in detail in my 1953 report—acquired the "do nothing" tag. The second session produced a more palatable record, as shown in the table at the end of this report. Nevertheless, one brutal fact remains clear: the legislative program of the present administration thus far has been neither bold, inspiring, dynamic, nor very important. Aside from the St. Lawrence Seaway, the meager accomplishments of the 83d Congress boil down to the passage of routine housekeeping bills—such as the annual appropriations—and to the extension, with minor modifications, of long-existing programs developed by past administrations—for instance, social security, Federal aid to highways, airports, hospitals, and other programs.

As I already noted, the passage of the St. Lawrence Seaway bill was a noteworthy accomplishment. However, only after Congress follows through with additional legislation and appropriations necessary to complete the project, will

a new highway of commerce between the heartland of America and the Atlantic Ocean become a reality. The seaway, for which we in Wisconsin have fought so long, can prove of tremendous benefit to our entire Nation.

LEST WE FORGET

Lest we forget, however, the American people were promised manifold other blessings during the 1952 election campaign by the glib and generous Republican candidates.

The GOP spokesmen pledged, for instance, to cut Federal spending by $15 to $20 billion to balance the budget and to reduce the national debt. Yet during fiscal year 1953 the national debt increased by $7 billion; another $5 billion were added to it during fiscal year 1954, and it appears that the Government will continue to operate in the red through the rest of this year and into 1955.

During the past campaign the Republicans made many extravagant charges about the "mess" in Washington. Upon being elected to office they found themselves in an embarrassing situation: not only were they unable to substantiate most of their accusations, but in addition, they were harassed by exposés of their own "4-percenters," of corruption in the Justice Department, and scandals in the Federal Housing Administration.

It was then that the Nation witnessed a shameful display in which Government officials, led by the Attorney General of the United States, began to pervert and twist facts to save face. The biggest abuses were perpetrated in the name of internal security. Men who died, men who resigned from Government service for personal reasons, men who were fired for plain inefficiency, and many others were branded as subversives and included in the infamous list of "2,000 cleaned-out subversives."

It was only after minority Representatives and the press began to demand names and facts that this fraud was exposed.

THE SANTA CLAUS PARADE

The 83d Congress will be especially remembered for the shameless giveaway of our national resources.

The first big giveaway came with the passage of the so-called tidelands oil bill, which gave to a few States our national oil resources located under the marginal sea, valued at between $70 and $200 billion. The oil interests tried unsuccessfully to secure access to these Federal resources for over 10 years. The Republican majority in the 83d Congress approved this giveaway, and the President signed it.

Then came the betrayal at Hells Canyon, the authorization for the disposal of 28 Government-owned synthetic-rubber plants to private interests for a fraction of their cost, the raid on our public grazing lands, the lumber giveaway, the sellout at Niagara, the natural-gas "steal," the atomic-energy deal—involving a $12 billion investment of the taxpayer's money—and other "fast shuffles."

To be certain, we managed to block some giveaways, to slow down and discourage others. The fact remains, however, that since the Teapot Dome scandal in the early 1920's, there has been nothing in our history to compare with the record of the 83d Congress and our present administration in the bartering away of public resources.

Under the guise of getting the Government out of business, resources and developments in which billions of tax dollars have been invested were offered in "cut rate" deals to big business. To paraphrase a well-known idiom, "never has so much been done for so few, and so little for so many."

HEALTH, EDUCATION, AND SECURITY

Defying old traditions, a number of GOP Representatives joined with the Democrats this year in pressing for new amendments to the Social Security Act. The 1954 amendments grant modest increases in the rates of benefits, extend the coverage of the program, and introduce a number of minor improvements in the law.

While this legislation is neither original nor adequate—especially with regard to the much-needed lowering of retirement age for women workers and the extension of insurance benefits to disabled persons—it represents a step in the right direction.

Among other programs continued by the 83d Congress were the extension of Federal aid for construction of medical facilities; aid for the improvement of vocational rehabilitation services to handicapped persons; aid to schools in defense areas; assistance to construction industry and Federal insurance of home mortgages.

Little was done to enact a realistic program of school construction assistance, or to aid families submitted to hardship because of illnesses. Last year, 8 million American families went into debt for over $1 billion to pay for medical bills. Five hundred thousand families had medical expenses which equaled or exceeded their income.

The administration's attempt to remedy this problem by having the Government underwrite certain health insurance losses of private companies was blocked in the House. The majority of Representatives felt that the administration's health reinsurance bill was inadequate to meet our people's needs, and that it could enrich certain insurance companies with "windfall profits."

THE "TRICKLE-DOWN" POLICY

In reviewing the tax situation, we must keep one thing clear: The automatic 10-percent tax cut which went into effect on January 1, 1954, was approved by the Democratic 82d Congress and signed by President Truman. This is the only tax relief which benefits the average taxpayer to any appreciable extent—in addition, the 82d Congress provided for automatic cuts in excess profits; corporation, excise, and other tax rates, increased temporarily to pay for defense rearmament after the outbreak of the Korean conflict.

The tax bill sponsored by the present administration and approved by the 83d Congress gives very little relief to the average taxpayer. Eighty percent of our people earn less than $5,000 a year. This vast majority will receive a $311 million tax reduction under the administration's bill. This amounts to 9 percent of the total tax relief provided for in the 1954 Republican tax cut.

Corporations and individuals earning over $5,000 a year will receive 91 percent of the tax relief provided for in the $3.3 billion GOP tax bill. This is what is known as the "trickle down" policy, under which tax concessions are made to the well-to-do with the hope that they will seep through to those below.

Together with a number of my Democratic colleagues, I worked for an increase in the individual tax exemption which would benefit all taxpayers, instead of just a few. Our efforts to increase individual tax exemption to a minimum of $700 did not meet with much success.

WHAT ABOUT WORKERS?

The Republican campaign pledge for a revision of the Taft-Hartley Act was just so much talk. No serious effort was made by the majority leadership to enact the needed changes in our labor laws.

The majority party in the House also defeated all attempts to extend the duration of jobless benefits, and to increase their rates. A token gesture was subsequently made to extend the coverage of the unemployment compensation program.

In spite of the high cost of living, and the appreciable level of unemployment, little was done to combat these problems. In fact, the GOP leadership in the Senate overwhelmingly refused money for a committee on consumer interests, which was to investigate middleman profiteering and the reasons for the wide gap between farm income and consumer prices.

Postal and other classified Federal employees received the "runaround" in the needed cost-of-living salary adjustments.

OUR FOREIGN POLICY

The limitations of this report will not permit me to comment on all the issues considered by the 83d Congress. They are listed, however, at the end of this résumé. Before concluding, I want to say a few words about the poor performance of the present administration in the important field of foreign policy.

All of us will long remember the bitter criticisms heaped upon the foreign policy of the past administration by the Republicans. We will also recall the GOP campaign assurances that communism would be stopped in its tracks, that liberation of the Soviet-dominated nations would be at hand, and that our Nation would receive a new, dynamic foreign policy as soon as the Republicans were elected to office.

The miserable and even tragic record of the present administration in the field of foreign affairs makes mockery of those empty promises.

In less than 2 years, Communists have made great gains. Their hold on one-half of Korea was sanctioned—at least for the time being—when the administration accepted the shaky and unsatisfactory truce. The Reds then took over a big portion of Indochina, while our leaders stood by, piously pledging that they would not condone any agreements which would provide for the enslavement

of free peoples. In the meantime, 7 million Vietnamese were committed into Communist bondage through the Indochina armistice agreement.

What is even more tragic, is that the unity of the free world has been crumbling under the inept leadership of our Government during the past 21 months. Further, in the face of new Communist advances, our administration has been cutting back our military, mutual security, and anti-Communist propaganda appropriations.

How sadly does this great crusade compare with the record of the past Democratic administration which stopped communism in Greece, Turkey, Iran, and Berlin; which blocked Red progress in Europe with the Marshall plan and the North Atlantic Treaty Organization; which fostered the free world alliance and frustrated Communist plans for the underdeveloped areas through the point 4 programs and which led in stopping Communist aggression in Korea.

Voting record, 83d Cong.

Stand	Issue	Status
	INTERNATIONAL AFFAIRS	
Voted for	Mutual security program [1]	Approved.
Voted for	Renewal of the reciprocal trade agreements program [1]	Approved.
Voted against	High-tariff Simpson bill	Defeated.
Voted for	Simplification of United States customs procedures [1]	Approved.
Voted for	Emergency Migration Act (refugee relief bill)	Approved.
Voted for	Making agricultural surpluses available to needy nations	Approved.
Voted for	Resolution opposing admission of Red China to the United Nations [1]	Approved.
Voted for	Resolution condemning Soviet enslavement of free peoples	Approved.
	NATIONAL DEFENSE AND INTERNAL SECURITY	
Voted against	$5 billion Air Force cut, and resultant cutback of our airpower	Approved.
Voted against	Deep cuts for civil defense and atomic energy	Approved.
Voted for	Revision of specialists' draft law [1]	Approved.
Voted for	$450 million naval patrol and submarine vessel construction program	Approved.
Voted for	Establishment of U. S. Air Force Academy	Approved.
Voted for	Restricted use of wiretapped evidence in cases involving treason	Pending.
Voted for	Revocation of United States citizenship of convicted traitors	Pending.
Voted for	Inclusion of words "under God" in Pledge of Allegiance to the Flag	Approved.
	NATIONAL ECONOMY	
Voted for	6-month extension of excess-profits tax [1]	Approved.
Voted for	Reduction in excise taxes and repeal of theater admission tax [1]	Approved.
Voted for	Omnibus revision of the Internal Revenue Code	Approved.
Voted for	Increase in personal tax exemptions to a minimum of $700	Defeated.
Voted for	$966 million highway construction assistance program [1]	Approved.
Voted against	Subterfuge attempt to "abolish" the RFC by changing its name	Approved.
Voted against	Giveaway provisions in authorization of sale of Government rubber plants	Approved.
Voted for	Extension of duration and increase of unemployment compensation rates [1]	Defeated.
Voted against	Increase in first-class postal rates	Defeated.
Opposed	Raising the ceiling on the national debt	Pending.
Favored	Revision of the Taft-Hartley Act	Pending.
	NATURAL RESOURCES	
Voted against	Giveaway of tidelands oil resources, valued between $70 and $200 billion	Approved.
Favored	Oil revenue from outer Continental Shelf for educational purposes	Defeated.
Voted against	Giveaway of Federal regulatory power over certain natural-gas companies	Approved.
Voted against	Giveaway of Government control over power and regulation of atomic energy	Approved.
Opposed	Giveaway of mineral resources under certain public lands	Pending.
Opposed	Giveaway of public grazing lands	Pending.
Voted for	St. Lawrence Seaway	Approved.
	GOVERNMENT REORGANIZATION	
Voted for	Renewal of President's authority to reorganize executive departments [1]	Approved.
Voted for	Statehood for Hawaii and Alaska	Pending.
Voted for	Government reorganization plans (Departments of Defense, Health, etc.)	Approved.
	VETERANS AND SERVICEMEN	
Voted for	Family allowances to dependents of servicemen [1]	Approved.
Voted for	Direct housing loans to veterans [1]	Approved.
Voted for	Automatic renewal of Government life insurance [1]	Approved.
Voted for	Income-tax exemptions for servicemen on combat duty [1]	Approved.
Voted for	Increase in veterans pensions, compensation, and survivors benefits [1]	Approved.
Voted for	Extension of Korean veterans GI bill of rights and housing benefits [1]	Approved.
Voted for	Changing of Armistice Day, November 11, to Veterans' Day	Approved.
Opposed	Increased interest rates on veterans' housing loans	Approved.
	AGRICULTURE	
Voted for	Emergency aid to drought and disaster areas	Approved.
Voted for	Federal regulation of trading in coffee	Approved.
Voted for	Sale of $1 billion of surplus agricultural commodities	Approved.
Voted for	Omnibus farm program bill	Pending.
Opposed	Increased interest rates on Bankhead-Jones Farm Tenant Act loans	Approved.
	SOCIAL SECURITY, HEALTH, AND WELFARE	
Voted for	Extension of the National Housing Act [1]	Approved.
Voted for	Increased FHA authority to insure housing loans, with new safeguards [1]	Approved.
Voted for	Federal aid for survey and construction of medical facilities [1]	Approved.
Voted for	Federal aid to schools in defense areas and for vocational rehabilitation [1]	Approved.
Voted for	1954 Amendments to the Social Security Act [1]	Approved.
Voted for	Coordination of Wisconsin State retirement funds with social security	Approved.
Voted for	Allowing full benefits under social security and railroad retirement [1]	Approved.
Voted for	Factory inspection by Food and Drug Administration [1]	Approved.

[1] Denotes extension or modification of a program originated by past administrations.

Rollcall record

	Total roll-calls	Paired	Not voting	Absent on roll and quorum calls [1]
1st session	123	8	1	5
2d session (through Aug. 12, 1954)	140	3	0	5

[1] Absence on quorum calls does not necessarily mean a legislative day's absence.

Gunpowder Politics

EXTENSION OF REMARKS
OF
HON. CLIFTON (CLIFF) YOUNG
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. YOUNG. Mr. Speaker, the RECORD has been unduly burdened of late days with propaganda on behalf of what has been appropriately called gunpowder politics. Among others, apparently certain manufacturers of shotgun and rifle shells are assisting in a nationwide campaign of villification of livestock producers of the West under the guise of pseudoconservation organizations. They have succeeded to the extent of misleading even some of our foremost sportsmen's groups. They are even financing legitimate organizations in the distribution of propaganda based on glittering generalities rather than facts. Regrettably it has had some effect on the public because of the names of these respected sportsmen's groups.

The gentleman from Montana's First Congressional District was recently honored by a number of groups, apparently to some extent, for his part in an unceasing campaign against the livestock industry of the range regions of the West. He has been most considerate of those promoting these gunpowder political attacks on the administration-supported Forest Lands Grazing Act. He has assisted by placing in the RECORD copies of editorials which unfairly and unjustly criticize this measure.

One of the latest of these is entitled "The Neatest Trick of 1954." The charges included therein point out no specifics in opposition to the bill, but must be answered to clear up certain misstatements and protect the integrity of the Forest Service, the Department of Agriculture, one of our greatest basic private enterprises of the agriculture industry, namely, livestock producing, and those representatives of the western range areas who have worked so diligently to bring about uniformity and the most efficient use of the natural resources of the West.

Mr. Speaker, one of the responsibilities of this Congress is the drafting of legislation to most wisely utilize for the good of the Nation the vast land areas of the 11 Western States which are held in public trust in the name of the United States Government. Fifty percent of the land areas of the 11 Western States is owned by the Federal Government. As can be readily seen, this does not include land upon which cities have grown, but is comprised principally of the rugged mountains, deserts, and forests where settling under the Homestead Act with an acreage limitation was found to be impracticable to establish a sound economy. The grass which grows on these public land areas is one of the greatest natural resources this country has. When we mine the mountains the product is gone forever; when we drill for oil we exhaust that much of our natural resources; but when we harvest the grass which comes up each year, we

not only utilize one of the greatest natural resources of this area but we know that, with proper management and care, that natural resources will be ready for harvest again the next season, and both the quantity and quality of that natural resource can be improved under proper safeguards.

There are those who would have you believe that it should be established as the national policy that the livestock men of the areas who have built a major portion of the economy of the West upon the proper utilization of these resources should be driven from the public lands so it could be turned over to the exclusive use of men pleasure-bent—with rifle and shotgun under arm—who would wander through the unharvested grass and shoot at deer and duck. Were this to be done, a valuable, recurring resource—this annual forage crop—would be irretrievably lost.

What heinous crime have these livestock men committed which causes the gentleman from Montana to raise this anguished cry against them in the RECORD? Mr. Speaker, these men have produced from this natural resource, grass, the meat, the leather, and the wool which have fed and clothed the Nation. Remember the leather shoes you are wearing, the wool of your suit, the meat at your table is the direct harvested result of utilization of the natural grass resources.

Upon the production of these articles depends the income of vast land areas of the Western States. Not only have these users of the public lands paid their fee for the use of the grass crops which have been harvested, but from the profits they have paid some part of the taxes which built schools and financed State governments. In many of these areas it is the only economy upon which is based the commerce and business of the area.

The gentleman from Montana has placed in the RECORD an editorial stating the attempt to pass the forest grazing bill is for a small group of stockmen. Mr. Speaker, there are thousands of permittees who graze livestock on the forest lands and other public lands of the West. Consider how many more thousands are furnished employment in the industry and in the service organizations which supply them with their needs and handle their products. Mr. Speaker, without confusing the RECORD with the many thousands of stockmen who have permits—for which they pay—to graze under strict control, on other public lands, but just directing our attention to the forest grazing bill, there are more than 26,000 such stockmen who graze on forest lands. The Nation benefits from their production, and from the tax revenues on all their profits and on the wages of the employees and on the wages and profits of the allied industries. In 1953, 3 million head of sheep and 1,150,000 head of cattle harvested the grass natural resources of the public forest lands. Figured on an animal-month-unit basis of grazing, there were 8,500,000 sheep months and 6 million cattle months of grazing on the forest lands. Please realize, Mr. Speaker, this is only supplemental grazing—summer grazing, if you please—to make more productive the livestock operations on the private lands of the western feeding areas. Yet the opponents of this forest grazing act, by the deft use of glittering-generalities propaganda, would try to make you and the public believe the forest grazing bill is for only a few.

Over in the other body, an amendment has been accepted to the omnibus farm bill which would establish a more secure working relationship between the livestock producers of the West, as tenants who lease land, and the Government of the United States, which is the landlord for the livestock industry.

Mr. Speaker, this amendment is identical with the forest grazing bill which passed the Senate unanimously early this year. Hearings were held in the House Agriculture Committee and there was every indication that after 2 years of study this measure would be approved quite overwhelmingly by the House of Representatives, because of the reasonableness of the measure which would establish a sound landlord-tenant relationship between the Forest Service and the livestock industry. I take pride in the fact that this Republican administration has been quick to recognize the benefits of establishing and recognizing the multiple uses of the forest lands and giving some sense of security to an industry which harvested the grass resources of our forest lands for the benefit of the Government and the profit of our citizens.

Material placed in the RECORD by the gentleman from Montana mentions that the forest grazing bill is not germane to the agriculture bill. It is germane. It was this body of the Congress which made of the agriculture bill, receiving consideration in the House, an omnibus bill, carrying several items which had been passed separately by the Senate. Practically all matters affecting the Department of Agriculture, from agriculture attaches to support prices on basics, were included in the agriculture bill made into an omnibus bill by the Agriculture Committee of the House of Representatives. Then why, Mr. Speaker, is it not germane to include legislation directing the activities of the Secretary of Agriculture and the Forest Service in the production of meat, leather, and fiber on the public lands?

Mr. Speaker, the gunpowder politicians and their propaganda do not point out specific places in which they oppose the forest grazing bill, they only make wild, arm-swinging charges that there is a great strain on many for the benefit of a few. The facts refute this. They would have you believe that all people who believe in conservation oppose this bill. That is not true. For 2 years conservation groups, the administration, and the livestock industry have been presenting their position on this matter to Congress. Let me quote a small portion of a considerable amount of material delivered to the Senate by Senator ANDERSON on August 3 of this year, in which the National Wildlife Federation supports the forest grazing bill. Hugh B. Woodward, regional director of the National Wildlife Federation, states that they have attempted a sane and dispassionate evaluation of the measure as passed by the Senate on March 8 of this year, and says "such an approach must be divorced from unreasoning prejudice." Their declaration that widespread opposition persists is due to lack of knowledge and understanding, and I again quote Mr. Woodward:

> After a complete review of all congressional legislation affecting national forests; after many months of careful and conscientious study of S. 2548 from the time of its introduction through the committee hearings, careful analysis of the Aiken committee report to the Senate, and the debate and colloquy at the time the bill was passed by the Senate, as printed in the CONGRESSIONAL RECORD, we have an abiding conviction that the merits of the amended bill justify and should command the support of every thoughful citizen of the United States interested in the protection of the public values of our national forests.

Mr. Speaker, now that the other body has adopted the Anderson forest grazing amendment, it will give this body an opportunity to agree in the establishment of a broad declaration of congressional policy for the administration of all national forest lands. I hope that the Members of the House will not be deluded by the misinformation circulated on this amendment and will join with the other body in giving the American people a constructive program for improving the multiple use of our national forest areas.

Genevieve de Galard-Terraube, French Airborne Nurse, Visits the United States at the Request of Congress, July 26 Through August 17, 1954

EXTENSION OF REMARKS

OF

HON. FRANCES P. BOLTON

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mrs. FRANCES P. BOLTON. Mr. Speaker, on June 4 both the House and Senate passed House Concurrent Resolution 236, which read as follows:

> Whereas this year marks the 100th anniversary of Florence Nightingale's historic nursing of the wounded in the Crimean War; and
>
> Whereas Nurse Genevieve de Galard-Terraube, officer of the Army of the Republic of France, in her ministering to the sick and wounded at Dien Bien Phu and her subsequent service to her comrades as prisoners of the Viet Minh has provided an example of the courage of a woman in battle and of the devotion of a nurse to her sworn duty which has been unsurpassed in this century; and
>
> Whereas this inspiring woman is representative of the devotion to duty of soldiers of the Republic of France, which has been an ally of the United States for 178 years, and whose people today are considered the warm friends of the people of the United States; and

Whereas Nurse Genevieve de Galard-Terraube's example of fortitude in the face of supreme danger has changed the fall of Dien Bien Phu from a military reversal to a great psychological victory of the undefeatable principles of free mankind fighting the forces of darkness; and

Whereas this nurse, known affectionately as "the Angel of Dien Bien Phu," embodies the finest attributes of free women accepting with men the full burden of living in our modern world: Therefore be it

Resolved by the House of Representatives (the Senate concurring), That the Congress hereby extends to Nurse Genevieve de Galard-Terraube its warm congratulations for her gallant service and invites her, at the earliest time convenient to her and her country, to visit the United States as an honored guest.

The President is respectfully requested to transmit copies of this resolution to the Government of France, and to Nurse Genevieve de Galard-Terraube.

This was transmitted to Mlle. de Galard-Terraube with the following cover letter from President Eisenhower:

THE WHITE HOUSE,
Washington, D. C., June 14, 1954.

DEAR MLLE. DE GALARD-TERRAUBE: It gives me great pleasure to transmit to you a resolution by the Congress of the United States inviting you, at the earliest time convenient to you and your country, to visit the United States as an honored guest.

The people of the United States have followed with sympathy and deep admiration the courageous and resolute resistance of French Union forces against Communist aggression. I wish to include myself among the many to whom the example set by your fortitude, your devotion to duty, and your concern for the sick and wounded has been inspiring and in accordance with the best traditions of humanity.

With best wishes,

Sincerely,

DWIGHT D. EISENHOWER.

On July 24 the Speaker laid before the House the following communication:

VISIT OF MLLE. GENEVIEVE DE GALARD-TERRAUBE—COMMUNICATION FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following communication from the President of the United States, together with a letter from Mlle. Genevieve de Galard-Terraube, which were read:

THE WHITE HOUSE,
Washington, July 23, 1954.

Hon. JOSEPH W. MARTIN, Jr.,
Speaker, House of Representatives,
Washington, D. C.

DEAR MR. SPEAKER: I am pleased to transmit herewith a letter addressed to me by Mlle. Genevieve de Galard-Terraube accepting the invitation of the Congress to visit the United States and asking that her thanks be submitted to the Congress.

Sincerely,

DWIGHT D. EISENHOWER.

[Translation of letter to the President from Mlle. de Galard]

JUNE 28, 1954.

MR. PRESIDENT: I am profoundly touched by the great honor which it has pleased the American Congress to do me by inviting me to go to the United States. This honor belongs to all those whose lot I proudly shared for nearly 2 months and to all the nurses who, in a more obscure situation, sought to relieve the suffering of the wounded. It is on these terms that I accept with gratitude the invitation of the Congress.

In accepting this invitation I am mindful of all the families in mourning, of all those who are still out there, of those who battle and those who are in the prison camps and who, more than I, merit the honor which is paid me; their thought will stay with me and without doubt my taking to the people of the United States an echo of their heroic courage will be of a continuing aid to them.

The American Nation will understand my feelings all the better in that at this very moment it is making a generous contribution to the repatriation of the wounded of Indochina. I shall be happy, upon the occasion of my visit, to express the gratitude of the French families for this gesture which translates so well the traditional friendship of our two countries.

I beg Your Excellency to please transmit my most humble thanks to the Congress of the United States and to accept the assurances of my profoundly respectful sentiments.

GENEVIEVE DE GALARD.

On Monday, July 26, with the unanimous consent of this House to be absent on official business, I went to New York to welcome to the United States on the part of the President and the Congress this young guest whose valiant service to the wounded at Dien Bien Phu—Indochina—has so stirred the imagination and gripped the heart of America.

Today, I have asked for this time in order to report upon the results of our invitation and its acceptance by Mlle. Genevieve de Galard-Terraube, airborne nurse of France.

NEW YORK

I need hardly tell you that on July 26 the press, radio, television, and newsreels were at Idlewild Airport in full force, all of them immediately captivated by Mademoiselle.

The reception party consisted of myself, representatives of the State and Defense Departments, Army, Navy, and Air Force nurses, as well as members of the French Embassy and their New York consulate. With the mayor of New York's representative Ambassador Richard Patterson, rolling out the red carpet in the usual form, the parade cars and the police escort throughout the day could not have been surpassed.

A delightfully intimate note was added by the presence at the airport of several members of Mlle. de Galard's family. This group was escorted to the airport by Mrs. John Lodge, wife of the distinguished Governor of Connecticut. In the party were Mr. and Mrs. Joseph F. Kelly, of Ridgefield, Conn.; Mrs. Kelly being an aunt; their son, Count Gaston de Galard de Bearn, Mademoiselle's cousin; and Mrs. Chantel Munier Prouty, of Windsor, Conn. Mrs. Prouty had attended the Louise de Bettignies School in Paris with Mademoiselle.

We made a brief stop at the Plaza Hotel, whose management very generously made a beautiful suite available, and then on to the Battery for the parade to the city hall.

I should not be giving you the full story did I not try to tell you something of the drama of her reception by the people of that great gateway city of New York.

From the Battery to the city hall the sidewalks were literally packed with eager folk applauding, cheering, waving, calling "Bravo, Bravo," "Vive la France." Men and women wiped their eyes quite unashamed. Photographers kept calling "Look this way, honey"—"Smile, Jenny"—"Wave to us, Genevieve." And she? Sitting alongside her in the lead parade car, where she was perched high on the back of the seat, I saw tears of deep emotion in her eyes, too.

The ceremony at the city hall was colorful and gracious. The invited audience of city officials, nurses, representatives of various welfare organizations, and representatives of the various services, presenting the colors of the two countries, received our guest with a warmth that was good to see. The Marseillaise and The Star-Spangled Banner preceded the short welcoming speeches and the presentation by the mayor of the scroll of the city.

Mademoiselle's gracious word of appreciation endeared her for all time to those who heard her.

The official program follows:

OFFICIAL RECEPTION IN HONOR OF LT. GENEVIEVE DE GALARD-TERRAUBE, "ANGEL OF DIEN BIEN PHU", MONDAY, JULY 26, 1954

COMMISSION FOR PUBLIC EVENTS,
New York, N. Y.

National Anthem, France; National Anthem, United States of America; United States First Army Band.

Presiding: Richard C. Patterson, Jr., Commissioner, Department of Commerce and Public Events.

Address: The Honorable FRANCES P. BOLTON.

Address: The Honorable Count Jean de Lagarde, Minister Plenipotentiary, Consul General of France.

Address: The Honorable Roger Seydoux, Minister Plenipotentiary at the French Embassy, Washington, representing his Excellency, Ambassador Henri Bonnet.

Address of welcome: The Honorable Robert F. Wagner.

Presentation of scroll: Mayor of the city of New York.

Response: Lt. Geneieve de Galard-Terraube, "Angel of Dien Bien Phu."

Municipal Broadcasting System, WNYC, Department of Correction Band, Capt. William Warfield.

Honor escort to Lt. Genevieve de Galard-Terraube: Col. J. R. Bowers, First Army and staff; mounted police escort; United States Army Band and contingent; United States Marine Corps contingent; United States Navy contingent; United States Air Force Band; Fire Department Band and contingent; New York Post Office Band; 40 and 8 contingent; massed colors, Fire Department.

After these ceremonies we proceeded to the Plaza, again between enthusiastic crowds.

Luncheon was in a tiny French restaurant with the French officials. There I listened with all my absorptive capacity to her replies to their many questions. Again I saw how sincere is her humility, how unassuming her courage. Truly, she is a valiant daughter of a long, long line of splendid soldiers of France.

That afternoon I held a reception in the Plaza for the members of our national welcoming committee and representatives of the nursing profession, as well as of hospitals, nursing schools, welfare organizations, Red Cross and others. They were a fitting background for the following citations given

her by: Columbia University, the American Nurses' Association, and the National League for Nursing:

CITATION FOR DISTINGUISHED SERVICE IN THE PROFESSION OF NURSING TO LT. GENEVIEVE DE GALARD-TERRAUBE

For her heroic devotion to the sick and wounded soldiers at Dien Bien Phu which has stirred the respect of all citizens:

For her courage in remaining with her patients during the last terrible weeks of siege at the battered bastion in Indochina and later by her presence greatly influencing the morale of her patients and fellow prisoners of the Viet Minh:

For her faithful adherence to duty as a volunteer for service and as a nurse through which she has symbolized and dramatized for all the free world the high precepts of the nursing profession and the contributions of modern military nursing:

This citation is inscribed and awarded to her on the 27th day of July 1954 by the American Nurses' Association.

AGNES OHLSON,
President.

JULY 26, 1954.

The National League for Nursing salutes Genevieve de Galard-Terraube, airborne nurse of the French Air Force.

The dark brings out her light; her valor perpetuates the inner spirit of her countrymen; her heroism quickens the pulse of humanity; her radiance reflects a loftiness of service in the career of nursing.

Mademoiselle de Galard was awarded a Columbia University bicentennial medallion in silver, with an acompanying citation which read:

The bicentennial committee of Columbia University in cooperation with the division of nursing education, teachers college, and the department of nursing of the faculty of medicine awards to Mlle. Genevieve de Galard-Terraube a Columbia University bicentennial medallion in recognition of her heroic devotion to duty in nursing the soldiers of Dien Bien Phu. In putting the needs and comforts of her patients beyond personal freedom and safety, in ministering to the sick and wounded, whether friend or foe, she followed with honor the example set by Florence Nightingale 100 years ago.

In honoring Mademoiselle Galard-Terraube Columbia University pays tribute to the nurses of all nations whose valor, though outstanding, remains unsung.

By her courageous stand in face of danger, Mademoiselle Galard-Terraube has exemplified a dedication to duty that has become a tradition of nurses. She has symbolized anew throughout the world the high calling of the modern professional nurse.

That evening the French Consul General entertained with an informal dinner in her honor, at which I had the opportunity to express something of our appreciation for her coming, what her visit can mean to nurses and nursing here and in France as well, and the hope that her visit would bring about a better understanding between our two peoples.

WASHINGTON

The welcomings in Washington were very different, but just as moving. The Defense Department plane which was to carry her across the country touched down at MATS' terminal, where a detachment of nurses from the three military services stood at attention to receive her before an honor guard and band from Bolling Field. There also were Ambassador and Madame Bonnet, of the French Embassy; Representatives Edna Kelly and James Fulton, of the Committee on Foreign Affairs of the House; representatives of Vietnam, Laos, and Cambodia; Mr. John F. Simmons, chief of protocol, and Mr. Jameson Parker, public-affairs officer, both of the State Department; and the special representatives of Defense, Army, Navy, and Air Force nurses.

Later she was received by members of the House Committee on Foreign Affairs and was honored guest at a congressional luncheon I gave. The Senators I had invited found it difficult to attend because of the pressure of legislative business on the floor. I deeply appreciated that several came in for a few moments. We House Members kept tabs on what was happening on the House floor through the Speaker and whip, who were also present.

On Wednesday, Madamoiselle Genevieve and I appeared together on two television network programs. Later she laid a wreath at the National Nurses Memorial in Arlington Cemetery in a moving ceremony which will not be forgotten by those who attended. Her visit to Walter Reed Hospital was deeply appreciated. Mrs. John Foster Dulles very graciously included her in the luncheon she was giving for the wives of diplomats of the 16 nations who joined us in Korea. Later I had the pleasure of introducing her to the Secretary of State. She was accompanied, of course, by the French Ambassador, Henri Bonnet, and Assistant Secretary McCardle and Mr. Parker, of the State Department, joined us. At 6 o'clock she was guest of honor at a beautiful reception at the French Embassy.

If there was to be any highlight in this spectacular tour, it most certainly came on Thursday when Madamoiselle de Galard was received by President and Mrs. Eisenhower. The President expressed the appreciation of a professional soldier for this young woman's outstanding display of heroism and then awarded her the Medal of Freedom with bronze palm. The medal takes its place beside the Legion of Honor, which was conferred upon her during the siege of Dien Bien Phu.

THE WHITE HOUSE

The President of the United States of America, authorized by Executive order, July 6, 1945, has awarded the Medal of Freedom with bronze palm, to Mlle. Genevieve de Galard-Terraube, French airborne nurse, for meritorious service.

MEDAL OF FREEDOM (WITH BRONZE PALM)

Mlle. Genevieve de Galard-Terraube, French airborne nurse, by her ministrations to the sick and wounded at Dien Bien Phu, inspired and heartened the entire free world. Her service to her comrades, marked by the courage of a woman in battle and by the devotion of a nurse to her sworn duty, has been unsurpassed in this century. Her supreme fortitude in hours of peril, her unfaltering dedication to her mission reflected the greatness of spirit manifested on many fields, in many centuries, by the soldiers of France.

The republic she serves so nobly has been an ally of the United States for 178 years. The continuing friendship between the peoples of the two Republics is symbolized today in their joined salute to Mlle. de Galard-Terraube. Her service at Dien Bien Phu reflects great credit upon herself and her country and the cause of freedom around the world.

JULY 29, 1954.

From the White House, Mlle. de Galard went to the National Institutes of Health in Bethesda. There Surgeon General Dr. Leonard A. Scheele awarded her a citation and honorary membership in the Association of Military Surgeons.

Genevieve de Galard-Terraube, French airborne nurse, with nobility of purpose, with selfless devotion to duty despite danger, you denied yourself comfort and safety that you might serve God, your country, and your people in the heroic defense of Dien Bien Phu. You are a symbol of the highest traditions of professional nursing and have brought honor to all who care for the sick or wounded, in peace as in war. The Association of Military Surgeons of the United States commends you.

LEONARD A. SCHEELE, M. D.,
The Surgeon General, United States Public Health Service; President, Association of Military Surgeons.

JULY 29, 1954.

Later that day she was guest of honor at a tea given by the American Red Cross Nursing Services where she planted two little holly trees. The Red Cross has also recommended her for the Florence Nightingale Medal, highest honor of the nursing profession.

RESOLUTION OF TRIBUTE TO LT. GENEVIEVE DE GALARD-TERRAUBE

During the siege and fall of Dien Bien Phu, Lt. Genevieve de Galard-Terraube, a French nurse, acted in the finest tradition of nursing, established in the Crimean and other bitter wars, by providing an heartening example of unselfish service and inspiration to the garrison during the siege, by administering aid and comfort to the wounded, courage and cheer to the disheartened, and, after the fortress fell, by refusing an offer of freedom so she could stay until the wounded were cared for and repatriated; be it

"Resolved, therefore, That the American National Red Cross in convention assembled pay tribute to Lt. Genevieve de Galard-Terraube for her outstanding contribution to the nursing profession and for the renewal of faith and hope for humanity which her uplifting example of selfless fortitude has provided people throughout the world; and be it further

"Resolved, That this tribute to Lieutenant de Galard-Terraube be presented to her through the offices of the French Red Cross; and that the American National Red Cross join with the League of Red Cross Societies in recommending to the International Red Cross Committee that she be awarded the Florence Nightingale medal.

(Adopted unanimously at the American Red Cross National Convention, Los Angeles, Calif., June 16, 1954.)

Friday, July 30, saw us at Bolling Field taking off for Cleveland, where I left Mlle. de Galard and returned to Washington. We were received by the Governor, the mayor, and other officials, and the regional French consul, M. Beliard, down from Detroit.

Mlle. de Galard was the weekend houseguest of Mr. and Mrs. Kenyon C. Bolton. First came a reception at their home, under the auspices of the Council on World Affairs, on Friday. Monday, a second reception gave opportunity to literally thousands of nurses and student nurses, to meet Mlle. de Galard. There were visits to the Red Cross headquarters of the Cleveland

area, and observation of a mobile blood-donor operation in action. Interspersed with all this were an informal luncheon at the home of Mr. Laurence Norton in Mentor, a dinner given by the French consular agent, refreshing swims, a delightful evening at the "Musicarnival" where at the end of the play our Jenny was called on stage and presented with flowers.

August 3 to 6 our guest was in Chicago where she was received by Mayor Kennelly and other high city officials, as well as representatives of the American Medical Association, the American Hospital Association, the Illinois League for Nursing, the Institute of International Education, and representatives of the Fifth Army. The American Medical Association and the American Hospital Association graciously arranged receptions for Mlle. de Galard and afforded her the opportunity of meeting many prominent members of the medical and nursing professions in the Chicago area. She also visited the Veterans' Administration Research Hospital and attended a reception for student nurses at the Michael Reese Hospital, arranged by Miss Lorentz, of the Illinois League for Nursing. The French Consul General also entertained Mlle. de Galard at a dinner on the evening of August 4 and on August 5 she was given a luncheon by the Chicago office of CARE, which is now launching a special program for relief of refugees in Indochina.

At this point, Mr. Speaker, I should like to tell you a touching little story which tells in a few words what pages might not convey as to the meaning of Mlle. de Galard's visit in this country. It happened in Chicago at the veterans' hospital. My correspondent told it this way:

I thought it might interest you to know what happened in our hospital the day of Mlle. de Galard's visit. There was a little celebration for her which was attended by all nurses and patients who could leave their wards. After the celebration, when our honored guest had left the building, the nurses returned to work. On one of the floors all the patients were waiting for their arrival at the elevators. They had little presents and gardenia corsages for every one of them. They said they admired what Mlle. de Galard had done in Indochina, but that their nurses take good care of them, too, and deserve gratefulness and attention as well. We all thought it was very nice of the patients, and I knew you would be pleased to hear about it. I am sorry I had no chance to tell the story to Mlle. de Galard, because I am sure it would make her very happy, too.

On behalf of the men and women who devote their lives to caring for the sick and injured, the American Hospital Association and the American Medical Association present this citation to Mlle. Genevieve de Galard-Terraube, "the Angel of Dien Bien Phu," whose devotion to the same noble cause has made her a 20th century symbol of the traditions established by Florence Nightingale.

EDWIN L. CROSBY, M. D.,
Director, American Hospital Association.
GEORGE F. LULL, M. D.,
Secretary and General Manager, The American Medical Association.
(For the officers and trustees of our organizations.)
CHICAGO, *August 3, 1954.*

To Genevieve de Galard-Terraube in admiration and tribute for heroic devotion to the care of the sick and wounded soldiers at Dien Bien Phu, we, the hospitalized veterans of the Veterans' Administration Research Hospital, Chicago, Ill., gratefully affix our names.

Edward B. Cushing, Max R. Chomblee, Harvey Nerod, James D. Washington, Jessi A. Shuke, Charles B. Gerndt, Joseph Cusack, Fred H. Zeiss, Orville Canney, Walter Covington, Henry McFarland, Walter R. Moody, Joseph M. Henley, Chester Wysocki, Howard A. Matthews, Roland Blanchetto, Ray V. Johnson, Harry M. Semmers, Aaron H. Cole, O. L. Norton, Rev. Walter J. Braselton, Charles H. Strey, Louis Mosier, John Buhr, Benna H. Siy, Perry W. Collinson, Robert E. Shannon, Roy G. Weidleman, Estelle H. Wajerski, Laurence La Carza, Glenn L. Woolworth, Jr., Harold Moore, John Gengler, George Ready, Roy L. Davis, John C. Kelleher, William J. Gerleve, Charles L. Neigh, William Markley, Lee R. McCullony, Eugene K. Blair, Emery E. Nale, Ernest Stellwag, Henry L. Falconio, John E. Murray, John Dailey, Joseph Hartridge, Mike Smith, Wm. M. Denear, Ole M. Heltner, Robert R. Nangle, etc.

GRANT HOSPITAL OF CHICAGO,
SCHOOL OF NURSING,
Chicago, Ill.

Mlle. Genevieve de Galard-Terraube, in recognition of the honor and glory your heroism has brought to the profession of nursing throughout the world the Grant Hospital of Chicago, School of Nursing, hereby establishes a 3-year scholarship in your honor to be known as the Mlle. Genevieve de Galard-Terraube scholarship.

This scholarship will be awarded to that candidate whose qualities of mind and heart and spirit make her most likely to carry on noblest traditions of the nursing profession which you exemplify.

Given at Chicago, in the State of Illinois, August 4, 1954.

COYL C. MASON, M. D.,
President, Medical Staff.
JOSEPH F. DITEN,
President, Board of Directors.
MONA JACKSON, R. N.,
Director, School of Nursing.
WILLIAM A. HUTCHINSON, M. D.,
Executive Director.

Veterans' Administration, Department of Medicine and Surgery, Nursing Service, pays tribute to Mlle. Genevieve de Galard-Terraube in recognition of her outstanding courage and performance of duty at Dien Pien Phu exemplifying the ideals and traditions of the nursing profession.

Given at Chicago, Ill., this 5th day of August 1954.

DOROTHY V. WHEELER,
Director of Nursing Service.

After a restful weekend at Lake Tahoe with her cousin, M. de Guiringaud, French consul general in San Francisco, Mlle. de Galard proceeded to San Francisco, arriving there on August 10. Met by representatives of the Armed Forces and officials of the local medical, civic, and service organizations, and of the French consular corps, she was then welcomed to the city by Mayor Elmer Robinson. That evening a reception at the local Red Cross chapter headquarters was held for representatives of the Red Cross, chapter officials, service chairmen, and professional nursing organization representatives and members, after which the French consul general gave a dinner in her honor. During the next 2 days she visited Fort Miley Veterans' Administration Hospital, the Presidio, the Irwin Memorial Blood Bank, Treasure Island, and Travis Air Force Base. This last is the base through which the wounded French soldiers from Indochina were sent on their way home. A cosponsored reception was held for her by the World Affairs Council of Northern California, the American Women's Voluntary Services, and France-Amerique; and another reception was held under the auspices of the French colony in San Francisco.

Leaving San Francisco August 12 the party spent a night in New Orleans en route to Gunter Field at Montgomery, Ala. This gave her opportunity to visit the School of Aviation Medicine, and observe the air flight training courses given for Air Force nurses.

August 14 saw her back in New York where she remained over the weekend, again the guest of the Plaza Hotel, taking off for Paris via Air France, August 17.

This in brief, Mr. Speaker, is an account of the visit of the French airborne nurse, Genevieve de Galard-Terraube. May I take this opportunity to thank some of the many hundreds of people and organizations who have played a direct part in her tour of the United States. The very heaviest roles have been played by the Departments of State and Defense, the French Embassy, and by the member organizations in the National Welcome Committee. These last-named are: American Association of Social Workers; American Cancer Society; American Heart Association; American Hospital Association; American Medical Association; American National Red Cross; American Nurses Association; American Public Health Association; Defense Advisory Committee on Women in the Services; National League for Nursing; United States Public Health Service; United States Defense Department; United States Air Force Nurse Corps; United States Army Nurse Corps; United States Navy Nurse Corps; the Veterans' Administration; Womens Medical Specialist Corps—United States Army and United States Air Force—and the World Medical Association.

A particularly happy choice by Assistant Secretary of State McCardle of Mr. Jameson Parker gave this project an experienced Foreign Service officer to travel with the official party. For the past month he has worked tirelessly around the clock to coordinate every effort in this endeavor. I want to mention also Mr. James Donovan of the Department of State, who is responsible for Mlle. de Galard's itinerary and receptions in the various cities and Maj. Howard McGrath, special events officer of the Department of Defense who has coordinated the Defense effort. Mr. Joseph Tambone, protocol officer at the United States Mission to the United Nations, offered splendid assistance on the New York plans.

Ambassador and Madame Bonnet, of the French Embassy, were the gracious hosts of Mlle. de Galard during her entire stay in Washington. M. Roger

Seydoux, Minister, and M. Jacques Dupuy, Second Secretary, could not have been more helpful and cooperative.

Mr. Speaker, it is my hope that this brief report on the results of the unique invitation we extended this French airborne Nurse Genevieve de Galard-Terraube will give to each and every member of the 83d Congress a sense of the dual purpose behind our action: to honor a gallant nurse whose service in the fortress of Dien Bien Phu, way off in Indochina, so deeply touched the hearts of the free world, and to further cement the friendship between our two great nations.

Wherever Mlle. de Galard went she won the hearts of all who saw her with her gentle dignity, her humility, and the rare spirit which radiated from her. We can be sure that as she goes among her own people she will take with her a better understanding of the people of our United States. And after all, Mr. Speaker, understanding is the cornerstone of peace.

Under leave previously granted, I am appending hereto several documents pertaining to Mlle. de Galard's visit:

THE ANGEL OF DIEN BIEN PHU

(By Ruth Boyer Scott, registered nurse)

Courage is often an unsung quality of nurses—possibly because it is usually a deeply instinctive rather than a premeditated reaction to a sudden situation. But a 29-year-old brown-haired French nurse made world headlines recently when she deliberately sought a dangerous situation and met it with unforgettable courage.

French Air Force Lieutenant Genevieve de Galard-Terraube, having lived through the terrible siege and fall of the Dien Bien Phu fortress in Indochina, refused the first offer of freedom when it was made by the Communists. As the only woman among 11,000 soldiers, she waited and worked until more than 400 wounded had been flown out.

Creative appreciation is also a much needed quality. Congresswoman FRANCES P. BOLTON for years has been an admirer of nurses and an active worker on their behalf. With inspiration, she introduced a resolution inviting Mlle. de Galard to visit the United States as an honored guest of Congress.

A layman who knows the history of nursing, Mrs. BOLTON pointed out in the resolution that this year marks the one-hundredth anniversary of Florence Nightingale's historic contribution to the Crimean War.

"Everyone was thrilled in the House and Senate by the hope of recognizing this unsurpassed nurse who served under fire, with no other woman about to offer either physical or moral support, and transformed a military reversal into a great psychologic victory," the Congresswoman related. "The resolution was passed by both Houses of Congress without one dissenting voice."

President Eisenhower himself sent the congressional invitation to the Government of France. He also wrote directly to the nurse herself with warmest praise of "your fortitude and devotion to duty."

Mrs. BOLTON says, "Lafayette was given the use of a United States vessel so that he could come here to be honored in post-Revolutionary times. No other person before Nurse de Galard-Terraube has ever been invited formally by Congress to become an 'honored guest'." Nearly 2 centuries have intervened since Lafayette's visit but only this difference is apparent—today the contemplated honors will go to a Frenchwoman of unique gallantry rather than to a gallant Frenchman.

As plans began to take shape for Mlle. de Galard's visit, Mrs. BOLTON became the focus of day and night activity. "And I mean night," Mrs. BOLTON laughed. "I had a phone call at 1: 30 a. m."

As chairman of the National Committee to Welcome Genevieve de Galard-Terraube, Mrs. BOLTON surveyed the attitudes in 15 national organizations outstanding in health and allied fields. Members of the American Nurses Association, the National League for Nursing, the United States Public Health Service, and the Army, Navy, and Air Force Nurse Corps were happy to assist with the arrangements.

"We must remember," Mrs. BOLTON told planners, "that our guest is a little tired, a little shy, and doesn't speak much English.

"The spectacular public welcome in New York City and Washington must be tempered with quiet hours and a full opportunity to see what any nurse is eager to observe."

Like Florence Nightingale, Nurse de Galard volunteered for war service. She asked for duty in Indochina in the fall of 1953. She flew in and out of the enemy-surrounded fortress of Dien Bien Phu in helicopters with the wounded. Artillery fire damaged her plane on March 27 so that it couldn't take off. The next day, while she was still grounded, according to an article in the Paris magazine, Match (May 1–8), the airlift was interrupted, and in the ensuing blockade she remained as the only woman member of the garrison.

And so she went about her nursing, helping the doctors care for the wounded. Despite the overwhelming burden of her duties, she didn't miss the chance to visit with a wounded soldier who also was a native of her beloved Paris. Her fluent chatter distracted his mind from pain during surgery, he proudly related when he was flown out before she was.

While Lieutenant de Galard was still under shellfire in the tottering fort, the grateful French Republic made her a Knight of the Legion of Honor, and awarded her the French Military Medal for heroic duty. Her 41 days under siege were followed by 17 days as a prisoner. To her, those record-making days "opened new horizons and the camaraderie was wonderful." She left her prison with mingled "joy and sadness."

When she reached the relative safety of Hanoi, she said, "I had no idea I was famous." And so, as in Florence Nightingale's life, we find another instance where the relationship between patient and nurse was such that tragedy and overwork could be translated into a "wonderful experience." Unlike Florence Nightingale, however, who sailed from England accompanied by a staff of 38 nurses, Genevieve de Galard-Terraube was quite alone as a woman. It is this triumph of dedicated service and buoyant spirits over "the lone woman" which has so deeply moved not only the French and American people, but everyone in the free world.

Florence Nightingale was never a prisoner. But the Angel of Dien Bien Phu, an appellation Mlle. de Galard will have to bear for eternity, could not be sure when she refused the first offer of freedom that she would ever have another chance.

Unlike Florence Nightingale, who returned to London, still weakened from fever, by slow passage on a British man-of-war, the French heroine came home to Paris, worn but well, by the modern miracle of plane flight, to find her likeness in color on the cover of Match (June 12).

Just as Florence Nightingale came from a family of refinement and social standing, so does Mlle. de Galard. Her family bears one of the old and proud names in French military annals.

Her mother, Vicountess Oger de Galard-Terraube, wept when she heard the news from Geneva that her famous daughter had been flown out safely from Dien Bien Phu to Hanoi, Indochina. When the heroic nurse reached Paris the aging vicountess, her black garb relieved only by a mauve blouse, hugged her daughter briefly. Then she released her to the wildly joyful crowd at the Orly Airport. Genevieve, in the trim navy blue uniform and beret of the French Air Force, had a smile for everyone, and her blue eyes were full of joy.

But observers say that her smile was just as heart-warming when she was flown out from the fallen fort, weary and dusty, in the coverall which is the paratrooper's campaign uniform. That she wore shoes without stockings was the most insignificant personal sacrifice of a gently reared girl. That she wore lipstick was the gallant gesture of today's nurse who works under fire in field pants, and still is a delightful woman.

To the American planners of Congresswoman BOLTON'S welcoming committee, who were trying to combine consideration with enthusiastic appreciation, a French Embassy secretary brought word from a San Francisco-stationed cousin of Mlle. de Galard that he had talked with her in Paris. Her cousin reported that she was "extremely tired but extremely grateful" to the American people.

Other bits of information about her relatives have come out. While she was yet a prisoner of the Communists, another cousin was in Geneva at the peace conference as a correspondent for a French newspaper. The Communists told him, "The army high command has decided to liberate your cousin." But, as the world soon learned, the plucky nurse refused the proffered freedom at this point.

As planners were coping with the impossibility of including all the major American cities—and all the officials, nurses, doctors and American Red Cross workers who wanted to meet her—into the proposed itinerary, this was the word: "San Francisco is a must, because she has relatives there."

Magazines must go to press months ahead. When this issue reaches you, many nurses already may have seen Genevieve de Galard-Terraube. Many more will not have had this privilege, but will have looked to radio and television and newspapers for details of her tour.

In June Mrs. BOLTON was "hoping" and trying in her humanitarian way to make a success of the "Welcome of Two Centuries." She was hoping that Mlle. de Galard would spent a night or two in Mrs. BOLTON'S home, across the street from the French Embassy where a tea was planned. She was hoping, as a member of the Board of Regents of Mount Vernon, to take Genevieve to this beautiful colonial shrine and home of our First President—whom France helped to victory.

She was hoping that hazel-eyed, blond-haired Miss Mary Vance Trent of the State Department would be the American angel for this famous nurse. The tour was officially under the guidance of the State Department's exchange program, by which many foreigners visit our country every year. Miss Trent, who speaks French fluently, was scheduled as official interpreter and traveling guide for the nurse. But of equal importance, Miss Trent is a capable, warm-hearted person, who would try to be more friend than guide as she accompanied a famous nurse and protected her from the overexuberance of the admiring public.

Whatever may come of these plans, while this magazine rolls through the presses, American nurses salute 1954's Nurse of the World. And they voice appreciation for Congresswoman BOLTON, who is not only a friend to nurses here, but also, through her memberships internationally, is unusually well informed on nursing in France and in other parts of the world.

Have Subsidies Become Our Lifeblood?—Is There a Remedy?

EXTENSION OF REMARKS
OF

HON. RALPH W. GWINN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. GWINN. Mr. Speaker, some time ago the Government took by force private property by taxation and gave big gobs of it to the beef cattlemen. In effect, beef became the public property of the Government. More and more people went into raising beef for Government subsidies. Surpluses of cattle increased. Prices to the consumers were fixed high by the Government, in spite of increasing surpluses. Suddenly the people quit eating beef. They struck. Just as suddenly the sturdy big-hatted ranchers woke up to the fact that they were raising socialized beef for the Government which is a most unreliable political customer. They had lost their real dependable customers, the American people. So the cattlemen took a vote and threw Government price supports and control of their business out. They chose the hard road of winning their customers back in a free beef market. That meant lower prices, but increased beef consumption from 62 to 76 pounds per capita—an alltime record. Congress was not smart enough to stop subsidies, but the cattlemen were.

The potato growers were corrupted for years by Government checks totaling $478 million. They, too, delivered their potatoes to the Government instead of the consumers. Suddenly the taxpayers were shocked to see the Government paying farmers for potatoes with taxpayers' money, then burning the potatoes to make them scarce to keep the prices high. To make it worse, after destroying the potatoes on one side of the road, the Government bought potatoes from Canada to feed the people on the other side. Congress went right on, year after year, and could not stop. The people did stop it. Potatoes won their freedom from Government. And tough as freedom is, potatoes would not go back into socialism, viz, big management, ownership, and control by the Government.

In the same way the Government has been insisting on taking by force private property and building publicly owned Government houses. It rents them at half rent, exempt from taxation. And, of course, Government expects tenants to vote right in return for favors. A very narrow majority in Congress has been insisting lately on forcing public houses on to the people in spite of the fact that the people do not want them. Generally wherever the people vote they throw Government housing out, keep their own money at home, and manage their own affairs.

Now come the people of Tennessee telling the true story of TVA, the first and most highly touted of American socialistic experiments. It is turning out very badly for Tennessee. For the Tennessee Valley has become totally dependent upon Government power and annual appropriations from Congress, and is falling behind the other Southeastern States. That is because the other States are not dependent on what Congress may or may not do. The other States make and pay for their own electric power, depending upon themselves. Tennessee has found by bitter experience that business firms will not move into a State where the amount of electric power they produce depends on Congress taking the money to build their powerplants by force from somebody else in far-distant States. Congress is finding it more and more impossible to buy the votes in Tennessee by taking the money from Massachusetts, New York, Illinois, and other States. Even the little schoolboys now define TVA as "a river that flows through 7 States and drains 41." Even so, they are being drained again for the 22d year.

This year be it noted, a Republican Congress is appropriating less than any year before, but it is still $120 million to build steam plants. That will help heat their houses with electricity, though Tennesseans have plenty of coal in their backyards which they could use. They could also use oil like other people. But it is cheaper to use electricity so long as taxpayers in other States can be socked to provide it partly at their expense for Tennessee. But Tennessee knows that no scheme to buy votes as crazy and incredible as TVA can last. So Mr. Robert M. Metcalf, Jr., vice president of Guaranty Mortgage & Trust Co., of Memphis, Tenn., comes up with this remedy. He proposed a new and greater TVA in Spotlight for the Nation. He says:

A NEW AND GREATER TVA

We are nearing a fork in the road.

With the inexorable march of events, it may not be far ahead.

Probably during this administration, our Government will be faced with a choice of what to do with TVA—for the long pull. The administration itself is pledged to a withdrawal of Government from the fields of industrial enterprise. The new Hoover Commission is already girding itself for that job; a task force of the Commission under Ben Moreell is working in the specific realm of water resources and power. In the battle that has already raged for years in the press and through the Halls of Congress, the recommendations that come in from the task force may well bring on the climax.

With the taxpayer who lives elsewhere in the Nation naturally reluctant to continue being forced to invest in power facilities for Tennesseeans, the fight over TVA appropriations has become increasingly bitter.

The resident in the TVA region, on the other hand, sees TVA as a fait accompli and will declare war at the flick of a power switch when he feels that his city's growth has a ceiling being placed on it by threat of a power shortage. He realizes that it is unsound and risk-filled to be dependent upon Congressmen from all sections of the country to vote funds for his power expansion needs. Nonetheless that is the way it has been and still remains.

What would be the happiest solution of the problems posed by TVA—the best answer for the country as a whole and for the residents in the TVA region?

It is this: Sell the power-generating facilities to the people in the area it serves.

By this one stroke we would accomplish these great objectives:

1. Reverse one of the biggest socialistic steps the United States has ever taken.

2. Lift TVA off the backs of the Nation's taxpayers (as it has been with respect to (a) its demands for capital funds and (b) its nontaxpaying status, though a producing enterprise).

3. Get the ownership of TVA truly in the hands of the people (and they would be the people most concerned) with control of the vast project at home.

4. Give to TVA the dynamism and flexibility of private enterprise, with an ownership truly alert and responsive to power needs.

5. Eliminate the tyranny, abuse, and graft of politics to which an institution like TVA is so subject.

6. Stop the threat of a power shortage that constantly hangs over the TVA region because of dependence upon Congress for growth funds.

The legislative processes to bring into being this new TVA need not be labryinthine. They might well lead to the following steps:

1. Empowering TVA to issue bonds, debentures, preferred and common stock for private sale (in the order noted below), specifying that the United States Treasury shall be the ultimate recipient of all securities sales proceeds.

2. Sale of the senior securities first, in proportions that are normal for a public utility of that type.

3. Sale of the common stock, to be offered first to individuals residing in the TVA region. The equity would probably not be too large, after step 2 is taken, for the TVA region residents to take all of the stock. They would be allowed to purchase for cash, exchange for United States bonds or pay by installments.

4. Election of board members by the new owners and complete divorce of TVA from the United States Government. The cognizant State regulatory bodies would take over regulation, and from them must be obtained prior agreements to allow rates to go to proper economic levels.

Then Mr. Metcalf concludes by asking, "Could any American dedicated to basic principles ask for a better TVA?"

And so, Mr. Speaker, as this session of Congress comes to a close, I propose to the people that they help, as Mr. Metcalf has helped with a new idea, to solve our problems. No President, no Congress, no government can solve them without such help. For 20 years Congress indulged itself in a kind of vote-getting game, sometimes under the lash of a President, to redistribute the wealth. They indulged in doing good with other people's money without too much disturbance to conscience in taking private property and making it public ownership and operation. If conscience were disturbed, alleged national defense relieved it. But by now each group getting the benefits of the redistribution are running head on into each other or running out of benefits. Indeed the mess, which this Congress came into power 2 years ago to clean up, has smeared the faces of those who have quite diligently wrestled with it.

If there are critics of the failure of Congress to reverse the New Deal trend and save the taxpayers much more, let them answer these questions. Which particular group feeding in the public trough would they knock out first? Which subsidy law would they repeal to start with? They must be repealed one at a time. That is, which group's vote would they risk losing first? That's been tried.

Three weeks ago the Illinois delegation in Congress representing corn attacked peanuts. Corn having been for nearly 20 years in the public trough and feeling quite secure said in effect: "Now what basic rights have peanuts to put their feet in this trough?" "Why the country would never miss them if we never raised another peanut. They are indigestible anyway." And corn called for a vote of all the others to throw peanuts out. Whereupon peanuts furiously counter-attacked with most devastating effect. They said, "Why of all those feeding in this trough that have grown sleek and fat and should be thrown out, it's corn. Above all others it should fall on its knees and ask forgiveness for its sins in the well of this House." So little peanuts, who really had no case at all, shamed corn and scared the others so that the vote was 228 to 170 to keep peanuts in. After the fight peanuts got nearly as much subsidy as corn got for keeping itself padlocked in cribs so as to make itself look scarce and high priced.

After that vote in the House in which peanuts did so well, apples were heard tumbling all over themselves out in the halls. They said, "Why sure enough we are just as basic as any of the rest. Besides we can be kept by freezing. What's more basic than an apple a day keeping the doctor away?" In the distance you could hear groups without number organizing the votes so that every seat in the House will be endangered unless the Member votes to give each new group theirs for no good reason except that all the others are getting theirs. When I asked a friend on the floor if this would ever stop, he answered "No; it will go on for ever."

When Government controls the economic laws of potatoes, it controls the moral laws surrounding their use. If Government owns your house, and rents it to you, it will tell how to live in it. You may commit one sin or have one illegitimate child in Government housing but not two. This is the rule in the book of morals in Houston, Tex. You are free to vote, of course, but if you vote against the party that provided your house you may expect to move. And so cattlemen, potatomen, many Government tenants, dependents on Government for power or loans or health, must do the will of Government and not of God. Government becomes a substitute for God.

I dare say a majority of Congressmen are leaving Washington this August 1954 with a greater political, economic, and moral sense of frustration, than at any time in 22 years. It is not primarily because of entanglements with other nations, but because we have tried and failed to resolve questions of right and wrong on a constitutional basis in our domestic affairs. The contentions of groupism and the outright disorder and lawlessness of some of the more powerful ones have wearied the souls of Congressmen. What is worse, they have no defense from these groups, no limitations on their power to satisfy them, no ground on which to stand and fight.

So the people themselves must come to the defense of the President and the Congress to get the Government out of all its unlawful, unconstitutional business. They must remove such questions from elections. And then amend and clarify the Constitution by action in the State legislatures so as to keep the Republic from going Socialist ever again.

Let me know your reaction to the Metcalf proposal and subsidies.

Congressman Young Represents Working People

EXTENSION OF REMARKS
OF

HON. CLIFTON (CLIFF) YOUNG

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Thursday, August 12, 1954

Mr. YOUNG. Mr. Speaker, as the sole Representative in Congress of the State of Nevada, I feel it important at this time to report to the people of my congressional district on legislative activities of the 83d Congress which affect them.

The past 10 years have seen a truly amazing economic growth in my State—and the future holds promise of even more rapid development. There are many factors in Nevada favorable to industrial expansion. One such factor is a large group of conscientious, energetic, working people. They labor hard at their jobs, earning a livelihood while building a stronger and sounder State economy. Others have passed their productive days and have retired after a lifetime of labor. Knowing of their interest in matters before Congress from the many letters received by me during the past year, I intend at this time to discuss legislation of special importance to them.

HOSPITALS AND HEALTH

The 83d Congress has taken vigorous steps to protect and promote the Nation's health. A new national emphasis was given to this field by the establishment of the Department of Health, Education, and Welfare.

These specific provisions were included in a forward-looking health program: First, Federal aid in the construction of public and nonprofit hospitals and nursing homes; second, research in the perplexing health problems. I regret that time does not permit me to tell of the great advances which have been made in the battle against cancer, heart disease, polio, and many other diseases as a result of the Federal research program; third, an expanded vocational rehabilitation program was approved which will greatly increase future aid to disabled persons and build a more productive America by assisting these people to become economically independent.

HIGHWAYS

The 1954 Federal Highway Act provides the greatest sums for highway improvements in the history of our Nation. The State of Nevada will receive $8,719,541 during each of the next 2 years. This exceeds by nearly $3 million annually funds available in the past.

Improved highways will mean more convenience, greater personal safety, stimulation of our important tourist trade, and the strengthening of national security and civil defense.

I supported this legislation and also measures to secure four-lane highways from the west coast inland to southern and northern Nevada.

SENIOR CITIZENS

Improvements were made in our social security and old-age and survivors insurance programs by increasing the earning base; raising the benefit amounts; eliminating the 5 lowest years of earnings in computing averages; increasing the amount a beneficiary can earn without losing benefits; and by extending protection under the act. I will be glad to furnish details to those who request them.

TAX RELIEF

The 83d Congress completely revised our cumbersome, crazy-quilt tax code, and passed tax relief measures representing the biggest tax cut in the history of our Nation—nearly $7.5 billion.

I am pleased to report that more than two-thirds of the tax relief will benefit wage earners' families and other individuals. Henceforth, when the people of Nevada go shopping they will have more to spend for themselves and their families, and the tax collector will claim less.

On January 1, 1954, the tax bill of each individual taxpayer was reduced 10 percent. The new law provides these tax benefits: more liberal deductions for medical expenses; exemption on retirement income up to $1,200 per year for all retired persons 65 and over; dependency deduction by a parent who furnishes more than half the support of a child, even though the child earns more than $600 per year; full exemption of accident and health benefits paid as reimbursement for actual medical expenses to employees; exemption up to $100 per week on payments to employees for loss of wages due to injury or illness; deductions for child-care expenses by working widows and widowers in certain instances.

The workingman in Nevada will also be interested in drastic slashes in excise taxes on many items such as light bulbs, cigarette lighters, sporting goods, baby oils, cosmetics, telephone bills, ladies' handbags, and numerous other things.

RAILROAD RETIREMENT

I supported legislation enacted to permit persons entitled to benefits under the Railroad Retirement Act and the Social Security Act to receive full amounts under both acts. Since October 1951, railroad retirement benefits have been reduced by the amount of old-age insurance benefits.

I also supported another measure to improve the railroad retirement system by, first, reducing the eligibility age of widows from 65 to 60; second, increasing earned income limitation of annuitant from $75 to $100 per month; third, permitting a totally and permanently disabled child and his widowed mother to receive benefits after child reaches age 18; and, fourth, increasing from $300 to $350 maximum compensation taxable and creditable for both railroad retirement and unemployment insurance.

MINING

In a State such as Nevada, where mining is an important part of our economy, it has been distressing to witness the trend during the past several decades which has favored foreign operators to the detriment of American producers. Our Government has in the past spent millions of dollars in other countries to develop mines operated by low-cost foreign labor.

I am pleased to report a change in this philosophy, which resulted in boom towns in foreign countries and ghost towns in the West. Although trade with foreign countries is important in a sound foreign policy, it is impossible to defend the past policy which made us dependent on foreign sources for minerals necessary to our national security.

At long last, Congress this year quite properly halted the appropriation of American funds to develop foreign mines. I am hopeful that the future will see even more vigorous steps taken to protect our own mining industry, particularly in the field of strategic minerals; thereby not only strengthening our security program but stabilizing our economy as well.

VETERANS

I joined with my colleagues in voting for a number of bills on matters of real concern to veterans and their dependents. This year legislation was passed, first, giving Korean veterans homestead rights similar to those given to veterans of other wars; second, extending the period in which disabled veterans of World War II and the Korean war can secure vocational education; third, extending the direct home-loan program to June 30, 1955, and authorizing an additional $150 million of loans by that date; fourth, increasing rates of compensation and pensions payable to veterans and their dependents; fifth, providing for a record number of beds for veterans' medical treatment; and, sixth, providing for automatic renewal of Government and national service life insurance.

FEDERAL EMPLOYEES

As a result of inflation, the average civilian Federal employee is today economically worse off than prior to World War II. Thus it is difficult to recruit or retain competent employees to conduct the business of the United States Government.

While the burden of increasing prices has been eased, Government employees are entitled to wage increases in order to give them parity with their pre-World War II economic position.

I therefore supported legislation this year providing pay increases to postal workers and classified civil-service employees.

HOUSING

As a result of the Housing Act of 1954, our Nation will be able to raise housing standards, assist communities in getting rid of slums, help more of our people to acquire homes, strengthen our mortgage credit system, and eliminate past abuses in the housing program.

The new law will stimulate the Nation's entire economy, particularly the construction industry, which is important to many of my constituents.

Under the new act it will be possible to buy homes under FHA-insured loans with much lower down payments. For example, on a $10,000 new home a buyer previously had to make a down payment of $1,250. This has been reduced to only $700.

EDUCATION AND SCHOOLS

The 83d Congress continued the program of Federal assistance for school construction in defense areas, and in other communities which have grown abnormally because of Federal activities. Similar aid was granted for school operating expenses in federally impacted areas. Legislation was enacted to permit expanded use of surplus foods in the school-lunch program.

In addition to providing for these immediate needs, the Congress authorized a comprehensive study and analysis of our Nation's education problems to determine what must be done to provide for a stronger educational system capable of meeting the challenges posed by the atomic age. There will probably be a strong effort in the next Congress to improve educational standards.

Mr. Speaker, time does not permit full discussion of each and every bill considered by the 2d session of the 83d Congress. However, I feel certain that the people in Nevada will be interested in this part of the record.

SENATE

FRIDAY, AUGUST 13, 1954

(Legislative day of Thursday, August 5, 1954)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

Rev. Dr. Joseph F. Thorning, pastor of St. Joseph's Church, Carrolltown Manor, Md., offered the following prayer:

Heavenly Father, author of light and of love, let the light of Thy countenance shine brightly upon the Presiding Officer of the Senate and all the Members of the United States Congress; strengthen, we beseech Thee, dear Saviour, the ties of devotion and loyalty among all who dwell in the Western Hemisphere; preserve us in the enjoyment of our freedom and in the ways of righteousness toward our neighbors; make us mindful of the sufferings of our brothers under God throughout the world, and grant us the courage to see that our own destiny will be decided in the light of our zeal for truth and fairness.

We implore these graces in the name of Christ, our Redeemer. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

UNITED STATES SENATE,
Washington, D. C., August 13, 1954.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. EDWARD D. CRIPPA, a Senator from the State of Wyoming, to perform the duties of the Chair during my absence.

STYLES BRIDGES,
President pro tempore.

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

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, August 12, 1954, was dispensed with.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its clerks, announced that the House had passed, without amendment, the bill (S. 3816) to authorize the replacement of certain Government-owned utility facilities at Glacier National Park, Mont., and Grand Canyon National Park, Ariz.

The message also announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 45. An act for the relief of Mrs. Merle Cappeller Weyel;

S. 820. An act for the relief of the estate of Carlos M. Cochran;

S. 2156. An act for the relief of John Enepekides, his wife, Anna, and his son, George; and

S. 3064. An act for the relief of the estate of Mary Beaton Denninger, deceased.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H. R. 1190. An act for the relief of Rene Rachell Luyse Kubicek;

H. R. 1553. An act to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes;

H. R. 2030. An act for the relief of Dr. Reuben Rapaport;

H. R. 5844. An act for the relief of George D. Hopper;

H. R. 5964. An act for the relief of Sister Mary Berarda;

H. R. 6790. An act to amend the act of October 15, 1949, with respect to the rate of