The purpose of this amendment is to limit the amount of expenditure for the purposes of the act to $3 million.

My fourth amendment is at the end of section 2, on page 4, and reads as follows:

(f) The Secretary of the Interior shall make a report to the appropriate committees of Congress annually on the use of the separate fund created under section 2 of this act.

The PRESIDING OFFICER. Does the Senator from Louisiana request that his amendments be considered en bloc?

Mr. ELLENDER. The amendments have been explained by me and other Members of the Senate. I ask that the amendments offered by me be considered en bloc.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and the amendments offered by him will be considered en bloc.

Mr. DUFF. I am glad to accept the amendments.

Mr. AIKEN. Mr. President, I am not exactly happy about the bill, even as it will read with the amendments proposed by the Senator from Louisiana. But I wish to say that his amendments make the proposed legislation as a whole much more palatable. I still think appropriations should be made directly, and not by the earmarking of funds. I express the hope that when the amendments are approved and the bill is passed, then at the end of 3 years' time the program will be either found wanting or found valuable. If it is found valuable, it ought to be put on its own feet at that time. If it is found wanting, it should be discarded altogether.

In view of the lateness of the hour, I shall not ask for a yea-and-nay vote on the passage of the bill. The bill will be greatly improved by the amendments offered by the Senator from Louisiana. I am not nearly so strongly opposed to the bill now as I would be if his amendments had not been agreed to.

The PRESIDING OFFICER. The question is on agreeing en bloc to the amendments offered by the Senator from Louisiana [Mr. ELLENDER].

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 2802) was ordered to be engrossed for a third reading, read the third time, and passed.

Mr. STENNIS. Mr. President, as one of the joint authors of the bill, I wish to express my appreciation to the distinguished Senator from Pennsylvania [Mr. DUFF] for handling the bill on the floor, and to other Senators who contributed to the passage of this important measure.

I point out that this is a national program, which has the support of all persons all over the United States, especially, as the Senator from Pennsylvania has said, those concerned with seawater fishing, inland-water fishing, and Great Lakes fishing. We hope this is a foundation upon which a really extensive research program with respect to fish and sea life of all kinds, of commercial value, will be conducted.

I agree with the sentiment of the Senator from Vermont [Mr. AIKEN] that 3 years should be a sufficient period of incubation in which to get the program started. At the end of that time we believe the program will be sufficiently strong to stand on its own feet and to demand its own appropriation from the Treasury.

Mr. DUFF. I greatly appreciate the sentiments expressed by the distinguished Senator from Mississippi.

Mr. KENNEDY. I congratulate the distinguished Senator from Pennsylvania. This is a most important piece of legislation. I think that without his efforts and those of the distinguished senior Senator from Massachusetts [Mr. SALTONSTALL], and of the distinguished junior Senator from Mississippi [Mr. STENNIS], the bill would not have passed. I think the bill represents a great step forward for the fishing industry of the United States.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

Mr. THYE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 1205, House bill 116, to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

The PRESIDING OFFICER. The clerk will state the bill by title.

The LEGISLATIVE CLERK. A bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Minnesota.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on the Judiciary with amendments.

RECESS UNTIL MONDAY

Mr. THYE. Mr. President, I move that the Senate stand in recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 59 minutes p. m.) the Senate took a recess until Monday, May 17, 1954, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 14 (legislative day of May 13), 1954:

IN THE NAVY AND IN THE MARINE CORPS

The nominations of Bradford L. Abele and 581 other persons for appointment in the Navy or in the Marine Corps, which were confirmed today, were received by the Senate on May 6, 1954, and may be found in full in the proceedings of the Senate for that date, under the caption "Nominations," beginning with the name of Bradford L. Abele, appearing on page 6127, and ending with the name of Raymond K. Crabtree, which is shown on the same page.

WITHDRAWAL

Executive nomination withdrawn from the Senate May 14 (legislative day of May 13), 1954:

POSTMASTER

NEW MEXICO-TEXAS

Albert W. Mulloy, Anthony, N. Mex.-Tex.

SENATE

MONDAY, MAY 17, 1954

(Legislative day of Thursday, May 13, 1954)

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

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

God our Father, unchanging amid the changing years: In this still moment before demanding concerns engulf us may a holy hush within our spirits whisper words of courage and fortitude. Upon us all is a somber mood, colored with a sense of bitter loss, as we come with tender remembrance of a revered and honored Member of this body who stood with his colleagues here as the work of last week began, but who now, at the commencement of this, walks with us no more.

We are grateful that Thy servant, Clyde R. Hoey, was an American indeed, in whom was no guile; and that, walking in high places, he kept the common touch. As we cherish the memory of his long career as a public servant we are conscious that in politics, as elsewhere, he practiced his religion. Now that he is gone from this Chamber we are the better because his gentleness made him great, and because he was a saint without being sanctimonious. Daily he wore a red bloom, and always he wore the white flower of a blameless life.

"'Tis hard to take the burden up
When such have laid it down;
They brightened all the joy of life,
They softened every frown;
They cannot be where God is not,
On any sea or shore,
Whate'er betides, Thy love abides,
Our God for evermore."

We lift our prayer in the name of the Lord he adored. Amen.

THE JOURNAL

On request of Mr. KNOWLAND, and by unanimous consent, the reading of the Journal of the proceedings of Friday, May 14, 1954, was dispensed with.

MESSAGES FROM THE PRESIDENT

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

LEAVE OF ABSENCE

Mr. BUTLER of Maryland. Mr. President, at 3 o'clock this afternoon, in Baltimore, my good friend and colleague at the Maryland bar, the Honorable Rozel

C. Thompson, will be sworn in as United States district judge for the district of Maryland. I ask unanimous consent that I may be excused from attendance on the session of the Senate today in order that I may attend the swearing-in ceremony.

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

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the Senate Committee on Finance may be permitted to meet during the session of the Senate today. I have already cleared the matter with the acting minority leader.

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

On request of Mr. KUCHEL, and by unanimous consent, the Subcommittee on Internal Security of the Committee on the Judiciary was authorized to meet today during the session of the Senate.

TRIBUTES TO THE LATE SENATOR HOEY

Mr. HOLLAND. Mr. President, I wish that every Senator and every Member of the House of Representatives might have been present to gain inspiration from the impressive funeral ceremonies which were held in Shelby, N. C., last Saturday, May 15, for our beloved friend, Clyde R. Hoey, the late Senator from North Carolina. There, at his birthplace, which had always been his home during the 76 years of his life of high service to mankind, many thousands of his fellow citizens had gathered to pay their last sorrowing respects to their most distinguished native son, and to give expression to their deep affection for their friend and neighbor. The ceremonies were held at the Central Methodist Church of Shelby, his own church, after which he was laid to rest in beautiful Sunset Cemetery, on a velvety green hill at the edge of the city. Thousands of citizens, young and old, both white and black, of high estate and from humble homes, came in genuine sorrow to mourn his passing.

I understand that the Senate will have a memorial service at an early date, convenient to the family of Senator Hoey, when Senators will have the opportunity to voice their personal tributes to a beloved friend and a truly great Senator. At this time, however, as the close friend and deskmate of Senator Hoey for nearly 8 years, for the information of those Members of the Senate and the House of Representatives who were unable to attend the funeral, I desire to have printed in the RECORD, first, the opening paragraphs from the leading news article of last Saturday in the Shelby Daily Star.

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

The Nation's top Government leaders, the ranks of North Carolina's administrators, and thousands of friends and neighbors converged on Shelby today to pay final tribute to Senator Clyde R. Hoey.

Under gray skies solemn lines of high and low, mighty and humble began filing past the Senator's casket in Central Methodist Church at 10 o'clock this morning.

Even as his body was being placed in the sanctuary of the church where he had taught Sunday school for 32 years, the first lines formed.

The sanctuary was decorated in artistic simplicity with a wreath of red roses and white lilies. There were 3 crosses and 4 wreaths and a blanket of red roses. A wreath of white lilies from Mr. Hoey's fellow United States Senators was at the head of the casket.

Flowers at the home, the church, and Sunset Cemetery were predominantly red—the Senator's favorite color.

All seats in the main sanctuary were reserved for the family, members of the Senator's staff, State and Federal officials, and the press. Public address systems were set up to carry the service to those in other parts of the church and outside the building who were unable to view the rites.

Mr. HOLLAND. Secondly, Mr. President, I ask to have printed the full text of the eloquent and deeply moving eulogy of Senator Hoey which was delivered with the utmost dignity and simplicity by Senator Hoey's pastor and close friend, the Reverend J. G. Huggin, Jr., pastor of the Central Methodist Church.

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

From every walk of life and from every quarter of our Nation we are here to express our regard and affection for one who had so sure an instinct for what is good. The best evidences of it are in this town: his unpretentious home on a tree-lined street; his office, plainly and austerely furnished, on a second floor over a store, reached by a flight of outside steps; his happy comradeship with the people of his home community. Especially is his feeling for what is best in life manifest in his human relations. He was one of the great, yet the plainest among us knew the warmth of his interest. So extensive were his powers that he moved with ease among the exalted of the earth; so broad were his sympathies that those of low degree moved with ease with him.

He lived serenely with problems that vex and trouble lesser people. He seemed to have a special gift for simplifying life's complexities. That is not hard to understand when we remember that for him the touchstone of existence was a simple faith in God and His providence. Were we sometimes surprised that while others remained baffled and discouraged, this man could quickly find a solution and never lose his optimism? We can find the answer to his hopeful simplification of life in the religious faith to which he witnessed by regularly teaching his Bible class whenever he was home, and sitting with his family in the common worship of the church. In the measure of his religious faith is to be found the spirit that informed his decisions and dictated his optimism.

To the true and tried he possessed a loyalty that was impregnable to outside allurements. He loved his community, the town of his birth, the friends of a lifetime; he wouldn't move away. He was loyal to his political party. He joined it long ago. He always thought that through it he could best serve his country, be the vagaries of national politics what they may. He loved his church. For him there were no values so lofty as those that reside in the centuries-old message of his red-brick church on the square of his home town.

He has a message for us all, "Hold fast to the simple virtues, be steadfast in your faith in God, and let that be the standard by which all is measured." Let us heed his counsel. In public office as well as in obscure areas where we live out our lives, let us listen once more to his mellow voice. Then shall our fears subside, and we can trust the future, certain that for us and for our country God's destiny will be wrought out.

One is tempted to say, "We shall not see his like again," Yet may we so strive for the best, following his unforgettable example, that about someone here, sometime, somebody will say, "That man is like Clyde R. Hoey." Life can offer scarcely a richer accolade than that.

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. 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 of the call of the roll be rescinded.

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

REPORT OF DIRECTOR, FOREIGN OPERATIONS ADMINISTRATION, RELATING TO EAST-WEST TRADE TRENDS

The PRESIDENT pro tempore laid before the Senate a letter from the Director, Foreign Operations Administration, transmitting, pursuant to law, the fourth semiannual report of that Administration, relating to East-West trade trends, for the second half of 1953, which, with the accompanying report, was referred to the Committee on Foreign Relations.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LANGER, from the Committee on the Judiciary, without amendment:

S. 974. A bill for the relief of certain Chinese children (Rept. No. 1342);

S. 992. A bill for the relief of Apostolos Savvas Vassiliadis (Rept. No. 1343);

S. 1165. A bill for the relief of Paul E. Rocke (Rept. No. 1344);

S. 1382. A bill for the relief of Elie Joseph Hakim and family (Rept. No. 1345);

S. 1902. A bill for the relief of Theresa Elizabeth Leventer (Rept. No. 1346);

S. 1967. A bill for the relief of Paula Neumann Mahler (Paula Neumann Schibuk) (Rept. No. 1347);

S. 1991. A bill for the relief of Esperanza Jimenez Trejo (Rept. No. 1348);

H. R. 1345. A bill for the relief of John Lampropoulos (Rept. No. 1349);

H. R. 1772. A bill for the relief of Kenneth R. Kleinman (Rept. No. 1350);

H. R. 2022. A bill for the relief of Don B. Whelan (Rept. No. 1351);

H. R. 2433. A bill for the relief of the legal guardian of Raymond Gibson, a minor (Rept. No. 1352);

H. R. 3041. A bill to authorize the Secretary of the Interior to transfer to Frederick W. Lee the right, title, and interest of the United States in and to a certain invention (Rept. No. 1353);

H. R. 3109. A bill for the relief of Theodore W. Carlson (Rept. No. 1354);

H. R. 4532. A bill for the relief of Mrs. Ann Elizabeth Caulk (Rept. No. 1355);

H. R. 4961. A bill for the relief of Mrs. James J. O'Rourke (Rept. No. 1356);

H. R. 4996. A bill for the relief of Col. Henry M. Denning, and others (Rept. No. 1357);

H. R. 5772. A bill for the relief of Robert E. Leibbrand and Rose Leibbrand (Rept. No. 1358); and

H. R. 7786. A bill to honor veterans on the 11th day of November of each year, a day dedicated to world peace (Rept. No. 1359).

By Mr. LANGER, from the Committee on the Judiciary, with an amendment:

S. 914. A bill for the relief of Mark Vainer (Rept. No. 1360);

S. 1900. A bill for the relief of Gertrud Trindler O'Brien (Rept. No. 1361);

S. 1904. A bill for the relief of Ottilie Theresa Workmann (Rept. No. 1362);

S. 1959. A bill for the relief of Mrs. Annemarie Namias (Rept. No. 1363);

S. 2009. A bill for the relief of Mrs. Edward E. Jex (Rept. No. 1364);

S. 3103. A bill to amend the act of January 12, 1951, as amended, to continue in effect the provisions of title II of the First War Powers Act, 1941 (Rept. No. 1365);

H. R. 1331. A bill for the relief of Mrs. Katherine L. Sewell (Rept. No. 1366);

H. R. 3522. A bill for the relief of Arthur S. Rosichan (Rept. No. 1367);

H. R. 6452. A bill for the relief of Mrs. Josette L. St. Marie (Rept. No. 1368); and

H. J. Res. 455. Joint resolution granting the status of permanent residence to certain aliens (Rept. No. 1369).

By Mr. LANGER, from the Committee on the Judiciary, with amendments:

S. 1889. A bill for the relief of Margot Goldschmidt (Rept. No. 1370).

By Mr. AIKEN, from the Committee on Agriculture and Forestry:

S. 3137. A bill to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of the said act; with amendments (Rept. No. 1371).

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

By Mr. EASTLAND, from the Committee on Agriculture and Forestry:

S. 2786. A bill granting the consent and approval of Congress to the Southeastern Interstate Forest Fire Protection Compact; without amendment (Rept. No. 1372).

CONSERVATION OF WATER RESOURCES—REPORT OF A COMMITTEE—ADDITIONAL COSPONSORS OF BILL

Mr. AIKEN. Mr. President, from the Committee on Agriculture and Forestry, I report favorably, with amendments, the bill (S. 3137) to make the provisions of the act of August 28, 1937, relating to the conservation of water resources in the arid and semiarid areas of the United States, applicable to the entire United States, and to increase and revise the limitation on aid available under the provisions of the said act, and for other purposes, and I submit a report (No. 1371) thereon.

I ask unanimous consent that the names of the Senator from New Mexico [Mr. ANDERSON], the Senator from Kentucky [Mr. CLEMENTS], the Senator from Louisiana [Mr. ELLENDER], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from South Carolina [Mr. JOHNSTON], the senior Senator from South Dakota [Mr. MUNDT], the Senator from Idaho [Mr. WELKER], the Senator from North Dakota [Mr. YOUNG], the Senator from Kansas [Mr. CARLSON], the junior Senator from South Dakota [Mr. CASE], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Texas [Mr. JOHNSON], the Senator from California [Mr. KUCHEL], the Senator from Montana [Mr. MANSFIELD], the Senator from Oklahoma [Mr. MONRONEY], and the Senator from Wisconsin [Mr. WILEY] be added as cosponsors of the bill.

The PRESIDENT pro tempore. The report will be received, and the bill will be placed on the calendar; and, without objection, the names will be added as consponsors of the bill, as requested by the Senator from Vermont.

SUSPENSION OF DEPORTATION OF CERTAIN ALIENS—REPORT OF A COMMITTEE

Mr. LANGER. Mr. President, from the Committee on the Judiciary, I report an original concurrent resolution favoring the suspension of deportation in the case of certain aliens, and I submit a report (No. 1341) thereon.

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

The concurrent resolution (S. Con. Res. 83) was placed on the calendar, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Congress favors the suspension of deportation in the case of each alien hereinafter named, in which case the Attorney General has suspended deportation for more than 6 months:

A-7049480, Acuna-Ruiz, Jesus.
A-7194255, Adams, Melsaidis Vanita.
A-7049736, Aguirre, Amparo Perez De.
A-7092581, Aguirre, Antonio Martinez.
A-6732156, Aguirre-Reyes, Guadalupe.
A-7367925, Alfaro-Hernandez, Alfredo.
A-7145096, Allen, Whitley Benjamin.
A-7085963, Alvarado, Juan.
A-7092831, Alvarado, Gertrudis De.
A-7056302, Alvarado, Nemesio.
A-6924791, Alvarado, Maria De La Luz.
A-7044190, Alvarez, Acencion.
A-7044191, Alvarez, Anastacio.
A-7070395, Alvarez-Garcia, Roberto.
A-7354297, Alvarez, Rodriguez, Alberto.
A-5949118, Amaro-Moreno, Refugio.
A-7117577, Amaro, Basilisa Corpus De.
A-7222526, Amozurrutia-Lugo, Salvador.
A-7222539, Almaraz, Juana.
A-7463661, Anda, Celia Luna De.
A-7383364, Anda-Munoz, Jose Trinidad De.
A-7463664, Andrade-Vargas, Socorro.
A-7469341, Angel-Zarate, Ramon.
A-7240160, Angulo, Ercilia Galindo De.
A-7222737, Angulo-Medina, Pedro.
A-7379676, Aponte, Rosario Estevez Frias de.
A-7903287, Aranda, Maria Vasquez De.
A-7903288, Aranda-Vasquez, Romelia.
A-7903289, Aranda-Vasquez, Rogelio.
A-7903290, Aranda-Vasquez, Reynaldo.
A-7203308, Arias-Morales, Isaac.
A-7483202, Arizmendi-Rodriguez, Camilo.
A-7050091, Armendariz, Antonio B.
A-7358658, Armendariz-Rodriquez, Alberto.
A-7890506, Aspeitia-Salmeron, Ines.
A-7070731, Avitia, Francisco.
A-6079368, Ayala, Marcos Garcia.
A-7203384, Balderrama-Tapia, Faustino Humberto.
A-7203385, Balderrama-Lopez, Virginia.
A-7050479, Banuelos, Javier.
A-7050478, Banuelos, Vicente.
A-7070872, Baragas-Pulido, Salvador.
A-7985416, Barclay, Hazel Grace.
A-7886491, Barnes, Izolia Ophelia.
A-7178631, Barragan, Maria Rodriguez De.
A-6844549, Bejarano Luis Robles.
A-7957133, Beltran, Maria De La Luz Aguero De.
A-6855837, Beltran, Samleu.
A-7117989, Benitez, Raul Vasquez.
A-7945420, Bergley, Eva Euphemia.
A-5966283, Berkely, Richard James.
A-7830642, Bernal-Mata, David.
A-7890505, Blyden, Emanuel.
A-6101335, Borrayo-Rodriguez, Manuel.
A-6004182, Branche, Mavis Irene.
A-7189471, Brown, Uriah.
A-7375921, Bueno, Juan.
A-7375923, Bueno, Juan, Jr.
A-7375922, Bueno, Guadalupe.
A-6143848, Cabellera, Sara Torres-Ruiz de.
A-7130758, Cadena, Pablo.
A-8057399, Cajuste, Carmen.
A-9605699, Callwood, Samuel Israel.
A-8017504, Campa-Orozco, Francisco.
A-7137134, Campbell, Odilia Marcela Orane.
A-5882748, Candonoza-Leza, David.
A-6719053, Canton, Milled Idonia.
A-7189167, Cantu, Clara Garcia De.
A-7189253, Cantu-Hinojosa, Francisco.
A-7962138, Cardoso, Petra Caridad.
A-7387463, Cardoza-Perez, Rafael.
A-7058994, Carey, Delroy Samuel.
A-6874893, Carrasco, Americo.
A-6978022, Carrillo, Manuel B.
A-6965018, Campa, Mario Carrillo De.
A-7483469, Cartaya-Martinez, Aleida Leopoldina.
A-7224976, Carter, Dorothy Maud Johnson.
A-7188904, Casillas, Alberto.
A-6811076, Casillas, Enedina Santana De.
A-6929905, Casillas-Alcala, Ramon.
A-6802760, Casillas-Ochoa, Roberto.
A-6988887, Castellanos-Martinez, Pedro.
A-7070740, Castillo, Jose.
A-7874314, Castillo-Castillo, Aurelio.
A-7982039, Castillo-Reyes, Simon.
A-6948174, Castillo, Zenona Martinez de.
A-7112576, Castro, Emma.
A-7886492, Castro, Rafael Aguilar.
A-7127206, Castro-Esquivel, Salvador.
A-7264781T, Cepeda, Margarita Aguirre.
A-6622157, Cera-Ramirez, Jose.
A-7251641, Cerda, Tereso.
A-7476867, Cervera, Gertrudis Beltran.
A-7249825, Cervera-Villafana, Francisco.
A-7365937, Chambers, Alfred Anthy.
A-6373500, Chaparro, Roberto.
A-7049688, Chaparro, Roberto.
A-7049687, Chaparro, Lillia.
A-7049686, Chaparro, Hector.
A-3297406, Chavarria, Genaro.
A-7298510, Chavez, Sigifredo.
A-7873872, Chavez-Calderon, Jose.
A-6755436, Chavez-Marquez, Luis.
A-7050946, Chavez, Roberto.
A-7389923, Chavez-Ortiz, Jose.
A-6509457, Chen, Hubert.
A-5740575, Chinnery, Alton Edwardo.
A-5963583, Chinnery, Isabelita.
A-7983211, Chisholm, Ruth Allen.
A-6046841, Clarke, Cassandra.
A-7439859, Contreras, Felipa Dominguez De.
A-6851182, Contreras-Pais, Jesus.
A-6774270, Cordoba, Maria Ines.
A-5998725, Corral-Lopez, Lorenzo.
A-7241651, Cortez-Ruiz, Gonzalo.
A-7372071, Cosio, Maria Torres De.

A–7240606, Covarrubias-Salgado, Jose.
A–6592052, Cracium, Carmen Rosa.
A–6857769, Crisostomo-Martinez, Francisco.
A–7083971, Cruz, Jose Francisco.
A–7457369, Cruz, Juan De La.
A–7457371, Cruz, Soledad De La.
A–7457370, Cruz, Berta De La.
A–7457372, Cruz, Joaquin De La.
A–6919362, Cruz, Refugia Fernandez de la.
A–7280289, Cruz-Garcia, Anastacio.
A–6948097, Cruz-Padilla, Ignacio Santa.
A–7457924, Cunningham, Keith Ashley.
A–7178687, Davis, Clarence George.
A–6270412, Dawkins, Kemel Gladstone.
A–7251801, De-Anda, Antonio Lara.
A–7050448, Delaphena, Godfrey Howard.
A–6423475, Delgado, Maria Josefa (nee Castro).
A–5943038, Dessuit, Gladys Idalia.
A–6024058, Diaz, Concepcion Gonzalez De.
A–6378888, Diaz, Lazaro Rene.
A–6074448, Diaz-Cano, Gonzalo.
A–6334018, Diaz-Diaz, Jose.
A–7222036, Diaz-Renna, Manuel.
A–7886453, Diaz-Santos, Juan.
A–6920814, Diaz-Veledias, Felipe.
A–7049679, Dominguez, Consuelo.
A–7137812, Dominguez, Delia.
A–7137811, Dominguez, Pascual.
A–7137810, Dominguez, Manuel.
A–7137809, Dominguez, Teresa.
A–7130202, Dominguez, Raul.
A–7985523, Dominguez, Rosa Emilia Gutierrez y.
A–5974895, Donovan, Keturah Delcina.
A–6363361, Dosamantes-Perez, Jesus.
A–6978207, Duncan, Cleveland.
A–7390793, Duran, Angela Reyes de.
A–6078640, Duran-Tapia, Romulo.
A–7274247, Elizaldi, Josefina Solis De.
A–7445524, Escobar, Rosa Olivia Calzonzin.
A–7962471, Espinoza, Otilia Victoria Garcia De.
A–7476174, Esquivel, Marciano.
A–6556350, Esteves, Hermelinda Herrera de.
A–7092825, Estrada, Felipe.
A–6960361, Estrada, Santos.
A–7022965, Fahie, Gwendolyn Imie.
A–6761553, Fahie, Zephaniah.
A–7050950, Falcon, Isidoro.
A–7962043, Farrell-Murga, Argos.
A–7483479, Fernandez, Gildardo.
A–7297200, Fernandez, Ignacio.
A–7297202, Fernandez, Jose Ignacio.
A–7297201, Fernandez, Rosa Emma.
A–8015897, Ferro, Alan Richard Kelso de Montigny Y.
A–8015898, Ferro, Ronald James Kelso de Montigny Y.
A–7178590, Flores, Arturo, Ochoa.
A–8001048, Flores, Esther Perez-Kellar De.
A–7130952, Flores, Francisco.
A–7130545, Flores, Marcelina Martinez de.
A–7092826, Flores, Jesus.
A–7295794, Flores-Montion, Jose Jesus.
A–7137772, Flores, Rafael.
A–7137773, Flores, Soledad Rodarto De.
A–6822853, Fortune, Lillian Winifred.
A–7910734, Foster, Gladstone Theodore.
A–7356563, Foy, Richard Howard.
A–7927392, Fraire-Nunez, Nincolas.
A–5901042, Francis, Iris Feldara.
A–7809250, Franco-Bucio, Francisco.
A–6935601, Frausto, Xavier.
A–7273902, Frausto-Montoya, Xavier.
A–7273901, Frausto-Montoya, Irene.
A–5963738, Fredericks, Era Lucille.
A–3124503, Freeman, Blanche, Aima.
A–4747415, Freeman, Joseph Ivan.
A–6120852, Frias-Escoto, Narciso.
A–7415753, Fuentes-Ortega, Feliz.
A–7189220, Furett, Adina Augusta.
A–6985576, Gallegos-Gamez, Valentin.
A–7379784, Galvan, Celedino.
A–8021473, Galvan, Jesus Sandoval.
A–7417024, Galvan-Rodriguez, Daniel.
A–6512380, Galvez, Ochoa, Santos.
A–6858742, Gantong, Carmen Cuenca de.
A–7140277, Garcia, Belia Chavez De.
A–6877286, Garcia, Bruno.
A–7375420, Garcia, Favio or Trinidad Sanchez.
A–7439150, Garcia, Felipa Mareno De.
A–7841526, Garcia, Fortino.
A–6725019, Garcia, Jose Felipe Munoz.
A–6081916, Garcia, Julio.
A–7367917, Garcia, Manuel.
A–7145256, Garcia, Maria De Jesus Alvarez De.
A–7145257, Garcia, Aurelia.
A–8001576, Garcia, Maria Hernandez (nee Loza).
A–7137155, Garcia, Rosalio.
A–6877612, Garcia-Barron, Concepcion.
A–6877613, Garcia-Barron, Leodegaria.
A–6877611, Garcia-Barron, Otilia.
A–6791116, Garcia-Duran, Cirenio.
A–7264196, Garcia-Gonzalez, Guillermo.
A–6053843, Garcia-Mendoza, Martiniano.
A–6838493, Garcia-Negrete, Alberto.
A–6044332, Garcia-Ochoa, Federico.
A–6375102, Garcia-Ortiz, Jose.
A–7284794, Garcia-Ramirez, Jesus.
A–6132965, Garcia-Razo, Pablo.
A–7145046, Garcia-Robles, Maximino.
A–7171741, Gentry, Maria De La Luz Zabalza De.
A–7079833, Gil, Marcos.
A–7264220, Godina-Garcia, Benjamin.
A–7137733, Gonzalez-Valdez, Ramon.
A–7145043, Gonzales-Aguilar, Gilberto.
A–6489508, Gonzalez-Alejo, Nicolas.
A–7200693, Gonzalez-Gonzalez, Rito.
A–7222076, Gonzalez-Fernandez, Benigno.
A–7358647, Gonzalez, Francisco.
A–7358665, Gonzalez, Guadalupe Perez.
A–7222702, Gonzalez-Mena, Felipe.
A–7394417, Gonzalez-Saldivar, Guadalupe.
A–3674206, Granados, Antonio.
A–6924780, Granados, Olga.
A–6924781, Granados, Ricardo.
A–7070745, Granillo, Jose.
A–7070703, Granillo, Adela Valenzuela de.
A–7140299, Granum, Frances Constantia.
A–6377810, Gray, Winifred Eloise.
A–7841609, Greaux, Joseph Sebastien.
A–6093592, Greaux, Victor Pierre.
A–7189837, Guadian, Lorenzo.
A–7189840, Guadian, Olga.
A–7189839, Guadian, Antonio.
A–7189838, Guadian, Manuel.
A–6288570, Guajardo-Flores, Ruben.
A–7298511, Guerra-Arenas, Salvador.
A–6989089, Guerrero, Esteban.
A–7188291, Guerrola, Cruz.
A–7188292, Gurrola, Margarita.
A–6733866, Guevara-Natividad, Genaro.
A–7203040, Gugman, Felipe.
A–6989470, Gutierrez, Francisco.
A–7112955, Guzman-Aguirre, Antonio.
A–7358645, Garcia, Marina Guzman De.
A–7070294, Hache, Adela Julia Haddad.
A–6920655, Harris, Daniel Charles.
A–2113545, Harris, Sydney Lambert.
A–6221472, Hawley, Aristile Wellington.
A–7139124, Haynes, Joseph Nathaniel.
A–6512351, Heredia-Perez, Jose Baltazar.
A–7140418, Hermosillo-Dabaloz, Jesus.
A–5959492, Hermon, Diana Rebecca.
A–7483228, Hermosillo, Julia Lopez.
A–7390997, Hernandez, Carmen Gomez.
A–7903101, Hernandez, Eugenio, Jr.
A–7050955, Hernandez, Francisco Socorro.
A–6972463, Hernandez, Manuel Flores.
A–7145053, Hernandez, Nicolas.
A–7145713, Hernandez, Domitila Trejo De.
A–7145015, Hernandez-Argomaniz, Vicente.
A–6314181, Hernandez-Gutierrez, Angel.
A–7483462, Hernandez-Illas, Pablo Anselmo.
A–6770300, Hernandez-Perez, Pedro.
A–7117566, Herrera, Carlos.
A–7117567, Herrera, Carlos.
A–7117568, Herrera, Jose Luis.
A–7117569, Herrera, Manuel.
A–7841575, Herrera, Natividad.
A–7828651, Herrera, Maria Eustolia Torres De.
A–7386241, Hibbert, Alfred Alexander.
A–7439665, Hines, Richard Samuel.
A–5917249, Hodge, Maria Ophelia.
A–7910567, Hodge, Pathrenella.
A–5980534, Hodge, Valdrena James.
A–7264096, Hughes, George Benjamin.
A–7983405, Ibarra-Ortega, Antonio.
A–7044362, Irigoyen-Leon, Ramon.
A–7802439, Irvin, Moses Hezekiah.
A–6113357, Jasso, Jose Barbosa.
A–6242791, Javier, Rosenda Lopez de.
A–4377208, Jennings, Ebenezer Alvin.
A–5132781, Jennings, Hilda Idalia.
A–7991790, Jones, Charles Joseph.
A–7991789, Jones, Mary Estella.
A–7962009, Jones, Sidney Oliver.
A–5953872, Joseph Clementina.
A–5901607, Joseph Severena.
A–6188585, Knibbs, Allan Henry.
A–7269644, Krelenstein, Maria Lourdes Aguilar.
A–7991495, Lacarda, Marta Antonia Agdamag y.
A–7372156, Lara, Santos.
A–7372157, Lara, Maria Concepcion.
A–7873883, Lazos-Morales, Isauro.
A–7415554, Leos-Lomeli, Mario.
A–7112933, Levien, Gilmore.
A–6572095, Lluberes, Conrado Antonio Alfau.
A–7439901, Loera, Pedro Zuniga.
A–7439900, Zuniga-Gonzalez, Pedro.
A–7873884, Loera, Rodolfo.
A–7083002, Long, Maisie Alphancene Bernard.
A–6870227T, Longoria, Jose.
A–6921015, Lopez, Celia Vargas De.
A–6420663, Lopez, Jorge Abraira.
A–7247920, Lopez, Josefina Mendoza, Martinez De.
A–6423543, Lopez, Juan Francisco.
A–8065557, Lopez, Maria Del Refugio.
A–7802184, Lopez, Ramon.
A–7978958T, Lopez-Barragan, Juventino Baltazar.
A–7379785T, Lopez-Castro, Felipe.
A–7375744, Lopez-Figueroa, Abelardo.
A–6989596, Lorenzo, Miguel Emilio Marun.
A–7247943, Losano, Lorenzo Murillo.
A–7983076, Losano, Serbando.
A–7351265, Loza-Gutierez, Manuel.
A–7140116, Lozano, Alejandro.
A–7140115, Lozano, Isidra.
A–7945128, Lucero-Moreno, Primitivo.
A–7927520, Lucero-Llana, Alejandra.
A–7927519, Lucero-Llanas, Gloria Irma.
A–7927518, Lucero-Llanas, Leopoldo.
A–7927521, Lucero-Llanas, Julieta.
A–7203610, Lujan, Clotilde.
A–7995641, Luna-Carmona, Jose.
A–7379599, Lynch, Charles Thomas.
A–5948752, Lynch, Marie Annie.
A–7115391, Lytton, Ivy May.
A–7178302, Macias-Cordero, Clemente.
A–7203037, Flores, Paula.
A–7267711, Madrid, Andres.
A–7267096, Madrid, Isabel.
A–5934468, Madrid, Blas.
A–7070678, Madrid, Pilar Parra.
A–7070682, Madrid, Andrea Parra.
A–7070681, Madrid, Gerardo.
A–7070680, Madrid, Manuel.
A–7476214T, Madrigal-Madrigal, Silvestre.
A–7130567, Magallanes, Jesus Jose.
A–7085548, Maina, Ana Maria Ramirez de.
A–7203580, Maldonado, Samuel Valdez.
A–6817437, Marcelli, Millicent Louise.
A–6970242, Marmolejo, Amalia Mazon de.
A–6970241, Marmolejo-Herandez, Pedro.
A–7145585, Marquez, Cruz.
A–7145600, Marquez, Emma Berta.
A–7140732, Marquez, Francisco.
A–7145602, Marquez, Marciala Ester.
A–7145601, Marquez, Maria Telesfora.
A–7145603, Marquez, Ricardo.
A–7297180, Marquez-Gallegos, Manuel.
A–7297179, Marquez, Maria Elena.
A–6165329, Marrero, Augustina.
A–7375897T, Martinez, Albertina Goint De.
A–7910281, Martinez, Antonio.
A–7178573, Martinez, Benito.
A–7054562, Martinez, Carlos Miguel.
A–7054561, Martinez, Guillermo Winston.
A–7050463, Martinez, Jesus.

A–6422181, Martinez, Marcos.
A–7054560, Martinez, Otilia Aurora.
A–6490672, Martinez, Reyna Estela Ramona Marina.
A–7387471, Martinez-Lozano, Guadalupe.
A–3779201, Matthias, Majorita.
A–7445788T, McKenzie, Aubrey Alexander.
A–7130563, Medina, Felicitas.
A–4566750, Medina, Jose Luz.
A–7358671, Medrano, Crispin.
A–7287909, Medrano, Tomas.
A–7387933, Silva, Evangelina.
A–6090236, Melendez, Cayetano.
A–6976418, Mendez, Adelina Leonor Moreno Y Garcia De.
A–7050338, Moreno, Sonia Teresa Mendez.
A–7050339, Moreno, Magali Regina Mendez.
A–6882302, Mendez-Hernandez, Jose.
A–6882269, Mendoza, Micaela Pontenciano de.
A–6213719, Mendoza, Ramon.
A–7290945, Perez, Adela.
A–7802642, Mendoza-Mondragon, Ubaldo.
A–7809526, Mendoza-Sanchez, Jesus.
A–7809525, Mendoza, Maria Elva.
A–5971666, Millin, Leonora Christine.
A–7841722T, Milliner, Leslie Alquin.
A–7389301, Milton, Norman Edgton.
A–7383365, Miranda-Lopez, Arturo.
A–6948481, Miranda-Salazar, Salvador.
A–7372146, Molina-Hernandez, Genovevo.
A–7457789, Montenegro-Rodriguez, Fernando.
A–6724300, Montero-Castaneda, Manuel.
A–7385583, Montes-Molina, Jose.
A–7388754, Montoya-Melesio, Valentin.
A–6732047, Montoya-Ortega, Rafael.
A–6291190, Monzano-Salazar, Estela Eugenia.
A–6291189, Monzano-Salazar, Margarita Clara.
A–6291191, Monzano-Salazar, Rosa Maria.
A–7070047, Morales, Eduviges.
A–7189047, Morales, Marcial.
A–7189048, Morales, Abundio.
A–7189049, Morales, Maria Pascuala.
A–7145583, Moreno, Alejandro.
A–7145718, Tiscareno, Isabel.
A–6855855, Moreno, Jose.
A–6089522, Moreno, Maria Guadalupe Desales de.
A–7144641, Moss, Vivian George.
A–7122049, Munoz, Guadalupe.
A–6169103, Muriel, Jose.
A–7371589, Myers, Clifton Vivian.
A–6921234, Najera, Francisca.
A–6921235, Najera, Candelaria.
A–6921236, Najera, Evangelina.
A–6921237, Najera, Armando.
A–6921238, Najera, Raul.
A–6921239, Najera, Roberto Gutierrez.
A–6775845, Nava, Carlos L.
A–7127244, Nava, Jose Luis.
A–7910523, Nieves, Cristobal.
A–7910522, Nieves, Guadalupe Renteria De.
A–5911583, Niles, Elita Virnah.
A–5935855, Ochoa, Fidel.
A–7188547, Olvae, Fernando.
A–6033300, Olivarez, Jose Salome Chapa.
A–7145620, Olivas, Leopoldo.
A–6208817, Olivas-Alvarez, Catarino.
A–7423135, Olivas, Paula Rodriguez De.
A–7392115, Olivas-Lozoya, David.
A–7392114, Olivas, Guadalupe Morales de.
A–7137553, Olvera, Pablo.
A–6958176, Orozco, Rosa Barroso De.
A–7266111, Ortega, Rafael.
A–7197850, Ortega-Quintana, Francisco.
A–7189000, Ortiz, Cecilio.
A–6476130T, Ortiz, Pedro.
A–6972306, Oseguera-Arevalo, Aurora.
A–6972305, Oseguera-Arevalo, Roman.
A–6971649, Oseguera-Barajas, Honorio.
A–6165544, Pacheco, Maria Garcia-Lopez De.
A–6065635, Parrott, Ellouise.
A–5966301, Parrott, Louis Albreric.
A–7188729, Patino, Maria Louisa Valasquez De.
A–6679818, Pelaez, Manuel Armando.
A–7224071, Pena-Rodriguez, Eloy.
A–6961717, Perez, Librado.
A–7264086, Perez, Margarita.
A–7264087, Perez, Antonia.
A–6235770, Perez-Barron, Fidel.
A–7140806, Perez-Garcia, Leon.
A–7140807, Perez, Marcelino.
A–7140808, Perez, Leonor.
A–5958162, Perez-Gomez, Ignacio.
A–6058862, Petersen, Ruth Glover.
A–7886874, Philip, Minerva Olivia.
A–7137530, Pinder, Washington Howard.
A–7222455, Pino-Fernandez, Fermin.
A–7287920, Pinon, David.
A–6869930, Pizano, Salvador Prado.
A–7297156, Portillo, Austreberto.
A–7297162, Flores, Fafaela.
A–7188264, Potter, Francina.
A–6124500, Preciado-Soto, Alberto.
A–6877596, Prito, Lorenzo.
A–6916219, Puckerin, Ervin Fitzherbert.
A–7137172, Puentes, Matias.
A–7137167, Puentes, Gabina Ramirez de.
A–5995994, Quinones, Angel.
A–7358677, Quinones, Guadalupe Cadena De.
A–6562093, Quinones, Filimon Navarrete.
A–6394586, Quintana, Angela Lorenza.
A–6924327, Quiroz-Martinez, Angel.
A–4377209, Rabastt, Olva Ludvig.
A–7290943, Ramirez, Gregorio.
A–7287918, Ramirez, Manuel.
A–7264812, Ramirez, Maria Gutierrez De.
A–7921528, Ramirez-Aquirre, Jose Roberto.
A–7112651T, Ramirez-Contreras, Roberto.
A–7264811, Ramirez-Ortiz, Jose Aurelio Maximino.
A–6836307, Ramos, Salvador Garcia.
A–7188738, Reyes, Manuel.
A–5977287, Reyes, Maria Concepcion.
A–7178067, Reyes-Portilla, Felipe.
A–6848214T, Rice, Ina Maud.
A–5783566, Richardson, Edward Alexander.
A–6965422, Rios-Ortiz, Jesus.
A–7189495, Rios, Carmen Campean De.
A–6038539, Rivos-Borroyo, Arturo.
A–7178306, Rivera, Ciriaco.
A–7178304, Sanchez, Angela.
A–7802451, Robinson, George Saybert.
A–7863962, Robles-Diaz, Jose.
A–7044287, Roca, Tomas.
A–5958068T, Rocha-Burciaga, Francisco.
A–6978147T, Rocha, Juan Francisco.
A–6352535, Rodriguez, Pedro.
A–7372014, Rodriguez, Ramon.
A–7863359, Rodriguez, Manuela.
A–7863360, Rodriguez, Fermina.
A–7863357, Rodriguez, Mariana.
A–7140123, Rodriguez, Sebastian.
A–7420834, Rodriguez-Garcia, Francisca.
A–7457906, Rodriguez-Gaspar, Manuella.
A–7841677, Rodriguez-Gonzalez, Trinidad.
A–6106212, Rodriguez-Lares, Manuel.
A–8065802, Rodriguez-Lopez, Francisco Javier.
A–7491011, Rodriguez-Natividad, Gilberto.
A–6839869, Rodriguez-Salazar, Maria.
A–7350030, Rodriguez, Jesus.
A–6077403, Rojas, Dolores Navarro De.
A–7367084, Rojas-Gutierrez, Francisco.
A–6260321, Rojas-Mendoza, Gonzalo.
A–6888204, Roman, Maria De Jesus.
A–7083950, Roman-Arias, Guadalupe.
A–7476758T, Romero, Olivia Arreola De.
A–7910926, Romero-Anzaldo Arturo.
A–7417222, Romero-Belmonte, Ana Maria.
A–7417224, Romero-Belmonte, Manuel Antonio.
A–7417223, Romero-Belmonte, Maria Luisa.
A–7394262, Romero-Jimenez, Antonio.
A–7463972, Romero-Jimenez, Gilberto.
A–7394579, Romo-Ruiz, Anselnio.
A–7591593, Ros, Alberto.
A–7059614, Rosales, Manuel.
A–7070677, Rosales, Juan Manuel.
A–7980285, Rosales-Davila, Jose.
A–6878354, Rose, George Leahong.
A–7297154, Rubio, Jose Antonio.
A–7863949, Rueda-Calderon, Rafael.
A–7391995, Ruiz-Avalos, Rafael.
A–7903426, Ruiz-Ruiz, Alfonso.
A–7057051T, Russell, Howard George.
A–7849993, Rymer, Audrey Kate.
A–7858181, Rymer, Norbert.
A–6844306T, Salazar, Juan Maldonado.
A–7388952, Salazar-Diaz, Pedro.
A–7070690, Salcido, Ascencion.
A–7070689, Salcido, Magdalena.
A–7070688, Salcido, Hector.
A–7070687, Salcido, Guadalupe.
A–7463000T, Sanchez, Alfredo Tapia.
A–6050230, Sanchez-Sandoval, Eustacio.
A–7982041, Sandoval, Juana Castellanos De.
A–7203089, Sandoval, Maria Rufina de Jesus Rico de.
A–7991575, Sandoval-Alapisco, Raustino.
A–7921571, Santana, Jose Trinidad.
A–7178311, Sarinana, Ireneo.
A–6976524, Sarriz-Orozco, Manuel.
A–6786973, Scatliffe, Leonaldo.
A–7367040, Segoviano-Rocha, Gonzalo.
A–7983420, Serrano-Torres, Juan.
A–7983418, Serrano-Torres, Luz.
A–7983419, Serrano-Torres, Margarita.
A–6816110, Silva-Gonzalez, Guadalupe.
A–9623189, Smith, John.
A–7978841, Solis, Maria Petra Garcia de.
A–7927785, Sosa, Alma Cecilia Pena De.
A–6749266, Sosa-Medina, Juan.
A–7222989, Sotelo, Margarita Pompa De.
A–6428750, Stafford, Amy Dorothy.
A–7902274T, Subia, Maria De Los Angeles Vargas De.
A–7264385, Tapia-Millan, Victor Samuel.
A–7145717, Tarin, Enrique.
A–6840186, Taylor, Joseph Snape.
A–6970260, Tejeiro-Ramos, Evelio.
A–7251944, Tena-Munoz, Jesus.
A–6151707, Thomae-Bautista, Arturo.
A–3479228, Titley, Viola.
A–7915505, Todman, Ettie, Thelyn.
A–7910928, Toro, Pablo Ramirez-del.
A–7044378, Torres, Eduardo.
A–7049589, Torres, Benjamin Castro De.
A–7050975, Torres, Juan.
A–7178378, Torres-Arrellano, Luis.
A–7081458, Trejo-Delgado, Raul.
A–7387477, Trejo-Hernandez, Epigmenio.
A–7137176, Trevizo, Natividad.
A–7056869, Ugaide-Sanchez, Miguel.
A–7982226, Uriguen, Luis.
A–6995960, Urteaga, Oscar.
A–7145334, Valdes, Andres.
A–7145743, Valdez, Lamberto.
A–6954117, Valencia-Murataya, Jose.
A–6344033, Valenzuela, Jesus.
A–7178891, Valenzuela, Ynes.
A–7178890, Valenzuela, Nicolasa Graciela.
A–7178889, Valenzela, Maria De Jesus.
A–7178888, Valenzuela, Guadalupe.
A–7137254, Valiodolid-Campos, Ramon.
A–7240143, Vargas-Guzman, Epifanio.
A–7267605, Vargas-Pena, Jose.
A–7140836, Vasquez, Lucio Rodriguez.
A–5912952, Vasquez, Meliton.
A–8057760, Vasquez-Guzman, Jose.
A–7145210, Vasquez-Vasquez, Trinidad.
A–7375456, Velarde, Antonia Coronado De.
A–6936170, Velasquez, Enrique.
A–7049205, Enriquez, Consuelo.
A–6949203, Velasquez, Pascual.
A–7264090, Veloz, Alejandro.
A–7083807, Venegas, Tomas.
A–7203652, Ventureno, Austreberto Quezada.
A–7203941, Queazda, Berta Rodriguez de.
A–7863082, Vera-Sierra, Vicente.
A–6683032, Villa, Simon.
A–7081463, Villalobos, Jose.
A–6989990, Villanueva-Aguayo, Jose.
A–7197920, Villarreal-Astorga, Albino.
A–7178303, Villegas, Esteban.
A–7982031, Vital-Perez, Benjamin.
A–5968234, Webster, Samuel Arthur.
A–7132835, Wiggan, William Alexander.
A–7915588, Williams, Hubert George.
A–7647826, Williams, Joseph Samuel.
A–5929790, Williams, Mathilda Augustine.
A–7469934, Willoughby, Leonard Anthony.
A–1164563, Wilson, Wiliam James.
A–7222288, Yanez-Garcia, Victor.
A–6146645, Yang, Cynthia Norma Poon.
A–7222325, Ybarra, Maria Reves De.

A-7439001, Zapata, Heriberto Mireles.
A-7983498, Zubeldia, Federico Hill.
A-7450257, Albin, Winsome King.
A-7450751, Brotherton, Rupert.
A-7222366, Cantua-Bracamonte, Jesus.
A-7188531, Gonzalez, Juan De Dios.
A-5934065, Juarez, Miguel.
A-7398912, Sifuentes, Exiquio Lopez.
A-7985770, Nisbeth, Carol Lloyd.
A-6402334, Patrice, Lillian Mary.
A-7083988, Sifuentes, Pedro.
A-7439585, Smart, Hubert.
A-6919721, Barreto-Larios, Natividad.
A-7083972, Contreras, Jose Luis.

BILLS INTRODUCED

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

By Mr. POTTER:

S. 3464. A bill to amend the Communications Act of 1934 in order to make certain provision for the carrying out of the Agreement for the Promotion of Safety on the Great Lakes by Means of Radio; to the Committee on Interstate and Foreign Commerce.

By Mr. GREEN:

S. 3465. A bill for the relief of Ilona Elizabeth Carrier; to the Committee on the Judiciary.

By Mr. SALTONSTALL (by request):

S. 3466. A bill to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively; to the Committee on Armed Services.

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

By Mr. CASE (by request):

S. 3467. A bill to amend the act entitled "An act to amend an act entitled 'An act to create a Juvenile Court in and for the District of Columbia,' and for other purposes," approved June 1, 1938;

S. 3468. A bill to amend paragraph 31 of section 7 of the act entitled "An act making appropriations to provide for the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, as amended;

S. 3469. A bill to amend the District of Columbia Public School Food Services Act;

S. 3470. A bill to permit investment of funds of insurance companies organized within the District of Columbia in obligations of the International Bank for Reconstruction and Development;

S. 3471. A bill to amend section 7 of article I, title V of the District of Columbia Revenue Act of 1939 (53 Stat. 1114, ch. 367; title 47, ch. 16, sec. 1607, District of Columbia Code, 1951), relating to inheritance taxes; and

S. 3472. A bill to amend section 2, article I, title V, of the District of Columbia Revenue Act of 1939 (53 Stat. 1112, ch. 367; title 47, ch. 16, sec. 1602, District of Columbia Code, 1951), relating to inheritance taxes; to the Committee on the District of Columbia.

By Mr. FERGUSON:

S. 3473. A bill to amend title IV of the Veterans' Readjustment Assistance Act of 1952 so as to provide that any person serving in the Armed Forces on or after June 27, 1950, shall be entitled to unemployment compensation benefits subject to such title, and for other purposes; to the Committee on Finance.

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

TWO ADDITIONAL ASSISTANT SECRETARIES OF THE ARMY, NAVY, AND AIR FORCE

Mr. SALTONSTALL. Mr. President, by request, I introduce for appropriate reference, a bill recommended by the Department of Defense, to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively.

I ask that the accompanying letter of transmittal explaining the purpose of the bill and a sectional analysis be printed in the RECORD, immediately following the listing of bills introduced.

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

The bill (S. 3466) to provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively, introduced by Mr. SALTONSTALL, by request, was received, read twice by its title, and referred to the Committee on Armed Services.

The letter and sectional analysis accompanying Senate bill 3466 is as follows:

OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE,
Washington, D. C., May 10, 1954.

Hon. RICHARD M. NIXON,
President of the Senate.

DEAR MR. PRESIDENT: There are forwarded herewith a draft of legislation, "To provide for two additional Assistant Secretaries of the Army, Navy, and Air Force, respectively," and a sectional analysis thereof.

This proposal is part of the Department of Defense legislative program for 1954; it has been submitted to the Bureau of the Budget which has advised that it would interpose no objection to its submission to the Congress. The Department of Defense recommends enactment of this legislation.

PURPOSE OF THE LEGISLATION

This proposal would provide the organizational authority necessary to implement the recent reorganization of the Department of Defense at the military departmental level (see Reorganization Plan No. 6 of 1953, effective June 30, 1953). It is specifically responsive to the following recommendation of the Interim Report of the Preparedness Subcommittee No. 3 of the Armed Services Committee, dated January 15, 1954 (at p. 24):

"We also recommend that the Secretary of Defense and the departmental Secretaries consider the advisability of creating in the Departments an assistant secretaryship with the single responsibility of financial management, and, if they conclude that the creation of such an office would make more efficient the operation of the Departments, transmit their proposals to the Senate Committee on Armed Services for consideration."

The Departments of the Army, Navy, and Air Force are each comparable in size and the complexity of their operations to the largest of the executive departments of the Federal Government. Under the pattern of administration established pursuant to the National Security Act of 1947, as amended, and Reorganization Plan No. 6, the military departments are administered by Secretaries who have as their principal assistants, in each case, an Under Secretary and two Assistant Secretaries. No specific functions are assigned by statute to the 2 Assistant Secretaries of the Departments of the Army and Air Force; however, 1 of the Assistant Secretaries of the Navy is assigned duties "to aid the Secretary of Navy in fostering naval aeronautics and to perform such functions as the Secretary may direct."

Under the present administration the Assistant Secretaries are utilized, both at the Secretary of Defense and at the military departmental levels, as administrative and supervisory specialists in functional areas. With the exception of a few operations which must be directly supervised by a Secretary, Deputy Secretary, or Under Secretary, it is considered essential that all operations and functional responsibilities of the Department of Defense and of the military departments be supervised by and within the cognizance of an Assistant Secretary. With only two such Assistant Secretaries in each of the military departments, it has been necessary to assign a multiplicity of functions to each. When it is recognized that the basic principle of civilian control over the military departments requires positive supervision by the Assistant Secretaries, it is clear that such a wide distribution of functions seriously impairs the effectiveness of such control at the military departmental level. It is essential to make the present civilian control effective down to the operations of the several military departments, that additional Assistant Secretaries be provided at that level.

It is believed that a logical completion of the established administrative pattern requires that the Assistant Secretary charged with the responsibility for financial management in each of the military departments be so designated by statute and that the Secretary of the military department should have the authority to designate this Assistant Secretary to perform the duties of the Comptroller of the department at such time as such action would appear necessary or desirable in the department concerned.

It is believed that increased efficiency in the administration and operation of the military departments and of the Department of Defense as a whole will result from this legislation. It would permit the Secretaries of the military departments to delegate their civilian responsibilities more effectively and permit a much greater area of specialization and direction in all areas of responsibility.

COST AND BUDGET DATA

This legislation will not involve additional fiscal expenditures. It is believed that the efficiency that will result from the more effective organization of the military departments along functional lines will not only result in sufficient economies to underwrite the cost of this legislation, but will in the long run save substantial appropriated moneys.

Sincerely yours,

R. A. BUDDEKE
(For the Assistant Secretary).

SECTIONAL ANALYSIS OF A BILL TO PROVIDE FOR TWO ADDITIONAL ASSISTANT SECRETARIES OF THE ARMY, NAVY, AND AIR FORCE, RESPECTIVELY

Section 1 (a) amends the Army Organization Act of 1950 (5 U. S. C. 181–4, 181–5) to authorize four Assistant Secretaries of the Army in lieu of two such Secretaries as is now provided by law, and also provides that one of the Assistant Secretaries shall be designated Assistant Secretary for Financial Management. The Assistant Secretary for Financial Management may also, at the discretion of the Secretary of the Army, be designated as the Comptroller of the Department of the Army.

(b) is a technical amendment to subsections (b) and (c) of section 101 of the Army Organization Act of 1950 to reflect that there will be more than two Assistant Secretaries of the Army.

Section 2 authorizes two additional Assistant Secretaries of the Navy, one of whom shall be responsible for budgetary and fiscal matters. They would be in addition to the Assistant Secretary of the Navy (5 U. S. C. 420) and the Assistant Secretary of the Navy for Air (5 U. S. C. 421a) authorized under current provisions of law. The Assistant Secretary for Financial Management may also, at the discretion of the Secretary of the Navy, be designated as the Comptroller

of the Department of the Navy. This section also provides for the order of succession to the Office of Secretary of the Navy in the event of his temporary absence.

Section 3 (a) amends the Air Force Organization Act of 1951 (5 U. S. C. 626–1 and 626–2) to authorize four Assistant Secretaries of the Air Force in lieu of two such Secretaries as is now provided by law, and also provides that one of the Assistant Secretaries shall be designated Assistant Secretary for Financial Management. The Assistant Secretary for Financial Management may also, at the discretion of the Secretary of the Air Force, be designated as the Comptroller of the Department of the Air Force.

(b) is a technical amendment to section 207 of the National Security Act to conform it to this legislation. That section authorizes the establishment of two Assistant Secretaries and this amendment would provide for four.

(c) is a technical amendment to subsections (b) and (c) of section 101 of the Air Force Organization Act of 1951 to reflect that there will be more than two Assistant Secretaries of the Air Force.

INDEPENDENT OFFICES APPROPRIATIONS, 1955—AMENDMENT

Mr. GORE (for Mr. DOUGLAS) submitted an amendment intended to be proposed by Mr. DOUGLAS to the bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices, for the fiscal year ending June 30, 1955, and for other purposes, which was ordered to lie on the table and to be printed.

CREATION OF CERTAIN UNITED STATES JUDGESHIPS—AMENDMENTS

Mr. HUNT. Mr. President, I submit amendments intended to be proposed by me to the bill (S. 2910) providing for the creation of certain United States judgeships, and for other purposes.

A similar bill was introduced in 1951 and, having been so thoroughly familiar with court conditions in Wyoming, I doubted the necessity of an additional Federal judge in our State. I therefore contacted our United States district judge, T. Blake Kennedy, and on January 26 of 1951 I received from him a letter from which I quote in part:

> As to any additional judgeships in the district of Wyoming I could not answer otherwise truthfully than to say that I consider no additional judges are needed at this time in this district. One judge I feel can comfortably take care of the business in the district and perhaps have some additional time to spare to relieve congested other districts.
>
> As you perhaps know, during my nearly 30 years service on the bench I have contributed judicial services to outside districts, as well as on the circuit court of appeals, upon many occasions and do not feel that I have been overworked.

Therefore, Mr. President, when S. 2910 was introduced, I again contacted our United States district judge for Wyoming to see if there had been any material change in the volume of court business since 1951 that indicated at this time an additional judge.

Again I was advised and I quote from a letter by Judge T. Blake Kennedy, addressed to me on May 11 in part as follows:

> So far as the judicial business of the Wyoming district is concerned the situation at present would seem to be that one judge is able to take care of all the business of the district even without his time being fully devoted to the task. As a matter of fact, during my tenure of office, which is approaching 33 years, I have been assigned to other districts and to the circuit court of appeals around 75 to 80 times, which outside service has not jeopardized the dispatch of business in my district.
>
> I think it would be the concensus of opinion of the Wyoming State bar that there has been no appreciable delay in the dispatch of the business found upon the dockets of the court.
>
> As a matter of fact, my dockets at the present time, it seems to me, are considerably lighter than they have been at any time since I have been upon the bench. As a matter of fact, there has scarcely been a year in my tenure of office that I have not held court in the Colorado district for at least from one to half a dozen times. On the other hand, the occasions have been few indeed where it has been necessary to send any judge into the Wyoming district and these occasions have occurred usually on account of my decision to withdraw from the trial of a case where I have felt that I might perhaps subconsciously be biased or in litigation where I was interested previous to my appointment to the bench.
>
> I certainly have no personal objections to the appointment of another judge in Wyoming if the Congress in its wisdom feels that it is expedient, but I think it should be fully considered that it is not placed upon the basis of congested dockets which require more judge power in the district.

Mr. President, I am also in receipt of a letter from Judge John C. Pickett, United States Court of Appeals, 10th Circuit, Cheyenne, Wyo., with reference to S. 2910, from which I quote in part:

> It is rather difficult to understand why Wyoming was included. I have never heard of any agitation for an additional judge in this district. I am reasonably certain that the Judicial Conference would not find that the work in Wyoming is sufficient to warrant another judge. The members of the Court of Appeals of each circuit ordinarily consider such matters and the Chief Judge then presents the attitude of the circuit judges to the Judicial Conference. We have not considered the matter in our circuit.
>
> Very sincerely yours,
>
> JOHN C. PICKETT.

Mr. President, in 1951 the chairman of the committee was kind enough to write me with reference to the appointment of an additional judge in Wyoming. I do not remember—and I cannot find in my files—having received such a letter with reference to S. 2910. I do not know whom the committee consulted from Wyoming, but I am convinced there is no need for an additional judge in the State of Wyoming at this time.

The PRESIDENT pro tempore. The amendments submitted by the Senator from Wyoming will be received and printed, and will lie on the table.

REQUESTS FOR INCREASED TRANSPORTATION RATES BY COMMON CARRIERS—AMENDMENTS

Mr. SMATHERS. Mr. President, last Friday the Senator from Nebraska [Mr. BUTLER] entered a motion to reconsider the vote by which the bill (S. 1461) to amend the Interstate Commerce Act, as amended, concerning requests of common carriers for increased transportation rates, was recommitted to the Committee on Interstate and Foreign Commerce. On behalf of myself and the Senator from Oklahoma [Mr. MONRONEY], I submit amendments in the nature of a substitute intended to be proposed by us, jointly, to the amendment of the Senator from Ohio [Mr. BRICKER] in the nature of a substitute to Senate bill 1461.

The PRESIDENT pro tempore. The amendments will be received and printed, and will lie on the table.

ORDER OF BUSINESS—CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, I ask unanimous consent that during the call of the calendar, which will occur following the morning hour, Senate bill 42, Calendar 1152, providing for attorneys' liens in proceedings before the courts or other departments and agencies of the United States; and Senate bill 46, Calendar 1248, for the relief of E. S. Berney, be included, inasmuch as an order to that effect, as I understand, was entered at the time of the last calendar call.

The PRESIDING OFFICER (Mr. PAYNE in the chair). Without objection, it is so ordered.

Mr. KNOWLAND. Mr. President, at the request of the Senator from Nebraska [Mr. BUTLER] who had to leave the Chamber, I also ask unanimous consent that Senate bill 3378, Calendar 1276, to revise the Organic Act of the Virgin Islands of the United States, which is the first bill on the calendar call for today, be considered, instead, at the end of the calendar.

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

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

Mr. KNOWLAND. I yield.

Mr. HENDRICKSON. It is my understanding that except for the bills to which the Senator from California has just referred, namely, Senate bill 42, Calendar 1152, relating to attorneys' liens, and Senate bill 48, Calendar 1248, for the relief of E. S. Berney, no other bills included in the last call of the calendar will be included in the call of the calendar today.

Mr. KNOWLAND. That is correct; today's call of the calendar will, with the exception of those two bills, be begun at the point where the last call of the calendar ended; namely, with Senate bill 3378, Calendar 1276, except that, upon request of the Senator from Nebraska [Mr. BUTLER], that bill will be called last on the calendar today, instead of first.

Mr. HENDRICKSON. I thank the Senator from California.

TESTIMONY AND PRODUCTION OF DOCUMENTS BEFORE SUBCOMMITTEE OF SENATE COMMITTEE ON GOVERNMENT OPERATIONS—LETTER FROM PRESIDENT OF THE UNITED STATES

Mr. KNOWLAND. Mr. President, I ask unanimous consent to have printed

at this point in the body of the RECORD, as a part of my remarks, a letter written today by the President of the United States, and sent to the Secretary of Defense. I also ask unanimous consent to have printed at this point in the RECORD, as a part of my remarks, a memorandum from the Attorney General of the United States, that accompanied the letter from the President.

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

THE WHITE HOUSE.

The honorable the SECRETARY OF DEFENSE,
Washington, D. C.

DEAR MR. SECRETARY: It has long been recognized that to assist the Congress in achieving its legislative purposes every executive department or agency must, upon the request of a congressional committee, expeditiously furnish information relating to any matter within the jurisdiction of the committee, with certain historical exceptions—some of which are pointed out in the attached memorandum from the Attorney General. This administration has been and will continue to be diligent in following this principle. However, it is essential to the successful working of our system that the persons entrusted with power in any one of the three great branches of Government shall not encroach upon the authority confided to the others. The ultimate responsibility for the conduct of the executive branch rests with the President.

Within this constitutional framework each branch should cooperate fully with each other for the common good. However, throughout our history the President has withheld information whenever he found that what was sought was confidential or its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation.

Because it is essential to efficient and effective administration that employees of the executive branch be in a position to be completely candid in advising with each other on official matters, and because it is not in the public interest that any of their conversations or communications, or any documents or reproductions, concerning such advice be disclosed, you will instruct employees of your Department that in all of their appearances before the subcommittee of the Senate Committee on Government Operations regarding the inquiry now before it they are not to testify to any such conversations or communications or to produce any such documents or reproductions. This principle must be maintained regardless of who would be benefited by such disclosures.

I direct this action so as to maintain the proper separation of powers between the executive and legislative branches of the Government in accordance with my responsibilities and duties under the Constitution. This separation is vital to preclude the exercise of arbitrary power by any branch of the Government.

By this action I am not in any way restricting the testimony of such witnesses as to what occurred regarding any matters where the communication was directly between any of the principals in the controversy within the executive branch on the one hand and a member of the subcommittee or its staff on the other.

Sincerely,

DWIGHT D. EISENHOWER.

MEMORANDUM

For: The President.
From: The Attorney General.

One of the chief merits of the American system of written constitutional law is that all the powers entrusted to the Government are divided into three great departments, the executive, the legislative, and the judicial. It is essential to the successful working of this system that the persons entrusted with power in any one of these branches shall not be permitted to encroach upon the powers confided to the others, but that each shall be limited to the exercise of the powers appropriate to its own department and no other. The doctrine of separation of powers was adopted to preclude the exercise of arbitrary power and to save the people from autocracy.

This fundamental principle was fully recognized by our first President, George Washington, as early as 1796 when he said: "* * * it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved. * * *" In his farewell address, President Washington again cautioned strongly against the danger of encroachment by one department into the domain of another as leading to despotism. This principle has received steadfast adherence throughout the many years of our history and growth. More than ever, it is our duty today to heed these words if our country is to retain its place as a leader among the free nations of the world.

For over 150 years—almost from the time that the American form of government was created by the adoption of the Constitution—our Presidents have established, by precedent, that they and members of their Cabinet and other heads of executive departments have an undoubted privilege and discretion to keep confidential, in the public interest, papers and information which require secrecy. American history abounds in countless illustrations of the refusal, on occasion, by the President and heads of departments to furnish papers to Congress, or its committees, for reasons of public policy. The messages of our past Presidents reveal that almost every one of them found it necessary to inform Congress of his constitutional duty to execute the Office of the President, and, in furtherance of that duty, to withhold information and papers for the public good.

Nor are the instances lacking where the aid of a court was sought in vain to obtain information or papers from a President and the heads of departments. Courts have uniformly held that the President and the heads of departments have an uncontrolled discretion to withhold the information and papers in the public interest; they will not interfere with the exercise of that discretion, and that Congress has not the power, as one of the three great branches of the Government, to subject the executive branch to its will any more than the executive branch may impose its unrestrained will upon the Congress.

PRESIDENT WASHINGTON'S ADMINISTRATION

In March 1792 the House of Representatives passed the following resolution:

"*Resolved*, That a committee be appointed to inquire into the causes of the failure of the late expedition under Major General St. Clair; and that the said committee be empowered to call for such persons, papers, and records, as may be necessary to assist their inquiries." (3 Annals of Congress, p. 493.)

This was the first time that a committee of Congress was appointed to look into a matter which involved the executive branch of the Government. The expedition of General St. Clair was under the direction of the Secretary of War. The expenditures connected therewith came under the Secretary of the Treasury. The House based its right to investigate on its control of the expenditures of public moneys. It appears that the Secretaries of War and the Treasury appeared before the committee. However when the committee was bold enough to ask the President for the papers pertaining to the General St. Clair campaign, President Washington called a meeting of his Cabinet. (Binkley, President and Congress, pp. 40–41.)

Thomas Jefferson, as Secretary of State, reports what took place at that meeting. Besides Jefferson, Alexander Hamilton, Henry Knox, Secretary of War, and Edmond Randolph, the Attorney General, were present. The committee had first written to Knox for the original letters, instructions, etc., to General St. Clair. President Washington stated that he had called his Cabinet members together, because it was the first example of a demand on the executive for papers, and he wished that so far as it should become a precedent, it should be rightly conducted. The President readily admitted that he did not doubt the propriety of what the House was doing, but he could conceive that there might be papers of so secret a nature, that they ought not to be given up. Washington and his Cabinet came to the unanimous conclusion:

"First, that the House was an inquest, and therefore might institute inquiries. Second, that it might call for papers generally. Third, that the Executive ought to communicate such papers as the public good would permit, and ought to refuse those, the disclosure of which would injure the public; consequently were to exercise a discretion. Fourth, that neither the committee nor House had a right to call on the head of a Department, who and whose papers were under the President alone; but that the committee should instruct their chairman to move the House to address the President."

The precedent thus set by our first President and his Cabinet was followed in 1796, when President Washington was presented with a resolution of the House of Representatives which requested him to lay before the House a copy of the instructions to the Minister of the United States who negotiated the treaty with the King of Great Britain, together with the correspondence and documents relative to that treaty. Apparently it was necessary to implement the treaty with an appropriation which the House was called upon to vote. The House insisted on its right to the papers requested, as a condition to appropriating the required funds. (President and Congress, Wilfred E. Binkley (1947), p. 44.)

President Washington's classic reply was, in part, as follows:

"I trust that no part of my conduct has ever indicated a disposition to withhold any information which the Constitution has enjoined upon the President as a duty to give, or which could be required of him by either House of Congress as a right; and with truth I affirm that it has been, as it will continue to be while I have the honor to preside in the Government, my constant endeavor to harmonize with the other branches thereof so far as the trust delegated to me by the people of the United States and my sense of the obligation it imposes to 'preserve, protect, and defend the Constitution' will permit." (Richardson's Messages and Papers of the Presidents, vol. 1, p. 194.)

Washington then went on to discuss the secrecy required in negotiations with foreign governments, and cited that as a reason for vesting the power of making treaties in the President, with the advice and consent of the Senate. He felt that to admit the House of Representatives into the treaty-making power, by reason of its constitutional duty to appropriate moneys to carry out a treaty, would be to establish a dangerous precedent. He closed his message to the House as follows:

"As, therefore, it is perfectly clear to my understanding that the assent of the House of Representatives is not necessary to the validity of a treaty; * * * and as it is essential to the due administration of the Government that the boundaries fixed by the Constitution between the different departments should be preserved, a just regard for the Constitution and to the duty of my office, under all the circumstances of this case, forbids a compliance with your request." (Richardson's Messages and Papers of the Presidents, vol. 1, p. 196.)

PRESIDENT JEFFERSON'S ADMINISTRATION

In January 1807, Representative Randolph introduced a resolution, as follows:

"*Resolved*, That the President of the United States be, and he hereby is, requested to lay before this House any information in possession of the Executive, except such as he may deem the public welfare to require not to be disclosed, touching any illegal combination of private individuals against the peace and safety of the Union, or any military expedition planned by such individuals against the territories of any power in amity with the United States; together with the measures which the Executive has pursued and proposes to take for suppressing or defeating the same." (16 Annals of Congress (1806–1807), p. 336.)

The resolution was overwhelmingly passed. The Burr conspiracy was then stirring the country. Jefferson had made it the object of a special message to Congress wherein he referred to a military expedition headed by Burr. Jefferson's reply to the resolution was a message to the Senate and House of Representatives. Jefferson brought the Congress up to date on the news which he had been receiving concerning the illegal combination of private individuals against the peace and safety of the Union. He pointed out that he had recently received a mass of data, most of which had been obtained without the sanction of an oath so as to constitute formal and legal evidence. "It is chiefly in the form of letters, often containing such a mixture of rumors, conjectures, and suspicions as renders it difficult to sift out the real facts and unadvisable to hazard more than general outlines, strengthened by concurrent information or the particular credibility of the relator. In this state of the evidence, delivered sometimes, too, under the restriction of private confidence, neither safety nor justice will permit the exposing names, except that of the principal actor, whose guilt is placed beyond question." (Richardson's Messages and Papers of the Presidents, vol. 1, p. 412, dated Jan. 22, 1807.)

SIMILAR ACTIONS BY PRESIDENTS JACKSON, TYLER, BUCHANAN, AND GRANT

On February 10, 1835, President Jackson sent a message to the Senate wherein he declined to comply with the Speaker's resolution requesting him to communicate copies of charges which had been made to the President against the official conduct of Gideon Fitz, late Surveyor General, which caused his removal from office. The resolution stated that the information requested was necessary both in the action which it proposed to take on the nomination of a successor to Fitz, and in connection with the investigation which was then in progress by the Senate respecting the frauds in the sales of public lands.

The President declined to furnish the information. He stated that in his judgment the information related to subjects exclusively belonging to the executive department. The request therefore encroached on the constitutional powers of the Executive.

The President's message referred to many previous similar requests, which he deemed unconstitutional demands by the Senate:

"Their continued repetition imposes on me, as the representative and trustee of the American people, the painful but imperious duty of resisting to the utmost any further encroachment on the rights of the Executive" (ibid., p. 133).

The President next took up the fact that the Senate resolution had been passed in executive session, from which he was bound to presume that if the information requested by the resolution were communicated, it would be applied in secret session to the investigation of frauds in the sales of public lands. The President said that, if he were to furnish the information, the citizen whose conduct the Senate sought to impeach would lose one of his basic rights, namely, that of a public investigation in the presence of his accusers and of the witnesses against him. In addition, compliance with the resolution would subject the motives of the President, in the case of Mr. Fitz, to the review of the Senate when not sitting as judges on an impeachment; and even if such a consequence did not follow in the present case, the President feared that compliance by the Executive might thereafter be quoted as a precedent for similar and repeated applications.

"Such a result, if acquiesced in, would ultimately subject the independent constitutional action of the Executive in a matter of great national concernment to the domination and control of the Senate. * * *

"I therefore decline a comliance with so much of the resolution of the Senate as requests 'copies of the charges, if any,' in relation to Mr. Fitz, and in doing so must be distinctly understood as neither affirming nor denying that any such charges were made" (ibid., p. 134).

One of the best reasoned precedents of a President's refusal to permit the head of a department to disclose confidential information to the House of Representatives is President Tyler's refusal to communicate to the House of Representatives the reports relative to the affairs of the Cherokee Indians and to the frauds which were alleged to have been practiced upon them. A resolution of the House of Representatives had called upon the Secretary of War to communicate to the House the reports made to the Department of War by Lieutenant Colonel Hitchcock relative to the affairs of the Cherokee Indians together with all information communicated by him concerning the frauds he was charged to investigate; also all facts in the possession of the Executive relating to the subject. The Secretary of War consulted with the President and under the latter's direction informed the House that negotiations were then pending with the Indians for settlement of their claims; in the opinion of the President and the Department, therefore, publication of the report at that time would be inconsistent with the public interest. The Secretary of War further stated in his answer to the resolution that the report sought by the House, dealing with alleged frauds which Lieutenant Colonel Hitchcock was charged to investigate, contained information which was obtained by Colonel Hitchcock by ex parte inquiries of persons whose statements were without the sanction of an oath, and which the persons implicated had had no opportunity to contradict or explain. The Secretary of War expressed the opinion that to promulgate those statements at that time would be grossly unjust to those persons and would defeat the object of the inquiry. He also remarked that the Department had not been given at that time sufficient opportunity to pursue the investigation, to call the parties affected for explanations, or to determine on the measures proper to be taken.

The answer of the Secretary of War was not satisfactory to the Committee on Indian Affairs of the House, which claimed the right to demand from the Executive and heads of departments such information as may be in their possession relating to subjects of the deliberations of the House.

President Tyler in a message dated January 31, 1843, vigorously asserted that the House of Representatives could not exercise a right to call upon the Executive for information, even though it related to a subject of the deliberations of the House, if, by so doing, it attempted to interfere with the discretion of the Executive.

The same course of action was taken by President James Buchanan in 1860 in resisting a resolution of the House to investigate whether the President or any other officer of the Government had, by money, patronage, or other improper means, sought to influence the action of Congress for or against the passage of any law relating to the rights of any State or Territory. (See Richardson, Messages and Papers of the Presidents, vol. 5, pp. 618–619.)

In the administration of President Ulysses S. Grant the House requested the President to inform it whether any executive officer, acts, or duties, and, if any, what, have been performed at a distance from the seat of government established by law. It appears that the purpose of this inquiry was to embarrass the President by reason of his having spent some of the hot months at Long Branch. President Grant replied that he failed to find in the Constitution the authority given to the House of Representatives and that the inquiry had nothing to do with legislation. (Richardson, Messages and Papers of the Presidents, vol. VII, pp. 362–363.)

PRESIDENT CLEVELAND'S ADMINISTRATION

In 1886, during President Cleveland's administration, there was an extended discussion in the Senate with reference to its relations to the Executive caused by the refusal of the Attorney General to transmit to the Senate certain documents concerning the administration of the office of the district attorney for the southern district of south Alabama, and suspension of George W. Durkin, the late incumbent. The majority of the Senate Committee on the Judiciary concluded it was entitled to know all that officially exists or takes place in any of the departments of government and that neither the President nor the head of a department could withhold official facts and information as distinguished from private and unofficial papers.

In his reply President Cleveland disclaimed any intention to withhold official papers, but he denied that papers and documents inherently private or confidential, addressed to the President or a head of a department, having reference to an act entirely executive, such as the suspension of an official, were changed in the nature and became official when placed for convenience in the custody of a public department. (Richardson, Messages and Papers of the Presidents, vol. 8, pp. 378–379, 381.)

Challenging the attitude that because the executive departments were created by Congress the latter had any supervisory power over them, President Cleveland declared (Eberling, congressional investigation, page 258):

"I do not suppose that the public offices of the United States are regulated or controlled in their relations to either House of Congress by the fact that they were created by laws enacted by themselves. It must be that these instrumentalities were created for the benefit of the people and to answer the general purposes of government under the Constitution and the laws, and that they are unencumbered by any lien in favor of either branch of Congress growing out of their construction, and unembarrassed by any obligation to the Senate as the price of their creation."

PRESIDENT THEODORE ROOSEVELT'S ADMINISTRATION

In 1909, during the administration of President Theodore Roosevelt, the question of the right of the President to exercise complete direction and control over heads of executive departments was raised again. At that time the Senate passed a resolution directing the Attorney General to inform the Senate whether certain legal proceedings had been instituted against the United States Steel Corp., and if not, the reasons for its nonaction. Request was also made for any opinion of the Attorney General, if one was written. President Theodore Roosevelt replied refusing to honor this request upon the ground that "Heads of the Executive Departments are subject to the Constitution, and to the laws passed by the

Congress in pursuance of the Constitution, and to the directions of the President of the United States, but to no other direction whatever." (CONGRESSIONAL RECORD, vol. 43, pt. 1, 60th Cong., 2d sess., pp. 527–528.)

When the Senate was unable to get the documents from the Attorney General, it summoned Herbert K. Smith, the Head of the Bureau of Corporations, and requested the papers and documents on penalty of imprisonment for contempt. Mr. Smith reported the request to the President, who directed him to turn over to the President all the papers in the case "so that I could assist the Senate in the prosecution of its investigation." President Roosevelt then informed Senator Clark of the Judiciary Committee what had been done, that he had the papers and the only way the Senate could get them was through his impeachment. President Roosevelt also explained that some of the facts were given to the Government under the seal of secrecy and cannot be divulged, "and I will see to it that the word of this Government to the individual is kept sacred." (Corwin, The President—Office and Powers, pp. 281, 428; Abbott, The Letters of Archie Butt, Personal Aide to President Roosevelt, pp. 305–306.)

PRESIDENT COOLIDGE'S ADMINISTRATION

In 1924, during the administration of President Coolidge, the latter objected to the action of a special investigating committee appointed by the Senate to investigate the Bureau of Internal Revenue. Request was made by the committee for a list of the companies in which the Secretary of the Treasury was alleged to be interested for the purpose of investigating their tax returns. Calling this exercise of power an unwarranted intrusion, President Coolidge said:

"Whatever may be necessary for the information of the Senate or any of its committee in order to better enable them to perform their legislative or other constitutional functions ought always to be furnished willingly and expeditiously by any department. But it is recognized both by law and custom that there is certain confidential information which it would be detrimental to the public service to reveal." (68th Cong., 1st sess., CONGRESSIONAL RECORD, April 11, 1924, p. 6087.)

PRESIDENT HOOVER'S ADMINISTRATION

A similar question arose in 1930 during the administration of President Hoover. Secretary of State Stimson refused to dislose to the chairman of the Senate Foreign Relations Committee certain confidential telegrams and letters leading up to the London Conference and the London treaty. The committee asserted its right to have full and free access to all records touching the negotiations of the treaty, basing its right on the constitutional prerogative of the Senate in the treaty-making process. In his message to the Senate, President Hoover pointed out that there were a great many informal statements and reports which were given to the Government in confidence. The Executive was under a duty, in order to maintain amicable relations with other nations, not to publicize all the negotiations and statements which went into the making of the treaty. He further declared that the Executive must not be guilty of a breach of trust, nor violate the invariable practice of nations. "In view of this, I believe that to further comply with the above resolution would be incompatible with the public interest." (S. Doc. No. 216, 71st Cong., special sess., p. 2.)

PRESIDENT FRANKLIN D. ROOSEVELT'S ADMINISTRATION

The position was followed during the administration of President Franklin D. Roosevelt. There were many instances in which the President and his executive heads refused to make available certain information to Congress the disclosure of which was deemed to be confidential or contrary to the public interest. Merely a few need be cited.

1. Federal Bureau of Investigation records and reports were refused to congressional committees, in the public interest. (40 Op. A. G. No. 8, April 30, 1941.)

2. The Director of the Federal Bureau of Investigation refused to give testimony or to exhibit a copy of the President's directive requiring him, in the interests of national security, to refrain from testifying or from disclosing the contents of the bureau's reports and activities. (Hearings, vol. 2, House, 78th Cong., Select Committee To Investigate the Federal Communications Commission (1944) p. 2337.)

3. Communications between the President and the heads of departments were held to be confidential and privileged and not subject to inquiry by a committee of one of the Houses of Congress. (Letter dated January 22, 1944, signed Francis Biddle, Attorney General to Select Committee, etc.)

4. The Director of the Bureau of the Budget refused to testify and to produce the Bureau's files, pursuant to subpena which had been served upon him, because the President had instructed him not to make public the records of the Bureau due to their confidential nature. Public interest was again invoked to prevent disclosure. (Reliance placed on Attorney General's opinion in 40 Op. A. G. No. 8, April 30, 1941.)

5. The Secretaries of War and Navy were directed not to deliver documents which the committee had requested, on grounds of public interest. The Secretaries in their own judgment, refused permission to Army and Navy officers to appear and testify because they felt that it would be contrary to the public interests. (Hearings, Select Committee To Investigate the Federal Communications Commission, vol. 1, pp. 46, 48–68.)

PRESIDENT TRUMAN'S ADMINISTRATION

During the Truman administration also the President adhered to the traditional executive view that the President's discretion must govern the surrender of executive files. Some of the major incidents during the administration of President Truman in which information, records and files were denied to congressional committees were as follows:

Date and type of document refused

March 4, 1948: FBI letter-report on Dr. Condon, Director of National Bureau of Standards, refused by Secretary of Commerce.

March 15, 1948: President issued directive forbidding all executive departments and agencies to furnish information or reports concerning loyalty of their employees to any court or committee of Congress, unless President approves.

March 1948: Dr. John R. Steelman, confidential adviser to the President, refused to appear before Committee on Education and Labor of the House, following the service of two subpenas upon him. President directed him not to appear.

August 5, 1948: Attorney General wrote Senator FERGUSON, chairman of Senate investigations subcommittee, that he would not furnish letters, memorandums, and other notices which the Justice Department had furnished to other Government agencies concerning W. W. Remington.

February 22, 1950: Senate Resolution 231, directing Senate subcommittee to procure State Department loyalty files was met with President Truman's refusal, following vigorous opposition of J. Edgar Hoover.

March 27, 1950: Attorney General and Director of FBI appeared before Senate subcommittee. Mr. Hoover's historic statement of reasons for refusing to furnish raw files approved by Attorney General.

May 16, 1951: General Bradley refused to divulge conversations between President and his advisers to combined Senate Foreign Relations and Armed Services Committees.

January 31, 1952: President Truman directed Secretary of State to refuse to Senate Internal Security Subcommittee the reports and views of foreign service officers.

April 22, 1952: Acting Attorney General Perlman laid down procedure for complying with requests for inspection of Department of Justice files by Committee on Judiciary.

Requests on open cases would not be honored. Status report will be furnished. As to closed cases, files would be made available. All FBI reports and confidential information would not be made available. As to personnel files, they are never disclosed.

April 3, 1952: President Truman instructed Secretary of State to withhold from Senate Appropriations Subcommittee files on loyalty and security investigations of employees—policy to apply to all executive agencies. The names of individuals determined to be security risks would not be divulged. The voting record of members of an agency loyalty board would not be divulged.

Thus, you can see that the Presidents of the United States have withheld information of executive departments or agencies whenever it was found that the information sought was confidential or that its disclosure would be incompatible with the public interest or jeopardize the safety of the Nation. The courts, too, have held that the question whether the production of the papers was contrary to the public interest, was a matter for the Executive to determine.

By keeping the lines which separate and divide the three great branches of our Government clearly defined, no one branch has been able to encroach upon the powers of the other.

Upon this firm principle our country's strength, liberty, and democratic form of government will continue to endure.

THE CRISIS IN SOUTHEAST ASIA—ARTICLE BY SENATOR WILEY

Mr. WILEY. Mr. President, the other day the International News Service asked me for a statement with respect to the problem of southeast Asia. I prepared an article, which was printed in the newspapers this morning.

I send to the desk the text of the statement and ask unanimous consent that it be printed at this point in the body of the RECORD.

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

THE CRISIS IN SOUTHEAST ASIA

The crisis in southeast Asia involves a turning point in the history of collective security against Communist aggression.

The crisis must be successfully met if we are to prevent the Soviet Union from swallowing up that entire region of the globe and thereby, tipping the balance on the world scale heavily in communism's favor.

I suggest eight minimum principles as a basis on which we should try to meet this crisis:

1. It is essential that there be joint defensive action by the freedom-loving powers. Unilateral—independent—action on the part of the United States would be suicidal.

2. Southeast Asia cannot be saved by non-southeast Asian powers. It can only be saved by the native peoples themselves, announcing their determination to resist aggression and then backing up that determination with actions.

3. The free native armies in that area—in countries like Thailand and Burma—are comparatively very weak in relation to the Chinese Red army to the north and in relation to the Reds' ability to supply Communist rebel forces. Therefore, the United States must prepare to furnish speedily and

effectively, considerable quantities of arms to these free native peoples, as well as technicians and training personnel.

Our experience in Korea proves, however, that the arming of free native populations is comparatively inexpensive—in Korea it was one twenty-fifth of the cost of a comparable United States division.

4. No matter how well we may help equip the limited forces of the area, there must be some form of specific, militarily feasible commitment in which the Western Powers will join so as to prevent further territorial aggression in southeast Asia.

Such a commitment inevitably involves the risk that United States forces may some day have to be used in the event the Communists choose the course of aggression. But it is infinitely a greater risk to do nothing than it is to do something in a careful multilateral form, and in time.

5. The problem in southeast Asia is more political and economic than it is military. No army, however large, can totally subdue a native population which is hostile to it and/or largely sympathetic to a guerrilla force. In South Korea, a gallant, loyal people stood solidly with the West. It was willing, if necessary, to fight with sticks and stones to defend itself against the Communists. The Korean Republic knew that our cause was its cause, just as we knew that Korea's cause was our cause.

So too unless steps are taken—of a broad social, economic and political nature to assure the mass voluntary allegiance of the native populations, particularly in the areas still emerging from colonialism, all of our defense efforts may prove in vain.

6. Our capacity for massive instant retaliation—at places of our own choosing—must still remain our principal deterrent against Communist aggression.

Our intercontinental bombing force with A-bomb and H-bomb weapons, must be constantly perfected.

7. At the same time, B–52 bombers cannot win all by themselves the sort of jungle and rice paddy war such as has been going on in Malaya and Indochina. Availability of sufficiently trained ground troops is essential.

The United States must continue therefore, to take fresh looks at its defense establishment in order to make sure that it has not put all of its eggs in one basket.

8. We must continue to keep in mind the need to avoid, if at all possible, having American troops sucked into brush wars which may dissipate our strength—bleed us without bleeding the Kremlin.

Nevertheless we must not abandon areas—one by one—or en masse, and thereby repeat the tragic pattern which occurred in the 1930's as Hitler gobbled up more and more people and real estate.

From all of the above, we see that there is no single, absolute formula which can answer our complex problem in southeast Asia or, for that matter, anywhere else in the world.

Our foreign policy must be based upon a constant weighing of changing factors in a fast changing world. We must weigh all the advantages and disadvantages of particular actions, the effects of each action on our enemies, on our friends, and on the neutrals.

Meanwhile anybody who tells you that the United States can get along without our allies or without any understanding among the neutral powers is talking through his hat.

Affairs have become so interrelated that a single event—anywhere—can cause a whole chain reaction of consequences everywhere. What happens in Indochina affects the French National Assembly in Paris, which affects the situation in London and in Morocco, which affects the problem in Malaya, which affects the situation in New Delhi, Karachi, etc.

So to ingnore the direct and indirect results of our actions is sheer folly. And for some people to talk as if we could ignore Britain's and France's position and reaction is as absurd as if we were to go to the opposite extreme and talk as if Britain and France could have an absolute veto over our own action.

In summary, the crisis is not the crisis of southeast Asia. It is the crisis of the free world.

FUNDS FOR VOCATIONAL EDUCATION

Mr. WILEY. Mr. President, I was pleased to hear from Mr. Clair M. Blakely, assistant executive secretary of the Wisconsin Council of Agriculture Cooperative, regarding one of the most significant appropriation phases now being considered by the Congress. I refer to aid under the George-Barden Act for vocational education and, in particular, for agricultural education.

To my way of thinking, it would be exceedingly poor judgment to sacrifice the vocational education program at the very time when our country has run into certain economic difficulties, particularly in connection with farming.

I pledge my own continued efforts for adequate implementation of the George-Barden program.

I ask unanimous consent that the text of Mr. Blakely's letter be printed at this point in the body of the RECORD.

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

WISCONSIN COUNCIL OF
AGRICULTURE COOPERATIVE,
Madison, Wis., May 12, 1954.

Hon. ALEXANDER WILEY,
United States Senator,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: I am writing at this time in regard to hearings which have already started or are about to start in the Senate on the vocational item. In speaking of the vocational item, I refer to the $1,173,261 decrease proposed in the President's budget message for aid to vocational education. Nowhere in the budget message was there given a specific reason or justification regarding the proposed cut. Many vocational leaders and friends of the program are greatly concerned with the apparent trend of events.

Vocational education in agriculture would, of course, share in the cut in funds for vocational education. It is expected that if this small cut in the funds for vocational education is accepted, further cuts will be made until the entire appropriation is eliminated. It is unlikely that an unsubsidized program of vocational education can or will exist in the schools of Wisconsin in competition with a heavily subsidized program outside the schools.

It is my opinion that the financial support for vocational education at the Federal level is under attack. This does not mean that the program itself is under attack. It is very difficult to obtain even one derogatory statement from any source concerning the program of vocational education. We feel here in Wisconsin that the gradual elimination of Federal funds would cause the disintegration of a sound, nationwide program.

Wisconsin is a great agricultural State. Yes, and a great industrial State. In agriculture and in industry we need to increase rather than to decrease the amount of training possibilities available to our people. To better prepare a man for his future is to better prepare our State and Nation for the trying adjustments that lie ahead.

The House has already approved $43,600,000 for extension service (a 23.2 percent increase) and $83,265,708 for agricultural research (nearly a 10 percent increase). Vocational education should be considered a service entity to augment and supplement the services mentioned above. Vocational education should be able to serve in an expanded capacity. It does and will add to the overall educational program in the United States.

Vocational education should not be curtailed in any way. Rather it should be increased so that it might better perform its work in the realm of educational needs. To increase the valuable contributions of vocational education the need is for more funds rather than for less.

It is, therefore, my recommendation and the recommendation of Milo K. Swanton and the entire membership of the Wisconsin Council of Agriculture Co-operative that serious consideration concerning this matter be taken by you and that you suggest and back a recommendation that the Federal funds for vocational education be increased to the full 29.3 million authorized by the George-Barden Act.

Sincerely yours,

CLAIR M. BLAKELY,
Assisistant Executive Secretary.

NORWEGIAN INDEPENDENCE DAY

Mr. THYE. Mr. President, the people of Norway and their descendants throughout the world have set aside May 17 as a special day. "Syttende Mai," as the Norwegians called their independence day, marks the anniversary of the signing of the Constitution of Norway. This historic event took place at Eidsvoll on May 17, 1814.

Today we observe the 140th anniversary of Norway's Constitution Day. It is an occasion worthy of note.

Sturdy independence, which stems from their Viking ancestry, is a well-known characteristic of the Norwegian people. They are a nation of adventurous seafaring men, but they have been equally courageous in exploring ways to achieve mankind's aspirations for peace and justice. Their love of freedom was illustrated in their resistance and courage during the Nazi domination of Norway during World War II. Since the war, the people of Norway have ably participated in the United Nations, and they have shared in the collective efforts of the free nations.

The first group of Norwegian immigrants arrived in New York on October 9, 1825. Today approximately 1 million persons of Norwegian origin are in the United States. Nearly one-fourth of that total number reside in my own State, and Minnesota can lay claim to having the largest number of citizens of Norwegian extraction of any State of the Union.

Americans of Norwegian descent have given much toward the things that make for a better life here in the United States. They have enriched our common life by their culture, their music, their industry, and their high moral and religious standards. They have made an especially large contribution in citizenship and public service. They have been most effective leaders in government and strong believers in American ideals of liberty.

It is fitting that we should recognize historic events which have helped to preserve the ideals of free government—government by the people.

Norway's Constitution Day—May 17—is a day which all Americans are proud to recognize, and I am especially so, since Norway was the mother country of both my mother and father.

THE FEDERAL RESERVE SYSTEM

Mr. BUSH. Mr. President, I have before me an editorial entitled "The Federal Reserve Looks at Itself," published in the New York Journal of Commerce for Friday, May 14, 1954. The editorial commends the Federal Reserve Board for a booklet which has recently been published, entitled "The Federal Reserve System—Its Purposes and Functions." Concerning the booklet, the editorial states, in part:

It fulfills extremely well its avowed purpose of fostering a better public understanding of the System, although the technical nature of the subject matter necessarily deprives it of a strictly popular appeal.

A few days ago Representative WRIGHT PATMAN took exception to the issuance of this booklet. He said:

The book that is gotten out, which I have just mentioned to you, Purposes and Functions of the Federal Reserve System, is written in language that I think very few people would understand.

In this book, at the end, it is stated:

"Copies of this book, the Federal Reserve System, Purposes and Functions, may be secured without charge either individually or in quantities for classroom and other use."

In other words, it is used in this sense as propaganda for the Federal Reserve System. I cannot point to any direct misstatements in the book. It is not what they say that is so wrong, it is the inference that is left and the things that are left unsaid.

Representative PATMAN has been using the Federal Reserve Board as a "whipping boy" for a long time, and I think it is very unfortunate that he does so, because it is a very important organization as well as a very sensitive one. There is much too little known about it. I wish to commend the Federal Reserve System for having published this important booklet. Far from hoping that it will not be read and understood, I hope it will have the very widest possible circulation, not only among Members of Congress, but among schools, colleges, and other institutions, because the Federal Reserve System is such an important organization in the economic life of this country that we cannot know too much about it. We cannot know enough about it. We know far too little about it.

Mr. President, I ask unanimous consent that the entire editorial to which I have referred, from the New York Journal of Commerce, be printed in the RECORD at this point as a part of my remarks.

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

THE FEDERAL RESERVE LOOKS AT ITSELF

A third edition of the Federal Reserve System, a book prepared for the Board of Governors by its staff, is now in process of distribution. As the Eisenhower administration is relying heavily on monetary and credit policy to stabilize the economy, this revised edition will be welcomed as a particularly timely exposition of the purposes and functions of the System.

A chapter dealing with the influence of reserve banking on economic stability, not covered in the earlier editions of the book, will be especially helpful to those seeking a better understanding of the economic effects of changes in credit policy.

This chapter explains with commendable objectivity why and how a tightening or easing of credit resulting from Federal Reserve action influences lending, spending, and saving, and may contribute to economic stability.

No extravagant claims, however, are made for the efficacy of credit control as a stabilizer. On the contrary, we are told that whether a tightening or an easing of credit will find a response in the demand for credit depends on the existence of a fringe of borrowing or potential borrowing. Under some conditions, it is stated, this borrowing fringe may be very limited, especially in case of a serious business recession following an inflationary boom that has too far anticipated future needs. At such times, potential borrowers may become discouraged and fail to respond to offers of cheaper credit.

The Reserve Board concludes, therefore, that the ability to combat a recession with credit and monetary action depends in large part on the extent to which restrictive credit action has been taken in the preceding boom so as to leave an unsatisfied fringe demand for credit, as well as on how early and aggressively the easing action occurs after a downturn.

In the present edition, also for the first time, the Board's study devotes a chapter to interest rate changes, and the effect on long-term as well as short-term interest rates of tightening or easing credit.

Again a warning is voiced that the extent of changes in interest rates, which are of many kinds and applicable to various kinds of loans and investments, is conditioned by such factors as the general state of the economy, the causes and the strength of credit demands, the temper of the business community, and the organizational character of the credit and investment markets.

In brief, there is no easy way, no single test to guide Federal Reserve officials in the conduct of credit policy. Decisions should be based on a comprehensive study of the current business and financial situation; and unless the analysis is sound and the time set for action right, credit policy cannot be counted on to further general economic stability.

On the basis of more extensive experience in the selective credit field since the 1947 edition of the Federal Reserve System appeared, the revised chapter dealing with selective credit regulation concludes with a significant résumé of the conditions regarded by the Federal Reserve Board as essential for effective use of this type of credit control.

Among these conditions the following are included: the regulated area must be of sufficient size and importance to the economy to make its regulation a telling reinforcement of general credit measures; the credit flow in the area must be responsive to practical adjustments in terms of lending; trade practices should be sufficiently standardized to permit continuation of established procedures; and the contribution of selective regulation to the overall credit and monetary situation should be substantial enough to outweigh the burdens imposed on both the regulated and administrative agencies.

Judgment concerning the value of regulation of real-estate credit is avoided on the ground that the experiment was too brief to determine its effectiveness.

Another commendable addition to the book is the separate chapter on supervision of banks by the Federal Reserve—a function deserving of much more than the passing comment it received in preceding editions. For, despite an assertion in the 1954 edition that bank supervision cannot and should not be used for the purpose of enforcing the System's general credit policy by compelling member banks to restrict credit in times of inflationary boom or to extend credit in times of general recession, bank supervision, which includes bank examination, inevitably influences to some extent bank lending policies. Indeed, it has at times been a credit control instrumentality of prime importance.

The 1954 edition of the Federal Reserve System, as well as its predecessors, avoids both the oversimplification of exposition that misleads and the theoretical hair splitting that confuses the average intelligent reader. It fulfills extremely well its avowed purpose of fostering a better public understanding of the System, although the technical nature of the subject matter necessarily deprives it of a strictly popular appeal.

A study of the book by great numbers of instructors and young people in our colleges and universities where it is being distributed will certainly give them an insight into the operations of the System, its powers and its limitations as one of the instrumentalities or forces that may help to reduce economic fluctuations.

HOSPITALIZATION OF PARAPLEGIC VETERANS IN CALIFORNIA

Mr. KUCHEL. Mr. President, of all the citizens of our country, it is to the paraplegic veterans that the hearts of Americans go out. In the State from which I come, there are 200 paraplegic veterans now in the veterans' hospital at Long Beach, Calif. They appreciate the work done by members of the Senate Committee on Appropriations, which a few days ago included in the independent offices appropriation bill an appropriation of $8 million to build modern hospital facilities there for the care of paraplegic veterans and for other veterans who are hospitalized and are receiving treatment there.

I have before me a tragic story of the conditions at the Veterans' Administration hospital at Long Beach, Calif., which appeared in the Los Angeles Examiner under date of May 10.

I have also an editorial published in the same estimable newspaper the next day. Both the article and the editorial should be required reading for Members of the Senate prior to the time they will be called upon to vote on the action taken by members of the Senate Committee on Appropriations relative to that hospital. I commend to my brethren in the Senate the reading of the article and editorial. I ask unanimous consent that both be printed in the RECORD at this point as a part of my remarks.

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

[From the Los Angeles Examiner of May 10, 1954]

VA HOSPITAL AT BEACH TERMED FIRE HAZARD—ONE THOUSAND THREE HUNDRED PATIENTS LIVE IN CROWDED UNITS—AID FROM CONGRESS AWAITED TO ELIMINATE DANGERS

(By Marjorie Driscoll)

At Long Beach Veterans' Administration Hospital doctors and nurses, staff, and patients are fervently hoping that after long months of patience under almost intolerable conditions, relief is in sight.

It will come if Congress, before recessing possibly about the end of June, approves a proposed $8,000,000 appropriation for the first of two new units at the hospital.

The 4-wing unit would start the replacement of the crowded, utterly inadequate, fire-vulnerable wards that were built during the war as temporary units and have been used ever since.

These temporary wards cling to the rear of the main building like shabby, timeworn, dilapidated freight cars hitched to a de luxe limited.

MANY OF 1,300 PATIENTS HELPLESS

Only, the freight they carry is some 1,300 patients, many of them helpless to aid themselves in any emergency.

In the temporary wards are:

All the paraplegic patients, some 200 of them.

All the neurological cases—the psychiatric cases, the aphasia victims, seniles, and many others.

All the tubercular cases.

All the cardiac cases.

Many medical, orthopedic, and other cases.

In the big main building—which is all that many people ever see as they pass—is room for only 289 patients, with space for some of the laboratories, offices, surgeries, and the like.

The temporary buildings are constructed largely of plywood and wallboard—not even of stronger materials.

If fire struck, perhaps some night—

"God help us," said a hospital official.

The menace of fire is not the only nightmare; not the only reason for the hope that the work for the appropriation, so ably launched and now being ably steered by California Senators and Representatives, will be crowned with successs.

STEEP RAMPS ARE ONLY EXITS

There are things like this:

Steep wooden ramps as the only exit to outdoors from wards where bedfast patients are housed; ramps so steep that the strength of nurses and ward attendants is taxed to push gurneys—rolling stretchers—up and down them; so steep that wheelchair patients cannot get up them without help and occasionally a wheelchair runs away downhill.

Buildings resting on piers instead of proper foundations.

Plumbing so old and worn that underneath many buildings there is a constant drip from leaky iron pipes; plumbing so impossible to repair that sick men are kept awake at night by the noise in the pipes.

Wards so crowded that a busy hour looks like freeway traffic, so that wheelchairs, tray-carrying attendants, medicine carts, all the people and equipment needed by the patients, must wriggle a way through the jam.

Wards without storerooms in which to keep such things as spare equipment, even laundry bags, so that they have to be stacked in the open and nurses, trained in hospital neatness and efficiency, nearly lose their minds trying to keep things in order.

A heating system so inadequate that although wards can be kept warm, corridors are cold.

Floors of bare boards or worn tile that are impossible to keep adequately clean.

Roofs that leak.

Dining rooms, therapy rooms, canteen, other facilities, located so far from wards that wheelchair patients have to wait for someone to wheel them, even to meals—or eat from a tray.

The long road from ward to surgery leading through open entrances to the corridors, so that a patient is exposed to cold.

Completely inadequate quarters—treatment rooms, laboratories, even offices—for such distinguished men as Dr. Ernest Bors, tops in the field of paraplegia.

"JUST GIVE US DECENT HOSPITAL"

Dr. E. V. Edwards, hospital manager, is a quiet man not easily moved to vehemence, but his fists clench and his voice rises, when he says:

"I want to get these patients out of these dirty, filthy wards and into a decent place where they can have the care they deserve. Never mind the frills—we'll provide them somehow.

"Just give us a decent hospital."

It is not the fault of the maintenance staff that Dr. Edwards has to use such adjectives. The maintenance crews work hard, do their best. They can't work miracles.

As a matter of fact, through good management, the Long Beach hospital stands the lowest in per diem cost of any Veterans' Administration hospital. With decent quarters, there could be a saving even from that figure.

But now, if public support swings behind the work of such men as Senators WILLIAM F. KNOWLAND and THOMAS H. KUCHEL and Representatives JOHN PHILLIPS, CRAIG HOSMER, CLYDE DOYLE, CARL HINSHAW, JOE HOLT, CECIL KING, and others, the long-held hope may be realized.

It is proposed to add to the independent offices bill an amendment providing the necessary $8 million for the construction of 4 wings (approximately 670 beds) on the west side of the present permanent buildings, with a duplicate program proposed for next year.

The independent offices bill passed the House without the hospital amendment but with an understanding that the amendment would be added in the Senate, if possible.

Late word from Washington is that Senator LEVERETT SALTONSTALL, chairman of the Senate Appropriations Committee, and Representative JOHN PHILLIPS, chairman of the House Appropriations Committee, have an informal agreement that the amendment will be put in when the measure is considered by the Senate committee.

If it stays—and indications are that it will—the next steps would be approval by the Senate and acceptance by House conferees.

This would be the final triumph of the movement sparked nearly 2 years ago by the Paralyzed Veterans Association, led by Ted Anderson—himself a quadraplegic since he was wounded in France 10 years ago, long a hospital patient.

In the campaign now are enlisted the city of Long Beach veterans' organizations—the American Legion, AMVETS, Disabled American Veterans, Veterans of Foreign Wars, and others—every group that has worked with or at the hospital, many, many more.

The need has been stressed by Harvey Higley, Veterans' Administrator, and by Adm. J. T. Boone, Chief Medical Director of the VA.

And the vital importance of the appropriation called for in the proposed amendment has been recognized by thousands of persons who have urged their Congressmen to act.

With the situation near its climax, there is need for still more public demand that the action, so far ably pushed by farseeing men, should not be permitted to fail.

"Give us a decent hospital," says Dr. Edwards.

It isn't much to ask.

[From the Los Angeles Examiner of May 11, 1954]

END THIS DISGRACE

Exposure by the Examiner of the squalid, congested, and unsafe conditions under which 1,300 patients exist at the Long Beach Veterans' Administration Hospital points to an intolerable reproach on the Nation's conscience.

These men were crippled in the service of their country.

They deserve and should have the finest facilities a rich and generous government can provide.

But they, as well as the able and devoted staff that now cares for them, ask only for adequate hospitalization.

It can be had for $8 million right away if an amendment to the independent offices bill is expedited through Senate and House Appropriation Committees.

The California delegation in Washington is already moving strongly to assure passage of the bill.

Southern California Representatives of both parties have joined their efforts: Republicans HOSMER of Long Beach, PHILLIPS of Riverside, HINSHAW and HOLT of Los Angeles; Democrats DOYLE of Southgate and KING of Inglewood.

Senators KNOWLAND and KUCHEL are pressing the matter in the senior Chamber.

No one who read the fine article by Marjorie Driscoll in yesterday's Examiner, describing the conditions at the hospital, can doubt the need for immediate action.

Dr. E. V. Edwards, who manages the Long Beach institution, tersely tells what is wanted:

"Get the patients out of these dirty, filthy wards and into a decent place where they can have the care they deserve. Never mind the frills. Just give us a decent hospital."

That is the very least that could be asked, or given. It is far below what is due men struck down in their youth, defending a country whose wealth supports millions in foreign lands.

Citizens should write personally to their Senators and Representatives, join the campaign of the American Legion, Veterans of Foreign Wars, AMVETS, and Paralyzed Veterans Association, or the many volunteer groups that work with or at the hospital.

Time is of the essence, for Congress may adjourn on June 30.

And it is unbearable to think helpless boys should be forced to stand 1 minute longer than is absolutely necessary what they now must endure.

ADDRESS DELIVERED BY DEPUTY SECRETARY OF DEFENSE ROBERT B. ANDERSON AT NATIONAL ARMED FORCES DAY DINNER HELD IN WASHINGTON

Mr. SALTONSTALL. Mr. President, I ask unanimous consent to have printed in the body of the RECORD the text of an address delivered by the Deputy Secretary of Defense, Robert B. Anderson, at the National Armed Forces Day Dinner, held at the Hotel Statler, Washington, D. C., on Friday, May 14, 1954.

I am confident that Representative SHORT, of Missouri, chairman of the Armed Services Committee of the House, who was present, feels as I do, in my capacity as chairman of the Committee on Armed Services of the Senate, that the Secretary's speech was a very clear exposition of the fundamental difficulties and problems which today the United States faces as the leader of the free nations of the world. It was a very clear, forceful, and optimistic speech, which bespoke the responsibilities confronting our country today.

I ask unanimous consent that the speech may be printed in the body of the RECORD at this point as a part of my remarks.

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

Every worthwhile policy, plan, or undertaking has its roots in certain professions of faith about the conditions under which it may be expected to work. They are professions of faith in the sense that while we cannot certainly prove them true, yet by everything we know we have a right to assume that they are true, and to base our actions upon them. Confronted with the great central issue of Soviet imperialism, we and the other countries of the free-world community have come to predicate all our policies and actions on two fundamental, and optimistic, assumptions.

First, there is the assumption that peace is a realistic possibility in our world. Of necessity, our thinking and planning must also take into consideration the possibility of war, but the important thing to note here is that we are not planning as though there were no alternative to war. We would not deliberately choose war as a means to accomplish our objectives; we will not avoid it if our liberties cannot otherwise be saved. Our preparations are not geared to the supposition that war is inevitable. Our fundamental assumption is that we can have peace even in this distraught and disordered world that we live in, even in the presence of an aggressive world power whose leaders are by every last element of their philosophy the enemies of our purposes and hopes and dedicated to the destruction of our liberal traditions.

Now you may well ask how we may assume a condition of peace in which a militant aggressive power is actively and irrevocably committed to world domination. Some of the answers, I think, lie in an understanding of the part played by war in the pursuit of national objectives.

Every nation, up to the point of commitment to outright war, has certain choices in the means it uses to gain its objectives. Military force is one of these means, just as political, economic, and ideological pressures are means for the settlement of international conflict. The continuing, inevitable factor in human affairs is not war but conflict, conflict which may be as simple as a difference of opinion or as complex as the cultural differences which are the product of 10,000 years of living. This conflict may be national or international. It arises as the logical consequence of changing conditions and competitive interests. It may be waged with words, by diplomacy or at every level on the scale of violence and in every field of human endeavor.

While war necessarily implies conflict, history is rich in examples of conflict without war, conflict resolved by some of the many instrumentalities other than physical violence which are available to nations in the conduct of their international affairs. Thus, it is that some of the difficulty of choosing our course of action stems from the tendency to equate conflict, which is inevitable, with war, which is not.

The second fundamental assumption underlying our actions is that a society of free men is more enduring than totalitarian regimentation and a slave state. This is indeed a profession of faith, for if we do not believe, deeply and earnestly, that our way of life represents the greatest hope on earth for mankind, if we do not believe our democratic society to be the most vital and enduring yet devised, then much of what we do has lost significance. We must be willing to believe that our free society, with all its inconsistencies, its divisions, and its apparent indecisiveness, is capable of thriving in today's jungle world, capable in the long run of winning the battle for the minds of men. In dealing with the problems at hand, short spans of time loom ominously important; over the span of generations, where the best fragments of man's intellect and society achieve immortality, time is on our side.

These two fundamental assumptions—the belief in the possibility of peace and in the vitality of our society—underly our entire position in international affairs. Their imprint may be seen on all our policies; their flavor may be detected in all our actions. They strongly influence our military policies and the posture of our defense.

Simply stated, it is the purpose of our military power to maintain a supremacy of force capability over any nation, but to so direct the actions which give it force as to hold immobilized the military power of Soviet-led communism, and by so doing to force the settlement of issues between us out of the dangerous and inconclusive sphere of physical violence. We are arming to deter, to neutralize, to render unprofitable the use of physical force by the Soviet, either for territorial aggression or for the purposes of exerting political or psychological pressure. To the extent that it is possible to do so, it is our purpose to isolate and impound Soviet military might as a critical factor in the current crisis, to the end that the Soviet regime is forced to seek the resolution of issues in the nonviolent fields of political, economic, and ideological endeavor.

This done, we shall be able to meet the Communists on grounds where we hold the advantage; where, despite surface appearances, we are stronger than they. Think, just for a moment, about the things we have to offer the rest of the world—things which the Communists, by the very nature of their evil system, will never be able to match: liberty, justice, economic opportunity in a society decent enough and gracious enough to allow plain, ordinary people to pursue the objects of their earnest hopes and desires.

We offer these values within the concept of a world community of sovereign, independent nations. We recognize that the fundamental principle of self-determination for nations and peoples is simply the logical extension of the principle of liberty for the individual.

The end product of our system is a better kind of life for the humble—not more exalted privileges for the mighty. How history and modernity lend themselves to comparison. Behold the Roman Empire—a thing of tremendous power, of great material strength, and which afforded a very comfortable standard of living, but only for the privileged few. Witness how the Soviet Empire in our own day is also a thing of tremendous power, of great material strength, and it too affords a very comfortable standard of living, but only for the few favored members of the regime and the Communist Party.

Not only has the Soviet regime extinguished liberty among its own luckless people, but it has by force and connivance fastened the shackles of colonialism upon many nations whose people had no cultural ties whatever with the Russian people, who hate the Soviet regime, and whose true status is now that of political vassalage within a giant new colonial system. Since 1939 the Soviet colonialism has forced its alien rule upon the peoples of Lithuania, Latvia, Estonia, Poland, Czechoslovakia, Bulgaria, Hungary, Rumania, Albania, East Germany, Outer Mongolia, and North Korea. And it probes relentlessly at the defenses of those free nations who still remain outside its grasp.

The substantial end product of both the Roman and the Soviet systems of colonial tyranny was abject poverty, brutal oppression, and a complete dehumanization of the entire social structure. In the end, the Roman Empire fell, just as the Soviet Empire will fall, a victim of its own excesses and social irresponsibility. When the history of mankind is finally written the story of Soviet imperialism and exploitation will stand among its cruelest episodes.

In every policy that is designed for real achievement there are some risks involved. There are risks attached to any policy whose purpose it is to protect our freedom against the designs of a powerful and greedy adversary. But the risks of a policy of restrained firmness are, we believe, far less than the risks of a policy of unrestrained weakness.

War, as I mentioned, is one means to an end, a means which a nation may or may not choose to undertake to gain its objectives. In the hands of an aggressor, war is a closely controlled, coldly calculated profit-and-loss endeavor. Within the past 40 years it has become more and more a terribly extravagant and risky way to gain objectives. History clearly shows that this fact is not lost upon the men of the Kremlin. Where confronted with firmness and resolution, they temporize and bargain; where they encounter weakness and indecision they move forward with callous disregard for principle or promise. Thus in strength and firmness we have successfully met Soviet aggression in Azerbaijan, in Greece, in Berlin, in Western Europe.

Our lack of announced firm determination in Korea led to war, in which our record of successes and our actions strange to the ways of America's historical example have been almost a mirror image of the vagaries of our policy between strength and weakness.

Looking back to the period between the two world wars, we are now able to see that the long period of totalitarian quiescence was due not to Communist and Fascist benevolence but to European stability. As the power of the totalitarians increased, both in Europe and Asia, the forces of aggression began their march across the world—first in China, then in Ethiopia, next in Czechoslovakia, then in Poland, Finland, and the Baltic States. When the democracies at last made their stand it was too late to avoid total war, too late to save many of their number from subjugation, too late, almost, for the cause of freedom in the entire world.

There is a lesson for us here. In a world menaced by power-hungry aggressors, there are certain positions and issues which peaceable nations must show themselves willing to defend with firm policy and diplomatic implementation, if possible; with military force, if necessary.

It is of prime importance that we and our allies be in general agreement about what these positions and issues are, and that our intentions to defend them be clearly and unequivocably published to our enemies. If an aggressor is convinced of the absolute and relentless determination of the free world to strike back at his every attempt to invade its freedom, he may abstain from the use of force. If, on the other hand, he doubts he may be subjected to the consequences of his acts, an aggressor may be tempted to challenge one of these vital issues.

When that happens the victim has two choices. It can fight, or it can yield the point. If it fights, a war of some dimensions begins then. If it yields, war may be postponed, but not necessarily avoided. For the aggressor will continue to challenge other vital issues until the victim's very survival may be at stake. War then becomes most likely from the moment the aggressor feels strong enough to attack with impunity, or when the victim concludes that it no longer has a choice between peace and war, but only that between war now and war later.

The pattern of modern aggression is that of conquest on the installment plan, the piecemeal absorption of peoples and territory in which the Soviets hope no one instance may, at the time, be regarded as a cause of war to be engaged in by the collective effort of free nations, but which in the aggregate tends to shift the balance of world power toward the side of the aggressors.

In this connection we would do well to remember two things: First, every loss to the

Soviet sphere is not only cumulative, but differentially so, since the potential of the territory involved is not only subtracted from our own, but it is added to the Soviet world. Second, under the deterrent strategy we have undertaken, it is far easier to prevent an enemy from entering a new position than it is to force him out of a position already taken. This is why it is of transcendent importance to us and to our allies that we join in a collective effort, to the end that the Communist aggressors be held to the line where they now are, and that no further gains be permitted in any area.

To give practical meaning and force to our broad national policies we have developed and are maintaining the most powerful Armed Forces in our peacetime history. We are prepared to maintain these forces indefinitely into the future, if necessary, in order to maintain the military power which is the absolutely indispensable basis of our participation in world affairs. An integral part of our current strength is the development of new sources of power which may be utilized in a diverse number of ways in measured or in massive portions.

We are substantially increasing our air power, both land and carrier based. At the same time our combat air potential is rising; we are increasing with powerful new weapons the mobility, flexibility, and fire power of our other forces. The vast amount of new and up-to-date industrial facilities brought into being over the past 3 years form the basis for rapid mobilization of our industrial potential under a sound economic mobilization plan. The problem of providing trained, ready, and adequate-sized reserve forces has the deep and continuing attention of every top official in the Department of Defense. We are actively strengthening our continental defense under an orderly, sensible program which not only coordinates the actions of our own ground, naval, and air forces, but integrates our own efforts with those of our Canadian friends to the north.

But our own forces and weapons are only part of the picture. We are allied with 38 other nations in a great worldwide system of collective security. We are united, both by purpose and agreement, with these other nations in recognition of the fact, as our President and Commander in Chief has put it, that we shall either stand together or we shall fall separately. Our allies are making a great contribution to our common effort in terms of forces. Viewed in its global context, the proportions of our own security problem might be all but insurmountable in the absence of these forces.

We are prone these days to talk of unity with our allies in terms exclusively related to mutual aid in the event of a military attack. This is vitally important, of course, but our exchanges will lack something fundamental to our purpose if they produce nothing more than a series of military assistance agreements. We are back to our second article of faith—the hypothesis that a free society is more durable than a totalitarian slave state. If our military measures are to have any constructive purposes, the economic, political, and ideological measures we employ must tend to produce a situation in which the world is more free, more prosperous, and less burdened with injustice and human wretchedness than it was before.

We live in a strange new world of such physical power as to be almost inconceivable to man, and yet the potential strength of massed world opinion for decency and right and for a rising standard of living is of utlimately greater strength than all the power in being. Because of this fact, it is both possible and necessary for the free world to seek a far greater degree of cultural, economical, political, and spiritual unity than it has so far experienced. It is peculiarly our problem, as Americans, to devise ways in which our Nation, so vital, so rich, and so powerful, can integrate its activities with those of other nations in such a manner as to enhance their prospects without diminishing our own. It must be a process of leveling up, rather than leveling down.

Think, as a specific example, of what possibilities exist for giving full measure to developing the potential of our own Western Hemisphere—the vast natural resources, the rich and verdant land, the intelligent and admirable people. There is much that we can do, much that we should do, to build strength and solidarity in both North and South America We have made a splendid beginning, particularly in the matter of clarifying attitudes that had previously existed toward the internal Communist menace in the American Republics. The 10th Inter-American Conference, held in Caracas in March of this year, affirmed that if the international Communist movement came to dominate or control the political institutions of any American states, it would constitute a threat to the sovereignty and political independence of all the American states.

Yet our security is something more, something infinitely more, than a matter of inspired strategy, of great factories, of powerful and ingenious weapons, of treaties and mutual assistance pacts. It comes finally to rest upon the soul and spirit of our people—their willingness to fight for their cherished freedoms, their readiness to die, if necessary, for their convictions. This sublimation of a nation's character is nowhere more apparent than in our Armed Forces, whose men and women we honor tomorrow.

We honor them in the only way it is possible to honor them—as individual representatives of a unified fighting team. No Army, Navy, or Air Force has any identity apart from the individuals who comprise it. In the tiresome collectiveness with which we are forced to view so many things these days it is easy to forget about the individual man, his problems, and his transcendently important responsibility for the outcome of the basic issue of national survival. We become so facile with terms like "divisions" and "wings" and "carrier task forces," that we sometimes fail to see in proper perspective the fact that victory is finally delivered by the squad, the plane crew, the ship's company—little groups of men in close and lethal contact with the enemy who live and move in the shadow of imminent death.

In the glaring fierceness of a nation engaged in or preparing for mortal combat, victory all too frequently seems mainly a matter of mass—of great factories, of fleets of planes and of ships, of tremendous stockpiles of weapons and supplies But in the long afterglow comes the realization that the Nation lives on because of the courage, the skill, and the resourcefulness of those into whose hands the issue of the war is ultimately committed: The soldier, half blind from exhaustion, staggering onward another few yards in the indescribable confusion of battle; the sailor, groping and drowning in the dreary wastes of the ocean's vastness; the airman, enduring the cold terror of an antiaircraft barrage in order to carry out his mission. It is these men who are the ultimate determinants of victory, for no weapon adds anything to the national security until it comes into the hands of a man who is ready to risk his life in using it. In peace, in war, and in the shadowy vale which lies between, the spirit of our Armed Forces will always lie in the fighting hearts of the individuals who comprise them, who animate them, who bring them up to fighting pitch.

On a larger scene it is the individual who is the real arbiter of his country's destiny—which is what makes our investment in people such an attractive proposition. For the effort we put into people in educating them for the responsibilities of a free society is stored up in their minds and character and hearts. It grows constantly, in war and in peace. It is not lost, nor does it diminish, but in turn becomes the seed from which even more productive thoughts and attitudes emerge. And this process finds a response in men all over the world, in all countries.

There is a great need for us to engage deeply and decisively in the spreading and diffusion of ideas and beliefs and concepts throughout the free world—ideas such as that of a reliance upon law; a belief in a society that promotes the good of individuals, regardless of the nature of its form and framework; the faith in a divine benevolence undefined by circumscribing theology. We need to know one another better.

There is a great need for other people to see and understand the American attitude toward work—to see us as we really are—a plain, sincere, prosperous, sober, hardworking people who would gladly share with other peoples the simple concepts and beliefs that have been responsible for our material success. More than any other single thing, we need to promote the massive exchange of students between America and the other countries of the free world. It needs to be done on the widest possible basis, financed perhaps both publicly and privately. Details here are unimportant. The important thing is that the project go forward with a minimum of delay.

Thus, we go about building our strength for the long pull in the steady assurance that our free society will weather any storm. This is a time for faith and confidence in our undertakings, justified by the knowledge that our society represents the best expression yet achieved on this earth of the things for which men from time out of mind have shown themselves willing to lay down their lives. Let no one underestimate the strength and depth of their appeal to the tormented millions of the world's people who now dare to hope for something better out of life than what has been their hard lot to endure.

For it is we—we of the Western liberal tradition—who are the real revolutionaries of this revolutionary age; we who have done more to relieve human wretchedness and suffering in the last hundred years than mankind was able to do for itself in the preceding ten thousand; we who have given practical expression to the vague moral abstractions of liberty, equality, fraternity. And it is we who, through patience, courage, and the practical application of our beliefs, are going to prove the magnificent proposition that good is stronger than evil, that humanity is more logical than hate, that freedom is more enduring than slavery.

EXECUTIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate proceed to the consideration of executive business.

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

EXECUTIVE MESSAGE REFERRED

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States submitting sundry nominations, which were referred to the Committee on Foreign Relations.

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

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. AIKEN, from the Committee on Agriculture and Forestry:

Robert L. Farrington, of Oklahoma, to be a member of the Board of Directors of the Commodity Credit Corporation, vice Howard H. Gordon, resigned.

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

John L. Miller, of Pennsylvania, to be United States district judge for the western district of Pennsylvania, vice William A. Stewart, deceased;

John W. Lord, Jr., of Pennsylvania, to be United States district judge for the eastern district of Pennsylvania, vice James P. McGranery, resigned;

William A. Bootle, of Georgia, to be United States district judge for the middle district of Georgia, vice Abraham Benjamin Conger, deceased;

William A. Nowicki, of Michigan, to be United States marshal for the eastern district of Michigan, vice Joseph L. Wisniewski, resigned;

Thomas R. Clark, of Hawaii, to be United States marshal for the district of Hawaii, vice Otto F. Heine, term expired;

Melvin H. Friedman, of the District of Columbia, to be an examiner in chief in the Patent Office, Department of Commerce; and

Joseph May Swing, of California, to be Commissioner of Immigration and Naturalization, vice Argyle R. Mackey.

The PRESIDING OFFICER (Mr. PAYNE in the chair). If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

COLLECTOR OF CUSTOMS

The Chief Clerk read the nomination of Gustav F. Doscher, Jr., of South Carolina, to be collector of customs for customs collections district No. 16, with headquarters at Charleston, S. C.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

PUBLIC HEALTH SERVICE

The Chief Clerk proceeded to read sundry nominations in the Public Health Service.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the nominations in the Public Health Service be confirmed en bloc.

The PRESIDING OFFICER. Without objection, the Public Health Service nominations are confirmed en bloc.

That completes the Executive Calendar.

Mr. KNOWLAND. Mr. President, I ask unanimous consent that the President be immediately notified of the nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith of all nominations confirmed this day.

NOTICE OF CONSIDERATION OF CERTAIN NOMINATIONS

Mr. WILEY. Mr. President, the Senate received today nominations of the following persons in the diplomatic service of the United States:

Lampton Berry, of Mississippi, for reappointment in the Foreign Service as a Foreign Service officer of class 1, a consul general, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520 (a) of the Foreign Service Act of 1946.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America: John Crawford Brooks, of California; Jack M. Fleischer, of Wisconsin; John Hay, of Virginia; and Richard N. Meyer, of Maryland.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America: Stephen J. Campbell, of California; Rupert Prohme, of California; and Albert A. Rabida, of Colorado.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America: James E. Akins, of Ohio; George M. Barbis, of California; Robert T. Burns, of Indiana; Roy O. Carlson, of Illinois; Joseph H. Cunningham, of Nebraska; Harold L. Davey, of Nebraska; John L. De Ornellas, of Alabama; John T. Dreyfuss, of California; James D. Farrell, of Kansas; Samuel R. Gammon III, of Texas; H. Kent Goodspeed, of California; Chadwick Johnson, of Massachusetts; C. Dirck Keyser, of New Jersey; Miss Paulina C. Kreger, of Ohio; P. Wesley Kriebel, of Pennsylvania; Samuel W. Lewis, of Texas; Joe Lill, of Kansas; Alan W. Lukens, of Pennsylvania; Miss Ruth A. McLendon, of Texas; Julian F. MacDonald, Jr., of Ohio; H. Freeman Matthews, Jr., of Virginia; Philip C. Narten, of Ohio; Joseph B. Norbury, Jr., of New York; Frank V. Ortiz, Jr., of New Mexico; Raymond L. Perkins, Jr., of Colorado; Birney A. Stokes, of New Jersey; Richard D. Vine, of New York; William Marshall Wright, of Arkansas; and Charles T. York, of New York.

I give notice that these nominations will be considered by the Committee on Foreign Relations at the expiration of 6 days.

LEGISLATIVE SESSION

Mr. KNOWLAND. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

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

The PRESIDING OFFICER (Mr. PAYNE in the chair). 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 PRESIDING OFFICER. Without objection, it is so ordered.

CALL OF THE CALENDAR

Mr. KNOWLAND. Mr. President, pursuant to prior notice given in the Senate on several occasions, and after consultation with the minority leader, I ask unanimous consent that the Senate now proceed to the consideration of measures on the calendar to which there is no objection, commencing at the place where the last call of the calendar ended, with the addition of two measures which, in accordance with an agreement reached on the last call of the calendar, are to be considered on the call of the calendar today. The two measures are Calendar No. 1152, S. 42, to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States, and Calendar No. 1248, S. 46, for the relief of E. S. Berney.

I ask unanimous consent also that Calendar No. 1276, S. 3378, to revise the Organic Act of the Virgin Islands of the United States, which would normally be the first measure to be called on the calendar today, be taken up at the conclusion of the call, for the convenience of the Senator from Nebraska [Mr. BUTLER], who has had to leave the Chamber.

The PRESIDING OFFICER. Is there objection to the unanimous-consent requests of the Senator from California? The Chair hears none, and it is so ordered.

The Secretary will state the first bill which is in order on the calendar.

BILLS PASSED OVER

The bill (S. 42) to provide for attorneys' liens in proceedings before the courts or other departments and agencies of the United States, was announced as first in order.

Mr. HENDRICKSON. Mr. President, in the light of the fact that amendments to this bill are being considered, and also because of the temporary absence of the distinguished Senator from Florida [Mr. HOLLAND], I ask that this bill go over until the next calendar call, with the understanding, of course, that it takes its place on the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

The bill (S. 46) for the relief of E. S. Berney was announced as next in order.

Mr. HENDRICKSON. Mr. President, for the same reason, I ask that this bill go over, with the understanding that it will be called at the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

IMPROVEMENT OF RAILWAY INSTALLATIONS AT NEW ORLEANS PUBLIC HEALTH SERVICE HOSPITAL

The bill (H. R. 6870) to amend the act of February 13, 1900 (31 Stat. 28), by approving existing railway installations and authorizing further railway installations on the batture in front of the public health service hospital property in New Orleans, La., was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I wonder if the local authorities are in agreement with this proposed legislation.

Mr. SMATHERS. Mr. President, the answer is in the affirmative. They were asked about it and have waived any objection they might have had.

Mr. HENDRICKSON. I thank the Senator from Florida.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 6870) was considered, ordered to a third reading, read the third time, and passed.

AID TO THE CIVIL AIR PATROL

The bill (H. R. 2274) to further amend the act of May 26, 1948, entitled "An act to establish Civil Air Patrol as a civilian auxiliary of the United States Air Force and to authorize the Secretary of the Air Force to extend aid to Civil Air Patrol in the fulfillment of its objectives, and for other purposes," was announced as next in order.

Mr. SMATHERS. Mr. President, was this bill scheduled for floor action?

Mr. SALTONSTALL. Mr. President, this bill makes two changes in the present law. The first change is to permit the Civil Air Patrol to have the first opportunity to buy antiquated airplanes and equipment no longer needed by the Air Force. Under the present law, up to this time, the Civil Air Patrol has had to wait until all other Government agencies state whether they are interested in purchasing such equipment. This will give the Civil Air Patrol the first opportunity to obtain antiquated airplanes and equipment.

The other change would simply allow the payment of travel expenses to members of the Civil Air Patrol who engage in carrying out missions specifically assigned to them by the Air Force. At the present time there is no authority for the Government to reimburse such members of the Civil Air Patrol.

The other portions of the bill are simply a clarification of the existing law. It is important that the bill be passed for the reasons which I have stated. I see no objection to it.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the bill (H. R. 2274) was considered, ordered to a third reading, read the third time, and passed.

CONSTRUCTION OF AERONAUTICAL RESEARCH FACILITIES

The bill (H. R. 7328) to promote the national defense by authorizing the construction of aeronautical research facilities by the National Advisory Committee for Aeronautics necessary to the effective prosecution of aeronautical research was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object—and I shall not object—I am under the impression that the passage of this bill will result in considerable cost. I wonder if we may have an explanation of the bill for the RECORD.

Mr. CASE. Mr. President, every year the National Advisory Committee for Aeronautics presents to the appropriate legislative committees an authorization request for the items of construction, including comparatively small items for alteration of equipment, on which it is desired to begin work in the next fiscal year. The bill now before the Senate, H. R. 7328, has for its purpose the authorization of construction and installation of equipment required by the NACA in its program for fiscal year 1955.

The authorization totals $5 million, divided among 3 research centers as follows: Langley Aeronautical Laboratory, Hampton, Va., $1,220,000; Ames Aeronautical Laboratory, Moffett Field, Calif., $349,000; and Lewis Flight Propulsion Laboratory, Cleveland, Ohio, $3,431,000.

The $1,220,000 authorization at Langley Aeronautical Laboratory is for a high-speed hydrodynamic facility. Recent developments have greatly increased the performance possibilities of water-based aircraft. This authorization will provide facilities for the study of landing gears at high water speeds of up to 150 miles per hour. Modifications of existing equipment will make these studies possible without constructing an entirely new facility for this purpose.

The $349,000 requested for the Ames Aeronautical Laboratory is for alterations to two existing supersonic tunnels. These modifications are needed primarily because of the advancing speeds of missiles. On one of the tunnels it is proposed to extend the length of the test section and to increase the number of measuring stations; on the other, it is proposed to increase the available pressure at which the tunnel can be operated.

The proposed authorization of $3,431,000 at the Lewis Flight Propulsion Laboratory is for modification of 3 items and for 1 new facility, a rocket engine research facility. Modification items include $120,000 to extend downward the airspeed in a supersonic tunnel, $458,000 to increase the air drier capacity of a propulsion systems laboratory, and $302,000 for an air heater for the altitude test chambers, the purpose of which is to simulate flight conditions at high altitudes and supersonic speeds for turbo-jet engine investigations.

Of the items for which authorization is proposed, there is only one new facility, a rocket engine research facility at the Lewis Laboratory in the amount of $2,551,000. This facility is designed to study the performance of special fuels in connection with the ultimate development of very long-range missiles. To say much more about this project is to become involved in classified matter, but it can be stated that the NACA function is merely a research job within the particular areas of behavior of fuel, the steadiness of fuel combustion, and related cooling problems. The NACA does not design rockets, nor does it evaluate rocket experiments.

Mr. President, I might say that in the hearing before the subcommittee, where we took some classified testimony, we were very specific in asking the representatives of the NACA, and Dr. Dryden, in particular, whether there would be any duplication as between the facilities here proposed to be authorized, and existing facilities. Dr. Dryden gave us the very direct answer that there would not.

Mr. President, even from the limited comments I have made concerning these items, I believe it is obvious that a full understanding of the research which will be undertaken with these facilities requires a scientific and technical competence not expected of Members of Congress. In considering construction of this nature, we necessarily have to depend to a large extent on the forthrightness of the responsible officials and on their sharing with us an intense desire to authorize only those facilities which are urgently needed and to accomplish construction within this category at the lowest possible cost.

I am sure that any of us who has ever had any talk with Mr. Victory and with Dr. Dryden will recognize that they are forthright.

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

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Senator from South Dakota may have 2 more minutes in which to complete his statement.

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

Mr. CASE. Mr. President, notwithstanding an awareness of these facts, the committee has attempted to assure itself that the items proposed for construction do not duplicate those already in existence, that the unit costs are reasonable, and that the intended research is not now being undertaken by governmental or private agencies. To the extent practical, the committee has applied the same criteria to this construction as are applied to that of the military departments.

In times when our national defense depends in such large measure upon airpower, it is almost an understatement to say that it is absolutely imperative that the United States maintain a resourceful and foresighted program of aeronautical research. Because it believes there is a measurable relationship between NACA activities and the maintenance of airpower, the committee recommends this bill to the Senate.

Mr. HENDRICKSON. Mr. President, I desire to thank the Senator from South Dakota for his very able and enlightening statement.

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

There being no objection, the bill (H. R. 7328) was considered, ordered to a third reading, read the third time, and passed.

APPOINTMENT OF CERTAIN PERSONS TO THE UNITED STATES MILITARY ACADEMY AND UNITED STATES NAVAL ACADEMY

The Senate proceeded to consider the bill (H. R. 4231) to authorize appointments to the United States Military Academy and United States Naval Academy sons of certain individuals who

were killed in action or who died or shall die as a result of active service in World War I, World War II, or between the period beginning June 27, 1950, and ending on a date proclaimed by Congress, which had been reported from the Committee on Armed Services with an amendment, on page 3, after line 17, to strike out:

(c) This section shall apply to any Air Force Academy which is established by law before or after the date of enactment of this act.

And insert in lieu thereof:

(b) This section shall apply to the Air Force Academy.

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.

TRANSFER OF CANAL ZONE CORROSION LABORATORY TO THE DEPARTMENT OF THE NAVY

The bill (H. R. 5862) to authorize the Panama Canal Company to transfer the Canal Zone Corrosion Laboratory to the Department of the Navy was considered, ordered to a third reading, read the third time, and passed.

COOPERATION OF MEDICAL OFFICERS WITH LINE OFFICERS IN SUPERINTENDING COOKING BY ENLISTED MEN

The bill (H. R. 7329) to repeal section 1174 of the Revised Statutes, as amended, relating to the cooperation of medical officers with line officers in superintending cooking by enlisted men, was considered, ordered to a third reading, read the third time, and passed.

INCLUSION OF REPRESENTATIVE OF DEPARTMENT OF DEFENSE AS A MEMBER OF THE NATIONAL ADVISORY COMMITTEE FOR AERONAUTICS

The Senate proceeded to consider the bill (H. R. 7541) to promote the national defense by including a representative of the Department of Defense as a member of the National Advisory Committee for Aeronautics, which had been reported from the Committee on Armed Services with an amendment, on page 1, line 7, after the word "thereof", to strike out "'one representative of the Department of Defense, from the office in charge of research and development'", and insert "'one Department of Defense representative who is acquainted with the needs of aeronautical research and development'".

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.

REVISION OF LAWS RELATING TO WARRANT OFFICERS OF THE ARMED SERVICES

The Senate proceeded to consider the bill (H. R. 6374) to revise certain laws relating to warrant officers of the Army, Navy, Air Force, Marine Corps and Coast Guard, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 15, line 20, after the word "of", to strike out "sixty" and insert "sixty-two"; on page 16, line 13, after the word "of", to strike out "sixty" and insert "sixty-two"; in line 23, after the word "of", to strike out "sixty" and insert "sixty-two"; on page 17, at the beginning of line 3, to strike out "if a permanent warrant officer of the Army or Air Force, or the age of sixty-two if a permanent warrant officer of the Navy, Marine Corps, or Coast Guard"; in line 17, after the word "of", to strike out "sixty", and insert "sixty-two"; on page 19, line 10, after the words "age of", to strike out "sixty", and insert "sixty-two"; and at the beginning of line 16, to strike out "if a member of the Army or Air Force, or age sixty-two if a member of the Navy, Marine Corps, or Coast Guard."

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

The PRESIDING OFFICER. An explanation has been requested.

Mr. SALTONSTALL. Mr. President, the Committee on Armed Services considered this to be an important bill. I do not know of any controversial features in it. There was no opposition to the bill. There was one suggested amendment, which the committee accepted in part.

The basic purpose of the bill is to provide for the warrant officers in the Armed Forces a statutory career plan similar tc that which is now provided by law for regular officers of the military services. There are presently wide discrepancies in the laws and regulations governing the promotion and retirement of warrant officers in the military departments. This bill is aimed at correcting this situation. It establishes, insofar as practicable, uniform military grades, promotion policies, and retirement rights for warrant officers of all military services.

The bill divides itself into three main concepts:

First, 4 military grades are established: Warrant officer, W–1, and chief warrant officer in the grades of W–2, W–3, W–4. The new military grades will correspond to the 4 warrant officer pay grades established by the Career Compensation Act of 1949, which did not establish any new military grades for warrant officers. All warrant officers will be distributed among one of the new military grades. The bill provides that chief warrant officers in the Navy will be commissioned as they have been in the past. At the present time there are 2 warrant officer grades for the Army and Air Force—warrant officer, junior grade, and chief warrant officer, and 2 in the other services—warrant officer and commissioned warrant officer.

The second major feature of the bill concerns the promotion or elimination of permanent regular warrant officers. The bill provides that warrant officers shall be mandatorily considered for promotion, and if they fail twice to be selected, they will, with certain exceptions, be eliminated from service with severance pay. If a warrant officer has completed less than 18 years on his second failure of selection, he will be separated with severance pay unless he desires to enlist in the service, or if he is serving on duty as a commissioned officer, he may continue on active duty with the Secretary's consent. If he has completed 18 but less than 20 years on the second failure, he will be retained until he completes 20 years of service. If he has completed more than 20 years on the second failure, he will be retired.

Selection boards will consider warrant officers sufficiently in advance so that they may be promoted to the next higher permanent grade by the time they have completed the following service in grade: 3 years as a W–1, 6 years as W–2, and 6 years as a W–3.

The third basic feature of the bill relates to the retirement of warrant officers. With respect to voluntary retirement all warrant officers may request retirement after the completion of 20 years of active service. It will be in the discretion of the military Secretaries as to whether such application will be accepted.

With respect to mandatory retirement the bill provides with certain exceptions that male warrant officers will be retired after reaching age 62 and women warrant officers at age 55. Warrant officers on duty on the effective date of this bill may have their retirement deferred at age 62, if they have not completed 20 years of active service. They may be deferred until the completion of the 20 years but no later than age 64. Women warrant officers in the same situation may be deferred until the completion of 20 years active service but no later than age 60. The committee amended the bill by increasing the mandatory retirement age from age 60 to age 62.

The bill also provides that permanent regular warrant officers will be mandatorily retired after 30 years of active service unless they are deferred in the discretion of the Secretary.

Mr. President, I should like to add that this bill will not result in an increase in the budgetary requirements of the Department of Defense during the next fiscal year, and it is entirely possible that the bill will not result ultimately in any added cost.

Mr. President, H. R. 6374, which was recommended by the Department of Defense only after a study of this problem for over 3 years received intensive consideration by both the House and Senate committees.

In the opinion of the committee, the bill is one more step toward making military service more attractive. It gives to a man who becomes a warrant officer a certain and regular opportunity for promotion; and if he deserves promotion, he will receive it. The bill also provides

certain specific standards for his retirement and his retirement pay. It is in line with the present purpose of Congress to make military service more attractive by establishing certain statutory rights to which members of the Armed Forces are entitled and which they should receive.

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

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

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the Committee on Armed Services.

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.

AMENDMENT OF TRADING WITH THE ENEMY ACT

The Senate proceeded to consider the bill (S. 2420) to amend section 32 of the Trading With the Enemy Act, as amended, which had been reported from the Committee on the Judiciary with amendments, on page 2, line 12, after the word "pending.", to strike out "Total returns pursuant to this subsection shall not exceed $3,000,000"; and in line 18, after the word "will", to strike out "sell and dispose of and", so as to make the bill read:

Be it enacted, etc., 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 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.

"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) it will use the property or interest returned to it or the proceeds of any such property or interest for use directly in the rehabilitation and settlement of persons 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, by reason of their membership in the particular political, racial, or religious group of which the former owner was a member and by reason of membership in which such former owner so suffered such deprivation of liberty or so failed to enjoy such rights; (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; and (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.

"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 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."

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

GUILLERMO PEDRAZA

The bill (S. 66) for the relief of Guillermo Pedraza was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Guillermo Pedraza 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.

EMILIA PAVAN

The bill (S. 1702) for the relief of Emilia Pavan 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 is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $879.77 to Emilia Pavan, of Villa Viera di Caorle (Province of Venice), Italy, in full satisfaction of all claims of the said Emilia Pavan against the United States for compensation for personal injuries, and reimbursement of medical and hospital expenses, incurred as a result of having been struck by a United States Government vehicle operated by the American Battle Monuments Commission near San Stino de Livenza, Italy, on December 15, 1951: *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.

CARLO (ADIUTORE) D'AMICO

The bill (S. 1841) for the relief of Carlo (Adiutore) D'Amico was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted etc., That, for the purposes of the Immigration and Nationality Act, Carlo (Adiutore) D'Amico 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.

AMALIA SANDROVIC

The bill (S. 1860) for the relief of Amalia Sandrovic was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That, for the purposes of the Immigration and Nationality Act, Amalia Sandrovic 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.

LT. HAYDEN R. FORD—BILL PASSED TO FOOT OF CALENDAR

The bill (S. 2450) for the relief of Lt. Hayden R. Ford was announced as next in order.

Mr. HENDRICKSON. Mr. President, I ask that the bill go over, to be included in the next call of the calendar.

Mr. GORE. Mr. President, will the Senator withhold his objection?

Mr. HENDRICKSON. I will withhold my objection.

Mr. GORE. Would the Senator from New Jersey be willing to have the bill go to the foot of the calendar, in order that I may confer with him meanwhile?

Mr. HENDRICKSON. Indeed, I shall be glad to do so.

Mr. President, I amend my request accordingly.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

ARTHUR SROKA

The Senate proceeded to consider the bill (S. 884) for the relief of Arthur Sroka, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "fee", to strike out "and head tax", so as to make the bill read:

Be it enacted, etc., That for the purposes of the immigration and naturalization laws, Arthur Sroka, 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 amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

JOZO MANDIC

The Senate proceeded to consider the bill (S. 1129) for the relief of Jozo Mandic, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, Jozo Mandic, shall be held and considered to be the natural-born alien child of Mr. and Mrs. Frank Mandich, Sr., citizens of the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM JEFFREY JONAS

The Senate proceeded to consider the bill (S. 1807) for the relief of William Jeffrey Jonas, which had been reported from the Committee on the Judiciary with an amendment, in line 7, after the word "States", to insert "and to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act", so as to make the bill read:

Be it enacted, etc., That, for the purposes of sections 101 (a) (27) (A) and 205 of the Immigration and Nationality Act, the minor child, William Jeffrey Jonas, shall be held and considered to be the natural-born alien child of Capt. and Mrs. Leslie A. Jonas, citizens of the United States, and to have been lawfully admitted to the United States for permanent residence as of the date of the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ANTONIO JACOE

The Senate proceeded to consider the bill (S. 1882) for the relief of Antonio Jacoe, which had been reported from the Committee on the Judiciary with an amendment, to strike out all after the enacting clause and insert:

That, notwithstanding the provisions of subsections (9), (17), and (19) of section 212 (a) of the Immigration and Nationality Act, Antonio Jacoe may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the provisions of that act: *Provided*, That the exemption granted herein shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

W. A. SAMPSEL

The bill (H. R. 1167) for the relief of W. A. Sampsel was considered, ordered to a third reading, read the third time, and passed.

PAYMENT OF CERTAIN UNSETTLED CLAIMS RESULTING FROM EXPLOSIONS AT PORT CHICAGO, CALIF.

The bill (H. R. 2696) to provide a method of paying certain unsettled claims for damages sustained as a result of the explosions at Port Chicago, Calif., on July 17, 1944, in the amounts found to be due by the Secretary of the Navy, was considered, ordered to a third reading, read the third time, and passed.

MRS. MARGARETE BURDO

The bill (H. R. 3349) for the relief of Mrs. Margarete Burdo was announced as next in order.

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

Mr. SMATHERS. Mr. President, reserving the right to object—and I do not intend to object—I wish to make a statement about the bill.

For some time the Senate has been exercising its legitimate power of waiving certain provisions of the Immigration and Nationality Act in favor of the wives of American servicemen or veterans. I heartily approve of this practice. In most cases the waivers are of crimes that while involving moral turpitude are readily reduced in significance by various extenuating and mitigating factors. In addition, in most cases the marriages took place in good faith without knowledge of the immigration disability of the foreign bride.

It is because this case differs from that general pattern that I wish to make this comment. In this instance Sergeant Burdo was advised by the military authorities that his bride would not be eligible to enter the United States following his marriage under existing law because she had committed a crime involving moral turpitude. As a result, Sergeant Burdo secured his discharge and then married the beneficiary of this bill.

Following the marriage the sergeant appealed to Congress to pass special legislation permitting him to bring his bride to the United States. I consider this chain of events as amounting to the deliberate creation of the equities upon which the Congress ordinarily waives the existing laws which bar attainment of the legal privilege of bringing into the United States a foreign bride by an American veteran.

There is at least one other bill on the Senate Calendar today, House bill 4864, a bill for the relief of Mrs. Hildegard Noel, which falls into this same category. There may be others. I feel sure that there have been others in the past. All of this will add up to serving notice to servicemen generally that they need not conduct themselves in accordance with the standard provisions of the law because if they go forward with a marriage notwithstanding knowledge that their foreign bride is ineligible for entry into the United States, Congress will probably permit the bride to enter anyway. I do not think we should be in the position of inviting people to disregard the law by this kind of encouragement.

It seems to me there is a distinction between waiving an existing bar of the law on behalf of people who may not have been aware at the time of their marriage that there was such a bar and the case where people go forward with a marriage, having full knowledge that a disability exists that will prevent the foreign bride from coming to the United States under the Immigration and Nationality Act.

As I said at the outset, I will not object to the pending bill, nor to Calendar No. 1304, but I do believe that the Judiciary Committee and the Senate should consider carefully the dangers involved in pursuing the practice of passing bills of this character. I hope the committee will give careful consideration to this problem, starting right away.

Mr. HENDRICKSON. Mr. President, I should like to assure the Senator from Florida that the Committee on the Judiciary is very careful in the consideration of bills of this character, but there are always exceptions where the equities justify the kind of action now proposed. In this case the young lady involved was born in 1927, I believe. She was exceedingly young when the law was violated. I desired to make that explanation for the RECORD.

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

There being no objection, the bill (H. R. 3349) was considered, ordered to a third reading, read the third time, and passed.

GEORGE TELEGDY AND JULIA PEYER TELEGDY

The bill (H. R. 4135) for the relief of George Telegdy and Julia Peyer Telegdy was considered, ordered to a third reading, read the third time, and passed.

CURTIS W. McPHAIL

The bill (H. R. 4475) for the relief of Curtis W. McPhail was considered, ordered to a third reading, read the third time, and passed.

MRS. HILDEGARD NOEL

The bill (H. R. 4864) for the relief of Mrs. Hildegard Noel was considered, ordered to a third reading, read the third time, and passed.

MRS. MAGDALENE ZARNOVSKI AUSTIN

The bill (H. R. 5090) for the relief of Mrs. Magdalene Zarnovski Austin was considered, ordered to a third reading, read the third time, and passed.

MARIANNE SCHUSTER DAWES

The bill (H. R. 5961) for the relief of Marianne Schuster Dawes was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, here again we have a bill in which the crime of embezzlement is waived. Again there is involved the case of a war bride who was extremely young, in her teens, at the time the offense was committed. I am informed that the crime was the embezzlement of a very small amount of jewelry.

Mr. SMATHERS. I do not know whether the Senator from New Jersey got the import of the statement which I made a moment ago. I realize that in this case the crime which was charged is not of a particularly serious nature; but when a serviceman goes to Germany, or wherever else he may be stationed, and realizes that under the law he cannot marry and bring a foreign wife into the United States if she has been found guilty of a crime involving moral turpitude, but nevertheless he marries her, later resigns from the service, and then asks that the Congress pass a private bill, the Congress is sympathetic because the couple have been married.

The fact of the matter is that Congress is encouraging boys to forget that there is a law on the statute books which provides that a foreign bride cannot be brought into the United States if she has been found guilty of a crime involving moral turpitude. Congress has waived that particular qualification practically every time it has been requested to do so, because of the fact that the girl concerned was married to a boy who was stationed overseas while in the Army, and because it was felt that the crime was not of sufficient gravity, involving moral turpitude, to disqualify her from coming to the United States. By such action I think Congress sets a bad precedent, and encourages boys to ignore the law.

Mr. HENDRICKSON. I should like to say that I am quite aware of the import and the objectives contained in the statement made by the Senator from Florida. I agree wholeheartedly with those objectives, and I commend the Senator for making the statement. However, I think such cases must stand on their own merits.

Mr. GORE. Mr. President, will the Senator from New Jersey yield?

Mr. HENDRICKSON. I yield to the Senator from Tennessee.

Mr. GORE. I concur in the sentiment expressed by the distinguished Senator from New Jersey and the distinguished Senator from Florida, with one small reservation. I am not quite certain as to the meaning of the distinguished and able junior Senator from Florida when he asserted on the floor of the Senate that the Congress was sympathetic with such persons because they had become married. [Laughter.]

Mr. SMATHERS. I may say to the Senator from Tennessee that, obviously, marriage, in and of itself, would not entitle such persons to sympathy, and I have not observed that they have received sympathy solely for that reason. What I meant to say was that by virtue of the fact that such persons were married, Congress suddenly closed its eyes to anything which might have happened previously. In the present instance I was not referring to what the able Senator from Tennessee had in mind. The matters I referred to involved embezzlement, stealing chickens, and other crimes in that category.

Mr. HENDRICKSON. I should like the RECORD to show that all three bills to which the colloquy has referred were approved unanimously by the Senate Committee on the Judiciary.

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

There being no objection, the bill (H. R. 5961) for the relief of Marianne Schuster Dawes was considered, ordered to a third reading, read the third time, and passed.

ZDZISLAW (JERZY) JAZWINSKI

The bill (H. R. 6563) for the relief of Zdzislaw (Jerzy) Jazwinski was considered, ordered to a third reading, read the third time, and passed.

YOKO KAGAWA

The bill (H. R. 6647) for the relief of Yoko Kagawa was considered, ordered to a third reading, read the third time, and passed.

MRS. HOOEY SHEE ENG

The bill (H. R. 6754) for the relief of Mrs. Hooey Shee Eng was considered, ordered to a third reading, read the third time, and passed.

THERESE BOEHNER SOISSON

The bill (H. R. 7452) for the relief of Therese Boehner Soisson was considered, ordered to a third reading, read the third time, and passed.

CLAIMS OF THE STATE OF CALIFORNIA

The Senate proceeded to consider the bill (H. R. 3191) conferring jurisdiction on the United States District Court for the Northern District of California to hear, determine, and render judgment upon certain claims of the State of California, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 13, after the word "States", to insert a colon and *"Provided,* That the passage of this legislation shall not be construed as an inference of liability on the part of the United States Government."

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.

CURTIS W. STRONG

The Senate proceeded to consider the bill (H. R. 3725) for the relief of Curtis W. Strong, which had been reported from the Committee on the Judiciary with an amendment, on page 2, line 4, after "1951.", to strike out:

The payment of the sum specified heretofore shall be in full settlement of all claims due to extreme physical and mental suffering and to loss of pay, loss of pay advancements, and loss of retirement credits due to the negligence of the United States Army doctors.

And insert:

The payment of the sums specified heretofore shall be in full settlement of his claim for loss of pay due to the negligence of the United States Army doctors.

The amendment was agreed to.

Mr. HENDRICKSON. Mr. President, I wonder if we may have an explanation of the bill.

The PRESIDING OFFICER. An explanation has been requested of House bill 3725.

Mr. HENDRICKSON. If there is no Senator on the floor who can explain the bill, I ask unanimous consent that it go to the foot of the calendar.

The PRESIDING OFFICER. The bill will go to the foot of the calendar.

Mr. WILEY subsequently said: Mr. President, the Senator from North Dakota [Mr. LANGER] asked me to be present in the Chamber when Calendar 1312, House bill 3725, for the relief of Curtis W. Strong, was called. The bill was passed over because there was no Senator present to give an explanation. I ask unanimous consent to revert to that bill. The explanation is very brief.

The PRESIDING OFFICER. The Chair advises the Senator that House bill 3725 went to the foot of the calendar.

Mr. WILEY. I ask unanimous consent that it be considered at this time.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H. R. 3725) for the relief of Curtis W. Strong.

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

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary with an amendment.

The PRESIDING OFFICER. The committee amendment has heretofore been agreed to.

Mr. WILEY. Mr. President, in this case one Curtis W. Strong was serving in the marines. He was sent to the United States Army field hospital in Toul, France. An operation was performed upon him, and the doctor left two rubber drainage tubes in his chest. As a result, he was incapacitated for work. This bill seeks compensation for the neglect of the Government doctors. That is all there is to the bill.

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

Mr. WILEY. I yield.

Mr. HENDRICKSON. Is this veteran receiving, or has he received, any other compensation, through the Veterans' Bureau or otherwise?

Mr. WILEY. I cannot say as to that. The purpose of the bill is to compensate him for loss of wages during the time

when he could otherwise have been earning. The bill was discussed in committee, as the Senator will remember. While I did not introduce the bill, its purpose is to compensate Mr. Strong for the loss of wages, as I recall. It was the consensus of the committee that there was practically a legal obligation on the part of the Government in this case.

Mr. HENDRICKSON. I merely want the record to show that this veteran not only received veteran's benefits, but certain benefits under the civil-service law, in addition to the compensation which would be provided if this bill should become law.

Mr. WILEY. He seeks compensation for the loss of wages which he could have earned had he not been incapacitated because of the negligence of the Government doctors.

Mr. HENDRICKSON. I understand that, and I thank the Senator for the explanation. I merely wished to have the record show all the compensation which this veteran will receive.

The PRESIDING OFFICER. The question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BILL PASSED OVER

The bill (H. R. 7460) to pay Warren P. Hoover for services rendered the Army of the United States was announced as next in order.

Mr. GORE. Over.

The PRESIDING OFFICER. The bill will be passed over.

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. HENDRICKSON. Mr. President, the bill is surely not the kind of bill which should be considered on the call of the Consent Calendar. I think it should go over and be made the unfinished business of the Senate at some later date.

The PRESIDING OFFICER. Objection being heard, the bill will go over.

REPAYMENT CONTRACTS NEGOTIATED WITH HERMISTON AND WEST EXTENSION IRRIGATION DISTRICTS, OREGON

The bill (S. 2761) to approve repayment contracts negotiated with Hermiston and West Extension irrigation districts, Oregon, and to authorize their execution, 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, I ask for an explanation of the bill.

Mr. CORDON. Mr. President, I introduced the bill in question. It is one of a number of similar bills which have been introduced over the years to correct conditions in irrigation districts resulting from the failure in the earlier years of the history of the Reclamation Bureau to have complete and adequate studies made of the irrigability and productivity of the lands proposed to be irrigated.

These particular projects were reclaimed early in the history of the Reclamation Act. Afterwards it was found that much of the land, although level and seemingly arable, was not satisfactorily productive. Because of conditions in the soil and conditions of the soil, productivity was absent and could not be generated by water.

As a result, over the years the lands have reverted to their original condition, covered with sagebrush and greasewood. These bills simply recognize, under the authority of existing law, that that condition exists, and that the areas representing the nonproductive land have been relieved from the obligation to pay irrigation costs.

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

Mr. CORDON. Certainly.

Mr. GORE. To whom will these projects belong after the repayment of cost?

Mr. CORDON. To the present owners. All the land now is privately owned. No Federal public land is involved in this case. The irrigation and reclamation work in these instances was done two or three decades ago.

Mr. GORE. Was it done by the use of Government funds?

Mr. CORDON. Yes.

Mr. GORE. The projects were built for private concerns, were they?

Mr. CORDON. At the time when they were built much of the land was public, but since then it has gone into private ownership.

Mr. GORE. Does the Senator from Oregon mean to say the land is privately owned?

Mr. CORDON. Yes.

Mr. GORE. My question is directed to the ownership of the reclamation project itself.

Mr. CORDON. The ownership will still rest in the Federal Government. After a certain period of time, the operation goes to the lands benefited; but title does not, under any law I know of.

Mr. GORE. Is there any requirement that interest be paid on the Government's investment?

Mr. CORDON. None, and there is no such requirement as to any reclamation project, under the law.

Mr. GORE. Is the distinguished senior Senator from Oregon aware that, under the terms of the bill, the amortization rate would be considerably less than 1 percent a year?

Mr. CORDON. I am aware of that fact. There are cases of the amortization extending for a period as long as 250 years, where the Government, after an examination, found that its error was so great, the amount of land which could be used to repay the funds was so limited, and the extension was so great that, as I have often thought in many instances, not only was the Government not getting anything, but probably it was paying for the privilege of not getting anything. That, however, is not the case in this instance.

Mr. GORE. The question naturally arises as to whether the administrative cost is greater than the approximately one-half of 1 percent which in this instance is proposed as the rate of amortization or repayment.

Mr. CORDON. That question is present, and has been, and will be in every instance where, in the original work, the examination was not sufficiently complete to disclose that the project was not sound and feasible.

Mr. GORE. Is the Senator from Oregon aware of the identity of the Federal officials who pushed this unsound project upon the people of the area?

Mr. CORDON. That occurred before my time in public life, and I cannot answer the question. I am aware of the fact, and I believe it should be stated at this time, that those who examined into the matter in later years were of the party of the Senator from Tennessee, during the late administration, and that the present Secretary would carry out the contracts that were worked out by his predecessor. I think I should say that because the present Secretary happens to be a lifelong resident of the State of Oregon.

Mr. GORE. Is the distinguished Senator from Oregon aware of an urge on the part of the citizens of these particular communities that the project be built? Was it constructed upon local solicitation and urging?

Mr. CORDON. I cannot answer that question; all that occurred too long ago. My first memory of the area is long after it was irrigated, and I simply do not know the answer to the question. But my guess is——

The PRESIDING OFFICER. The time available to the Senator from Oregon has expired.

Mr. GORE. Mr. President, I ask unanimous consent that I may proceed for 4 additional minutes to get to the truth of this bill.

The PRESIDING OFFICER. Without objection, the Senator from Tennessee may proceed.

Mr. GORE. Is the Senator from Oregon satisfied that this project cannot pay more than one-half of 1 percent or three-quarters of 1 percent? That is a very, very infinitesimal amortization or repayment.

Mr. CORDON. I concede that is so. When the Senator from Tennessee asks me whether I am satisfied, I can only answer him by saying I have not made the kind of examination which would have to be made in order to reach a sound and considered conclusion. I know that the original examination was made by the bureau of Government charged with that duty, and under the law authorizing the project to be undertaken. That is all I can answer with respect to that matter.

Mr. GORE. Did the Senator's committee consider the bill carefully?

Mr. CORDON. The committee went into the bill, as it considered all similar bills, with respect to the circumstances surrounding it, and had a written report on it.

Mr. GORE. The usual period of amortization is 40 years, is it not?

Mr. CORDON. The original act provided for 40 years. Subsequent legislation added a 10-year development period, making 50 years. In late years I would say that even 50 years is an exception to the rule, rather than the rule—the extension of time coming with each project as it comes up.

Mr. GORE. In other words, we are approaching the time when the reclamation projects will be outright expenditures by the taxpayers of the United States, with repayment of the cost not to be expected. Is that correct?

Mr. CORDON. I can understand how one could reach that conclusion, but I believe the conclusion to be incorrect. The time is coming when we shall not have many 40-year repayment reclamation projects and it is true that the time is coming when it will be necessary to have some other type of repayment than from users of the land. That is why we have multipurpose projects, and why we have charged a part of the overall cost to hydroelectric power. Those are well-known facts at the present time.

Mr. GORE. I trust that when criticism is leveled at the Tennessee Valley Authority because over a period of years it has returned to the Government no more than from 4 percent to 5 percent upon the money the Federal Government has invested in the facilities of the TVA, the situation we are now discussing will be of help to me in pointing out that, in comparison, the record of the TVA is an exceedingly good one.

Mr. CORDON. Let me say to the Senator from Tennessee that the TVA's record might better be compared with those of other hydroelectric projects in the same class, rather than with the records of projects of the type we are now discussing. I call the attention of the Senator from Tennessee to the fact that reclamation in the United States has repaid the Federal Government not only 100 cents on the dollar for the money expended, but also far more than 2 percent, 4 percent, or 10 percent on the investment by way of the taxes which have accrued and been paid by virtue of the products from the reclaimed irrigated farmland.

Mr. GORE. The Senator from Oregon is referring to the collateral benefits from the development; is he not?

Mr. CORDON. Yes.

Mr. GORE. As to that aspect I think I could agree with the Senator from Oregon. However, the same situation applies to the development of hydroelectric projects.

I wish to point out that the bill we are now discussing calls for an amortization period of 163 years. I shall not object to the bill; but I point out to the Senator from Oregon that, in my humble judgment, we may as well consider a bill to give these projects to the reclamation districts. Perhaps the cost of administering them will be more than the yearly amortization payments.

The PRESIDING OFFICER. The additional 4 minutes granted the Senator from Tennessee have expired.

Mr. CORDON. The Senator from Oregon was answering a question

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

Mr. WATKINS. Mr. President, reserving the right to object, I should like to comment on the questions asked by the Senator from Tennessee.

I think it is only fair to state that there have been a few projects, like the one now under consideration, with respect to which insufficient care was used in organizing the projects. Large irrigation projects have been constructed on lands which are not as valuable as they were thought to be.

The overall record of repayment has been good. Only a few fringe projects have required special treatment.

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

Mr. WATKINS. I yield.

Mr. GORE. Even when the record of repayment is good, a 40-year amortization period means a payment of 2½ percent a year. If the payment is extended to 50 years, it means 2 percent a year. Beyond that point—and the senior Senator from Oregon suggested that most of them were in that category—it is less than 2 percent.

We must be practical about these projects. I have always supported the development of reclamation projects in the West. I am not objecting now, because this is a hardship situation. Someone made a mistake. I dare say that mistake was not made entirely by officials in Washington. Very likely it would be found, if a search were made of the history of the project, that there was a tremendous urge on the part of citizens of that area for the project, and that their representatives in both Houses of Congress were advocating it as a sound project. Yet it is now proposed to extend the amortization to 163 years. We would be better off if we gave them the project outright.

Mr. WATKINS. At least, we get the money. There is no particular cost involved in making the collections. As I understand, in connection with the project mentioned by the Senator from Tennessee, namely, the TVA, there is no repayment of principal. There may be some payment of interest, but not of principal. That is true with respect to all the flood-control projects in the humid areas of the United States.

Mr. GORE. Quite to the contrary, an amendment to the Tennessee Valley Authority Act has been passed, with which I was associated, and which I supported and helped to pass, requiring complete amortization on a 40-year schedule.

Mr. WATKINS. When did that amendment go into effect?

Mr. GORE. That bill was passed in the 80th Congress, and I supported it.

Mr. WATKINS. I have not checked it. This is the first time it has been called to my attention that the entire cost of such projects is being repaid.

Mr. GORE. In the case of the TVA, not only has the repayment schedule been met, but the payments are far in advance of the schedule.

I bring out this point to show that when the TVA is criticized so severely it should be compared with some of the other Federal projects. Its record is good.

Mr. WATKINS. I think other Federal projects, particularly reclamation projects, would show even a better record. As I understand, the TVA is still getting millions of dollars from the Congress, after the time when the project was supposed to have been completed.

I shall check the figures. I hope the Senator is correct, and I assume he is, but I should like to check the figures to see how the program is working out. I understand the payments are coming from the project itself, and not from those who are receiving great benefits from it.

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. 2761) to approve repayment contracts negotiated with Hermiston and West Extension Irrigation Districts, Oregon, and to authorize their execution, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with an amendment, on page 2, after line 14, to strike out:

SEC. 3. This act is declared to be a part of the Federal reclamation laws as these are defined in the Reclamation Project Act of 1939 (53 Stat. 1187).

So as to make the bill read:

Be it enacted, etc., That the repayment contracts negotiated as provided in subsection (a) of section 7 of the Reclamation Project Act of 1939 (53 Stat. 1187) by the Secretary of the Interior with the Hermiston Irrigation District dated September 9, 1952, and the West Extension Irrigation District dated September 6, 1952, are approved and the Secretary is authorized to execute them on behalf of the United States.

SEC. 2. The reclassifications of the lands of the Hermiston Irrigation District and the West Extension Irrigation District of the Umatilla project, Oregon, made in accordance with the provisions of section 8 of the Reclamation Project Act of 1939 and approved by the boards of directors of the irrigation districts, are approved. The Secretary, upon execution of said contracts, is authorized to charge off as a permanent loss to the reclamation fund all the costs of the Umatilla project except the amounts provided for return to the United States in the contracts approved in section 1 of this act or in other outstanding contracts, but no adjustment shall be made by the United States by reason thereof with any individual by way of refund or of credit on sums heretofore paid, repaid, returned, or due or payable to the United States.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (S. 2225) relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for

other purposes, was announced as next in order.

Mr. SMATHERS. By request, I ask that the bill go over.

The PRESIDING OFFICER. The bill will be passed over.

Mr. HENDRICKSON subsequently said: Mr. President, before we complete the call of the calendar, when Calendar No. 1317 was called objection was raised. I refer to Senate bill 2225, relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes. I wonder whether the distinguished chairman of the minority calendar committee will advise the Senate who the objectors were?

Mr. SMATHERS. Mr. President, that bill was passed over.

Mr. HENDRICKSON. Mr. President, I was asking who interposed the objection.

Mr. SMATHERS. The objection was interposed by the junior Senator from New York [Mr. LEHMAN].

Mr. HENDRICKSON. I thank the Senator from Florida.

OPERATION AND MAINTENANCE OF WASHITA RIVER BASIN RECLAMATION PROJECT, OKLAHOMA

The bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the Washita River Basin reclamation project, Oklahoma, 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—and I certainly shall not object—what the Senator from New Jersey would like to know is whether the bill would provide for a multiple-purpose project. The costs involved seem to be quite high. I wonder if the Senator from Oklahoma [Mr. MONRONEY] would explain the bill for purpose of the RECORD, emphasizing the factor of costs.

Mr. MONRONEY. Mr. President, the projects provided for in the bill are the result of many years of study in western Oklahoma. During the past 3 years this area has constantly been the subject of drought relief. It has suffered greatly during those years from lack of rainfall. The municipalities in that area have been making desperate efforts to maintain sufficient water supplies to sustain livestock and supply the normal needs of human life.

This project is a part of an overall comprehensive development of the Washita Basin. It is a multiple-purpose project, with benefits for irrigation. Provision is made for 16,260 acres of newly irrigated lands, which will be supplied by the storage waters impounded behind the two dams involved in the project. The project will also furnish the water supply for 11 municipalities.

Contracts for the construction of the project are specifically limited under the terms of the bill, so that no construction will start until firm contracts have been entered into with the municipalities, guaranteeing full repayment of all the reimbursable costs not only of the storage for municipal and industrial water supply, but also the full storage for irrigation purposes. The cost will be fully met, amortized, and paid for at interest equal to the going rate on long-term Government obligations. There will be paid back the full reimbursable cost of the irrigation, of municipal water supplies for human consumption, of the canals and pipelines, and other beneficial uses. The cost of all of this flood-water project will be fully repaid to the Federal Government over a 50-year period.

In obligating the cities and towns to make repayment the bill also provides that if the irrigation works are not put in effect, that is, if the irrigation aspect of the project is not developed, the cities and towns in their contracts, agree to return the full amount for the impounding of the irrigation water in these projects. Therefore the Government is fully protected on all reimbursable items in the bill.

Because of the income to be derived from the storage of water for human consumption and for irrigation, the Government gets a very cheap bargain-counter rate in undertaking to control floods on this great river system, the Washita.

The cost of the flood-control items in the bill at these two dams will be $15,417,000. If built alone, they could not be built for twice that amount. They can be built for this amount only because they are being put to this multipurpose use, are being built at the same time, and the water can be held back for beneficial uses as well as for discharge in the volume the channel can carry.

Mr. HENDRICKSON. I wonder whether I have been correctly informed. My information is that the total initial cost to the Government will be $37,449,000.

Mr. MONRONEY. That is the full cost; it is not the initial cost. It is the full cost for the irrigation work, the canals, which are to be built only as new irrigation acres are brought in. There would be a saving of $7,500,000, which would later be spent for that purpose, but that is included in the overall cost.

I may say to the distinguished junior Senator from New Jersey that the ratio on the nonreimbursable cost is 1.3 to 1, which is a high ratio. This is the only Federal dam on the vast reaches of the Washita River.

Only a week ago, after 3 years of drought and after 3 years of being in a very difficult position, more than 10 inches of rain fell in the watershed within a period of a few hours. The Senator from New Jersey can understand how badly needed immediately are these dams for flood control and subsidiary purposes in this area.

The bill has the complete endorsement of the Department of the Interior, and it has been approved by the Bureau of the Budget. The report says, at page 4:

> It is proposed to initiate construction of the Washita project, Oklahoma, * * * in the fiscal year 1955, when authorized. The Washita project is needed to store water for municipal use and possible future irrigation development and for flood protection. * * * An amount of $500,000 is included in the budget as an estimated 1955 supplemental appropriation for these projects.

What I have read shows that the Department of the Interior and the Bureau of the Budget think so highly of this project that, pending an authorization, they have already provided in the budget estimates the amount of $500,000 with which to carry forward the development of the advanced planning stage of this program.

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

Mr. MONRONEY. I yield to the chairman.

Mr. WATKINS. I may say to the Senator from Oklahoma that I am not the chairman of the committee, but am a member of it. The committee considered this bill both in hearings and in executive session. The bill was reported unanimously to the full committee, and the full committee unanimously reported the bill to the Senate. We believe it is a good project, and I hope the bill can be passed today on the call of the calendar.

Mr. HENDRICKSON. I thank the distinguished Senator from Oklahoma and the distinguished Senator from Utah for their very informative explanation of the bill today.

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

Mr. MONRONEY. I yield.

Mr. CORDON. I note in the proposed amendment to the bill—and parenthetically I should like to say to the Senator that I was not present in the committee when the bill was considered or reported—on page 5, paragraph (d), this provision:

> (d) The Secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

Mr. President, I could understand the beneficiaries complying with the law if this were an unusual provision with respect to projects constructed by the Government through its various departments and if it were not a basic provision in all reclamation laws with respect to the use of water, but I have never had my attention brought to that type of subordination of Federal power on a Federal project to State law. So far as I can remember, that provision was not in the bill originally, and apparently it came in by way of amendment. I should like to have some information about it.

Mr. MONRONEY. It is my understanding, if the chairman of the subcommittee will permit me to say so, that the language was recommended by the Department of the Interior and by the Bureau of the Budget. Perhaps the chairman of the subcommittee can give us more enlightenment on the subject than I can. However, it was not in the original bill. I believe it was placed in the bill at the request of the administration to carry on its partnership working arrangement with States and the Federal

Government in constructing these projects in the future.

Mr. WATKINS. I am not advised as to whether the amendment came from the Department of the Interior, but I recall that in other bills—in fact, there is one on the calendar now, the one with respect to Santa Margarita, which contains a similar provision—the United States Government in building a project in States where the water belongs to the people, it has been the general policy over the years to comply with State laws with respect to applications, extensions of time, and final certification of the beneficial use of the water, as a trustee for the water users who are the ultimate beneficiaries of these projects.

Under those circumstances, the provision was written in specifically that the United States would be subject to the laws of the State of Oklahoma in the case of this project. The same thing is done in the Santa Margarita bill with respect to the laws of California.

Practically all reclamation projects in the 17 arid States of the West have been made subject to State law. Applications must be filed with the State engineer, and so forth, and the Federal Government acknowledges the State law as being supreme in that field.

Mr. CORDON. I am still doubtful of the wisdom of that particular paragraph being in any law. If it was included in another bill it would merely raise in my mind a reason to oppose the other bill. Of course reclamation is limited to the western arid States, and they have a well known doctrine and concept with respect to the use of water.

This has to do with matters pertaining to the operation and management of water supply facilities. I feel that I shall have to ask that the bill go over until I have an opportunity to look into that particular matter. I am fearful of such a provision being included in the pending bill. I regret if it has gone into another bill. However, I believe the Senate ought to be very careful about how it subordinates the authority of the Federal Government to State law in such situations as this where the Federal Government is seeking only to aid States.

Mr. MONRONEY. In the report from the Bureau of the Budget, where most of this legislation originated, it is stated:

> Definite provision in legislation authorizing the project to be made for the repayment of all reimbursable costs. Construction of the project should be made contingent on the assumption by the State of Oklahoma——

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

Mr. MONRONEY. Mr. President, I ask unanimous consent that I may proceed for 4 additional minutes.

The PRESIDING OFFICER. Without objection, the Senator from Oklahoma may proceed.

Mr. MONRONEY. I continue to read from the report of the Budget Bureau:

> Construction of the project should be made contingent on the assumption by the State of Oklahoma, together with local organizations, of financial responsibility for repayment of costs allocated to municipal, industrial, and domestic water supplies that may be found to be beyond the ability of the water users to repay. The State should also be required to guarantee repayment for the cost allocated to future irrigation storage.

That is really the genesis of this project and where the firm commitments originated. Under this bill the State is pledging its taxing authority to repay in full, even beyond the ability of the water users, through their water bills, the full costs of the reimbursable parts of the structure, which include the water supply and storage for irrigation.

Reading further from the report, the Budget Bureau continues as follows:

> Under this procedure the State and local organizations could utilize their powers of taxation or assessment to assure reimbursement to the Federal Government of the funds invested in municipal water and irrigation storage. We believe this is in harmony with the statement by the President in his address on the state of the Union.
>
> * * * The best natural resources program for America will not result from exclusive dependence on Federal bureaucracy. It will involve a partnership of the States and local communities, private citizens, and the Federal Government, all working together. This combined effort will advance the development of the great river valleys of our Nation and the power that they can generate.

So, Mr. President, I believe, if the distinguished Senator from Oregon would ask that the bill go to the foot of the calendar, so we could call the Budget Bureau and see if this is not the language they asked to have placed in the bill in recommending its passage by the Congress, I think that would be satisfactory.

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

Mr. MONRONEY. I yield.

Mr. WATKINS. I do not know that I can throw any particular light on the question, but when a repayment contract is signed by municipalities and water users, they will be required, if they follow the ordinary reclamation procedure, to take over the projects and operate them, and if municipalities are organized under the laws of the State of Oklahoma, and if water users are also being organized under those laws, I assume those are the laws under which they will be required to operate. I know that is true of a reclamation project in my State with which I have been familiar for many years. It was turned over to the water users upon completion and testing, and they are now operating it and have 40 years in which to pay for it. They are now in the repayment period.

Mr. MONRONEY. Is it paragraph (d) on page 5 of the bill to which the distinguished Senator from Oregon raised his objection?

Mr. CORDON. I raised my objection to paragraph (d) on page 5.

Mr. MONRONEY. It pertains to the municipal water supply and storage for which the water users agree to pay for irrigation, even though it is not used for irrigation. If municipal and county taxing authorities of the State are behind the contracts which are signed, not only a contract to supply X thousands of gallons of water, those authorities also have the right to levy a general ad valorem tax on property and real estate. That is also embodied in order to reimburse these funds for the water supply.

Mr. CORDON. Mr. President, I shall have to object and ask that the bill be passed over, to be taken up at the next call of the calendar.

The PRESIDING OFFICER. The bill will be passed over.

Mr. MONRONEY subsequently said: Mr. President, I have conferred with the Senator from Oregon [Mr. CORDON], and with the staff of the committee, and I ask unanimous consent that the Senate return to the consideration of calendar 1318, Senate bill 118.

The PRESIDING OFFICER. The clerk will state the bill by title.

The CHIEF CLERK. A bill (S. 118) to authorize the Secretary of the Interior to construct, operate, and maintain the initial phase of the Washita River Basin reclamation project, Oklahoma.

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

Mr. CORDON. Mr. President, reserving the right to object, I have discussed the matter with the Senator from Oklahoma, and if it is agreeable to him that the language found on lines 6 to 9, inclusive, on page 5, be stricken from the bill, I think it will be satisfactory. I assume the bill will have to be considered as a new bill, and I ask unanimous consent that that may be done.

I am simply trying to save time.

The PRESIDING OFFICER. The understanding of the Chair is that the Senator from Oregon suggests or recommends that lines 6 through 9, on page 5, be stricken from the bill.

Mr. CORDON. That is correct. The Chair has a better understanding of the proposal than I have.

The PRESIDING OFFICER. The clerk will state the committee amendments.

The LEGISLATIVE CLERK. On page 1, line 3, after the word "Interior", it is proposed to strike out "may" and insert "is authorized"; in line 4, after the words "maintain the", to strike out "initial phase of the"; in line 7, after the word "and" where it occurs the second time, to strike out "ultimately,"; on page 2, line 5, after the word "The", to strike out "initial phase of the"; in line 11, after the word "use", to insert "and for irrigation"; in the same line, after the amendment just above stated, to strike out "Nothing contained in this section shall be construed to authorize the construction of any works solely for irrigation or for the enhancement of fish and wildlife conditions."; after line 14, to strike out:

> SEC. 2. In constructing, operating, and maintaining the initial phase of the Washita project, the Secretary shall proceed in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and acts amendatory thereof or supplementary thereto) except that (1) the repayment period under any contract entered into pursuant to clause (1) of the first proviso in subsection (c), section 9, of the Reclamation Project Act of 1939 may extend to not more than 50 years or as near thereto as is practicable; (2) actual construction of any unit of the project shall not be commenced, and no construction contract shall be awarded therefor, until payment of those portions of the actual cost of constructing, operating, and maintaining that unit of the project which are allocated to municipal, domestic, and industrial water

supply, and interest on the unamortized balance of the construction cost thereof at a rate (which rate shall be certified by the Secretary of the Treasury) equal to the average rate paid by the United States on long-term loans outstanding prior to the time the repayment contract is negotiated, shall have been assured by a contract or contracts satisfactory to the Secretary; (3) those portions of the cost of constructing, operating, and maintaining the project which are properly allocable to flood control, recreation, and the preservation and propagation of fish and wildlife shall be nonreturnable; and (4) that part of the cost of constructing the project which is properly allocable to irrigation shall, within the limits of the water users' repayment ability, become a part of the obligation to be undertaken by them when specific irrigation works are authorized and undertaken.

And in lieu thereof, to insert the following:

SEC. 2. In constructing, operating, and maintaining the Washita project, the Secretary shall allocate proper costs thereof under the following conditions:

(a) Allocations to flood control, recreation, and the preservation and propagation of fish and wildlife shall be nonreturnable.

(b) Allocations to municipal water supply, including domestic, manufacturing, and industrial uses, shall be repayable through contracts with municipal corporations. Such contracts shall be precedent to the commencement of construction of any project unit affecting the individual municipalities, and shall provide for repayment of construction costs in not to exceed 50 years from the dates water is first delivered, and payments of construction costs shall include interest on unamortized balances at a rate equal to the average rate paid by the United States on long-term loans outstanding during the period of the construction, except that estimates may be used for minor costs not incurred prior to delivery of water: *Provided,* That such contracts shall provide that annual municipal repayments shall continue at the same rates until the costs of Foss and Fort Cobb Reservoirs allocated to irrigation are fully repaid: *Provided further,* That if irrigation works are constructed, as hereinafter provided, said annual repayment rates shall continue so long as the costs of the irrigation works are unpaid.

(c) The authorization for construction of the irrigation works, exclusive of Foss and Fort Cobb Reservoirs, shall be limited, as to each reservoir, to a period of 10 years from the commencement of the delivery of municipal water from the reservoir on which the irrigation unit is dependent. Contracts with irrigation water users shall provide for repayment in accordance with reclamation laws (act of June 17, 1902; 32 Stat. 388, and acts amendatory thereof or supplementary thereto), excepting section 9 (e) of the Reclamation Project Act of 1939, within a period of 55 years as to each irrigation unit, from the date water is first delivered thereto.

(d) The Secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

On page 5, line 10, after the words "of the", to strike out "initial phase of the"; and on page 6, after line 7, to insert a new section, as follows:

SEC. 5. There are hereby authorized to be appropriated out of any moneys in the Treasury not otherwise appropriated $37,429,000 to carry out the purposes of this act.

So as to make the bill read:

Be it enacted, etc., That the Secretary of the Interior is authorized to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma, for the principal purposes of storing, regulating, and furnishing water for municipal, domestic, and industrial use, and for the irrigation of approximately 26,000 acres of land and of controlling floods and, as incidents to the foregoing, for the additional purposes of regulating the flow of the Washita River, providing for the preservation and propagation of fish and wildlife, and of enhancing recreational opportunities. The Washita project shall consist of the following principal works: A reservoir at or near the Foss site on the main stem of the Washita River; a reservoir at or near the Fort Cobb site on Pond (Cobb) Creek; and canals, pipelines, and other conduits for furnishing water for municipal, domestic, and industrial use, and for irrigation.

SEC. 2. In constructing, operating, and maintaining the Washita project, the Secretary shall allocate proper costs thereof under the following conditions:

(a) Allocations to flood control, recreation, and the preservation and propagation of fish and wildlife shall be nonreturnable.

(b) Allocations to municipal water supply, including domestic, manufacturing, and industrial uses, shall be repayable through contracts with municipal corporations. Such contracts shall be precedent to the commencement of construction of any project unit affecting the individual municipalities, and shall provide for repayment of construction costs in not to exceed 50 years from the dates water is first delivered, and payments of construction costs shall include interest on unamortized balances at a rate equal to the average rate paid by the United States on long-term loans outstanding during the period of the construction, except that estimates may be used for minor costs not incurred prior to delivery of water: *Provided,* That such contracts shall provide that annual municipal repayments shall continue at the same rates until the costs of Foss and Fort Cobb Reservoirs allocated to irrigation are fully repaid: *Provided further,* That if irrigation works are constructed, as hereinafter provided, said annual repayment rates shall continue so long as the costs of the irrigation works are unpaid.

(c) The authorization for construction of the irrigation works, exclusive of Foss and Fort Cobb Reservoirs, shall be limited, as to each reservoir, to a period of 10 years from the commencement of the delivery of municipal water from the reservoir on which the irrigation unit is dependent. Contracts with irrigation water users shall provide for repayment in accordance with reclamation laws (act of June 17, 1902; 32 Stat. 388, and acts amendatory thereof or supplementary thereto), excepting section 9 (e) of the Reclamation Project Act of 1939, within a period of 55 years as to each irrigation unit, from the date water is first delivered thereto.

(d) The Secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

SEC. 3. Construction of the Washita project herein authorized may be undertaken in such units or stages as in the opinion of the Secretary best serves the project requirements and the relative needs for water of the several prospective users. Repayment contracts negotiated in connection with each unit or stage of construction shall be subject to the terms and conditions of section 2 of this act.

SEC. 4. The Secretary may, upon conclusion of a suitable agreement with any qualified agency of the State of Oklahoma or a political subdivision thereof for assumption of the administration, operation, and maintenance thereof at the earliest practicable date, construct or permit the construction of public park and recreational facilities on lands owned by the United States adjacent to the reservoirs of the Washita project, when such use is determined by the Secretary not to be contrary to the public interest, all under such rules and regulations as the Secretary may prescribe. No recreational use of any area to which this section applies shall be permitted which is inconsistent with the laws of the State of Oklahoma for the protection of fish and game. The costs of constructing, operating, and maintaining the facilities authorized by this section shall not be charged to or become a part of the costs of the Washita River Basin project.

SEC. 5. There are hereby authorized, to be appropriated out of any moneys in the Treasury not otherwise appropriated, $37,429,000 to carry out the purposes of this act.

The PRESIDING OFFICER. The question is on agreeing to the amendments reported by the committee, with the exception of the amendment referred to by the Senator from Oregon [Mr. CORDON].

The amendments, with the exception noted were agreed to.

Mr. CORDON. Mr. President, I now ask that the Senate reject the committee amendment on page 5, beginning in line 6, which reads as follows:

(d) The secretary and the beneficiaries of the project shall conform to the laws of the State of Oklahoma in all matters appertaining to operation and management of the water supply facilities herein authorized.

The PRESIDING OFFICER. Without objection, the amendment on page 5 from lines 6 to 9 is rejected.

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.

The title was amended so as to read: "A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Washita River Basin reclamation project, Oklahoma."

DISPOSAL OF LAND IN THE EDEN PROJECT, WYOMING

The bill (H. R. 7057) to authorize the Secretaries of Agriculture and Interior to transfer, exchange, and dispose of land in the Eden project, Wyoming, and for other purposes, was considered, ordered to a third reading, read the third time, and passed.

CONSOLIDATION OF PARKER DAM POWER PROJECT AND THE DAVIS DAM PROJECT

The bill (H. R. 3598) to consolidate the Parker Dam power project and the Davis Dam project was considered, ordered to a third reading, read the third time, and passed.

TERMINATION OF FEDERAL SUPERVISION OVER PROPERTY OF ALABAMA AND COUSHATTA INDIANS OF TEXAS

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, was announced as next in order.

The PRESIDING OFFICER. Is there objection to the consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs, with amendments.

Mr. WATKINS. Mr. President, there are a number of committee amendments to this bill, which are mostly technical in nature. There is one amendment, however, which ought to be given special consideration. It is on page 2, beginning in line 18.

I ask unanimous consent that all the other committee amendments be considered en bloc, except the one to which I have just referred and which requires some special consideration.

The PRESIDING OFFICER. Without objection, the committee amendments are agreed to en bloc.

The amendments agreed to en bloc are as follows:

On page 2, line 5, after the word "regarding", to strike out "management, use, or disposition" and insert "management and use"; in line 7, after the word "prescribe", to insert "and the disposition of such lands shall be subject to approval of a majority of the adult members of the Alabama and Coushatta Tribes of Texas."

On page 4, line 4, after the word "thereof," to insert "except as provided in section 2 of this act."

The PRESIDING OFFICER. The clerk will state the committee amendment referred to by the Senator from Utah [Mr. WATKINS].

The CHIEF CLERK. On page 2, line 18, after the word "Indians", it is proposed to insert the following proviso:

Provided, That for a period of 5 years after the date of this act such Indians shall be eligible for admission, on the same terms that apply to other Indians, to hospitals and schools maintained by the United States in the State of Oklahoma.

Mr. DANIEL. Mr. President, I offer an amendment to the committee 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 Texas.

The CHIEF CLERK. On page 2, line 18, it is proposed to strike out "for a period of 5 years."

Mr. DANIEL. Mr. President, the purpose of this amendment is simply to strike the limitation of 5 years with reference to members of the Alabama and Coushatta Tribes attending hospitals and schools furnished by the Federal Government in Oklahoma. Some of these Indians have been attending Indian schools and hospitals in Oklahoma, and, rather than have a limitation of 5 years placed upon them, it is thought more desirable simply to provide that so long as the hospitals and schools are maintained for the Indians, the members of the Texas tribes may attend them.

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

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Texas to the committee amendment.

The amendment to the amendment was agreed to.

The PRESIDING OFFICER. The question is on agreeing to the committee amendment as amended.

The amendment, as amended, 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 authorized to convey to the State of Texas the lands held in trust by the United States for the tribe of Indians organized and known as the Alabama and Coushatta Tribes of Texas, located in Polk County, Tex.; and such tribe is authorized to convey to the State of Texas the lands purchased for and deeded to the Alabama Indians in accordance with an act of the legislature of the State of Texas approved February 3, 1854, located in Polk County, Tex. All of the lands so conveyed shall be held by the State of Texas in trust for the benefit of the Indians of the Alabama and Coushatta Tribes of Texas, subject to such conditions regarding management and use as the State of Texas may prescribe and the disposition of such lands shall be subject to approval of a majority of the adult members of the Alabama and Coushatta Tribes of Texas.

SEC. 2. Upon the conveyance to the State of Texas of the lands held in trust by the United States for the Alabama and Coushatta Tribes of Texas, the Secretary of the Interior shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to such tribe and its members has terminated. Thereafter such tribe and its members shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians: *Provided*, That after the date of this act such Indians shall be eligible for admission, on the same terms that apply to other Indians, to hospitals and schools maintained by the United States in the State of Oklahoma.

SEC. 3. Effective on the date of the proclamation provided for in section 2 of this act, all powers of the Secretary of the Interior or any other officer of the United States to take, review, or approve any action under the constitution and bylaws of the Alabama and Coushatta Tribes of Texas approved on August 19, 1938, pursuant to the act of June 18, 1934 (48 Stat. 984), are terminated. Any powers conferred upon the tribe by its constitution and bylaws that are inconsistent with the provisions of this act are terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States in such action.

SEC. 4. The indebtedness of the Alabama and Coushatta Tribes of Texas to the United States incurred under the provisions of the act of May 29, 1928 (45 Stat. 883, 900), is canceled, effective on the date of the proclamation to be issued in accordance with the provisions of section 2 of this act.

SEC. 5. The corporate charter of the Alabama and Coushatta Tribes of Texas issued pursuant to the act of June 18, 1934 (48 Stat. 984), ratified on October 17, 1939, is revoked, effective on the date of the proclamation to be issued in accordance with the provisions of section 2 of this act.

SEC. 6. On and after the date of the proclamation to be issued in accordance with the provisions of section 2 of this act, all statutes of the United States which affect Indians because of their status as Indians shall no longer be applicable to the Alabama and Coushatta Tribes of Texas or the members thereof, except as provided in section 2 of this act, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

SEC. 7. Nothing in this act shall affect the status of the members of the Alabama and Coushatta Tribes of Texas as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

SEC. 8. The act of June 18, 1934 (48 Stat. 984), as amended by the act of June 15, 1935 (49 Stat. 387), shall not apply to the tribe and its members after the date of the proclamtion to be issued in accordance with the provisions of section 2 of this act.

REIMBURSEMENT OF SOUTH DAKOTA STATE HOSPITAL FOR THE INSANE

The Senate proceeded to consider the bill (S. 1794) to reimburse the South Dakota State Hospital for the Insane for the care of Indian patients.

Mr. HENDRICKSON. Mr. President, I offer an amendment which I ask to have stated.

The PRESIDING OFFICER. The clerk will state the amendment.

The LEGISLATIVE CLERK. On page 1, line 9, immediately preceding the period, it is proposed to insert a colon and the following:

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. HENDRICKSON. Mr. President, the amendment merely provides the standard attorney's fee, which is included in most of the bills of this type.

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

Mr. HENDRICKSON. I yield.

Mr. WATKINS. I call the Senator's attention to the fact that this is a claim presented by the South Dakota State Hospital for the Insane. I assume that the attorney general of South Dakota, who is in the public service, receives a salary from the State for his services in presenting such claims, so probably the amendment would not apply. However, I have no objection if it has been the practice to include such amendments.

Mr. HENDRICKSON. It would not make and difference, because the State could always retain a private lawyer.

Mr. WATKINS. I assume so, but this case was presented by the State itself through its own legal adviser.

Mr. HENDRICKSON. I have merely followed the usual procedure.

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

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, 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 South Dakota State Hospital for the Insane, Yankton, S. Dak., the sum of $8,124.29, in full satisfaction of its claim against the United States for compensation for services furnished Indian patients from the Roseud and Pine Ridge Indian Agencies: *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.

FACILITIES FOR TREATMENT OF INDIANS AT ALBUQUERQUE, N. MEX.

The bill (S. 3364) to amend the act of October 31, 1949 (63 Stat. 1049), was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 1, of subsection (b), of the act of October 31, 1949 (63 Stat. 1049), is hereby amended by deleting the figure "1954," wherever the same appears in the third and fourth provisos, and by inserting in lieu thereof the figure "1957"; and by deleting the figure "1953" in the fourth proviso, and by inserting in lieu thereof the figure "1956."

EXTENSION OF TIME FOR ENROLLMENT OF INDIANS OF CALIFORNIA

The Senate proceeded to consider the bill (H. R. 2974) to extend the time for enrollment of the Indians of California, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 1, line 9, after the numerals "1955", to insert "and by inserting after the third sentence 'For the purposes of clause (d) of this section, when the Secretary of the Interior is satisfied that reasonable and diligent efforts have been made to locate a person whose name is on said roll and that such person cannot be located, he may presume that such person died prior to the date of approval of this act, and his presumption shall be conclusive' "; and on page 2, line 9, after "(45 Stat. 602)", to insert "as amended by the act of April 29, 1930 (46 Stat. 259)."

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.

CONSTRUCTION OF CERTAIN FACILITIES FOR IRRIGATION AND DOMESTIC USE OF WATER FROM THE SANTA MARGARITA RIVER, CALIF.—BILL PASSED OVER

The bill (H. R. 5731) to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and the joint utilization of a dam and reservoir and other water-work facilities by the Department of the Interior and the Department of the Navy, and for other purposes, was announced as next in order.

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

Mr. SMATHERS. By request, I ask that the bill go over.

Mr. KNOWLAND. Will the Senator from Florida withhold his objection for a moment?

Mr. SMATHERS. I shall be happy to do so.

Mr. KNOWLAND. Would the Senator mind indicating for whom objection was entered, so that opportunity may be afforded to try to convince the Senators concerned that the objection, at least in the judgment of the proponents of the bill, is not valid?

Mr. SMATHERS. The objection has been filed by two Senators: The able leader of the Independent Party, the distinguished Senator from Oregon [Mr. MORSE], and the distinguished senior Senator from Alabama [Mr. HILL].

The PRESIDING OFFICER. The bill will be passed over.

SAFETY OF LIFE AND PROPERTY AT SEA

The Senate proceeded to consider the bill (S. 602) to provide for greater safety of life and property at sea by authorizing the Secretary of the Treasury to prescribe rules for the loading, stowage, and securing of grain and other similar bulk cargoes, which had been reported from the Committee on Interstate and Foreign Commerce with amendments, on page 2, line 14, after the word "any", to strike out "private nonprofit organization," and insert "organization or persons whose services he may deem helpful"; and in line 18, after the word "Government", to insert "To the extent that provision is made in any regulation of the Secretary of the Treasury for inspection of the loading, stowage, or securing of bulk grain or other similar bulk cargoes or the issuance of any certificate in connection therewith by any private organization or person, the Secretary of the Treasury shall give due consideration to all organizations and persons qualified and willing to perform such work", so as to make the bill read:

Be it enacted, etc., That, to provide for greater safety of life and property at sea, the Secretary of the Treasury is authorized to make such rules and regulations and to prescribe such restrictions and conditions as he deems necessary for the loading, stowage, and securing of grain and other similar bulk cargoes that present hazards to the stability of vessels by shifting.

SEC. 2. This act shall apply to all vessels of the United States and to foreign vessels loading grain and such other similar bulk cargoes at any port of the United States, its Territories or possessions, except vessels operating solely on inland waters of the United States or on the Great Lakes.

SEC. 3. The rules and regulations authorized by this act, in their application to grain cargoes in bulk, shall be in conformity with and in implementation of regulation 2, chapter VI, of the regulations which constitute an integral part of the International Convention for the Safety of Life at Sea, 1948.

SEC. 4. In the establishment, administration, and enforcement of the rules and regulations hereunder, the Secretary of the Treasury may avail himself of the advice, services, and facilities of any organization or persons whose services he may deem helpful, or, with the consent of the head thereof, of any executive department, independent establishment, or other agency of the Government. To the extent that provision is made in any regulation of the Secretary of the Treasury for inspection of the loading, stowage, or securing of bulk grain or other similar bulk cargoes or the issuance of any certificate in connection therewith by any private organization or person, the Secretary of the Treasury shall give due consideration to all organizations and persons qualified and willing to perform such work.

SEC. 5. The Secretary of the Treasury may, upon his own knowledge, or upon the sworn information of any citizen of the United States, that any vessel subject to this act is violating any of the provisions thereof or the regulations established hereunder, by written order served on the matter, person in charge of such vessel, or the owner or charterer thereof, or the agent of the owner or charterer, detain such vessel until such time as the vessel is in full compliance with the provisions of this act and of the regulations established hereunder. If the vessel is ordered detained, the master, person in charge, or owner or charterer, or the agent of the owner or charterer thereof, may within five days appeal to the Secretary of the Treasury who may, after investigation, affirm, set aside or modify the requirements of such order. If any citizen of the United States furnished sworn information to the Secretary of the Treasury that any vessel subject to this act is in violation of any of its provisions or of the regulations established hereunder and such sworn information is false, the person so falsely swearing shall be deemed guilty of perjury.

SEC. 6. Whoever shall knowingly violate any of the provisions of this act or of any regulations established under this act shall be subject to a penalty of not more than $2,000 for each violation. In the case of any such violation on the part of the owner, charterer, agent, master, or person in charge of the vessel, such vessel shall be liable for the penalty and may be seized and proceeded against by way of libel in the district court of the United States in any district in which such vessel may be found.

SEC. 7. When the death or bodily injury of any person results from the violation of this act or any regulations made in pursuance thereof, the person or persons who shall have knowingly violated or caused to be violated such provisions or regulations shall be fined not more than $10,000 or imprisoned not more than 10 years, or both.

SEC. 8. Nothing contained in this act shall be construed to relieve any vessel subject to the provisions of this act from any of the requirements of title 52 (secs. 4399 to 4500, inclusive) of the Revised Statutes or Acts amendatory or supplementary thereto and regulations thereunder applicable to such vessel, which are not inconsistent herewith.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

EXEMPTION OF FLAMMABLE FABRICS AND WEARING APPAREL FROM FLAMMABLE FABRICS ACT

The bill (S. 3379) to amend the Flammable Fabrics Act, so as to exempt from its application fabrics and wearing apparel which are not highly flammable was considered, ordered to be engrossed

for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That the Flammable Fabrics Act (67 Stat. 111; 15 U. S. C. secs. 1191–1200) is amended as follows:

(1) In section 2 (d) after the comma following: "hats, gloves", insert "scarfs made of plain surface fabrics"; and (2) after subsection (b) of section 4 insert the following:

"(c) Notwithstanding the provisions of Commercial Standard 191–53, setting forth the conditions under which samples of fabrics and articles of wearing apparel are to be tested, the tests shall be made upon samples which after having been previously dried are conditioned to equilibrium in the standard textile testing atmosphere of 65 percent relative humidity and 70 degrees Fahrenheit."

Mr. PURTELL subsequently said: Mr. President, I ask unanimous consent to have a statement printed following the action taken on Calendar No. 1327, Senate bill 3379.

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

STATEMENT BY SENATOR PURTELL

The bill simply does two things. It exempts scarfs from the Flammable Fabrics Act and it provides that testing procedures shall be conducted under "the standard textile testing atmosphere of 65 percent relative humidity and 70° Fahrenheit."

The original act exempted most hats, gloves, and footwear. Our Subcommittee on Business and Consumer Interests held hearings and it and the full committee were convinced that scarfs, if ignited, could be more easily removed from the person than most hats, gloves, and footwear. Furthermore, the bill exempts only the safer type of scarfs, namely, those made of plain surface fabrics. This is a term well understood in the trade and the committee report further explains it. Experts in the Government and in the industry testified that scarfs made of plain surface fabrics do not constitute the type of unusual hazard that the act was intended to ban. Scarfs made of fuzzy fabrics which flame rapidly and are liable to flash-burning will still be barred under this bill.

With respect to testing procedures, the act froze the conditions under which they were conducted in the experimental stage, namely, upon fabrics which were made bone-dry before testing. Experts in the Government and in industry testified at the hearings that when so conducted, the tests still ban a high percentage of conventional fabrics which have a long record of safety, such as georgette, tulle, organdy, batistes, and netting. The effect of this unexpected development is to seriously and adversely affect many of our domestic producers of such fabrics, as well as the economy of Japan, France, Switzerland, Italy, and other countries.

The Senate and House reports, in discussing the purpose of the original act, state:

"The purpose of the bill * * * is to protect the public from the danger surrounding the use in wearing apparel of highly flammable textiles of the types which have caused either bodily injury or death to numerous individuals. * * * The major problem in formulating legislation to control the use of dangerously flammable textiles is to discriminate between the conventional fabrics that present moderate and generally recognized hazards and the special types of fabrics which present unusual hazards and are highly dangerous."

At the hearings, various types of fabrics were ignited and members were given an opportunity to see for themselves that the new tests would still ban dangerous fabrics. Government and industry experts testified that this bill simply adjusts the original act to its professed purpose of barring those fabrics in wearing apparel which present unusual hazards while allowing the continued use of conventional fabrics with a long record of safety.

Because the original act goes into effect on June 30 of this year, it is important for the Congress to act quickly. New orders amounting to millions of dollars are being held up, with a serious business disruption, until Congress corrects this unintended effect of the act.

The Federal Trade Commission, which administers the act, the Department of Commerce, which supervises the effect of the act, and must report to Congress upon its effect, and the Department of State, all have testified strongly in favor of this bill and urge its early enactment. The textile industry strongly supports this measure and not one objection was received by our committee or subcommittee from the Government agencies or from industry or the public.

I urge my colleagues to approve the bill today.

TERMINATION OF FEDERAL SUPERVISION OVER PROPERTY OF CERTAIN TRIBES OF INDIANS IN WESTERN OREGON

The Senate proceeded to consider the bill (S. 2746) to provide for the termination of Federal supervision over the property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, and for other purposes, which had been reported from the Committee on Interior and Insular Affairs with amendments, on page 5, line 16, after the word "agreement", to insert a colon and *"Provided further,* That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary"; on page 6, line 24, after the word "encumbrance", to insert "The titles to all interests in trust or restricted land acquired by members of the tribes by devise or inheritance 2 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance"; on page 10, after line 17, to insert:

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake, within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

On page 12, line 5, after the word "tribe", to insert "or payable to the United States by the tribe"; and in line 7, after the word "individual", to insert "or tribe", so as to make the bill read:

Be it enacted, etc., That the purpose of this act is to provide for the termination of Federal supervision over the trust and restricted property of certain tribes and bands of Indians located in western Oregon and the individual members thereof, for the disposition of federally owned property acquired or withdrawn for the administration of the affairs of such Indians, and for a termination of Federal services furnished such Indians because of their status as Indians.

SEC. 2. For the purposes of this act:

(a) "Tribe" means any of the tribes, bands, groups, or communities of Indians located west of the Cascade Mountains in Oregon, including the following: Confederated Tribes of the Grand Ronde Community, Confederated Tribes of Siletz Indians, Alsea, Applegate Creek, Calapoyya, Chaftan, Champho, Chetco, Chetlessington, Chinook Clackamas, Clatskanie, Clatsop, Clowwewalla, Coos, Cow Creek, Euchees, Galic Creek, Grave, Joshua, Karok, Kathlamet, Kusotony, Kwatami or Sixes, Lakmiut, Long Tom Creek, Lower Coquille, Lower Umpqua, Maddy, Mackanotin, Mary's River, Multnomah, Munsel Creek, Naltunnetunne, Nehalem, Nestucca, Northern Molalla, Port Orford, Pudding River, Rogue River, Salmon River, Santiam, Scoton, Shasta, Shasta Costa, Siletz, Siulsaw, Skiloot, Southern Molalla, Takelma, Tillamook, Tolowa, Tualatin, Tututui, Upper Coquille, Upper Umpqua, Willamette Tumwater, Yamhill, Yaquina, and Yoncalla;

(b) "Secretary" means the Secretary of the Interior.

(c) "Lands" means real property, interest therein, or improvements thereon, and includes water rights.

(d) "Tribal property" means any real or personal property, including water rights, or any interest in real or personal property, that belongs to the tribe and either is held by the United States in trust for the tribe or is subject to a restriction against alienation imposed by the United States.

SEC. 3. Within 90 days after the date of this act, the Secretary shall publish in the Federal Register (1) a list of those tribes for which membership rolls will be required for the purposes of this act, and (2) a list of those tribes for which no membership rolls will be required for the purposes of this act. Each tribe on each list shall have a period of 6 months from the date of publication of the notice in which to prepare and submit to the Secretary a proposed roll of the members of the tribe living on the date of this act, which shall be published in the Federal Register. In the absence of applicable law, or eligibility requirements in an approved constitution, bylaws, or membership ordinance, eligibility for enrollment shall be determined under such rules and regulations as the Secretary may prescribe. No person shall be enrolled on more than one tribal roll prepared pursuant to this act. If a tribe on list one fails to submit such roll within the time specified in this section, the Secretary shall prepare a proposed roll for the tribe, which shall be published in the Federal Register. Any person claiming membership rights in the tribe or an interest in its assets, or a representative of the Secretary on behalf of any such person, may, within 90 days from the date of publication of the proposed roll, file an appeal with the Secretary contesting the inclusion or omission of the name of any person on or from such roll. The Secretary shall review such appeals and his decisions thereon shall be final and conclusive. After disposition of all such appeals the roll of the tribe shall be published in the Federal

Register and such roll shall be final for the purposes of this act.

SEC. 4. Upon publication in the Federal Register of the final roll as provided in section 3 of this act, the rights or beneficial interests in tribal property of each person whose name appears on the roll shall constitute personal property which may be inherited or bequeathed, but shall not otherwise be subject to alienation or encumbrance before the transfer of title to such tribal property as provided in section 5 of this act without the approval of the Secretary. Any contract made in violation of this section shall be null and void.

SEC. 5. (a) Upon request of a tribe, the Secretary is authorized within 2 years from the date of this act to transfer to a corporation or other legal entity organized by the tribe in a form satisfactory to the Secretary title to all or any part of the tribal property, real and personal, or to transfer to one or more trustees designated by the tribe and approved by the Secretary, title to all or any part of such property to be held in trust for management or liquidation purposes under such terms and conditions as may be specified by the tribe and approved by the Secretary, or to sell all or any part of such property and make a pro rata distribution of the proceeds of sale among the members of the tribe after deducting, in his discretion, reasonable costs of sale and distribution.

(b) Title to any tribal property that is not transferred in accordance with the provisions of subsection (a) of this section shall be transferred by the Secretary to one or more trustees designated by him for the liquidation and distribution of assets among the members of the tribe under such terms and conditions as the Secretary may prescribe: *Provided,* That the trust agreement shall provide for the termination of the trust not more than 3 years from the date of such transfer unless the term of the trust is extended by order of a judge of a court of record designated in the trust agreement: *Provided further,* That the trust agreement shall provide that at any time before the sale of tribal property by the trustees the tribe may notify the trustees that it elects to retain such property and to transfer title thereto to a corporation, other legal entity, or trustee in accordance with the provisions of subsection (a) of this section, and that the trustees shall transfer title to such property in accordance with the notice from the tribe if it is approved by the Secretary.

(c) The Secretary shall not approve any form of organization pursuant to subsection (a) of this section that provides for the transfer of stock or an undivided share in corporate assets as compensation for the services of agents or attorneys unless such transfer is based upon an appraisal of tribal assets that is satisfactory to the Secretary.

(d) When approving or disapproving the selection of trustees in accordance with the provisions of subsection (a) of this section, and when designating trustees pursuant to subsection (b) of this section, the Secretary shall give due regard to the laws of the State of Oregon that relate to the selection of trustees.

SEC. 6. (a) The Secretary is authorized and directed to transfer within 2 years after the date of this act to each member of each tribe unrestricted control of funds or other personal property held in trust for such member by the United States.

(b) All restrictions on the sale or encumbrance of trust or restricted land owned by members of the tribes (including allottees, purchasers, heirs, and devisees, either adult or minor) are hereby removed 2 years after the date of this act and the patents or deeds under which titles are then held shall pass the titles in fee simple, subject to any valid encumbrance. The titles to all interests in trust or restricted land acquired by members of the tribes by devise or inheritance 2 years or more after the date of this act shall vest in such members in fee simple, subject to any valid encumbrance.

(c) Prior to the time provided in subsection (d) of this section for the removal of restrictions on land owned by more than one member of a tribe, the Secretary may—

(1) Upon request of any of the owners, partition the land and issue to each owner a patent or deed for his individual share that shall become unrestricted 2 years from the date of this act;

(2) Upon request of any of the owners and a finding by the Secretary that partition of all or any part of the land is not practicable, cause all or any part of the land to be sold at not less than the appraised value thereof and distribute the proceeds of sale to the owners: *Provided,* That any one or more of the owners may elect before a sale to purchase the other interests in the land at not less than the appraised value thereof, and the purchaser shall receive an unrestricted patent or deed to the land; and

(3) If the whereabouts of none of the owners can be ascertained, cause such lands to be sold and deposit the proceeds of sale in the Treasury of the United States for safekeeping.

SEC. 7. (a) The act of June 25, 1910 (36 Stat. 855), the act of February 14, 1913 (37 Stat. 678), and other acts amendatory thereto shall not apply to the probate of the trust and restricted property of the members of the tribes who die 6 months or more after the date of this act.

(b) The laws of the several States, Territories, possessions, and the District of Columbia with respect to the probate of wills, the determination of heirs, and the administration of decedents' estates shall apply to the individual property of members of the tribes who die 6 months or more after the date of this act.

SEC. 8. The Secretary is authorized, in his discretion, to transfer to any tribe or any member or group of members thereof any federally owned property acquired, withdrawn, or used for the administration of the affairs of the tribes subject to this act which he deems necessary for Indian use, or to transfer to a public or nonprofit body any such property which he deems necessary for public use and from which members of the tribes will derive benefits.

SEC. 9. No property distributed under the provisions of this act shall at the time of distribution be subject to Federal or State income tax. Following any distribution of property made under the provisions of this act, such property and any income derived therefrom by the individual, corporation, or other legal entity shall be subject to the same taxes, State and Federal, as in the case of non-Indians: *Provided,* That for the purpose of capital gains or losses the base value of the property shall be the value of the property when distributed to the individual, corporation, or other legal entity.

SEC. 10. Prior to the transfer of title to, or the removal of restrictions from, property in accordance with the provisions of this act, the Secretary shall protect the rights of members of the tribes who are minors, non compos mentis, or in the opinion of the Secretary in need of assistance in conducting their affairs by causing the appointment of guardians for such members in courts of competent jurisdiction, or by such other means as he may deem adequate.

SEC. 11. Pending the completion of the property dispositions provided for in this act, the funds now on deposit, or hereafter deposited in the Treasury of the United States to the credit of a tribe shall be available for advance to the tribe, or for expenditure, for such purposes as may be designated by the governing body of the tribe and approved by the Secretary.

SEC. 12. The Secretary shall have authority to execute such patents, deeds, assignments, releases, certificates, contracts, and other instruments as may be necessary or appropriate to carry out the provisions of this act, or to establish a marketable and recordable title to any property disposed of pursuant to this act.

SEC. 13. (a) Upon removal of Federal restrictions on the property of each tribe and individual members thereof, the Secretary shall publish in the Federal Register a proclamation declaring that the Federal trust relationship to the affairs of the tribe and its members has terminated. Thereafter individual members of the tribe shall not be entitled to any of the services performed by the United States for Indians because of their status as Indians, all statutes of the United States which affect Indians because of their status as Indians, excluding statutes that specifically refer to the tribe and its members, shall no longer be applicable to the members of the tribe, and the laws of the several States shall apply to the tribe and its members in the same manner as they apply to other citizens or persons within their jurisdiction.

(b) Nothing in this act shall affect the status of the members of a tribe as citizens of the United States, or shall affect their rights, privileges, immunities, and obligations as such citizens.

(c) Prior to the issuance of a proclamation in accordance with the provisions of this section, the Secretary is authorized to undertake within the limits of available appropriations, a special program of education and training designed to help the members of the tribe to earn a livelihood, to conduct their own affairs, and to assume their responsibilities as citizens without special services because of their status as Indians. Such program may include language training, orientation in non-Indian community customs and living standards, vocational training and related subjects, transportation to the place of training or instruction, and subsistence during the course of training or instruction. For the purposes of such program the Secretary is authorized to enter into contracts or agreements with any Federal, State, or local governmental agency, corporation, association, or person. Nothing in this section shall preclude any Federal agency from undertaking any other program for the education and training of Indians with funds appropriated to it.

SEC. 14. (a) Effective on the date of the proclamation provided for in section 13 of this act, the corporate charter of the Confederated Tribes of the Grande Ronde Community, Oregon, issued pursuant to the act of June 18, 1934 (48 Stat. 984), as amended, and ratified by the community on August 22, 1936, is hereby revoked.

(b) Effective on the date of the proclamation provided for in section 13 of this act, all powers of the Secretary or other officer of the United States to take, review, or approve any action under the constitution and bylaws of the tribe are hereby terminated. Any powers conferred upon the tribe by such constitution which are inconsistent with the provisions of the act are hereby terminated. Such termination shall not affect the power of the tribe to take any action under its constitution and bylaws that is consistent with this act without the participation of the Secretary or other officer of the United States.

SEC. 15. The Secretary is authorized to set off against any indebtedness payable to the tribe or to the United States by an individual member of the tribe, or payable to the United States by the tribe, any funds payable to such individual or tribe under this act and to deposit the amount set off to the credit of the tribe or the United States as the case may be.

SEC. 16. Nothing in this act shall affect any claim heretofore filed against the United States by any tribe.

SEC. 17. Nothing in this act shall abrogate any valid lease, permit, license, right-of-way, lien, or other contract heretofore approved. Whenever any such instrument places in or reserves to the Secretary any powers, duties, or other functions with respect to the property subject thereto, the Secretary may transfer such functions, in whole or in part, to any Federal agency with the consent of such agency.

SEC. 18. The Secretary is authorized to issue rules and regulations necessary to effectuate the purposes of this act, and may in his discretion provide for tribal referenda on matters pertaining to management or disposition of tribal assets.

SEC. 19. All acts or parts of acts inconsistent with this act are hereby repealed insofar as they affect a tribe or its members. The act of June 18, 1934 (48 Stat. 948), as amended by the act of June 15, 1935 (49 Stat. 378), shall not apply to a tribe and its members after the date of the proclamation provided for in section 13 of this act.

SEC. 20. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PREFERENCE RIGHT TO USERS OF WITHDRAWN PUBLIC LANDS

The bill (H. R. 6186) to authorize the Secretary of the Interior to grant a preference right to users of withdrawn public lands for grazing purposes when the lands are restored from the withdrawal was considered, ordered to a third reading, read the third time, and passed.

BILL PASSED OVER

The bill (H. R. 1128) authorizing the Secretary of the Interior to issue to Jack Alexander a patent in fee to certain lands in the State of Alabama was announced as next in order.

Mr. HENDRICKSON. Mr. President, reserving the right to object, is there any Member on the floor who can explain why the bill does not provide for payment of fair value of the land?

The PRESIDING OFFICER. An explanation is requested of Calendar 1330, H. R. 1128.

Mr. HENDRICKSON. I note that the next bill, Calendar 1331, H. R. 2913, provides for the payment of fair value. I cannot understand why Calendar 1330, H. R. 1128, does not.

The PRESIDING OFFICER. An explanation has been requested.

Mr. GORE. Under the circumstances, I must ask that the bill be passed over.

The PRESIDING OFFICER. The bill will be passed over.

ISSUANCE OF PATENT FOR CERTAIN LANDS TO HAROLD K. BUTSON

The bill (H. R. 2913) to direct the Secretary of the Interior to issue a patent for certain lands to Harold K. Butson was considered, ordered to a third reading, read the third time, and passed.

ISSUANCE OF PATENT IN FEE TO ROBERT GRAHAM TO CERTAIN PUBLIC LANDS, MISSISSIPPI

The bill (H. R. 4816) authorizing the Secretary of the Interior to issue to Robert Graham a patent in fee to certain lands in the State of Mississippi was considered, ordered to a third reading, read the third time, and passed.

PURCHASE OF PUBLIC LANDS FOR HOMES, ETC.—BILL PASSED TO FOOT OF CALENDAR

The bill (H. R. 2512) to amend the act entitled "An act to provide for the purchase of public lands for homes and other sites" was announced as next in order.

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

Mr. SMATHERS. May we have an explanation of the bill?

The PRESIDING OFFICER. An explanation is requested of Calendar No. 1333.

Mr. WATKINS. Is that House bill 2512?

Mr. SMATHERS. It is.

Mr. WATKINS. I am a member of the committee which considered the bill. Although I was not present at the hearing, I have an explanation of the bill.

The purpose of this bill is to modernize the so-called Small Tract Act, to extend its application and improve its administration.

The language of the existing law has been rewritten throughout for clarity. Most of the changes are not important. The most important change is to permit the leasing of small tracts, even though unsurveyed. This provision will be of particular value in Alaska, where most of the land is not surveyed. The bill also extends the leasing authority to small tracts in the O and C lands in Oregon, but with appropriate safeguards.

The bill should do much to stimulate the development of Alaska.

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

Mr. SMATHERS. Mr. President, I ask that the bill be placed at the foot of the calendar.

The PRESIDING OFFICER. The bill will be placed at the foot of the calendar.

APPOINTMENT OF COL. LELAND HAZELTON HEWITT TO INTERNATIONAL BOUNDARY AND WATER COMMISSION OF THE UNITED STATES AND MEXICO

The bill (S. 3457) to authorize the appointment as United States Commissioner, International Boundary and Water Commission of the United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, 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 should like to know what salary this retired Army officer will draw as a member of the International Boundary and Water Commission; secondly, if he will at the same time draw retirement pay; and, thirdly, if after he serves without retirement pay and his service with the Commission terminates, he will revert to his previous status and draw retirement pay.

Mr. WILEY. I do not know whether I can answer all those questions. The Senator well knows that special authorization is required because of the provisions of the act of July 31, 1894, which bars retired officers of the armed services with retired pay of more than $2,500 from holding other public offices to which compensation is attached.

There are many precedents for this type of action in the Congress. Recent examples are Private Law 297—81st Congress—which concerned the appointment of Paul A. Smith to the Council of the International Civil Aviation Organization; Private Law 973—81st Congress—which authorized the appointment of Henry A. Byroade as Director of the Bureau of German Affairs in the Department of State; and Private Law 428—79th Congress—which authorized the appointment of Walter B. Smith as United States Ambassador to the Soviet Union.

In approving this bill, the committee does so in the belief that the statutory prohibition on the civil employment of retired officers of the armed services is wise and that exemptions should be made only after careful study and in cases where exceptional qualifications exist.

The committee feels that Colonel Hewitt is unusually qualified for the position to which the President of the United States desires to appoint him. The International Boundary and Water Commission, United States and Mexico, is charged with a great many functions relating to the equitable distribution of water between the United States and Mexico, construction of storage dams and other works, generation of hydroelectric power, flood control, and the operation of sanitation projects. Colonel Hewitt received his formal education at the United States Military Academy at West Point and the Massachusetts Institute of Technology and has worked for many years with the Army Corps of Engineers, particularly in their civil-engineering activities. He will bring unique knowledge and experience to the Commission. The committee, therefore, urges the Senate to give its approval to this bill enabling the President to appoint Colonel Hewitt as Commissioner.

As to the question of what his compensation will be, I am not sure that is mentioned in the report or in the bill.

He shall, however, receive the compensation provided for the office of United States Commissioner of said International Boundary and Water Commission, in lieu of retired pay to which he would be entitled as a retired officer of the United States Army.

In other words, I understand that once the bill is passed, and the appointment is made, he will receive that salary of a commissioner in lieu of his retirement pay, but when he ceases to be a member

of the commission, his right to be reinstated and to receive his retirement pay will not be prejudiced. What his retirement compensation is, I do not know.

Mr. GORE. Mr. President, is the Senator advised as to the duties of such a commissioner? What percentage of his time will be required?

Mr. WILEY. My understanding is that it is more or less a full-time job, although I remember that some years ago the name of another person was proposed as a Commissioner, and I am not adequately informed as to what happened.

Mr. GORE. Would the Senator from Wisconsin seriously object if I asked unanimous consent that the bill go to the foot of the calendar and be called at the end of the calendar, in order that some of us may have an opportunity to determine the compensation which is paid for such a position?

Mr. WILEY. No. I think I specified the duties very clearly. I cannot answer the question of the Senator from Tennessee as to whether the position would take all of the officer's time. I have read from the report what the functions of the Commission are. The Commission is charged with a great many duties relating to the equitable distribution of water between the United States and Mexico, construction of storage dams, generation of hydroelectric power, flood control, the operation of sanitation projects, and other works. That pretty well defines the duties of the Commission.

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

Mr. WILEY. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. With a great deal of hesitation, and at some risk, as a member of the Committee on Appropriations and the Subcommittee on the State Department, I wish to state, that if my memory is correct the Commission has the responsibility for the appropriation for building the various dams and other construction at the international boundary. It is the one appropriation for construction which comes under the State Department. There is an equal number of commissioners from Mexico and the United States. Considerable engineering work is involved. I have no knowledge of the qualifications of the gentleman in question. I do know that the members of the Commission are equally divided between the two countries, and that the Commission is responsible for building the dams, reservoirs, and all other construction at the international boundary on the Rio Grande. I cannot say whether or not it is a full-time job, but there is considerable responsibility involved, and the appropriation to the State Department for such purposes is quite substantial.

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

Mr. SALTONSTALL. I yield to the Senator from New Jersey.

Mr. HENDRICKSON. Will not the person in question receive the same compensation all other commissioners receive?

Mr. SALTONSTALL. I should assume so.

The PRESIDING OFFICER. On request of the Senator from Tennessee [Mr. GORE] the bill will go to the foot of the calendar.

REHABILITATION AT THE UNITED STATES MILITARY ACADEMY

The bill (S. 3446) to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy, and for other purposes, was considered, ordered to a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That section 101, title I, of the act approved January 6, 1951 (64 Stat. 1221), is hereby amended by inserting immediately following the words "Facilities for Army Field Force stations, $79,722,525" a comma and the following: "of which $497,000 shall be available for the repair, rehabilitation, and modification of cadet barracks, buildings Nos. 737 and 747, at the United States Military Academy, New York."

The title was amended so as to read: "A bill to amend the act of January 6, 1951 (64 Stat. 1221), by authorizing certain rehabilitation at the United States Military Academy."

ACCRUAL LEAVE BY MEMBERS OF THE ARMED FORCES HELD AS PRISONERS OF WAR IN KOREA

The Senate proceeded to consider the bill (S. 3270) to provide that leave accrued by members of the Armed Forces while held as prisoners of war in Korea shall not be counted in determining the maximum amount of leave which they have accumulated or have to their credit, which had been reported from the Committee on Armed Services with amendments, on page 2, line 7, after the word "section", to insert "and irrespective of whether the person entitled to such settlement has been discharged or released to inactive duty"; after line 13, to insert:

SEC. 2. The benefits of subsection (d) of section 3 of the Armed Forces Leave Act of 1946 shall not apply to any member of the Armed Forces who, on or before January 22, 1954, (1) was interned in a foreign country, (2) had an opportunity to be repatriated, and (3) did not accept repatriation.

And in line 19, to change the section number from "2" to "3", so as to make the bill read:

Be it enacted, etc., That (a) subsection (b) of section 3 of the Armed Forces Leave Act of 1946 is hereby amended by inserting immediately after "Notwithstanding any other provision of this act" the following: "(except subsection (d) of this section)."

(b) Such section 3 is hereby further amended by adding at the end thereof the following new subsection:

"(d) Leave accumulated or accrued by a member of the Armed Forces after June 27, 1950, while he was in the hands of a hostile force or interned in a foreign country shall not be counted in determining the maximum amount of leave which he is permitted to accumulate or have to his credit, and cash settlement may be made for such accumulated or accrued leave without regard to the limitations imposed by subsection (b) of this section, and irrespective of whether the person entitled to such settlement has been discharged or released to inactive duty. Leave taken by such member shall not be charged to the leave accumulated or accrued while he was in the hands of a hostile force or interned in a foreign country, unless he has no other accrued or accumulated leave which may be charged."

SEC. 2. The benefits of subsection (d) of section 3 of the Armed Forces Leave Act of 1946 shall not apply to any member of the Armed Forces who, on or before January 22, 1954, (1) was interned in a foreign country, (2) had an opportunity to be repatriated, and (3) did not accept repatriation.

SEC. 3. The amendments made by this act shall take effect as of June 27, 1950.

The amendments were agreed to.

Mrs. SMITH of Maine. Mr. President, I joined with my colleague from Maine in introducing this bill on April 8 because of our feeling that the Armed Forces Leave Act of 1946 was causing an unintended hardship to certain of our service personnel.

The Armed Forces Leave Act of 1946 overhauled and codified the procedures governing furloughs and leaves of absence for men and women in our military services.

Among other provisions is the limitation of 60 days that was fixed on the amount of leave which could be accrued by any one individual. This provision, while suitable and necessary as a matter of normal routine, has operated to the clear disadvantage of men who were captured and were prisoners of war during the Korean conflict.

These men obviously could not avail themselves of any leave credits which might accrue to them while in a prisoner-of-war status. As a consequence, they were required to forfeit all such credits in excess of 60 days.

Mr. President, it was most assuredly not the intent of the Armed Forces Leave Act to exact this added penalty from men who were already bearing the hardships of Communist prison camps, and the bill seeks to remedy this unintended situation by adding to section 3 of the Armed Forces Leave Act a new section which saves from forfeiture leave credits which accrued while a soldier was in a POW status subsequent to June 27, 1950.

The bill was very properly amended by the committee to insure that these benefits should not flow to an individual who, having been captured, refused an opportunity to be repatriated. A second committee amendment makes it clear that these benefits shall accrue to individuals who already have been discharged from active service, provided they are otherwise qualified.

It would seem that the action proposed by the bill is long overdue. The bill will affect approximately 3,500 persons, and will cost not to exceed $1 million, according to estimates given to the committee by representatives from the Department of Defense.

I am hopeful, Mr. President, that the Senate will see fit to give the bill the prompt approval which we feel it warrants.

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.

ENTERTAINMENT FOR PERSONNEL IN THE ARMED SERVICES

The Senate proceeded to consider the bill (S. 3401) to authorize the furnishing of information, radio and television entertainment, civilian education for personnel in the armed services, and for other purposes, which had been reported from the Committee on Armed Services with amendments, on page 2, line 19, after the word "exceed," to strike out "75" and insert "60," and after line 23, to insert a new section, as follows:

SEC. 3. This act and all authority conferred thereunder shall terminate at the close of July 31, 1956.

So as to make the bill read:

Be it enacted, etc., That the Secretary of Defense and the Secretaries of the military departments may, out of funds appropriated for such purposes, provide information, radio and television entertainment, and such civilian educational opportunities for military personnel as are deemed necessary to raise the educational level of such military personnel in the interest of the military preparedness and security of the Nation. Such radio and television entertainment provided shall be limited to radio and television programs either overseas or in isolated posts, camps, and stations in the United States. Shortwave programs may be broadcast from the United States if beamed to overseas areas. The information provided may include such service newspapers, pamphlets, motion pictures, and other informational facilities as the respective Secretaries may prescribe as necessary to inform properly and raise the educational level of military personnel. Educational opportunities may be provided by means of service-operated or sponsored correspondence courses, locally conducted academic classes, or such facilities as may be made available by those civilian educational institutions as may be recognized as accredited by the Office of Education of the Department of Health, Education, and Welfare, or by the cognizant agency of the respective States.

SEC. 2. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purpose of this act. Tuition assistance to service personnel, authorized under the first section of this act, shall not exceed 60 percent of such tuition fees charged by cooperating civilian educational institutions and shall be in accordance with such regulations as the Secretary of Defense may from time to time prescribe.

SEC. 3. This act and all authority conferred thereunder shall terminate at the close of July 31, 1956.

The amendments were agreed to.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

Mr. HENDRICKSON. Mr. President, I send to the desk an amendment, to strike out, on page 2, in line 25, the date, "July 31, 1956," and insert in lieu thereof "June 30, 1956."

The PRESIDING OFFICER. The Chair is advised that that date is included in an amendment which has been agreed to.

Mr. HENDRICKSON. Then, Mr. President, I ask unanimous consent that the vote by which the amendment on page 2, line 24, was agreed to be reconsidered.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will state the amendment offered by the Senator from New Jersey to the amendment of the committee.

The LEGISLATIVE CLERK. On page 2, in line 25, it is proposed to strike out "July 31, 1956," and insert "June 30, 1956."

Mr. HENDRICKSON. Mr. President, I understand the Senator from Massachusetts [Mr. SALTONSTALL] is willing to accept the amendment, whose sole purpose is to bring the bill into conformance with the fiscal year procedure.

Mr. SALTONSTALL. Mr. President, will the Senator from New Jersey yield to me?

Mr. HENDRICKSON. I yield gladly.

Mr. SALTONSTALL. I have been discussing the amendment with the assistant to the Armed Services Committee. I believe it would be better to make the date December 31, 1956, rather than June 30, 1956, for the reason that the school year generally ends in the later part of June; and to close up affairs and get all the accounts straightened out, it would be better to provide an additional 6 months, by making the date December 31, instead of June 30.

Mr. HENDRICKSON. Mr. President, I modify my amendment accordingly.

Mr. SALTONSTALL. I thank the Senator from New Jersey.

The PRESIDING OFFICER. The question is on agreeing to the amendment, as modified, of the Senator from New Jersey [Mr. HENDRICKSON] to the committee amendment on page 2, in line 25, namely, to strike out "July 31, 1956" and insert "December 31, 1956."

The amendment to the amendment was agreed to.

The amendment, as amended, was agreed to.

The bill (S. 3401) 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 Defense and the Secretaries of the military departments may, out of funds appropriated for such purposes, provide information, radio and television entertainment, and such civilian educational opportunities for military personnel as are deemed necessary to raise the educational level of such military personnel in the interest of the military preparedness and security of the Nation. Such radio and television entertainment provided shall be limited to radio and television programs either overseas or in isolated posts, camps, and stations in the United States. Shortwave programs may be broadcast from the United States if beamed to overseas areas. The information provided may include such service newspapers, pamphlets, motion pictures, and other informational facilities as the respective Secretaries may prescribe as necessary to inform properly and raise the educational level of military personnel. Educational opportunities may be provided by means of service operated or sponsored correspondence courses, locally conducted academic classes, or such facilities as may be made available by those civilian educational institutions as may be recognized as accredited by the Office of Education of the Department of Health, Education, and Welfare, or by the cognizant agency of the respective States.

SEC. 2. There are hereby authorized to be appropriated such funds as may be necessary to carry out the purpose of this act. Tuition assistance to service personnel, authorized under the first section of this act, shall not exceed 60 percent of such tuition fees charged by cooperating civilian educational institutions and shall be in accordance with such regulations as the Secretary of Defense may from time to time prescribe.

SEC. 3. This act and all authority conferred thereunder shall terminate at the close of December 31, 1956.

RETIRED PAY FOR CERTAIN ENLISTED MEN AND WARRANT OFFICERS

The bill (H. R. 1433) to entitle enlisted men and warrant officers advanced to commissioned rank or grade who are restored to their former enlisted or warrant officer status pursuant to section 3 of the act of June 19, 1948 (62 Stat. 505), to receive retired enlisted or warrant officer pay from November 1, 1946, or date of advancement, to date of restoration to enlisted or warrant officer status was considered, ordered to a third reading, read the third time, and passed.

ADMINISTRATIVE MATTERS AFFECTING THE FEDERAL GOVERNMENT

The bill (H. R. 2225) to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes, was announced as next in order.

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

THE SUPREME COURT'S DECISION IN THE SEGREGATION IN EDUCATION CASES

Mr. CASE. Mr. President, in view of the fact that the Chief Justice of the United States has just read a very sweeping and significant decision, and because of its interest to the public generally and because of the bearing the issues involved have upon legislation, I desire to use a few minutes at this time to read from one of the press reports on the decision of the Supreme Court in the so-called segregation cases.

The United Press report reads as follows:

The decision, a sweeping victory for Negroes, is probably the most important in United States race relations since the famous Dred Scott decision of 1857, which held that a Negro was not a citizen.

The Civil War reversed that decision.

Warren said because of the wide ramifications of the decision, formulation of specific decrees will be delayed until further arguments have been heard.

But the Court by Warren's opinion today laid down the rule that segregation is "a denial of equal protection of the laws" to Negroes.

This is the phraseology of the 14th amendment to the Constitution on which the Negroes relied in bringing their cases.

The momentous ruling invalidates many provisions in State constitutions, laws, and administrative regulations in the 17 States which now require segregation.

The 12-page ruling—a document that will rank in sociological significance with Lincoln's Emancipation Proclamation—swept aside the "separate but equal doctrine" laid down by the Supreme Court in 1896.

Under that doctrine, the tribunal has held in the past that Negroes must be given educational facilities equal to those afforded

white students but that the facilities could be separate.

The Court's decision not to issue the specific decrees at this time was apparently in recognition of the complexity of the issue and the physical difficulties involved in putting the ruling into effect.

Warren said further arguments will be heard, presumably in the fall, before the decrees are formulated.

Warren said that historical data proved "inconclusive" as to the intent of the framers of the 14th amendment. Warren said, however, that "in approaching this problem, we cannot turn the clock back to 1868 when the amendment was adopted or even to 1896 when *Plessy* v. *Ferguson* was written. (*Plessy* v. *Ferguson* was the case that established the "separate but equal doctrine" which Negroes have been fighting for 30 years to set aside.)

"We must consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these (complainants) of the equal protection of the laws.

"Today, education is perhaps the most important function of State and local government. * * *

"In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education.

"Such an opportunity, where the State has undertaken to provide it, is a right which must be made available to all on equal terms."

Mr. President, no doubt the decision is one which for weeks and months to come will be studied by Members of Congress and by people throughout the country. The decision will have an important bearing upon the legislative problems dealt with in this Chamber. The decision will have an important bearing upon the legislative work of the several States.

In my own State of South Dakota there have been times when we have had local problems arise incident to providing facilities for the education of Indians. I am glad to say, however, that the State of South Dakota has sought to live up to the spirit of its constitution, which is to provide equal education for all its citizens, Indians, as well as others. Such incidents as have arisen have largely had to do with the extent to which the Federal Government would share in the cost rather than dealing with segregation or discrimination as such.

So, Mr. President, under the logic the Chief Justice of the United States has used in pointing out that "today, education is perhaps the most important function of State and local government," I must applaud a decision which recognizes that "where States have undertaken to provide that education, it must be made available to all on equal terms."

Mr. MAYBANK. Mr. President, the Supreme Court decision today shocked me. In my judgment, it was a shameful and political, rather than a judicial decision.

Mr. LEHMAN. Mr. President, I ask unanimous consent to have printed in the body of the RECORD, at this point in my remarks, a statement I have made today commenting on the decision of the Supreme Court in the segregated school cases.

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

STATEMENT BY SENATOR LEHMAN COMMENTING ON THE SUPREME COURT'S DECISION IN THE SEGREGATED SCHOOL CASES

The Supreme Court, in declaring segregation unconstitutional, has spoken with authority and finality in outlawing the evil and degrading practice of segregation in our schools. The Court has found the meaning of our Constitution to be identical with the meaning of moral law, and has thus set the stage for a development which I believe will be of transcendental significance for the future of our country. I am happy that the Supreme Court decision was unanimous. I have never had any question concerning the outcome. Our Constitution is again shown to be a covenant fully applicable to the conditions of today. This is news which all freemen throughout the world must hail with joy. It is a victory which will have profound repercussions throughout Asia, among other places, in my judgment.

The implementation of the decision is left for future consideration. That implementation is, of course, of critical importance, and will require the utmost statesmanship on the part of all groups and elements in our population. I am sure we will meet the challenge and rise to the occasion.

ADMINISTRATIVE MATTERS AFFECTING THE FEDERAL GOVERNMENT

The PRESIDING OFFICER. Is there objection to the present consideration of House bill 2225?

There being no objection, the Senate proceeded to consider the bill (H. R. 2225) to provide for sundry administrative matters affecting the Federal Government, particularly the Army, Navy, Air Force, and State Department, and for other purposes, which had been reported from the Committee on Armed Services with an amendment, on page 3, line 12, after the word "credited", to insert a colon and *"And provided further,* That such sales shall be on a cash basis or such other basis as will reasonably assure prompt payment for such supplies."

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.

PERMANENT EMERGENCY POWERS FOR THE ADMINISTRATOR OF CIVIL DEFENSE

The bill (H. R. 7308) to repeal section 307 of title III of the Federal Civil Defense Act of 1950, as amended, was announced as next in order.

The PRESIDING OFFICER (Mr. CASE in the chair). Is there objection to the present consideration of the bill?

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

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

The PRESIDING OFFICER. The amendment of the Senator from New Jersey will be stated.

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

That section 307 of the Federal Civil Defense Act of 1950, as amended (50 U. S. C. App. 2297), is amended by striking out the date "June 30, 1954" and inserting in lieu thereof the date "June 30, 1958."

Mr. HENDRICKSON. Mr. President, I understand that the amendment is satisfactory to the distinguished chairman of the Armed Services Committee.

Mr. SALTONSTALL. As I understand the amendment of the Senator from New Jersey, it would establish a cutoff date in 4 years, rather than to make the law a permanent one.

Mr. HENDRICKSON. That is correct.

Mr. SALTONSTALL. I shall be glad to accept the amendment, if the Senator from New Jersey wishes me to do so.

Mr. HENDRICKSON. I am glad the Senator from Massachusetts is willing to accept the amendment.

Mr. KNOWLAND. Mr. President, will the Senator from New Jersey yield to me?

Mr. HENDRICKSON. I yield.

Mr. KNOWLAND. As I understood the amendment, as it was read, it is in the nature of a substitute, and would strike out all after the enacting clause of the bill. However, to judge from the explanation, it seems that the result of the amendment would only be to change the cutoff date. I believe we should have an explanation of the amendment.

Mr. HENDRICKSON. The Senator from California has stated the effect of the amendment, and I shall be glad to give an explanation.

Mr. KNOWLAND. Would not provision for a cutoff date simply involve the addition of an appropriate section to the bill, rather than to strike out all of the bill as reported by the committee?

Mr. HENDRICKSON. The provision to strike out all after the enacting clause is made because of the way the bill reads.

Mr. President, in explanation of the amendment, let me state that the Federal Civil Defense Act was enacted in 1950. Title 3 of that act provided standby emergency powers for the administrator in the event of an attack on the United States. Section 307 of title 3 provides:

The provisions of this title shall terminate on June 30, 1954, or on such earlier date as may be prescribed by concurrent resolution of the Congress.

The pending bill, H. R. 7308, would repeal that quoted provision, and thereby would make permanent the standby emergency authority.

It should be pointed out that the emergency powers in title 3 are entirely untried, and that if the bill is enacted in its present form, the only later congressional review that is assured is through the appropriation process. It is believed that it would be more desirable to require a later review of title 3; and this would be assured by providing a simple extender of the emergency authority for an additional 4 years, to wit, to June 30, 1958.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from New Jersey.

The amendment was agreed to.

The PRESIDING OFFICER. If there be no further amendment to be proposed, the question is on the engrossment of the amendment and the third reading of the bill.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill (H. R. 7308) was read the third time and passed.

LONG-TERM TIME CHARTER OF TANKERS BY SECRETARY OF THE NAVY—BILL PASSED OVER

The bill (S. 3458) to authorize the long-term time charter of tankers by the Secretary of the Navy, and for other purposes, was announced as next in order.

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

Mr. MAGNUSON. Mr. President, reserving the right to object, I should like to have an explanation of the bill.

Mr. SALTONSTALL. Mr. President, does the Senator from Washington object to the present consideration of the bill.

Mr. MAGNUSON. I reserve the right to object, in order to request an explanation.

Mr. SALTONSTALL. Will the Senator from Washington permit the bill to come up, first?

Mr. KNOWLAND. I think the point made by the Senator from Washington is that until a satisfactory explanation of the bill is given, he wishes to object to having the bill considered. Certainly it is proper to request that an explanation be made, before a decision is reached as to the present consideration of the bill.

Mr. SALTONSTALL. I will say, with a smile at the majority leader, that, knowing the interest of the Senator from Washington in construction of ships, I hope he will allow the bill to be considered. I am glad to make the explanation.

At the present time the Navy has a number of so-called T–2 tankers, which have a speed of about 16 knots and carry about 15,000 tons. The bill provides for the construction of 20 new tankers, to be between 25,000 and 32,000 tons in dead weight. They will take the place of 37 T–2 tankers which will be placed in mothballs. The new tankers will have a speed of 18 knots. They will be built, if the bill is enacted, by private owners, who will lease them to the Government for 10 years at $5 a deadweight ton a month.

The life of a tanker is approximately 20 years. It is estimated that two-thirds of their value will be gone at the end of the first 10 years, so there will be left with the owner approximately $2,500,000 in value, assuming that the ships cost $7,500,000, and he will have left the sum mentioned with which to operate the ships after the first 10 years.

The theory of the bill, which involves an operation which is to a certain extent experimental, is to provide new tankers to be built by private funds, the Navy to lease them for 10 years at $5 a dead-weight ton a month. At the end of 10 years they will become the property of the owners. These tankers will take the place of 37 T–2 tankers which have become obsolete. Such tankers must be especially built, in that they must be of shallower draft than the modern commercial tanker, which runs up to 45,000 dead-weight tons.

So far as cost to the Government is concerned, the very carefully prepared figures which the report contains show that the bill would provide a certain profit—but not too much profit—to the owners over a period of 10 years. Then, as I say, at the end of that time the owners will have the tankers to operate for another 10 years, to repay the Navy for the money borrowed for the construction of the tankers.

The tankers will be built in American shipyards, with American materials, so far is it is possible to obtain them.

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

Mr. SALTONSTALL. I yield.

Mr. MAGNUSON. I am sure the Senator knows that I understand the type of vessel involved. I am questioning the reversal of policy. If the Government needs tankers, why does not the Government build them? This is a new policy.

Mr. SALTONSTALL. It is not entirely a new policy, I understand. It is a new policy so far as tankers are concerned. It is a policy which will permit the Government to get out of the business of operating ships so far as possible.

Today we are being urged to have the merchant marine operated by private interests and not by the Government in competition with private interests. We are also being urged to have the ships operated by American civilian crews.

Mr. MAGNUSON. I understand that; but the proposed tanker is a prototype. This measure is parallel to the lease-purchase bill.

Mr. SALTONSTALL. No, it is not.

Mr. MAGNUSON. It is about the same thing.

Mr. SALTONSTALL. We discussed that question in committee. It is not the same as a lease-purchase operation, because the Government never purchases. I can show the Senator from Washington, if he cares to see it, a table setting forth, in parallel columns, the cost to the Government if the Government builds and operates the tankers, and the cost of having them privately built and operated. We went into that question with a great deal of care.

Mr. MAGNUSON. I am sure the committee did. However, we are establishing a policy of guaranteeing a private operator two-thirds of his money back, plus a reasonable profit, to which he is entitled. In the end the Government, in effect, guarantees the entire operation, and the operator winds up with a tanker which he can use for 8 years more speaking conservatively.

Mr. SALTONSTALL. The committee established a top limit——

Mr. MAGNUSON. What would be the reason for a private operator entering into such an arrangement if he were not permitted to make some money?

Mr. SALTONSTALL. The committee established a top limit. There is some question in my mind as to whether anyone will come forward and undertake these contracts. On the basis of the figures given to us, an operator would break even at $4.68 a deadweight ton, if the present figures are accurate.

Mr. MAGNUSON. But he is taking no risk.

Mr. SALTONSTALL. He is taking a certain risk.

Mr. MAGNUSON. What risk is he taking?

Mr. SALTONSTALL. He has a 10-year-old tanker when he is through.

Mr. MAGNUSON. For one-third of his cost?

Mr. SALTONSTALL. For one-third of his cost.

Mr. MAGNUSON. He is guaranteed whatever investment he makes, and a profit for 10 years. At the end of 10 years he gets the tanker for one-third of his cost. Conservatively speaking, he can use the tanker for 8 years more.

Mr. SALTONSTALL. In the meantime, we are getting a privately constructed ship at a cost which would be probably a little less than would be the cost to the Government if the Government were to build it. The tankers will be operated by American crews, under the American flag, by private operators, and not by the Government.

Mr. MAGNUSON. I can understand that. If the Government were to call for bids for the construction of tankers, the cost would be a little less than if the Senator or I called for bids from shipyards. My experience has been that when the Government has built ships, Government supervision of shipbuilding has resulted in more rapid construction, and in most cases the cost has been a little less.

Mr. SALTONSTALL. Government operation would probably cost a little more.

Mr. MAGNUSON. Why would it cost more?

Mr. SALTONSTALL. Government operation is always more expensive.

Mr. MAGNUSON. I am not talking about operation. I am talking about construction.

Mr. SALTONSTALL. The argument before the committee was that under private ownership the ships would be constructed more rapidly. They would be less subject to inspection here, inspection there, and inspection somewhere else, which results in delays.

All I can say to the Senator from Washington is that the point of view he now takes was taken originally by the distinguished Senator from Virginia [Mr. BYRD], who was rather strongly opposed to the lease-purchase bill.

The committee held two very full meetings. There were several conferences between the meetings. All I can say is that the National Security Council, at its highest level, advocates this program as an experiment, if you will, or an effort to keep private ships and shipyards operating. That recommendation comes from the National Security Council, through the Secretary of Defense.

Mr. MAGNUSON. The Government can still build the ships and charter them to private operators. That is done all the time.

The PRESIDING OFFICER. The time of the Senator has expired. Is there objection to the present consideration of the bill?

Mr. MAGNUSON. Mr. President, I ask unanimous consent to be allowed to proceed for 3 minutes longer.

The PRESIDING OFFICER. Without objection, the Senator from Washington may proceed for 3 minutes.

Mr. MAGNUSON. This plan has been bandied about for a year. It is similar to the program under the Lease-Purchase Act. It guarantees the private operator a profit, for 10 years, plus his construction cost. Then he gets the ship back. At the end of the 10-year period, the ship will have a useful life of at least 8 years more. The operator gets the ship back for one-third the cost. If the Government wants the ships, why does it not ask for an appropriation?

Mr. SALTONSTALL. The same question was raised in the committee. This is an effort to try to have our merchant marine operated by private interests which own the ships and have an interest in preserving the ships. These are not fleet tankers. These are not tankers which are to accompany our fleet.

Mr. MAGNUSON. I understand that. I know the type of ship, and I think we should have such tankers, but I cannot see why we should guarantee private operators a profit, as we are doing under the Lease-Purchase Act. If the Government needs the ships it ought to build them: It can charter them to private operators, if private operation is cheaper. That is done all the time.

Mr. SALTONSTALL. The whole idea is to try to stimulate private investment in ships. The Senator says that at the end of 10 years the operator gets the ship back for one-third of the cost. At the end of 10 years, two-thirds of the value of the tanker is gone—perhaps more. During the second 10-year period the ship is of very much less value, and there may not be very little in it from the point of view of the owner.

Mr. MAGNUSON. So long as the tanker operates, it does not make any difference whether it is 10 years old or 15 years old, particularly in a period such as this when tanker tonnage is very tight. At the end of 10 or 15 years a tanker may be just as useful as when it was new. It could be of more value to the operator at the end of a 10-year period, during the following 8 years, than it was during the first 10 years, during which time the Government was guaranteeing the subsidy.

Mr. SALTONSTALL. That is the guess of my distinguished friend from Washington, as opposed to the guess, we will say, of the Secretary of the Navy or of Admiral Denebrink who is in charge of the Military Sea Transport Service.

I would say to the Senator that what he has stated I have heard discussed in committee and in conference. It comes down to a question of policy.

Mr. MAGNUSON. That is correct.

Mr. SALTONSTALL. If the policy of the Senator from Washington is adopted it will mean that the Government will build these ships and own that much more of the merchant marine.

The PRESIDING OFFICER. The additional 3 minutes of debate have expired.

Mr. HENDRICKSON. Mr. President, I ask unanimous consent that the Senators may continue their colloquy for an additional 5 minutes.

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

Mr. MAGNUSON. I do not wish to continue this colloquy. The consideration of the bill comes down to a question of policy. It is the same policy we encountered in the lease-purchase bill. It is a completely new policy which guarantees private operators something which they did not have before. I believe the bill is too important to be passed on the call of the calendar. Therefore I ask that it go over.

The PRESIDING OFFICER. Objection is heard. The bill goes over.

INDEPENDENT OFFICES APPROPRIATIONS, 1955

The bill (H. R. 8583) making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, corporations, agencies, and offices for the fiscal year ending June 30, 1955, and for other purposes, was announced as next in order.

Mr. KNOWLAND. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

TRANSMISSION AND DISPOSITION OF ELECTRIC ENERGY GENERATED AT FALCON DAM

The bill (S. 3090) to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande was announced as next in order.

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

Mr. GORE. Mr. President, I ask unanimous consent that there be printed at this point in the RECORD a statement prepared by the junior Senator from Oregon [Mr. MORSE].

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

STATEMENT BY SENATOR MORSE

When this bill was considered two and a half weeks ago by the Public Works Committee, I proposed that the following language be included in the report:

"This provision would make applicable to this project the priorities provided in similar past legislation such as the Flood Control Act of 1944, namely, that electric power and energy will be marketed and will be made available to public bodies and cooperatives, subject only to such requirements of notice as may be necessary to permit satisfactory planning."

It was explained that the Department of the Interior had cast doubt upon the meaning of the preference clauses in existing law by its promulgation of the Missouri Basin Marketing Criteria. As originally issued, the Department's criteria had the effect of freezing preference at a given point of time, thereby denying to public and nonprofit agencies (such as rural electric co-ops) the opportunity to exercise preference rights some time after initial allocation of the power from a project is made. New co-ops coming into existence and those expanding service would be denied power at low rates or would be obliged to contract at the time of first allocation for more than its existing needs, thereby increasing consumer costs.

The committee adopted the language I proposed. Toward the close of the meeting a member of the committee came in and he was brought up to date on the committee's action. He said that as the Interior Department was to be the marketing agency he thought the proposed language should be submitted to the Secretary for comment. It was agreed that if the language were acceptable, the bill would be reported with the addition without further committee action.

It was agreed that if the Department of the Interior objected to the proposed language on preference, there would be not merely further consideration by the Public Works Committee but a hearing on the preference provisions.

Assistant Secretary Aandahl did object by letter dated May 5. On May 7 copies were distributed to committee members with a covering staff memorandum which concluded:

"In view of the foregoing changes in the situation since the commitee agreed on a contingent basis to report this bill, the memorandum is submitted for further instructions from the committee."

No further committee meeting was held on this bill. It was reported on May 14 without the language in the report tentatively adopted by the committee.

I submit that the bill is not properly before the Senate and should be withdrawn from the calendar by the committee.

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

Mr. GORE. At the request of the junior Senator from Oregon [Mr. MORSE], I request that the bill go over.

The PRESIDING OFFICER. The bill will go over.

REVISION OF ORGANIC ACT OF VIRGIN ISLANDS

The Senate proceeded to consider the bill (S. 3378) to revise the Organic Act of the Virgin Islands of the United States.

The PRESIDING OFFICER. The bill is before the Senate and open to amendment.

Mr. BUTLER of Nebraska. Mr. President, I offer three amendments to the bill.

In explanation, I will say that all Members of the Senate are cognizant of the fact that an outstanding citizen of the State of Iowa is now the appointed Governor of the Virgin Islands. He is of the Negro race. He is a graduate of the University of Iowa and a member of an outstanding contracting firm in the United States. We expect great things from his administration of the affairs of the Virgin Islands.

Some time ago, I and the staff of the committee sent to the newly elected Governor a copy of the proposed bill, and asked for his comment and suggestion of changes, if any.

He conferred with members of the Legislature in the Virgin Islands, and

sent us a communication which unfortunately did not reach the committee in time to be used as the basis of changes in the bill.

I therefore offer three amendments, which perhaps are minor in nature, but are of great importance to the people of the Virgin Islands. I ask that the amendments be stated.

The PRESIDING OFFICER. The Secretary will state the amendments.

The CHIEF CLERK. On page 8, line 17, after the word "thereof", it is proposed to strike out "for not to exceed a total of eight round trips during any calendar year."

On page 18, line 18, after the word "Islands", it is proposed to strike out "who shall reside in St. Croix during his official incumbency, and may reside in the government house on St. Croix free of rent", and on page 19, line 3, after the word "Governor.", it is proposed to strike out "He shall also serve as the Administrator for St. Croix, without additional compensation, and in that capacity shall act for the Governor in the administration of the affairs of St. Croix."

On page 28, line 1, after the word "division.", it is proposed to strike out "The practice and procedure in the district court shall be as prescribed by rules and orders of the court.", and in lieu thereof, to insert "The rules of practice and procedure heretofore or hereafter promulgated and made effective by the Supreme Court of the United States pursuant to section 2072 of title 28, United States Code, in civil cases, section 2073 of title 28, United States Code, in admiralty cases, and section 30 of the Bankruptcy Act in bankruptcy cases, shall apply to the district court of the Virgin Islands and to appeals therefrom. All offenses shall continue to be prosecuted in the district court by information as heretofore except such as may be required by local law to be prosecuted by indictment by a grand jury."

The PRESIDING OFFICER. The question is on agreeing to the amendments offered by the Senator from Nebraska [Mr. BUTLER].

The amendments were agreed to.

Mr. BUTLER of Nebraska. Mr. President, I ask unanimous consent that there be printed in the body of the RECORD at this point a statement which I have prepared on the bill.

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

STATEMENT BY SENATOR BUTLER OF NEBRASKA

This bill is urgently needed to provide an up-to-date and efficient structure of government for our small island possession in the Caribbean.

The present government of the Virgin Islands of the United States is based on the organic act of 1936, which is a patchwork system based to a large degree on old Danish law. The past years have demonstrated fully that the system is badly in need of modernization. To give only 1 example, the present organic act provides for 3 separate legislatures for this small possession, having only 25,000 people. The duplication and inefficiency of the present government system there is badly in need of correction.

This bill has been very carefully worked out on the basis of suggestions from all sources over the last 3 or 4 years. Last year I introduced by request three separate proposals for a revised organic act, proposed respectively by the United States Department of Interior, the Legislative Assembly of the Virgin Islands, and the Chamber of Commerce of St. Thomas. Then in December last year I visited the islands and held public hearings there on these three bills.

One of the most important changes is to abolish the duplication of three separate legislatures and establish in its place a single Legislature of the Virgin Islands. The bill also proposes that the duplicating departments and agencies of the island government be consolidated by the new governor, the Honorable Archie A. Alexander. I anticipate that the savings from eliminating this duplication will be tremendous. The bill also proposes to reduce the salary of the members of the legislature to an annual figure more nearly in line with the compensation of legislators in the various States. During recent years, the members of the Virgin Islands Legislative Assembly have voted themselves increases in compensation several times, to the point where they now receive up to $2,300 a year plus expenses to perform the legislative duties for these tiny islands.

The bill also strengthens the authority of local officials by providing an automatic grant to the Virgin Islands of a part of the revenue derived from the United States tax on rum. This grant is intended to replace the annual appropriations through the interior appropriation bill for municipal deficits, central administration, public works, and certain other purposes.

I believe this measure is vitally needed to make the new governor's administration in the Virgin Islands a success, and I hope we can act upon it without delay.

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, as follows:

Be it enacted, etc., That this act may be cited as the "Revised Organic Act of the Virgin Islands."

SEC. 2. (a) The provisions of this act, and the name "Virgin Islands" as used in this act, shall apply to and include the territorial domain, islands, cays, and waters acquired by the United States through cession of the Danish West Indian Islands by the convention between the United States of America and His Majesty the King of Denmark entered into August 4, 1916, and ratified by the Senate on September 7, 1916 (39 Stat. 1706). The Virgin Islands as above described are hereby declared an unincorporated territory of the United States of America.

(b) The government of the Virgin Islands shall have the powers set forth in this act and shall have the right to sue by such name and to be sued: *Provided*, That no tort action shall be brought against the government of the Virgin Islands or against any officer or employee thereof in his official capacity without the consent of the legislature constituted by this act.

The capital and seat of government of the Virgin Islands shall be located at the city of Charlotte Amalie, in the island of St. Thomas.

BILL OF RIGHTS

SEC. 3. No law shall be enacted in the Virgin Islands which shall deprive any person of life, liberty, or property without due process of law or deny to any person therein equal protection of the laws.

In all criminal prosecutions the accused shall enjoy the right to be represented by counsel for his defense, to be informed of the nature and cause of the accusation, to have a copy thereof, to have a speedy and public trial, to be confronted with the witnesses against him, and to have compulsory process for obtaining witnesses in his favor.

No person shall be held to answer for a criminal offense without due process of law, and no person for the same offense shall be twice put in jeopardy of punishment, nor shall be compelled in any criminal cause to give evidence against himself; nor shall any person sit as judge or magistrate in any case in which he has been engaged as attorney or prosecutor.

All persons shall be bailable by sufficient sureties in the case of criminal offenses, except for first-degree murder or any capital offense when the proof is evident or the presumption great.

Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

No law impairing the obligation of contracts shall be enacted.

No person shall be imprisoned or shall suffer forced labor for debt.

All persons shall have the privilege of the writ of habeas corpus and the same shall not be suspended except as herein expressly provided.

No ex post facto law or bill of attainder shall be enacted.

Private property shall not be taken for public use except upon payment of just compensation ascertained in the manner provided by law.

The right to be secure against unreasonable searches and seizures shall not be violated.

No warrant for arrest or search shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized.

Slavery shall not exist in the Virgin Islands.

Involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted by a court of law, shall not exist in the Virgin Islands.

No law shall be passed abridging the freedom of speech or of the press or of the right of the people peaceably to assembly and petition the government for the redress of grievances.

No religious test shall ever be required as a qualification to any office or public trust under the government of the Virgin Islands.

No person who advocates, or who aids or belongs to any party, organization, or association which advocates, the overthrow by force or violence of the government of the Virgin Islands or of the United States shall be qualified to hold any office of trust or profit under the government of the Virgin Islands.

No money shall be paid out of the Virgin Islands treasury except in accordance with an act of Congress or money bill of the legislature.

The contracting of polygamous or plural marriages is prohibited.

The employment of children under the age of 16 years in any occupation injurious to health or morals or hazardous to life or limb is prohibited.

Nothing contained in this act shall be construed to limit the power of the legislature herein provided to enact laws for the protection of life, the public health, or the public safety.

FRANCHISE

SEC. 4. The franchise shall be vested in residents of the Virgin Islands who are citizens of the United States 21 years of age or over. Additional qualifications may be prescribed by the legislature: *Provided, however*, That no property or income qualification shall ever be imposed upon or required of any voter, nor shall any discrimination in qualification be made or based upon difference in race, color, sex, or religious belief.

LEGISLATIVE BRANCH

SEC 5. (a) The legislative power and authority of the Virgin Islands shall be vested in a legislature, consisting of one house, to be designated the "Legislature of the Virgin Islands," herein referred to as the legislature.

(b) The legislature shall be composed of 11 members to be known as representatives. The Virgin Islands shall be divided into three legislative districts, as follows: the district of St. Thomas, comprising St. Thomas, Hassel, Water, Savana, Inner Brass, Outer Brass, Hans Lollik, Little Hans Lollik, Great St. James, Little St. James, and Capella Islands, Thatch Cay, and adjacent islets and cays; the district of St. Croix, comprising St. Croix and Buck Islands and adjacent islets and caps; and the district of St. John, comprising St. John and Flanagan Islands, Grass, Mingo, Lovango, and Congo cays, and adjacent islets and cays. Two representatives shall be elected by the qualified electors of the district of St. Thomas; 2 representatives shall be elected by the qualified electors of the district of St. Croix; and 1 representative shall be elected by the qualified electors of the district of St. John. The other six representatives at large and shall be elected by the qualified electors of the Virgin Islands from the Virgin Islands as a whole: *Provided,* That in the election of representatives at large, each elector shall be entitled to vote for two candidates, and the candidates receiving the largest number of votes shall be declared elected up to the number to be elected at that election. The order of names upon the ballot for each office shall be determined alphabetically for the first 500 ballots printed, and thereafter the names shall be alternated on each succeeding group of 500 ballots.

SEC. 6. (a) The term of office of each member of the legislature shall be 2 years. The term of office of each member shall commence on the second Monday in January following his election.

(b) No person shall be eligible to be a member of the legislature who is not a citizen of the United States, who has not attained the age of 25 years, who is not a qualified voter in the Virgin Islands, who has not been a bona fide resident of the Virgin Islands for at least 3 years next preceding the date of his election, or who has been convicted of a felony or of a crime involving moral turpitude and has not received a pardon restoring his civil rights. Federal employees and persons employed in the legislative, executive, or judicial branches of the government of the Virgin Islands shall not be eligible for membership in the legislature.

(c) All officers and employees charged with the duty of directing the administration of the electoral system of the Virgin Islands and its representative districts shall be appointed in such manner as the legislature may by law direct.

(d) No member of the legislature shall be held to answer before any tribunal other than the legislature for any speech or debate in the legislature and the members shall in all cases, except treason, felony, or breach of the peace, be privileged from arrest during their attendance at the sessions of the legislature and in going to and returning from the same.

(e) Each member of the legislature shall be paid the sum of $600 annually, one-third on the second Monday in January, one-third on the second Monday in February, and one-third at the close of the regular session. Each member of the legislature who is away from the island of his residence shall also receive the sum of $10 per day for each day's attendance while the legislature is actually in session, in lieu of his expenses for subsistence, and shall be reimbursed for his actual travel expenses in going to and returning from each session, or period thereof. The salaries, per diem, and travel allowances of the members of the legislature shall be paid by the Government of the United States.

(f) No member of the legislature shall hold or be appointed to any office which has been created by the legislature, or the salary or emoluments of which have been increased, while he was a member, during the term for which he was elected, or during 1 year after the expiration of such term.

(g) The legislature shall be the sole judge of the elections and qualifications of its members, shall have and exercise all the authority and attributes inherent in legislative assemblies, and shall have the power to institute and conduct investigations, issue subpena to witnesses and other parties concerned, and administer oaths. The rules of the Legislative Assembly of the Virgin Islands existing on the date of approval of this act shall continue in force and effect for sessions of the legislature, except as inconsistent with this act, until altered, amended, or repealed by the legislature.

(h) The Governor of the Virgin Islands shall fill any vacancy in the office of member of the legislature by appointment. If the vacant office is that of a representative from a district, the person appointed shall be a resident of the district from which the member whose office is vacant was elected. If the vacant office is that of a representative at large the person appointed may be a resident of any part of the Virgin Islands. In any case, the person appointed shall serve for the remainder of the unexpired term.

SEC. 7. (a) Regular sessions of the legislature shall be held annually, commencing on the second Monday in January, and shall continue for not more than 60 consecutive calendar days. The Governor may call special sessions of the legislature at any time when in his opinion the public interests may require it, but no special session shall continue longer than 15 calendar days, and the aggregate of such special sessions during any calendar year shall not exceed 30 calendar days. No legislation shall be considered at any special session other than that specified in the call therefor or in any special message by the Governor to the legislature while in such session.

(b) Sessions of the legislature shall be held in the capital of the Virgin Islands at Charlotte Amalie, St. Thomas.

SEC. 8. (a) The legislative authority and power of the Virgin Islands shall extend to all subjects of local application not inconsistent with this act or the laws of the United States made applicable to the Virgin Islands, but no law shall be enacted which would impair rights existing or arising by virtue of any treaty or international agreement entered into by the United States, nor shall the lands or other property of nonresidents be taxed at a higher rate than the lands or other property of residents. No public indebtedness of the Virgin Islands shall be authorized or allowed in excess of 10 percent of the aggregate tax valuation of the property in the Virgin Islands. Bonds or other obligations of the government of the Virgin Islands payable solely from revenues derived from any public improvement or undertaking shall not be considered public indebtedness of the Virgin Islands within the meaning of this section. All bonds issued by the government of the Virgin Islands or by its authority shall be exempt, as to principal and interest, from taxation by the Government of the United States or by the government of the Virgin Islands, or by any State or Territory or any political subdivision thereof, or by the District of Columbia.

(b) The laws of the United States applicable to the Virgin Islands on the date of approval of this act, including laws made applicable to the Virgin Islands by or pursuant to the provisions of the act of June 22, 1936 (49 Stat. 1807), and all local laws and ordinances in force in the Virgin Islands on the date of approval of this act shall, to the extent they are not inconsistent with this act, continue in force and effect until otherwise provided by the Congress: *Provided,* That the legislature shall have power, when within its jurisdiction and not inconsistent with the other provisions of this act, to amend, alter, modify, or repeal any local law or ordinance, public or private, civil or criminal, continued in force and effect by this act, except as herein otherwise provided, and to enact new laws not inconsistent with any law of the United States applicable to the Virgin Islands, subject to the power of Congress to annul any such act of the legislature.

(c) The President of the United States shall appoint a commission of 7 persons, at least 3 of whom shall be residents of the Virgin Islands, to survey the field of Federal statutes and to make recommendations to the Congress within 12 months after the date of approval of this act as to which statutes of the United States not applicable to the Virgin Islands on such date should be made applicable to the Virgin Islands, and as to which statutes of the United States applicable to the Virgin Islands on such date should be declared inapplicable. The members of the commission shall receive no salary for their service on the commission, but under regulations and in amounts prescribed by the Secretary of the Interior, they may be paid, out of Federal funds, reasonable per diem fees, and allowances in lieu of subsistence expenses, for attendance at meetings of the commission, and for time spent on official business of the commission, and their necessary travel expenses to and from meetings or when upon such official business, without regard to the Travel Expense Act of 1949.

(d) The Secretary of the Interior shall arrange for the preparation, at Federal expense, of a code of laws of the Virgin Islands, to be entitled the "Virgin Islands Code," which shall be a consolidation, codification and revision of the local laws and ordinances in force in the Virgin Islands. When prepared, the Governor shall submit it, together with his recommendations, to the legislature for enactment. Upon the enactment of the Virgin Islands Code it and any supplements to it shall be printed, at Federal expense, by the Government Printing Office as a public document.

SEC. 9. (a) The quorum of the legislature shall consist of seven of its members. No bill shall become a law unless it shall have been passed at a meeting, at which a quorum was present, by the affirmative vote of a majority of the members present and voting, which vote shall be by yeas and nays.

(b) The enacting clause of all acts shall be as follows: "Be it enacted by the Legislature of the Virgin Islands."

(c) The Governor shall submit at the opening of each regular session of the legislature a message on the state of the Virgin Islands and a budget of estimated receipts and expenditures, which shall be the basis of the appropriation bills for the ensuing fiscal year, which shall commence on the first day of July.

(d) Every bill passed by the legislature shall, before it becomes a law, be presented to the Governor. If the Governor approves the bill, he shall sign it. If the Governor disapproves the bill, he shall, except as hereinafter provided, return it, with his objections, to the legislature within 10 days Sundays excepted) after it shall have been presented to him. If the Governor does not return the bill within such period, it shall be a law in like manner as if he had signed it, unless the legislature by adjournment prevents its return, in which case it shall be a law if signed by the Governor within 30 days after it shall have been presented to him; otherwise it shall not be a law. When a bill is returned by the Governor to the

legislature with his objections, the legislature shall enter his objections at large on its journal and proceed to reconsider the bill. If, after such reconsideration, two-thirds of all the members of the legislature agree to pass the bill, it shall be presented anew to the Governor. If he then approves it, he shall sign it; if not, he shall within 10 days after it has been presented to him transmit it to the President of the United States. If the President approves the bill, he shall sign it. If he disapproves the bill, he shall return it to the Governor, so stating, and it shall not be a law. If the President neither approves nor disapproves the bill within 90 days from the date on which it is transmitted to him by the Governor, the bill shall be a law in like manner as if the President had signed it. If any bill presented to the Governor contains several items of appropriation of money, he may object to one or more of such items, or any part or parts, portion or portions thereof, while approving the other items, parts, or portions of the bill. In such a case he shall append to the bill, at the time of signing it, a statement of the items, or parts or portions thereof, to which he objects, and the items, or parts or portions thereof, so objected to shall not take effect.

(e) If at the termination of any fiscal year the legislature shall have failed to pass appropriation bills providing for payment of the obligations and necessary current expenses of the Government of the Virgin Islands for the ensuing fiscal year, then the several sums appropriated in the last appropriation bills for the objects and purposes therein specified, so far as the same may be applicable, shall be deemed to be reappropriated item by item.

(f) The legislature shall keep a journal of its proceedings and publish the same. Every bill passed by the legislature and the yeas and nays on any question shall be entered on the journal.

(g) Copies of all laws enacted by the legislature shall be transmitted within 15 days of their enactment by the Governor to the Secretary of the Interior and by him annually to the Congress of the United States.

SEC. 10. The next general election in the Virgin Islands shall be held on November 2, 1954. At such time there shall be chosen the entire membership of the legislature as herein provided. Thereafter the general elections shall be held on the first Tuesday after the first Monday in November, beginning with the year 1956, and every 2 years thereafter. The Municipal Council of St. Thomas and St. John, and the Municipal Council of St. Croix, existing on the date of approval of this act, shall continue to function until January 10, 1955, at which time all of the functions, property, personnel, records, and unexpended balances of appropriations and funds of the governments of the municipality of St. Thomas and St. John and the municipality of St. Croix shall be transferred to the government of the Virgin Islands and the said municipalities shall cease to exist.

EXECUTIVE BRANCH

SEC. 11. The executive power of the Virgin Islands shall be vested in an executive officer whose official title shall be the "Governor of the Virgin Islands", and shall be exercised under the supervision of the Secretary of the Interior. The Governor of the Virgin Islands shall be appointed by the President, by and with the advice and consent of the Senate, and shall hold office at the pleasure of the President and until his successor is chosen and qualified. The Governor shall reside in St. Thomas during his official incumbency, and may reside in the Government House on St. Thomas free of rent. He shall have general supervision and control of all the departments, bureaus, agencies and other instrumentalities of the executive branch of government of the Virgin Islands. He may grant pardons and reprieves and remit fines and forfeitures for offenses against the local laws, and may grant respites for all offenses against the laws of the United States applicable in the Virgin Islands until the decision of the President can be ascertained. He may veto any legislation as provided in this act. He shall appoint all officers and employees of the executive branch of the government of the Virgin Islands, except as otherwise provided in this or any other act of Congress, and shall commission all officers that he may be authorized to appoint. He shall be responsible for the faithful execution of the laws of the Virgin Islands and the laws of the United States applicable in the Virgin Islands. Whenever it becomes necessary he may call upon the commanders of the military and naval forces of the United States in the islands, or summon the posse comitatus, or call out the militia, to prevent or suppress violence, invasion, insurrection, or rebellion; and he may, in case of rebellion or invasion, or imminent danger thereof, when the public safety requires it, suspend the privilege of the writ of habeas corpus, or place the islands, or any part thereof, under martial law, until communication can be had with the President and the President's decision thereon made known. He shall annually, and at such other times as the President or the Congress may require, make official report of the transactions of the government of the Virgin Islands to the Secretary of the Interior, and his said annual report shall be transmitted to the Congress. He shall perform such additional duties and functions as may, in pursuance of law, be delegated to him by the President, or by the Secretary of the Interior. He shall have the power to issue executive regulations not in conflict with any applicable law. He may attend or may designate another person to represent him at the meetings of the legislature, may give expressions to his views on any matter before that body, and may recommend bills to the legislature.

SEC. 12. The President shall appoint a government secretary for the Virgin Islands. He shall have custody of the seal of the Virgin Islands and shall countersign and affix such seal to all executive proclamations and all other executive documents. He shall record and preserve the laws enacted by the legislature. He shall promulgate all proclamations and orders of the Governor and all laws enacted by the legislature. He shall have such executive powers and perform such other duties as may be assigned to him by the Governor.

SEC. 13. The Secretary of the Interior may from time to time designate the Government Secretary or the head of an executive department of the government of the Virgin Islands to act as Governor in the case of a vacancy in the offices, or the disability or temporary absence, of the Governor, and the person so designated shall have all the powers of the Governor for so long as such condition continues.

SEC. 14. (a) The Governor shall, within 1 year after the date of approval of this act, reorganize and consolidate the existing executive departments, bureaus, independent boards, agencies, authorities, commissions, and other instrumentalities of the government of the Virgin Islands or of the municipal governments into not more than nine executive departments, except for independent bodies whose existence may be required by Federal law for participation in Federal programs. The head of each executive department shall be designated as the commissioner thereof, and the commissioner of finance shall be bonded. No other department, bureau, independent board, agency, authority, commission, or other instrumentality shall be created, organized, or established by the Governor or the legislature, without the prior approval of the Secretary of the Interior, unless required by Federal law for participation in Federal programs.

(b) The Governor shall, from time to time, examine the organization of the executive branch of the government of the Virgin Islands, and shall make such changes therein, not inconsistent with this act, as he determines are necessary to promote effective management and to execute faithfully the purposes of this act and the laws of the Virgin Islands.

(c) The heads of the executive departments created by this act shall be appointed by the Governor, with the advice and consent of the legislature. Each shall hold office during the continuance in office of the Governor by whom he is appointed and until his successor is appointed and qualified, unless sooner removed by the Governor. Each shall have such powers and duties as may be prescribed by the legislature.

SEC. 15. (a) The Secretary of the Interior shall appoint a government comptroller who shall receive a salary of $12,500 per annum. The government comptroller shall hold office for a term of 10 years and until his successor is appointed and qualified unless sooner removed by the Secretary of the Interior for cause. The government comptroller shall not be eligible for reappointment.

(b) The government comptroller shall audit and settle all accounts and claims pertaining to the revenues and receipts from whatever source of the government of the Virgin Islands and of funds derived from bond issues; and he shall audit and settle, in accordance with law and administrative regulations, all expenditures of funds and property pertaining to the government of the Virgin Islands including those pertaining to trust funds held by the government of the Virgin Islands.

(c) It shall be the duty of the government comptroller to bring to the attention of the proper administrative officer failures to collect amounts due the government, and expenditures of funds or property which in his opinion are extravagant, excessive, unnecessary, or irregular.

(d) It shall be the duty of the government comptroller to certify to the Secretary of the Interior the net amount of government revenues which form the basis for Federal grants for the civil government of the Virgin Islands.

(e) The decisions of the government comptroller shall be final except that appeal therefrom may be taken by the party aggrieved or the head of the department concerned within one year from the date of the decision, to the Governor, which appeal shall be in writing and shall specifically set forth the particular action of the government comptroller to which exception is taken with the reasons and the authorities relied upon for reversing such decision.

(f) If the Governor confirms the decision of the government comptroller, then relief may be sought by appeal to the legislature or suit in the District Court of the Virgin Islands if the claim is otherwise within its jurisdiction.

(g) The government comptroller is authorized to communicate directly with any person having claims before him for settlement, or with any department officer or person having official relation with his office. He may summon witnesses and administer oaths.

(h) As soon after the close of each fiscal year as the accounts of said fiscal year may be examined and adjusted, the government comptroller shall submit to the Governor of the Virgin Islands an annual report of the fiscal condition of the government, showing the receipts and disbursements of the various departments and agencies of the government, classified according to municipalities.

(i) The government comptroller shall make such other reports as may be required by the Governor of the Virgin Islands, the Comptroller General of the United States, or the Secretary of the Interior.

(j) The office of the government comptroller shall be under the general supervision of the Secretary of the Interior, but shall not be a part of any executive department in the government of the Virgin Islands.

SYSTEM OF ACCOUNTS

SEC. 16. The Governor shall establish and maintain systems of accounting and internal control designed to provide—

(a) full disclosure of the financial results of the government's activities;

(b) adequate financial information needed for the government's management purposes;

(c) effective control over and accountability for all funds, property, and other assets for which the government is responsible, including appropriate internal audit; and

(d) reliable accounting results to serve as the basis for preparation and support of the government's request for the approval of the President or his designated representative for the obligation and expenditure of the internal-revenue collections as provided in section 26, the Governor's budget requests to the legislature, and for controlling the execution of the said budget.

SEC. 17. The office and activities of the government comptroller of the Virgin Islands shall be subject to review annually by the Comptroller General of the United States, and report thereon shall be made by him to the Governor, the Secretary of the Interior, and to the Congress.

SEC. 18. (a) The Governor shall receive an annual salary at the rate provided for Governors of Territories and possessions in the Executive Pay Act of 1949.

(b) The Government Secretary, the heads of the executive departments, and the members of the immediate staffs of the Governor and the Government Secretary, shall receive annual salaries at rates established by the Secretary of the Interior in accordance with the standards provided in the Classification Act of 1949.

(c) The salaries of the Governor, the Government Secretary, and the members of their immediate staffs shall be paid by the United States. The salaries of the government comptroller and the heads of the executive departments shall be paid by the government of the Virgin Islands; and if the legislature shall fail to make an appropriation for such salaries, the salaries theretofore fixed shall be paid without the necessity of further appropriations therefor.

JUDICIAL BRANCH

SEC. 19. The judicial power of the Virgin Islands shall be vested in a court of record to be designated the "District Court of the Virgin Islands," and in such court or courts of inferior jurisdiction as may have been or may hereafter be established by local law.

SEC. 20. The District Court of the Virgin Islands shall have the jurisdiction of a district court of the United States in all causes arising under the Constitution, treaties and laws of the United States. It shall have general original jurisdiction in all causes arising under the local law in force in the Virgin Islands, exclusive jurisdiction over which is not conferred by this act upon the inferior courts of the Virgin Islands. When it is in the interest of justice to do so the district court may on motion of any party transfer to the district court any action or proceeding brought in an inferior court and the district court shall have jurisdiction to hear and determine such action or proceeding. The district court shall also have appellate jurisdiction to review the judgments and orders of the inferior courts of the Virgin Islands to the extent now or hereafter prescribed by local law.

SEC. 21. The inferior courts now or hereafter established by local law shall have exclusive original jurisdiction of all civil actions wherein the matter in controversy does not exceed the sum or value of $500, exclusive of interest and costs, all criminal cases wherein the maximum punishment which may be imposed does not exceed a fine of $100 or imprisonment for 6 months, or both, and all violations of police and executive regulations, and they shall have original jurisdiction, concurrently with the district court, of all actions, civil or criminal, jurisdiction of which may hereafter be conferred upon them by local law. Any action or proceeding brought in the district court which is within the jurisdicton of an inferior court may be transferred to such inferior court by the district court in the interest of justice. The inferior courts shall hold preliminary investigations in charges of felony and charges of misdemeanor in which the punishment that may be imposed is beyond the jurisdiction granted to the inferior courts by this section, and shall commit offenders to the district court and grant bail in bailable cases. The rules governing the practice and procedure of the inferior courts and prescribing the duties of the judges and officers thereof, oaths and bonds, the times and places of holding court, and the procedure for appeals to the district court shall be as may hereafter be established by the district court. The rules governing disposition of fines, costs and forfeitures, enforcement of judgments, and disposition and treatment of prisoners shall be as established by law or ordinance in force on the date of approval of this act or as may hereafter be so established.

SEC. 22. The President shall, by and with the advice and consent of the Senate, appoint a judge for the District Court of the Virgin Islands, who shall hold office for the term of 8 years and until his successor is chosen and qualified, unless sooner removed by the President for cause. The salary of the judge of the district court shall be at the rate prescribed for judges of the United States district courts. Whenever it is made to appear that such an assignment is necessary for the proper dispatch of the business of the district court the chief judge of the Third Judicial Circuit of the United States may assign a circuit or district judge of the third circuit, or the Chief Justice of the United States may assign any other United States circuit or district judge with the consent of the judge so assigned and of the chief judge of his circuit, to serve temporarily as a judge of the District Court of the Virgin Islands. The provisions of chapter 49 of title 28, United States Code, shall apply to the District Court of the Virgin Islands. The compensation of the judge of the district court and the administrative expenses of the court shall be paid from appropriations made for the judiciary of the United States. The Attorney General shall, as heretofore, appoint a marshal and one assistant marshal for the Virgin Islands to whose office the provisions of chapter 33 of title 28, United States Code, shall apply.

SEC. 23. The Virgin Islands consist of two judicial divisions; the Division of St. Croix, comprising the island of St. Croix and adjacent islands and cays and the Division of St. Thomas and St. John, comprising the islands of St. Thomas and St. John and adjacent islands and cays. The district court shall hold sessions in each division at such time as the court may designate by rule, or order, at least once in 3 months in each division. The rules of practice and procedure heretofore or hereafter promulgated and made effective by the Supreme Court of the United States pursuant to section 2072 of title 28, United States Code, in civil cases, section 2073 of title 28, United States Code, in admiralty cases, and section 30 of the Bankruptcy Act in bankruptcy cases, shall apply to the District Court of the Virgin Islands and to appeals therefrom. All offenses shall continue to be prosecuted in the district court by information as heretofore except such as may be required by local law to be prosecuted by indictment by a grand jury. The process of the district court shall run throughout the Virgin Islands.

SEC. 24. In any criminal case originating in the district court, no person shall be denied the right to trial by jury on the demand of either party. If no jury is demanded the case shall be tried by the judge of the district court without a jury, except that the judge may, on his own motion, order a jury for the trial of any criminal action. The legislature may provide for trial in misdemeanor cases by a jury of six qualified persons.

SEC. 25. The President shall, by and with the advice and consent of the Senate, appoint a United States attorney for the Virgin Islands, who shall hold office for the term of 4 years and until his successor is chosen and qualified, unless sooner removed by the President for cause. The United States attorney, by himself or the assistant United States attorney, shall conduct all legal proceedings, civil and criminal, to which the Government of the United States or the government of the Virgin Islands is a party in the District Court of the Virgin Islands and in the inferior courts of the Virgin Islands. Offenses against the laws of the Virgin Islands shall be prosecuted in the name of the government of the Virgin Islands. The United States attorney shall perform his duties under the supervision and direction of the Attorney General of the United States. The Attorney General may appoint one assistant United States attorney. The Attorney General may authorize the employment of necessary clerical assistants. The compensation of the district attorney and his assistant and employees shall be fixed by the Attorney General and their salaries and the other necessary expenses of the office shall be paid from appropriations made to the Department of Justice. In the case of a vacancy in the office of the district attorney, the District Court of the Virgin Islands may appoint a district attorney to serve until the vacancy is filled. The order of appointment by the court shall be filed with the clerk of the court.

FISCAL PROVISIONS

SEC. 26. (a) The proceeds of customs duties, the proceeds of the United States income tax, the proceeds of any taxes levied by the Congress on the inhabitants of the Virgin Islands, and the proceeds of all quarantine, passport, immigration, and naturalization fees collected in the Virgin Islands, less the cost of collecting all of said duties, taxes, and fees, shall be covered into the treasury of the Virgin Islands, and shall be available for expenditure as the Legislature of the Virgin Islands may provide: *Provided*, That the term "inhabitants of the Virgin Islands" as used in this section shall include all citizens of the United States whose permanent residence is in the Virgin Islands, and such persons shall satisfy their income-tax obligations under applicable taxing statutes of the United States by paying their tax on income derived from all sources both within and outside the Virgin Islands into the treasury of the Virgin Islands: *Provided further*, That nothing in this act shall be construed to apply to any tax specified in section 3811 of the Internal Revenue Code.

(b) Subchapter B of chapter 28 of the Internal Revenue Code is amended by adding to section 3350 thereof the following subsection:

"(c) Disposition of internal revenue collections: Beginning with the fiscal year ending June 30, 1954, and annually thereafter, the Secretary of the Treasury shall determine the amount of all taxes imposed by, and collected during the fiscal year under, the internal revenue laws of the United States on articles produced in the Virgin Islands and transported to the United States. The amount so determined less 1 percent and less the estimated amount of refunds or

credits shall be subject to disposition as follows:

"(i) There shall be transferred and paid over to the government of the Virgin Islands from the amounts so determined a sum equal to the total amount of the revenue collected by the government of the Virgin Islands during the fiscal year, as certified by the Government Comptroller of the Virgin Islands. The moneys so transferred and paid over shall constitute a separate fund in the treasury of the Virgin Islands and may be expended as the legislature may determine: *Provided*, That the approval of the President or his designated representative shall be obtained before such moneys may be obligated or expended.

"(ii) There shall also be transferred and paid over to the government of the Virgin Islands during each of the fiscal years ending June 30, 1955, and June 30, 1956, the sum of $1 million, or the balance of the internal revenue collections available under this subsection (c) after payments are made under the preceding paragraph (i), whichever amount is greater. The moneys so transferred and paid over shall be deposited in the separate fund established by the preceding paragraph (i), but shall be obligated or expended for emergency purposes and essential public projects only, with the prior approval of the President or his designated representative.

"(iii) Any amounts remaining shall be deposited in the Treasury of the United States as miscellaneous receipts.

"If at the end of any fiscal year the total of the Federal contribution made under (i) above at the beginning of that fiscal year has not been obligated or expended for an approved purpose, the balance shall continue available for expenditure during any succeeding fiscal year, but only for approved emergency relief purposes and essential public projects as provided in (ii) above. The aggregate amount of moneys available for expenditure for emergency relief purposes and essential public projects only, including payments under (ii) above, shall not exceed the sum of $5 million at the end of any fiscal year. Any unobligated or unexpended balance of the Federal contribution remaining at the end of a fiscal year which would cause the moneys available for emergency relief purposes and essential public projects only to exceed the sum of $5 million shall thereupon be transferred and paid over to the Treasury of the United States as miscellaneous receipts."

(c) Notwithstanding any other provision of law, section 526 of the Tariff Act of 1930 (46 Stat. 741, 19 U. S. C., 1946 edition, sec. 1526) and section 42 of the Trade Mark Act of 1946 (60 Stat. 440, 15 U. S. C., 1946 edition, sec. 1124) shall not apply to the Virgin Islands.

(d) There shall be levied, collected, and paid upon all articles coming into the United States or its possessions from the Virgin Islands the rates of duty and internal revenue taxes which are required to be levied, collected, and paid upon like articles imported from foreign countries: *Provided*, That all articles, the growth or product of, or manufactured in, such islands, from materials grown or produced in such islands or in the United States, or both, or which do not contain foreign materials to the value of more than 50 percent of their total value, upon which no drawback of custom duties has been allowed therein, coming into the United States from such islands shall be admitted free of duty. In determining whether such a Virgin Islands article contains foreign material to the value of more than 50 percent, no material shall be considered foreign which, at the time the Virgin Islands article is entered, or withdrawn from warehouse for consumption, may be imported into the continental United States free of duty generally.

MISCELLANEOUS PROVISIONS

SEC. 27. All officials of the government of the Virgin Islands shall be citizens of the United States. Every member of the Legislature of the Virgin Islands and all officers and employees of the government of the Virgin Islands shall before entering upon the duties of their respective offices, or, in the case of persons in the employ of the government of the Virgin Islands on the effective date of this act, then within 60 days of the effective date thereof, make a written statement in the following form:

"I, _____, do solemnly swear (or affirm) that I will support, obey, and defend the Constitution and laws of the United States applicable to the Virgin Islands and the laws of the Virgin Islands, and that I will discharge the duties of_____ _____ with fidelity.

"And I do further swear (or affirm) that I do not advocate, nor am I knowingly a member of any organization that advocates, the overthrow of the Government of the United States or of the Virgin Islands by force or violence or other unconstitutional means, or seeking by force or violence to deny other persons their rights under the Constitution and laws of the United States applicable to the Virgin Islands or the laws of the Virgin Islands.

"And I do further swear (or affirm) that I will not so advocate nor will I knowingly become a member of such organization during the period that I am an employee of the Virgin Islands."

SEC. 28. All reports required by law to be made by the Governor to any official of the United States shall hereafter be made to the Secretary of the Interior, and the President is hereby authorized to place all matters pertaining to the government of the Virgin Islands under the jurisdiction of the Secretary of the Interior, except matters relating to the judicial branch of said government which on the date of approval of this act are under the supervision of the Director of the Administrative Office of the United States Courts.

SEC. 29. (a) The Secretary of the Interior shall be authorized to lease or to sell upon such terms as he may deem advantageous to the Government of the United States any property of the United States under his administrative supervision in the Virgin Islands not needed for public purposes.

(b) The government of the Virgin Islands shall continue to have control over all public property that is under its control on the date of approval of this act.

SEC. 30. Section 6 of the act of August 30, 1890 (26 Stat. 414, 416), as amended (21 U. S. C., 1946 edition, sec. 104), is further amended by inserting the words "and the admission into the Virgin Islands" immediately following the word "Texas," so that such section will read as follows:

"The importation of cattle, sheep, and other ruminants, and swine, which are diseased or infected with any disease, or which shall have been exposed to such infection within 60 days next before their exportation, is prohibited: *Provided*, That the Secretary of Agriculture, within his discretion and under such regulations as he may prescribe, is authorized to permit the admission from Mexico into the State of Texas and the admission into the Virgin Islands of cattle which have been infested with or exposed to ticks upon being freed therefrom. Any person who shall knowingly violate the foregoing provision shall be deemed guilty of a misdemeanor and shall, on conviction, be punished by a fine not exceeding $5,000, or by imprisonment not exceeding 3 years, and any vessel or vehicle used in such unlawful importation within the knowledge of the master or owner of such vessel or vehicle that such importation is diseased or has been exposed to infection as herein described, shall be forfeited to the United States."

SEC. 31. Section 2 of the act of February 2, 1903 (32 Stat. 791, 792), as amended (21 U. S. C., 1946 edition, sec. 111), is hereby further amended by striking out the period and adding at the end thereof the following: ": *Provided*, That no such regulations or measures shall pertain to the introduction of live poultry into the Virgin Islands of the United States."

SEC. 32. This act shall take effect upon its approval, but until its provisions shall severally become operative as herein provided, the corresponding legislative, executive, and judicial functions of the existing government shall continue to be exercised as now provided by law or ordinance, and the incumbents of all offices under the government of the Virgin Islands shall continue in office until their successors are appointed and have qualified unless sooner removed by competent authority. The enactment of this act shall not affect the term of office of the judge of the district court of the Virgin Islands in office on the date of its enactment.

SEC. 33. There are hereby authorized to be appropriated annually by the Congress of the United States such sums as may be necessary and appropriate to carry out the provisions and purposes of this act.

SEC. 34. Except to the extent necessary to implement the provisions of section 35, the act of June 22, 1936 (49 Stat. 1807), and any other provisions of law inconsistent with this act are hereby repealed.

LT. HAYDEN R. FORD

The PRESIDING OFFICER. The Secretary will state the first bill passed to the foot of the calendar.

The bill (S. 2450) for the relief of Lt. Hayden R. Ford was announced as next in order.

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

Mr. HENDRICKSON. Mr. President, may we have an explanation of the bill for the RECORD?

Mr. KEFAUVER. Mr. President, this bill is to relieve Lt. Hayden R. Ford, who is employed by the Corps of Engineers in the city of Nashville, Tenn., from liability to repay to the United States a sum in excess of $14,000.

The situation is that he was entitled to retirement pay in 1945. The amount in the bill is that which was paid to him by the Veterans' Administration as retirement pay.

In his letter to the Veterans' Administration Lieutenant Ford gave notice of the amount he was receiving in his employment with the Corps of Engineers, and the Government had notice of the fact that his retirement pay and salary combined did amount to more than $3,000, which is the limit established by law with respect to dual compensation. The Government, therefore, had notice of the fact that he was receiving an amount in excess of that limit. The young man is of good family, is married and has a family, and he is employed by the Corps of Engineers. He has no means with which to make repayment, and unless the bill is enacted it will mean that he will lose his employment with the Government. In any event the Government will not be benefited, because his income is too small for him to repay the amount owed the Government.

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

Mr. KEFAUVER. I yield.

Mr. HENDRICKSON. Over what period of time did these overpayments extend?

Mr. KEFAUVER. From July 1945 to January 1953.

Mr. HENDRICKSON. Almost 10 years.

Mr. KEFAUVER. Almost 10 years.

Mr. HENDRICKSON. I thank the Senator. I have no objection.

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

There being no objection, the bill (S. 2450) for the relief of Lt. Hayden R. Ford was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That Lt. Hayden R. Ford, United States Air Force, retired, Nashville, Tenn., is hereby relieved of all liability to repay to the United States the sum of $14,383.56, which was erroneously paid to him by reason of the failure on the part of the Veterans' Administration and the Department of the Air Force to reduce, pursuant to section 212 of the act of June 30, 1932, as amended (47 Stat. 406) (limiting the amount of retired pay of certain commissioned officers holding positions under the United States Government), the amounts payable to the said Lt. Hayden R. Ford as a retired commissioned officer of the Air Force while he was employed as a civilian by the Army engineers.

APPOINTMENT OF COL. LELAND HAZELTON HEWITT AS UNITED STATES COMMISSIONER, INTERNATIONAL BOUNDARY AND WATER COMMISSION OF THE UNITED STATES AND MEXICO

The PRESIDING OFFICER. The Secretary will call the next bill passed to the foot of the calendar.

The bill (S. 3457) to authorize the appointment as United States Commissioner, International Boundary and Water Commission of the United States and Mexico, of Col. Leland Hazelton Hewitt, United States Army, retired, 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. Over.

The PRESIDING OFFICER. Objection is heard. The bill will be passed over.

That completes the call of the calendar and the Chair lays before the Senate the unfinished business.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

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	Green	Monroney
Barrett	Hendrickson	Purtell
Bridges	Hill	Robertson
Capehart	Holland	Saltonstall
Case	Hunt	Schoeppel
Chavez	Ives	Smathers
Clements	Kefauver	Smith, Maine
Cordon	Kilgore	Smith, N. J.
Daniel	Knowland	Sparkman
Ellender	Kuchel	Stennis
Ferguson	Magnuson	Thye
Fulbright	Mansfield	Watkins
Gillette	Maybank	Wiley
Gore	Millikin	Young

Mr. SALTONSTALL. I announce that the Senator from Maryland [Mr. BUTLER] is absent by leave of the Senate.

The Senator from Ohio [Mr. BRICKER] and the Senator from Kentucky [Mr. COOPER] are absent on official business.

The Senator from Maryland [Mr. BEALL], the Senator from Pennsylvania [Mr. DUFF], the Senator from Pennsylvania [Mr. MARTIN], and the Senator from New Hampshire [Mr. UPTON] are necessarily absent.

Mr. CLEMENTS. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Ohio [Mr. BURKE], the Senator from Illinois [Mr. DOUGLAS], the Senator from Arizona [Mr. HAYDEN], the Senator from Minnesota [Mr. HUMPHREY], the Senator from Texas [Mr. JOHNSON], the Senator from Oklahoma [Mr. KERR], the Senator from North Carolina [Mr. LENNON], and the Senator from Georgia [Mr. RUSSELL] are absent on official business.

The Senator from Nevada [Mr. MCCARRAN] is absent by leave of the Senate.

The PRESIDING OFFICER. A quorum is not present.

Mr. KUCHEL. Mr. President, I move that the Sergeant at Arms be directed to request the attendance of 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. BENNETT, Mrs. BOWRING, Mr. BUSH, Mr. BUTLER of Nebraska, Mr. BYRD, Mr. CARLSON, Mr. DIRKSEN, Mr. DWORSHAK, Mr. EASTLAND, Mr. FLANDERS, Mr. FREAR, Mr. GEORGE, Mr. GOLDWATER, Mr. HENNINGS, Mr. HICKENLOOPER, Mr. JACKSON, Mr. JENNER, Mr. JOHNSON of Colorado, Mr. JOHNSTON of South Carolina, Mr. KENNEDY, Mr. LANGER, Mr. LEHMAN, Mr. LONG, Mr. MALONE, Mr. MCCARTHY, Mr. MCCLELLAN, Mr. MORSE, Mr. MUNDT, Mr. MURRAY, Mr. NEELY, Mr. PASTORE, Mr. PAYNE, Mr. POTTER, Mr. SYMINGTON, Mr. WELKER, and Mr. WILLIAMS entered the Chamber and answered to their names.

The PRESIDING OFFICER. A quorum is present.

Mr. WILEY. Mr. President, I am in a rather unusual situation, in that, not being a Senator who engages in fireworks, I must today speak on the fireworks bill. [Laughter.]

Mr. President, because of the small number of Senators present, I ask unanimous consent that the Senate proceed at once to the consideration of the committee amendments.

The PRESIDING OFFICER (Mr. BUSH in the chair). The Secretary will state the committee amendments.

The committee amendments were stated by the legislative clerk, as follows:

On page 1, line 8, after the word "State", to strike out "knowingly imports or"; in line 10, after the word "do", to strike out "unless" and insert "knowing that"; on page 2, line 3, after the word "manner", to strike out "and" and insert "or"; in the same line, after the word "use", to strike out "not"; in line 4, after the word "State", to insert "specifically prohibiting or regulating the use of fireworks"; in line 8, after the word "carrier", to strike out "or to a freight forwarder"; and in line 9, after the word "commerce", to insert "or to the transportation of fireworks in to a State for the use of Federal agencies in the carrying out or the furtherance of their operations."

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

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

Mr. WILEY. Mr. President, the Senator from Florida [Mr. HOLLAND] desires to offer an amendment, to which I have no objection and which I shall accept. In view of the fact that there is no controversy over the amendment, I suggest that the Senate proceed to the consideration of the amendment to be offered by the Senator from Florida.

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

The PRESIDING OFFICER. The Secretary will state the amendment.

The CHIEF CLERK. At the end of the bill, it is proposed to add the following new section:

SEC. 3. This act shall not be effective with respect to—

(1) the transportation of fireworks into any State or Territory for use solely for agricultural purposes,

(2) the delivery of fireworks for transportation into any State or Territory for use solely for agricultural purposes, or

(3) any attempt to engage in any such transportation or delivery for use solely for agricultural purposes,

until 60 days have elapsed after the commencement of the next regular session of the legislature of such State or Territory which begins after the date of enactment of this act.

Mr. HOLLAND. Mr. President, the distinguished Senator from Wisconsin has asked me to explain the amendment briefly.

In explanation, I first send to the desk several communications which I have received. The first one is from Hon. Nathan Mayo, commissioner of agriculture of the State of Florida. It is in the form of a telegram sent to me under date of May 10. I may say that Mr. Mayo is one of the finest public servants our State has ever had.

The second communication is a letter dated May 13 addressed to me by Mr. M. U. Mounts, county agent, Cooperative Extension Work in Agriculture and Home Economics of the State of Florida for Palm Beach County.

The third communication is a letter dated May 13 addressed to me by Mr. W. T. Forsee, Jr., chemist in charge, agricultural experiment stations, University of Florida, Everglades Experiment Station, at Belle Glade, Fla.

I ask unanimous consent that the communications be printed in the RECORD at this point as a part of my remarks.

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

TALLAHASSEE, FLA., *May 10, 1954.*

Hon. SPESSARD L. HOLLAND,
United States Senate:

In Florida, as you know, birds are very destructive to corn and other field crops. Use of firecrackers to frighten birds away has proven effective and economical and is better method than killing birds with guns or poison. Believe it would be disastrous to Florida agriculturists if H. R. 116 passed. Let me strongly urge you to use every effort possible to have H. R. 116 amended so as to protect Florida farmers in continued use of fireworks for agricultural purposes or to postpone effective date of this bill until State legislatures of various States have opportunity to act upon this matter.

NATHAN MAYO,
Commissioner of Agriculture.

COOPERATIVE EXTENSION WORK IN AGRICULTURE AND HOME ECONOMICS,
STATE OF FLORIDA,
West Palm Beach, May 13, 1954.

Hon. SPESSARD L. HOLLAND,
Senate Office Building,
Washington, D. C.

DEAR SENATOR HOLLAND: We have been informed by Mr. Jaffre David of the Florida Fruit and Vegetable Association of your need for information on the problem of blackbirds and our sweet-corn corp.

According to the Bureau of Agricultural Economics and the Crop Reporting Service, Palm Beach County harvested 19,825 acres of sweet corn in the season 1952–53. All but approximately 2,500 acres of this crop was concentrated in the Everglades area of the county, the coastal area back of Boynton Beach and Delray Beach having a small mid-winter crop.

Sweet corn will be maturing for harvest from late November into June. Our blackbird population can find ample acreage on which to feed during this entire period. These busy little birds will completely ruin the marketability of entire fields if not controlled. Corn is a crop the trade does not accept unless it is top quality and grade. It is a loss of time and money to attempt the harvesting of damaged corn. Farmers in the past have utilized planes and guns in controlling the blackbird menace.

This new firecracker system, oddly enough, is efficient and is much more economical. As can also be seen this method does not disturb the sensitivities of the ultra conservationist.

We are asking the Everglades Experiment Station to send you one of their reports.

Sincerely yours,

M. U. MOUNTS,
County Agent.

AGRICULTURAL EXPERIMENT STATIONS, UNIVERSITY OF FLORIDA,
EVERGLADES EXPERIMENT STATION,
Belle Glade, Fla., May 13, 1954.

Hon. SPESSARD L. HOLLAND,
United States Senate,
Washington, D. C.

DEAR SENATOR HOLLAND: It has come to my attention that the Congress of the United States has had introduced for its consideration House bill 116, which will prohibit the sale of firecrackers in any State where there is a State law prohibiting such sales. As I understand it, the proposed law could make it impossible for any group or individual in the State of Florida to obtain firecrackers regardless of the purpose for which they may be used because Florida has a law prohibiting retail sales of fireworks.

As you perhaps know, we have a serious blackbird problem here in the Everglades and south Florida area involving more than 20,000 acres of sweet corn which is grown for the fresh market. Extensive damage occurs from two factors. First, the birds pull the young seedlings which results in poor stands. Second, extensive damage is done to the ears just before harvesting which makes them unacceptable to the market. In order to prevent this damage growers have resorted to the use of shotguns on smaller acreages and low-flying airplanes equipped with claxon horns on larger acreages. This protection is estimated to cost up to $10 per acre. Rental of a plane and pilot is $70 per day and protection is required for several days preceding harvest.

Last fall, at the suggestion of Mr. Emil A. Wolf, horticulturist here at the Everglades Experiment Station, we initiated some correspondence with Dr. A. L. Nelson, director, Patuxent Research Refuge, United States Department of Interior, Fish and Wild Life Service, Laurel, Md., with a request for initiation of some research studies in this area for bird control in corn similar to research that had been carried on in rice-producing areas of Arkansas and the sweet-corn-producing areas of New Jersey. This request was supported by similar requests from growers in the area and the Florida Fruit and Vegetable Association.

As a result, Mr. Robert T. Mitchell, biologist, United States Fish and Wild Life Service, was assigned to this area for about 2 months during February, March, and April. He conducted extensive research on the control of blackbirds and succeeded in working out effective measures which are considerably cheaper and perhaps more effective than those presently in use. His methods were so successful that some of our growers have adopted the control procedures and are using them this spring. We are using the same methods of routine control for our experimental work with sweet corn here at the experiment station. I am attaching two copies of Experiment Station Mimeo Report No. 54–2, Instructions for the Use of Firecrackers To Protect Corn From Blackbirds in the Florida Everglades Area. This report is a result of the work recently completed.

It is readily understood from the control measures recommended in the report that it will be necessary for the sweet-corn growers in this area to be able to obtain firecrackers in large quantities to be used in the assembly of devices recommended for the control of blackbirds in cornfields. I am supplying you with this information with the hope that some procedure can be worked out in any law which might be passed by our Congress that will allow unrestricted purchase and use of firecrackers for agricultural purposes.

Sincerely yours,

W. T. FORSEE, Jr.,
Chemist in Charge.

Mr. HOLLAND. Ever since this question arose, my attention has been called to the fact that agriculture in several areas of the Nation is interested in the use of firecrackers for the protection of certain crops from the depredation of birds. Apparently there has been grave criticism by various conservation agencies to the destruction of birds by the use of poison and by shooting, which had occurred in some areas for protective purposes. The other method used, buzzing by airplanes, has proved to be very expensive.

Therefore, in the last 2 or 3 years, as a very recent matter, there has been developed the use of firecrackers, with long-burning fuses, and the attachment of firecrackers to the fuses at such distances that they are fired over regular intervals, which has proved to be a very highly effective means of protection from birds particularly in the raising of sweet corn, field corn, rice, and other crops. Consequently there is a request from various groups in agriculture that the pending measure be so amended as to except from this measure the transportation and use of fireworks for these agricultural purposes until State legislatures have the chance to appropriately amend State laws.

The amendment I have offered is designed to accomplish that purpose.

The amendment has been approved by Mr. Charles H. Callison, conservation director, National Wildlife Federation, and by various agricultural agencies.

So far as I know the amendment is not subject to any objection or criticism from any source.

I may say, in closing, that there are two bulletins which have been published on this subject, both written by Mr. Robert T. Mitchell, of the United States Fish and Wildlife Service, one of which has been mimeographed for distribution by the Florida Experiment Station as its report No. 54–2, and the other as a report on the lower Delaware River Valley, consisting of 19 pages, which bulletin may be had from the United States Fish and Wildlife Service. I am not incorporating them in the RECORD at this point, but simply making reference to them for the benefit of anyone who may be interested.

I ask that the amendment be adopted.

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 bill is open to further amendment.

Mr. WILEY. Mr. President, I have discussed this subject, as I said, with the Senator from Florida, and I, too, have received a letter from Mr. Callison, which I ask to have printed in the RECORD at this point in my remarks.

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

NATIONAL WILDLIFE FEDERATION,
Washington, D. C., May 10, 1954.

Hon. ALEXANDER WILEY,
Senate Office Building,
Washington, D. C.

DEAR SENATOR WILEY: It has been brought to our attention that H. R. 116, the bill to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, would prevent the use in certain States of the most effective device discovered to date for the control of depredations by wild birds upon truck, farm and orchard crops. Knowing your interest in wildlife conservation matters, Senator WILEY, we hope and trust that you will consider a simple amendment to H. R. 116, to permit the continued use of this system of control and to prevent a protest which will inevitably arise from certain truck and fruit farming areas such as Florida, should the bill be passed in its present form.

I have discussed this matter by telephone with members of your staff.

I know you are familiar with the critical problem of waterfowl depredations on crops in the State of California and in other areas.

You also know that in certain Eastern Seaboard States extending as far south as Florida, large flocks of blackbirds have presented a serious control problem. It is precisely for such conditions as the blackbird-sweetcorn problem that the firecracker control device has been perfected. It works like this: A string of firecrackers are attached by their fuses to a cotton rope which acts as a slow-burning fuse. This device, placed in the field or orchard, has been found to burn for hours, the intermittent explosions successfully frightening the birds away.

In order to make possible the continued use of this effective system in certain States, we recommend the following simple amendment: Further amend section 1 of the bill as reported by the Senate Committee on the Judiciary by placing a comma instead of a period after the word operations in line 11, page 2, and add the following: "or for use in the control of crop depredations by birds and other wildlife when such use is authorized by permit by the State game or wildlife department."

A copy of the bill, with the suggested amendment written in ink, is enclosed for your information.

We sincerely hope, Senator WILEY, that this amendment can be favorably considered and agreed to on the floor of the Senate.

Cordially yours,
NATIONAL WILDLIFE FEDERATION,
CHARLES H. CALLISON,
Conservation Director.

Mr. WILEY. Mr. President, I should like to make a few comments on H. R. 116, as amended, which is now pending before the Senate.

The purpose of this bill is very simple. It prohibits the shipment of fireworks into States where their sale or use is illegal.

Some 37 States have adopted comprehensive measures to control the fireworks evil.

But these States find that their laws are placed in mockery by the shipment of bootleg fireworks inside their borders. The net result of the shipment of such bootleg fireworks, as well as the result of fireworks displayed in the other 11 States, is literally a slaughter.

I use the word "slaughter" advisedly because the information came to me and was placed before the committee from reliable sources throughout the country.

It is estimated that more people have been killed by fire works since 1900 than American soldiers died in the war for independence. Twenty times as many have been seriously injured by fireworks as were wounded in that war.

The American Medical Association compiled statistics for a period of years on deaths and injuries caused by fireworks. In 1941 alone there were 2,000 such deaths and injuries.

It is absolutely fantastic that we should permit this slaughter to continue.

Suppose someone were to give to the Nation's children toy hand grenades which exploded in 2, 3, 4, or 5 seconds.

Such person would be thrown into jail before he so much as set up shop. Yet, we are permitting the sale of dangerous fireworks, most of them improperly made, which are just as deadly as hand grenades.

On the morning of July 5, 1954, there will be anguish in thousands of American homes. Little children will be in hospitals, blinded, fingers amputated, faces horribly scarred by burns for the rest of their lives. Little children will be shocked into insensibility, and a great many adults will have been harmed also.

Do we want this to continue? I say we do not. We must not. We cannot.

The State of Illinois alone has reported 486 fireworks accidents in a period of 2 years. One hundred and twelve of these were serious injuries. In 13 cases, children lost 1 eye or were totally blinded; and this is in a State where the sale or use of dangerous fireworks is strictly prohibited.

FAIR CONSIDERATION OF THE BILL

Let me say that this bill has been given extremely fair and careful consideration. Hearings were held on it in the House Judiciary Committee. Hearings were held on it in the Senate Judiciary Committee.

A few minor perfecting amendments were incorporated in the Senate version.

These amendments are acceptable to the principal sponsor of the bill, Representative MARGUERITE CHURCH, of Illinois.

If there are any other amendments which will clarify the bill, perfect it, or improve it, they merit our consideration.

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

Mr. WILEY. I yield.

Mr. CASE. Has there been brought to the Senator's attention the question as to whether the bill as now presented would apply to municipal ordinances? I have received a communication from Representative MARGUERITE CHURCH, of Illinois, who is a little worried by some of the debates on that point which have taken place on the floor of the House.

Mr. WILEY. My recollection is that the bill applies at the State level only. I suppose that if there is local option in a State, it would apply to that also.

Mr. CASE. The question has arisen in connection with some debate which has taken place on the floor during the time the bill has been pending on the calendar. Representative MARGUERITE CHURCH sent me a communication in which she states that the bill was considered in the 82d Congress. At that time it was H. R. 4528. It included after the word "States", when reference was made to the laws of such States, the words "or political subdivisions."

Mr. WILEY. That language is not now in the bill.

Mr. CASE. That language was removed by the Judiciary Committee of the House, in the 82d Congress, and the pending bill, as the Senator from Wisconsin has said, does not contain those words. However, there has been some debate on the floor which assumed that those words were still in the bill, or, at least, the bill was interpreted as including them.

The purpose of my inquiry is to establish the interpretation of the pending bill as referring merely to laws passed by the legislatures of the States.

The suggestion of Representative MARGUERITE CHURCH was that the point be definitely established by debate at this time, or that an amendment be incorporated specifically setting forth that the reference is to State laws passed by the legislatures of the respective States.

I now address my inquiry directly to the Senator, who is the ranking member of the Committee on the Judiciary and in charge of the presentation of this bill. Is it the Senator's express understanding that the bill as now presented refers only to laws passed by the legislatures of the States and not to municipal ordinances?

Mr. WILEY. That is my understanding. If the States have local option, then there is the question of State laws granting local option.

There is no reason why anyone shipping fireworks in interstate commerce cannot obtain copies of ordinances applying to the matter. Advertisements are published in newspapers which circulate within the States, for the purpose of attracting youngsters. It should be no trouble at all for the persons engaged in the business to ascertain what are the ordinances. In my State there are 71 counties. The shippers could easily obtain copies of the county ordinances. We also have a State law which applies to the sale of fireworks. Thirty-seven States have such laws.

Mr. CASE. Mr. President, I desire a specific answer to my question, or else I shall feel obliged to offer an amendment. If the bill is to be complicated by reference to local option and suggested enforcement at the local level, the law will be difficult to execute. Can the Senator from Wisconsin state that as the bill now stands it does not apply to any laws except those which are passed by State legislatures?

Mr. WILEY. I would say the bill is very clear. It has reference to the laws of the States, not the laws or ordinances of counties.

Mr. CASE. I thank the Senator.

Mr. WILEY. Mr. President, I should like to continue with my statement. I repeat that if there are any other amendments which will clarify, perfect, or improve the bill, I shall be happy to consider them. But if any amendment is proposed which will sabotage the bill or vitiate its purpose, I say such an amendment must be defeated.

LONG HISTORY OF FIGHT FOR BILL

Let me point out that this is no new subject. For almost 20 years, groups have been fighting for some legislation of this type.

The legislation has been blocked and sabotaged on every single occasion.

For a while, opponents suggested that jurisdiction for control of fireworks be turned over to the United States Bureau of Mines. But the Bureau of Mines did not want to exercise such control and could not possibly do so.

In this session of Congress, it was proposed that the Interstate Commerce Commission be given jurisdiction over fireworks.

This, however, was simply a stalling, buck-passing device. The Interstate Commerce Commission on May 14 of last year wrote a letter in opposition to a bill, S. 1722, which had been introduced by my two colleagues from Maryland.

The ICC stated in the letter:

The authority of the Commission would be extended to a field in which it has had no experience. It has no staff of employees or physical facilities for making the determinations which would be necessary. In our opinion, the proposed enlargement of our powers would be extremely undesirable.

PROPOSAL TO PROHIBIT SALE TO MINORS

Then there has been the proposal for an amendment which would ban the shipment to minors.

This proposal is also an attempt to sabotage the bill.

In the first place, how would anybody possibly know that it is a minor writing in for the fireworks, particularly if the minor typewrote his order?

How could anybody be prosecuted for shipment when he could go to any court of the land and state that he had reason to believe that he was sending it to someone over the age of 21?

And is it not a fact that every single parent who wanted to obtain freworks for youngsters could simply write in for them and then give these deadly instruments to the children, or that the fireworks, lying around the house, would end up in the hands of children unintentionally?

Let me say that the fireworks industry has had two decades in which to come forth with constructive proposals.

It knows, however, that the time has come when the Federal Government is determined to take action, and so it has come up with all sorts of substitutes, not one of which will solve the problem, not one of which I believe would accomplish the objective of the Congress.

I urge, therefore, that the Senate pass H. R. 116. I shall ask, moreover, that there be a yea-and-nay vote on this issue. Let those Senators who are in favor of giving these deadly hand grenades to children vote "nay." Let those Senators who want to protect our children vote "yea." Let the vote be clearcut, so that the parents of America may see who is for and who is against the bill.

As I have previously pointed out on the floor of the Senate, not a single organization in the United States is opposed to the bill. Every group favors the bill, with the exception of a few manufacturers of fireworks. Among the organizations which favor the bill are: the American Municipal Association; the General Federation of Women's Clubs; the Congress of Parents and Teachers; the American Optometry Association; the National Association for the Prevention of Blindness; the National Fire Protection Association; and the American Medical Association. The names of many other organizations which favor the bill already have been placed in the RECORD.

The attorney general of the State of Wisconsin has written to me in relation to the matter. I have heard from the mayors of various cities, and from parent-teacher associations. I have heard no objection registered except by the lobbyists for some of the manufacturers of fireworks.

It seems to me that any thinking person should not require further evidence of the solid support of the bill by the persons who are thinking in terms of the children of America than the evidence which has been, time and time again, placed in the CONGRESSIONAL RECORD.

While I shall not attempt to estimate the extent of the injuries which are likely to be caused by fireworks this year, if the bill should not be passed in time to be effective for the coming Fourth of July period, we all know what has happened in the past. We have a great responsibility.

The bill has come to the Senate from the House, and the Senate committee has improved it. As I have said, the purpose of the bill is to supplement the State laws relative to the sale and regulation of fireworks, and it provides as follows:

Whoever, otherwise than in the course of continuous interstate transportation through any State, transports fireworks into any State, or delivers them for transportation into any State, or attempts so to do, knowing that such fireworks are to be delivered, possessed, stored, transshipped, distributed, sold, or otherwise dealt with in a manner or for a use prohibited by the laws of such State specifically prohibiting or regulating the use of fireworks, shall be fined not more than $1,000 or imprisoned not more than 1 year, or both.

The bill has had extensive consideration. It was previously reported by the committee in July 1953. Then, because a complaint was made that insufficient consideration had been given to the bill, it was removed from the calendar, and additional hearings were held. So it cannot now be said by anyone that there has not been sufficient consideration of the bill.

Since the time the requests were made for additional hearings, which were accorded to those requesting them, amendments have been adopted by the committee which, in the opinion of the committee, clarify the bill. The bill is designed only to supplement present existing State laws. In this connection, the States whose legislatures have given honest consideration to the subject throughout the years have already prohibited the use of fireworks within their States, and are now saying to the Federal Government, in effect, "We want you to help us."

The committee has considered the proposed legislation thoroughly and exhaustively, and has concluded that the matter is of serious importance and should be given earnest consideration by the Senate.

Mr. JOHNSTON of South Carolina. Mr. President, has the Senator from Wisconsin concluded his remarks?

Mr. WILEY. For the present, I have finished.

Mr. JOHNSTON of South Carolina. Mr. President, I am a little fearful of the bill. I do not believe it will accomplish the desired results which some Senators claim it will accomplish. On the other hand, I believe it will confuse the issue very much. Many States have their own laws, which vary in type. I shall state what the law is in South Carolina. Then I should like to have the Senator from Wisconsin state how the State of South Carolina would stand in regard to the fireworks situation. The first law of South Carolina relating to this subject reads as follows:

CHAPTER 8. FIREWORKS

SEC. 66–551. Use of fireworks generally prohibited: It shall be unlawful for any person to use, fire, shoot, discharge, sell, offer for sale, store, exchange, give away, or possess any fireworks, except for use in public display or exhibit under the provisions of section 66–555 and except as provided by sections 66–552 to 66–556.

I shall now read section 66–552:

SEC. 66–552. Chapter not applicable to toy cap pistols, etc.: The provisions of this chapter shall not include nor prevent the sale, possession or use of toy cap pistols or toy pistol paper caps which contain not more than one-fifth grain of explosive mixture, fireworks known as "sparklers" or firecrackers commonly known as "Chinese firecrackers," which are defined as follows: being not over one-quarter inch outside diameter, not over 2 inches long and containing not over 4 grains of explosive composition. The sale, use and possession of any such toy pistol, toy pistol paper caps, sparklers, and Chinese firecrackers, as above defined, shall be permitted at all times.

Notice the words "at all times." I now read the restrictions pertaining to Charleston County:

SEC. 66–553. Further restrictions permitted in Charleston County: Charleston County or any incorporated municipality therein may further restrict within such county or municipality the sale and use of fireworks regulated by sections 66–551, 66–552, and 66–554.

SEC. 66–554. Manufacture and shipment out of State: Nothing in this chapter shall be construed to prohibit the manufacture in this State of fireworks or the storing, selling or offering for sale for shipment out of the State of fireworks, the use of which is made unlawful in this State.

How far does that law go? If one starts out by acting lawfully, can he proceed to make shipments into another State? I read section 66–555:

SEC. 66–555. Use of fireworks in licensed public displays or exhibits: It shall be lawful for any person to use fireworks in public displays or exhibits when the person desiring to give them shall have first obtained written approval therefor from the governing body of the municipality within the limits of which such exhibit or display is proposed to be given, if the display or exhibit is to be given within an incorporated municipality, or the governing body or supervisor of the county within which such display or exhibit is proposed to be given, if the display or exhibit is to be given outside an incorporated municipality.

I ask the Senator from Wisconsin: How will the persons shipping fireworks purportedly for use in licensed displays or exhibits know whether the fireworks will be used for that purpose, or whether written permission has been obtained in South Carolina to use them?

Mr. WILEY. Has the Senator been quoting from the laws of South Carolina?

Mr. JOHNSTON of South Carolina. I have been reading from the laws of South Carolina. I am attempting to show what a mess we shall be getting into if the bill is passed.

Mr. WILEY. Does the Senator wish me to answer his question?

Mr. JOHNSTON of South Carolina. I shall conclude reading section 66–555:

The governing body of any such municipality or the governing body or county supervisor of any such county may, in its absolute discretion, grant or refuse to grant the permission so applied for or may grant it subject to such restrictions and limitations as it may, in their absolute discretion, deem to be in the interest of public safety in connection with such display or exhibit.

The permission can be granted 1 day or a week ahead of time; and when the permission is requested for someone, I do not have to tell the Senator from Wisconsin that there will be confusion, and that it will be necessary to correspond and recorrespond in order to determine exactly for whom the permit is to be issued.

Mr. WILEY. Does the Senator wish me to answer his question?

Mr. JOHNSTON of South Carolina. I do.

Mr. WILEY. The Senator is making a sad commentary on the laws of his State, if they are so vague as the Senator states them to be.

Mr. JOHNSTON of South Carolina. The South Carolina law gives to each locality the right to grant such permission. It may grant it today and not grant it tomorrow. Local option is provided for in South Carolina. The people can vote as they wish. That is the provision of the law which is on the South Carolina statute books. Similar situations exist in other States. What will be the effect of the law in South Carolina if the bill now under consideration is passed?

What I have been reading comes from the statute books of South Carolina. I am not here to criticize the State law. I think the legislature was right when it gave to local people the right to say what they should do in their particular localities.

I should like to ask the views of the Senator from Wisconsin, after hearing me read section 66–555 a few minutes ago, which provides that—

> The governing body of any such municipality or the governing body or county supervisor of any such county, may, in its absolute discretion, grant or refuse to grant the permission so applied for or may grant it subject to restrictions and limitations as it may, in their absolute discretion, deem to be in the interest of public safety in connection with such display or exhibit.

Will the Senator from Wisconsin state what will be the situation in South Carolina, where each local community has the right to make its own rules regarding the sale and use of fireworks? How will it be possible for a manufacturer or shipper of fireworks to have accurate, up-to-date information on the situation in each of the many communities in the State?

Mr. WILEY. In that respect the situation will be as it is at the present time. Where the local community has authority over the subject, if the State statute does not prohibit the sale, use, or possession of fireworks, this bill will not operate.

As the Senator from South Carolina knows, Arkansas, Georgia, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, Texas, and Wyoming are not included among the States which have an absolute prohibition; but those States have statutes regulating the use of fireworks.

I assume that the statute the Senator from South Carolina has read gives the local municipalities authority to regulate the transportation, use, or possession of fireworks.

Mr. JOHNSTON of South Carolina. Yes, but——

Mr. WILEY. I should like to proceed, please. The Senator's question is, How will dealers in fireworks who transport them across the boundaries of South Carolina know whether in County "X" they will be entitled to sell them.

Mr. JOHNSTON of South Carolina. Yes.

Mr. WILEY. It will be up to them to go to the county clerk and ascertain whether there is a municipal ordinance prohibiting the transportation, sale, or possession of fireworks. However, this bill has nothing to do with that. The purpose of the bill is to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited by State law. The Senator from South Carolina has referred to a prohibition which apparently is not a State law prohibition.

Mr. JOHNSTON of South Carolina. The first section of the State law does prohibit it, in the following words:

> It shall be unlawful for any person to use, fire, shoot, discharge, sell, offer for sale, store, exchange, give away, or possess any fireworks—

And then certain exceptions are made.

So I wish to know what the situation in South Carolina will be, under the proposed Federal law.

LEGISLATIVE PROGRAM

Mr. KNOWLAND. Mr. President, will the Senator from South Carolina yield to me, to permit me to make a brief announcement about the legislative program of the Senate?

Mr. JOHNSTON of South Carolina. I yield.

Mr. KNOWLAND. Mr. President, after the Senate disposes of the pending bill, House bill 116, with regard to prohibiting the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited, it is planned to take up, on tomorrow, the independent offices appropriation bill, which is House bill 8583, Calendar No. 1342.

There is also to be considered, this week, Senate bill 975, Calendar No. 1190, to amend the Home Owners Loan Act of 1933, as amended.

In addition, we wish to have the Senate take up several bills which were passed over on the call of the calendar today. Some of them I have already mentioned to the minority leader; in fact, perhaps I mentioned all of them to him.

Mr. CLEMENTS. Mr. President, if the Senator from California will yield to me, let me ask him to repeat, in order, the numbers of the bills to which he has just referred.

Mr. KNOWLAND. Yes. As I said a moment ago, when the Senate has disposed of the pending bill, House bill 116, the so-called fireworks bill, the plan is to proceed to the consideration of House bill 8583, Calendar No. 1342, the independent offices appropriation bill. The committee report and the bill is available.

It is also planned to consider Senate bill 975, Calendar No. 1190, to amend the Home Owners Loan Act of 1933, as amended. Notice regarding the consideration of that bill was given last week. At the request of certain Senators, action on the bill was held over until this week.

In addition, I mentioned several bills which were passed over during the call of the calendar today. Among them are House bill 5731, Calendar No. 1325, to authorize the Secretary of the Interior to construct, operate, and maintain certain facilities to provide water for irrigation and domestic use from the Santa Margarita River, Calif., and for other purposes; Senate bill 2225, Calendar No. 1317, relating to the administrative jurisdiction of certain public lands in the State of Oregon, and for other purposes; Senate bill 3458, Calendar No. 1341, to authorize long-term time charter of tankers by the Secretary of the Navy, and for other purposes; Senate bill 3090, Calendar No. 1343, to authorize the transmission and disposition by the Secretary of the Interior of electric energy generated at Falcon Dam on the Rio Grande.

Then, there is Senate Resolution 234, Calendar No. 1233, reported by the Committee on Rules and Administration, providing the customary authorization for the Committee on Rules and Administration to make expenditures and employ temporary personnel. The resolution relates to such authorization for the Subcommittee on Privileges and Elections of the Committee on Rules and Administration, to enable that subcommittee to perform its duties. However, in any event we shall not proceed to consider the resolution until Wednesday; I make that statement on the basis of my prior understanding with the minority leader and also with the acting minority leader.

Mr. CLEMENTS. Mr. President, if the Senator will yield again, let me say that in view of the fact that the majority leader has suggested that Senate Resolution 234, Calendar No. 1233, will not be taken up before Wednesday, I should like to say that it is my understanding that the ranking minority member of the Committee on Rules and Administration, the Senator from Arizona [Mr. HAYDEN], will return sometime on Wednesday. I have no assurance that he will return before Wednesday noon. I hope the majority leader will not seek to have the resolution called up until the Senator from Arizona is here.

Mr. KNOWLAND. Of course. I understood that the Senator from Arizona would be out of town today and tomorrow, Tuesday, but that he would be back, and that the distinguished minority leader, the senior Senator from Texas [Mr. JOHNSON] also would be back—on Wednesday, so that we could then proceed to consider Senate Resolution 234.

Mr. CLEMENTS. It is probable he will return by then, but it is possible that he will not return until late in the afternoon on Wednesday. In case he does not return on Wednesday, I ask the majority leader to let consideration of the resolution go over until Thursday.

Mr. KNOWLAND. Certainly I wish to oblige the minority; as I have consistently tried to do. I hope the distinguished ranking minority member of the Committee on Rules and Administration will return in time to enable us to proceed to consider the resolution on Wednesday, because, as Senators know, the resolution has been awaiting action for some time, and on several occasions the chairman of the Committee on Rules and Administration has called my attention to the fact that the resolution has been awaiting action. The resolution is the regular one authorizing the Committee on Rules and Administration to make expenditures and employ temporary personnel. Regardless of whether the Democrats or the Republicans have been in the majority, it has been customary to adopt such a resolution, in order to permit the Privileges and Elections Subcommittee of the Committee on Rules and Administration to perform the work assigned to it. So I hope it will be possible for the resolution to receive prompt consideration.

Mr. CLEMENTS. I assure the majority leader that we shall make every effort to have him back in time on Wednesday; but in case he does not return, I have confidence that the majority leader will not be insistent about it.

Mr. KNOWLAND. I shall certainly try to work out a satisfactory solution of the problem.

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

Mr. KNOWLAND. I will yield in a moment.

When we shall have concluded consideration of the resolution, it is planned to proceed to the consideration of Calendar No. 1066, Senate Joint Resolution 53, a joint resolution proposing an amendment to the Constitution of the United States to grant to citizens of the United States who have attained the age of 18 years the right to vote. I hope not only that the joint resolution may be made the unfinished business, but that debate can begin on that measure before the end of the week.

I now yield to the Senator from Washington.

Mr. CLEMENTS. Mr. President, it is my understanding that Calendar No. 1342, House bill 8583, the appropriation bill for the independent offices, will be made the unfinished business at the conclusion of consideration of the fireworks bill.

Mr. KNOWLAND. That is correct.

Mr. CLEMENTS. But it will not actually be taken up until tomorrow.

Mr. KNOWLAND. That is correct.

I now yield to the Senator from Washington.

Mr. MAGNUSON. The Senator from California listed a number of bills which were passed over today. I was wondering if they would be taken up in the order in which he listed them.

Mr. KNOWLAND. Not necessarily. I am sure the Senator can appreciate that sometimes the author of a bill or the committee chairman is not in the Chamber at the moment. Rather than be obliged to send for him, I may move to take up some of the other bills. However, I think they will be taken up in approximately the order I have mentioned, although I should not wish to be held to that precise order.

Mr. MAGNUSON. I am interested in the tanker bill.

Mr. KNOWLAND. I understand so. I was present when the colloquy took place on that subject today.

I thank the distinguished Senator from South Carolina. I wished to give the Senate as complete information as possible on the legislative schedule for the remainder of the week.

Mr. JOHNSTON of South Carolina. I appreciate the courtesy of the majority leader in telling us what is forthcoming.

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Mr. WILEY. Mr. President, I think I have the answer to the question of the Senator from South Carolina in the words of the distinguished Senator from Nevada [Mr. McCARRAN]. I read from page 10 of the report:

> With respect to the 36 States which prohibit or regulate the use of fireworks by State law, the shipper would need to know only the provisions of State law, and could without undue difficulty prepare a chart or index to guide his shipping department. With respect to the 10 States which have local-option laws, more complicated research would be necessary, obviously; but even here, it should be possible to prepare a chart or index indicating the areas within the State into which shipment might be made, and those areas of the State into which such shipment would be illegal. Of course, with respect to the States of Nevada and Tennessee, which have no laws prohibiting or regulating the use of fireworks, there would be no problem.

That seems to me to be a fine, succinct statement from the legal mind of the distinguished Senator from Nevada. It seems to me it gives clearly the answers to the questions which were asked.

Mr. JOHNSTON of South Carolina. This is the question arising in my State: My State is one of the States which leave the regulation of fireworks to local option. The State says that the sale of fireworks is prohibited unless the local communities desire to permit it. Each little municipality and each county has a right to make the decision for itself. This week it may allow the sale of fireworks. Next week it may not. One supervisor may permit it, and another supervisor may not. The dealer has no way of knowing whether or not any particular supervisor will allow the use of fireworks.

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

Mr. JOHNSTON of South Carolina. I yield.

Mr. WELKER. I regret very much that I did not hear the entire discussion by my distinguished colleague and friend from South Carolina. We sat with the distinguished senior Senator from Wisconsin in the Judiciary Committee during the discussion of this subject. I happen to come from a so-called local option State.

With respect to the observations made by the distinguished senior Senator from Wisconsin as to the statement made by the distinguished and able Senator from Nevada, I should like to ask my friend from South Carolina how under the sun, under any philosophy he or any other Senator can think of, and under the existing State laws in the local option States of South Carolina and Idaho, anyone could chart the portion of a State where fireworks may be used?

Mr. JOHNSTON of South Carolina. That is what I am trying to explain to the Senate at the present time. It cannot be done in South Carolina. At certain times the mayor of a city will allow the use of fireworks. At other times he will not. At one time a given supervisor may allow the use of fireworks, and at another time he may not.

The same thing is true with respect to the governing boards of the counties. Upon one occasion they may allow the sale and use of fireworks, and at another time they may turn down such requests. How is any dealer to know whether or not it is permissible to sell or use fireworks in a given county or municipality? It is almost impossible to keep up with the actions of all the various local communities.

Mr. WELKER. The Senator from South Carolina was present when I read before the Judiciary Committee the provision of the Idaho Code, annotated, containing the law with respect to fireworks in the State of Idaho. I do not wish to be bound by this statement, but if I recall correctly the Idaho statute is very similar to the statute of the State of South Carolina. The governing body of any village, any municipality, any city, or any county can, by proper resolution, grant permission for the use of fireworks in the municipality, county, village, or area. But how under the sun would this legislation protect our young people from injury? I should like to have the Senator's observation on that subject.

Mr. JOHNSTON of South Carolina. I do not see how it would protect them in South Carolina. The bill would not change the law in South Carolina. I do not believe the Senator from Wisconsin means to say that it is proposed to change the law one iota in South Carolina.

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

Mr. JOHNSTON of South Carolina. I yield.

Mr. WILEY. I do not understand that the purpose of the proposed legislation is to interfere in the slightest degree with the rights of the States on this subject, where States have enacted laws prohibiting fireworks. There should be collaboration with the 36 States which have enacted such laws.

Mr. JOHNSTON of South Carolina. That is true. It is proposed that the Federal Government move in and supervise the enforcement of State laws already on the statute books.

Mr. WILEY. No.

Mr. JOHNSTON of South Carolina. What is proposed?

Mr. WILEY. The proposed law would make it a Federal offense to ship fireworks interstate into such States, thus protecting the rights of States which have already legislated on the subject.

The Senator heard the Senator from Illinois [Mr. DIRKSEN] cite the analogy of the Prohibition Act. He showed how the Federal Government, with respect to States where liquor was prohibited, enacted certain laws prohibiting the shipment of liquor into such States, thus protecting the rights of the States themselves. That is all this bill would do. To draw any other inference seems to me to go far beyond the realm of reason.

Mr JOHNSTON of South Carolina. If it is proposed that the Government go into the firecracker business, we are certainly getting pretty low. It seems that we are running out of something to do.

Mr. WELKER. Mr. President, will the Senator from South Carolina yield so that I may address a question to the senior Senator from Wisconsin?

Mr. JOHNSTON of South Carolina. I yield.

Mr. WELKER. I wonder if my able colleague from Wisconsin can answer this question: What effect would this bill, if enacted, have on the State of Illinois, for example, or any other State which has no laws whatsoever with respect to the transportation and sale of fireworks?

Mr. WILEY. Illinois has such laws.

Mr. WELKER. Then let us take Indiana. Does it have such laws?

Mr. WILEY. I cannot tell the Senator.

Mr. WELKER. I think there are three States which have no laws whatsoever on the subject. Tennessee is one, as I recall. As I understand, the bill would have no effect whatsoever in such States.

Mr. WILEY. That is true.

Mr. WELKER. What would preclude a bootleg fireworks manufacturer from establishing his plant in a State which has no law whatsoever on the subject and selling fireworks to little children, with the result that many of them would be maimed and wounded, as has been so vividly described?

Mr. WILEY. I do not see how that question is relevant. Such a State could immediately enact a law similar to the laws in the other 36 States which have legislation on the subject. If this bill should become law, the Federal statute would also protect that State. It is entirely up to the people in the States and their legislatures, to enact the laws they desire for the protection of their children. All we are proposing is that, since 36 States have enacted such laws, we wish to cooperate with them. We wish to make sure that there is no bootlegging of fireworks across State lines. All we say to the other States is, "If you still want the maiming of children to continue, that is your business, and for the time being we are not interfering with your local option."

Mr. JOHNSTON of South Carolina. In other words, the bill would not prohibit the use of fireworks in a State, but it would make unlawful the shipment of fireworks into a State in which they are prohibited by State law. Is that correct?

Mr. WILEY. That is correct.

Mr. JOHNSTON of South Carolina. What would be the situation with respect to railroads and ship lines, which use fireworks in connection with their operations? Is there any provision in the bill which would protect their rights to use fireworks in conjunction with their operations? For example, flares are used by railroads and ship lines, and flares are also used along highways at times. Is there any provision in the bill which would take care of such a situation?

Mr. WILEY. I believe the bill is broad enough to permit the use of fireworks legitimately under State law. It is not our intention to limit State law. We are trying to put vitality into State law.

Mr. JOHNSTON of South Carolina. The Senator certainly is not trying to put anything into State law that is not already in State law. The bill would prohibit the shipment of fireworks into States whose laws permit the lawful use of fireworks. The law in my State permits such use of fireworks. The bill would prohibit the shipment of fireworks into States, but contains no provision with respect to the use of fireworks in States by railroads, shiplines, and other legitimate users of fireworks.

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

Mr. WILEY. Mr. President, do I have the floor?

The PRESIDING OFFICER. The Senator from South Carolina has the floor.

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

Mr. JOHNSTON of South Carolina. I yield for a question.

Mr. WELKER. I have been quite perturbed by the fact that literature is being circulated to the effect that those of us who wish to discuss the bill on a rational and sound basis are interested in blinding and wounding little children. I have received telegrams along that line. I have a child of my own, and I love little children. I do not want to hurt anyone. I do not want to injure or maim anyone.

I should like to ask the distinguished Senator from South Carolina if he did not hear me urge in the Committee on the Judiciary that we should enact a uniform law, approved by the legitimate fireworks industry, which would make the sale of dangerous fireworks to anyone under the age of 21 years a crime. The Senator will recall that the distinguished senior Senator from Wisconsin had before him a great deal of literature from bootleg fireworks manufacturers who were asking youngsters to send to them for fireworks, in that way preying upon the youth of the Nation. They were offering to send these dangerous articles to youngsters. What does the Senator from South Carolina have to say with regard to the proposal that if we are to limit the use of fireworks we should enact a uniform law, and that if we are to protect our children we should protect them in the 10 local option States, and in the 3 States that do not have any State law, as well as in the 35 States which the bill would help?

Mr. JOHNSTON of South Carolina. I am in favor of a uniform law in the public interest, but I do not want to have enacted a law which will confuse the people in the various States. That is what will happen if the pending bill is passed.

I should also like to call to the attention of the people of the country the fact that if the pending bill should not be passed they would still have the same laws on the statute books of their respective States as if the bill were passed, so far as the use of fireworks is concerned. The pending bill, in other words, would not change State laws.

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

Mr. JOHNSTON of South Carolina. I yield.

Mr. THYE. Mr. President, according to the report on the bill, there are two States which do not have any State laws with respect to fireworks, namely, Nevada and Tennessee.

Mr. WELKER. I did not understand what the Senator said.

Mr. THYE. According to the report, two States do not have any fireworks legislation. They are Nevada and Tennessee.

Mr. WELKER. How about Indiana?

Mr. THYE. I do not know about Indiana. I am reading from the report. I am not a member of the Committee on the Judiciary, and therefore I do not have the benefit of having sat through the hearings. However, it seems to me that the Committee on the Judiciary, which reported the pending bill to the Senate, is attempting to prohibit the transportation of fireworks into States in which the sale or use of such fireworks is prohibited. That is a most laudable endeavor.

Having gone through a hospital a few days following the Fourth of July and having seen little children maimed and blinded, I cannot understand why any stumbling block should be placed in the path of this proposed legislation.

I believe it is necessary legislation, particularly at this time, with the Fourth of July only a few weeks away. On the Fourth of July children will again be the innocent victims of firecrackers, which will cut their hands open, blow fingers off, or blind them. All of us have seen, in our youth, children place firecrackers in glass bottles and then try to cork them, and have the bottles blow up in their faces.

Mr. JOHNSTON of South Carolina. I suggest to the Senator from Idaho that even if we were to prohibit all fireworks there would still be children who would take shotgun shells and put them in a can and try to blow them up.

Mr. THYE. If we allow firecrackers to be placed in the hands of children we are letting them play with danger. Shotgun shells are not generally available to children of 5 or 6, or 10 or 12 years of age. It takes a very clever child to get a shotgun shell and use it to blow up anything. I am afraid the Senator from South Carolina is drawing on his imagination.

Mr. JOHNSTON of South Carolina. The Senator would not say so if he had ever traveled in the back country where people do not have fireworks, but only shotgun shells and powder, and with them make their own fireworks. That practice will not be prohibited by the pending bill.

Mr. THYE. If the Senator will yield to me further, I should like to say that I am drawing on my own experience. I have been endeavoring to outlaw the use of fireworks, because as a child I tried to blow up tin cans and bottles, and I had a whole basketful of fireworks at my disposal.

Mr. JOHNSTON of South Carolina. I am sure the Senator from Minnesota agrees with me that we should make the law uniform throughout the United States. However, the pending bill, if enacted into law, will not change by one iota the law in any State of the Union.

Mr. WELKER. Mr. President, will the Senator from South Carolina yield so that I may ask a question of the Senator from Minnesota?

Mr. JOHNSTON of South Carolina. I yield for that purpose.

Mr. WELKER. I was very much impressed by the remarks of the Senator from Minnesota with respect to his going through a hospital a few days after the Fourth of July. I have gone through hospitals in Minnesota after the Fourth of July, and I have seen the results of some terrible accidents which had taken place on the Fourth of July. I agree with the Senator from Minnesota that that is very regrettable.

I assume the Senator from Minnesota would not object to the enactment of a uniform law which would provide a blanket prohibition against any manufacturer or bootlegger or anyone else selling fireworks to a minor under the age of 21 years.

Mr. THYE. The only answer I can give is that in the proposed legislation we are endeavoring not to impose the Federal Government on any State government. A State which has enacted a law prohibiting the sale and display of fireworks would be protected against shipment into it of fireworks. That is what we are endeavoring to do by the pending bill, if I understand it correctly.

Perhaps I am entirely wrong in my understanding. I, too, am seeking enlightenment, as is the Senator from Idaho. As I said, I am not a member of the Committee on the Judiciary, and I came into contact with the subject only when the bill was reported to the Senate. I will say that what the sponsors of the bill and the members of the Judiciary Committee had in mind, undoubtedly, was to protect States which have State laws prohibiting the use of fireworks against the unscrupulous individual who might either ship or otherwise get into such States, by bootleg means, fireworks which would be injurious to children. The Federal Government is endeavoring not to impose itself upon the jurisdiction of any State.

Mr. WELKER. Mr. President, will the Senator from South Carolina yield so that I may make inquiry of the distinguished Senator from Minnesota?

Mr. JOHNSTON of South Carolina. I yield for that purpose.

Mr. WELKER. I should like to inquire whether it is not true that, if the pending bill is enacted into law, it will in effect outlaw the local-option statutes of the respective States. In other words, I ask the Senator to tell me how under the sun a manufacturer in St. Paul, Minn., Baltimore, Md., or any other place, can ascertain whether the village board of Bay Horse, Idaho, has decided that fireworks may be used on the Fourth of July. It seems to me to be beyond all possibility that a manufacturer could determine what regulations small municipalities throughout the country have adopted. That is a point that worries me.

Mr. THYE. Mr. President, there are a few States which with respect to fireworks have local option, which raises an administrative problem so far as the shipper is concerned. But I would rather chance that a shipper would be in error and would be subject to apprehension and a fine than to err by doing nothing and permitting many illegal shipments to enter the States, resulting in the blinding or maiming of innocent minors, or by trying to make it crystal clear, legally, that a shipper may not have to concern himself with whether Podunk has a city ordinance on the subject. I am not concerned about the shipper who must determine whether Podunk has a city ordinance.

Mr. WELKER. I ask if it is not a fact that this proposed legislation deprives local-option cities of an opportunity to shut off the sale of fireworks. Like the Senator from Minnesota, I believe in saving the eyes and limbs of children and doing away with the bootlegging of fireworks whereby youngsters are enticed to spend their last dime to buy the vicious things.

The Senator from Minnesota says he does not care about whether the shipper has difficulty in determining whether Podunk has a city ordinance. I do not care, either, but why not go down the road together and say that anyone who ships fireworks into a State and sells them to persons under 21 years of age is guilty of a serious crime?

Mr. FERGUSON. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. FERGUSON. How does the Senator think a shipper would be able to determine whether he was shipping to a person under 21 years of age?

Mr. WELKER. It is caveat emptor in reverse. He would be put on notice by uniform statutes controlling 48 States. He would not then have to guess about Bay Horse or Podunk or any other place.

Mr. FERGUSON. If he receives an order from a person, how could he tell whether the buyer is under 21 years of age or over 21 years of age? Would he not say he believed that the person was over 21?

Mr. WELKER. We do not have before us a bill such as the Senator evidently has in mind.

Mr. FERGUSON. How could it be policed?

Mr. WELKER. How can we police this bill?

Mr. JOHNSTON of South Carolina. How can the manufacturer tell whether he has permission to ship fireworks?

Mr. WILEY. Mr. President, will the Senator from South Carolina yield?

Mr. JOHNSTON of South Carolina. I yield.

Mr. WILEY. I do not know whether the Senator from Idaho heard me read what the Senator from Nevada [Mr. McCARRAN] said.

Mr. WELKER. Yes; I did.

Mr. WILEY. The Senator from Nevada said:

> With respect to the 10 States which have local-option laws, more complicated research would be necessary, obviously; but even here, it should be possible to prepare a chart or index indicating the areas within the State into which shipment might be made, and those areas of the State into which such shipment would be illegal. Of course, with respect to the States of Nevada and Tennessee, which have no laws prohibiting or regulating the use of fireworks, there would be no problem.

To me, it is a simple proposition. When I was practicing law, I had to consult negligence reports, ordinance reports, and things of that kind. In my State there are 71 counties. I would receive an inquiry as to whether in County X there was an ordinance or whether a certain matter was covered by State law.

All I would do would be to go to the county clerk and get the information.

I heard the distinguished Senator from South Carolina say that South Carolina has a law which prohibits the sale of fireworks except as a local municipality may permit it. If the local municipality permits it, it would have to be pursuant to a charter, and that would mean an ordinance, and the county clerk or the city clerk would have a copy of it.

Any business enterprise of any significance that wants to sell its merchandise checks up on the people to whom it sells. There is no great difficulty involved in checking up on whether permission is granted by ordinance. Fortunately, my State prohibits by law the whole fireworks business. I think the argument which is being made falls of its own weight.

Mr. WELKER. From where in the report was the Senator from Wisconsin reading?

Mr. WILEY. From page 9 of the report, the memorandum by the Senator from Nevada, with respect to the bill. I read from the last paragraph.

Mr. JOHNSTON of South Carolina. Mr. President, in South Carolina the seller of fireworks goes to the city authorities to get permission. He receives it from the governing board or the supervisor, as the case may be. In a great many instances there is no report as to the attitude of local communities. That is the kind of situation we are running into at the present time where there is a law on the statute books, statewide in its application, but cities or counties permit the use of fireworks and the sale of fireworks. Sometimes it is for a limited period of a few days or a few weeks. There is great difficulty in keeping up with such matters.

I heard the distinguished Senator from Wisconsin quote from the memorandum of the senior Senator from Nevada, and I hope he will support the amendment which we are about to offer.

I do not think a Senator would want to be put out of the Senate without being given notice, any more than a manufacturer would want to be put out of business without being given notice. All we are doing is giving notice.

Mr. President, I ask that at this point chapter 8, volume 6, of the Code of Laws of South Carolina, 1952, be printed in full.

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

VOLUME 6, CODE OF LAWS OF SOUTH CAROLINA, 1952

CHAPTER 8. FIREWORKS

SEC. 66–551. Use of fireworks generally prohibited: It shall be unlawful for any person to use, fire, shoot, discharge, sell, offer for sale, store, exchange, give away, or possess any fireworks, except for use in public display or exhibit under the provisions of section 66–555 and except as provided by sections 66–555 to 66–556.

SEC. 66–552. Chapter not applicable to toy cap pistols, etc.: The provisions of this chapter shall not include nor prevent the sale, possession, or use of toy cap pistols or toy pistol paper caps which contain not more than one-fifth grain of explosive mixture, fireworks known as "sparklers" or firecrackers commonly known as "Chinese firecrackers," which are defined as follows: Being not over one-quarter inch outside diameter, not over 2 inches long, and containing not over 4 grains of explosive composition. The sale, use and possession of any such toy pistol, toy pistol paper caps, sparklers, and Chinese firecrackers, as above defined, shall be permitted at all times.

SEC. 66–553. Further restrictions permitted in Charleston County: Charleston County or any incorporated municipality therein may further restrict within such county or municipality the sale and use of fireworks regulated by sections 66–551, 66–552, and 66–554.

SEC. 66–554. Manufacture and shipment out of State: Nothing in this chapter shall be construed to prohibit the manufacture in this State of fireworks or the storing, selling or offering for sale for shipment out of the State of fireworks, the use of which is made unlawful in this State.

SEC. 66–555. Use of fireworks in licensed public displays or exhibits: It shall be lawful for any person to use fireworks in public displays or exhibits when the person desiring to give them shall have first obtained written approval therefor from the governing body of the municipality within the limits of which such exhibit or display is proposed to be given, if the display or exhibit is to be given within an incorporated municipality, or the governing body or supervisor of the county within which such display or exhibit is proposed to be given, if the display or exhibit is to be given outside an incorporated municipality. The governing body of any such municipality or the governing body or county supervisor of any such county may, in its absolute discretion, grant or refuse to grant the permission so applied for or may grant it subject to such restrictions and limitations as it may, in their absolute discretion, deem to be in the interest of public safety in connection with such display or exhibit.

SEC. 66–556. Exemption of certain carriers: Nothing in this chapter shall be construed as prohibiting the use of signals necessary for the safe operation of railroads, buses, trucks, or boats, nor shall the provisions of this chapter apply to any common carrier, while acting as such, lawfully transporting or having custody of fireworks in interstate commerce or for delivery within this State for use as provided in this chapter.

SEC. 66–557. Penalties: Any person violating any of the provisions of this chapter against the selling, offering for sale, exchanging, giving away, or storing of fireworks, or holding a fireworks display, or exhibit without first having obtained the permission required under section 66–555 shall be guilty of a misdemeanor and shall be fined not less than $500 nor more than $1,000 or imprisoned for a period of not less than 3 months nor more than 1 year, or both, within the discretion of the court. Any person violating any of the other provisions of this chapter shall be guilty of a misdemeanor and punished by a fine of not exceeding $100 or imprisonment not exceeding 30 days. Each day's offense shall constitute a separate offense in violation of this chapter and shall be punishable as such.

During the delivery of the speech of Mr. JOHNSTON of South Carolina,

Mr. DIRKSEN. Mr. President, I wonder if the Senator will let me intervene, because I must catch a plane.

Mr. JOHNSTON of South Carolina. I yield, provided the remarks of the Senator from Illinois follow my remarks.

The PRESIDING OFFICER. Without objection, the Senator from South Carolina yields with that understanding.

Mr. DIRKSEN. Mr. President, I wish to pay tribute to the Senator from Wisconsin [Mr. WILEY] and Representative MARGUERITE CHURCH, of Illinois, for the diligence with which they have devoted themselves in season and out to secure the passage of the bill now before the Senate. It has passed the House, and I sincerely hope it will pass the Senate without further amendment which might cripple or change the character of the measure.

Mr. President, when all is said and done, there are many precedents for the passage of the bill. Some years ago certain States were dry when dry laws were enacted by their legislatures. One of the great problems which arose was that of protecting those dry States from interstate shipments. At that point the sovereignty of the Federal Government stepped in, under the Commerce Clause of the Constitution, and made protection of those dry States possible, so the States could effectively enforce their own laws..

The same was true in connection with laws dealing with the products of child labor. There were States which had liberal and progressive legislation relating to child labor. On the other hand, there were other States which permitted child labor; and the question was whether there could be an implementation of the Federal law, within the commerce clause, in order to make it possible for the States to enforce their own laws. That is the only question before the Senate today. The pending bill is a proposal whereby the States which impose restrictions on the use of fireworks can be secure in the knowledge that their laws cannot be torpedoed because the Federal Government has not taken adequate action under the commerce clause.

There is a serious need for the enactment of some such bill as the one now under consideration. One of the best items in the record in behalf of such action is the report of the American Medical Association. It is a 6-year report, covering the years from 1937 to 1946, excluding the war years. In that period there were over 28,000 injuries in the United States as a result of the use of the fireworks, and 75 persons were killed, among them a substantial number of children.

Probably one of the greatest tragedies is that so often children lose their eyesight as a result of the use of fireworks, particularly cannon firecrackers. Having once had my own eyesight threatened, I can understand the despair and the distress that goes with such a tragedy and a child is prevented from having the full use of his faculties as he moves on toward the day when he becomes of age and wishes to take his place as one of the citizens of this country. If such a tragedy happened on the battlefield, we would fairly shudder at the thought.

We give a great deal of attention today to the question of highway fatalities, and constant campaigns are under way to cut down the appalling number of casualties on the highways and roadways of America. The use of fireworks also results in lives being taken, eyesight lost, and digits blown off.

It seems to me that the States which desire to enforce their own laws are entitled to have the sovereign power of the Federal Government used in giving effectuation to their State laws. Thirty-six States have laws which move practically across the board with respect to restrictions upon the sale of fireworks. A number of other States do not move quite so far. But who are we to say that when 36 States desire to effectuate their laws, they cannot have some protection under the commerce clause so that they may protect their own citizens?

That is the only question before the Senate today. It is the same question which was involved in the sale and transportation of liquor. It is the same question as that involved in the field of the products of child labor. The bill before the Senate today relates only to the transportation of fireworks when such transportation would violate the provisions of State law. It is not too much for the sovereign States of the Union to ask for such protection from the Federal Government.

Who are in favor of the passage of the bill? The parents and teachers of the children are in favor of it, and many of them testified before the committee. The Federation of Women's Clubs, made up of the mothers of the land, who are interested in the physical well-being of children, testified in behalf of the bill. The Foundation for the Blind, with headquarters in New York, which organization represents blind people everywhere in the country, sent their representatives to testify in behalf of the passage of the bill.

Representatives of the American Medical Association appeared before the committee and indicated the interest of the association in the passage of the bill. Representatives of the Society of Optometrists, made up of persons who deal

with the precious camera of the eye, indicated their interest in the proposed legislation. All the proponents of the bill are asking is that the power of the Federal Government be placed behind those States which wish to protect their own citizens against the violation of their laws because of shipments of fireworks into their States from the outside.

Some amendments to the bill will be offered. I trust they will be voted down. One of the amendments proposes to make the law effective after September 1, 1954. I wish my colleagues could tell me how an amendment of that kind could be defended, with the 4th of July soon to be here. If the purpose of the bill is to prevent a child's finger being blown off this month or next month, then, of course, the effective date of the bill should not go beyond the Fourth of July in affording the States the benefit of the legislation.

To defer action on the bill or to defer its effective date until the 1st of September because there are some stocks of fireworks in the hands of manufacturers may appeal to some persons; but, on the human side of the problem, shall we permit youngsters to be maimed and have fingers blown off and eyes blinded on the 4th day of July 1954, when, in traditional fashion, the anniversary of our country's independence will be observed?

Mr. President, one cannot get an eye back once it has been shot out. Nor can a finger lost be restored. Those parts of the body are indispensable to youngsters as they move on to adulthood and take their places among the citizenry of the country. It would be a tragedy if the Congress should defer the effectiveness of the bill until after the 4th day of July. I trust the amendment will be voted down.

I trust the other amendments, which deal with fireworks of a minor character, will be voted down, because if the State law permits the use of toy pistol caps or toy pistols, the bill will not affect such laws; but if the law in a State provides that a toy cap pistol is illegal in that State, then the bill would help in the effectuation of the law, because the question before the Senate is the enlistment of the power of the Federal Government in order to make it possible for the States to enforce their own laws. That is very little to ask.

I trust that all amendments will be voted down, and that the bill as it was reported by the Committee on the Judiciary will pass. The amendments of the committee can then be considered in conference, and the law can be written upon the statute books before the Fourth of July 1954, as another contribution to the conservation of human life and human faculties.

I thank the Senator from South Carolina for yielding.

Mr. DANIEL obtained the floor.

Mr. WELKER. Mr. President, will the Senator from Texas yield for a moment? I have a long distance telephone call to answer, and I would request only a few seconds.

Mr. DANIEL. Mr. President, I ask unanimous consent that the Senator from Idaho may proceed without my losing my right to the floor.

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

Mr. WELKER. Mr. President, in reply to the statement propounded by the distinguished Senator from Wisconsin [Mr. WILEY] who is the floor manager of the pending bill, he quoted from the memorandum of the distinguished senior Senator from Nevada [Mr. MCCARRAN], as follows:

> With respect to the 10 States which have local option laws, more complicated research would be necessary, obviously; but even here, it should be possible to prepare a chart or index indicating the areas within the State into which shipment might be made, and those areas of the State into which such shipment would be illegal.

I wish to observe that my State has 44 counties and a distance of approximately a thousand miles must be traveled from the southern portion of the State to the Canadian border, so I am wondering what charts or indexes could be prepared that would enable the manufacturer to know what area, what village council, or what municipality permits the shipment of fireworks. In view of such circumstances I think the bill might hurt the local option States. I thank the Senator from Texas.

Mr. DANIEL. Mr. President, at the request of the distinguished senior Senator from Nevada [Mr. MCCARRAN], I call up his amendment 5–10–54, and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, immediately following line 17, it is proposed to add the following new paragraph:

> This section shall be effective from and after September 1, 1954.

Mr. DANIEL. Mr. President, at the request of the distinguished senior Senator from Nevada, I have called up his amendment, which has just been read. Since the Senator from Nevada has been quoted with approval in connection with the bill, I wish to call to the attention of the Senate his statement in connection with the amendment which would make the effective date of the bill September 1, 1954, rather than the date of the passage of the bill. The Senator from Nevada, in speaking before the Senate on May 10, when he offered his amendment, made his position clear in the following words:

> I desire to make it clear that I have supported House bill 116; I had a hand in smoothing the way for the bill in the Committee on the Judiciary; and I do not desire to delay its enactment. This amendment is offered in good faith, and in order to give those who will be affected by the proposed law an opportunity either to take themselves out of the field of its effectiveness or bring themselves into compliance with its provisions.

I know it will be charged that the amendment simply would project the effective date of the law beyond July 4 of this year, and would allow manufacturers of fireworks to continue shipping into States which prohibit the use of fireworks until the Fourth of July season is over.

It may be charged that the amendment is not offered in good faith, despite the reasons given by the Senator from Nevada, but it seems to me that his reasons are good. He continues by saying that some manufacturers have said they would have to go out of business; that they could not, under the proposed law, take a chance on shipping fireworks into any of the States of the Union. If that be true, the Senator from Nevada feels, and I agree with him, that such manufacturers should have an opportunity to change over to some other kind of work before the effective date of the act, and to put their plants and employees into some other kind of business.

Other manufacturers have said that they can stay in business, but that it will take them some time to ascertain where they can ship fireworks without running the risk of violating this proposed law unintentionally.

It would appear from the arguments which have been made on the floor of the Senate today that a serious question exists as to the laws of the various States and as to which laws would be binding upon manufacturers who ship fireworks across State lines. In the first place, the bill does not define "fireworks." It does not say what Congress means by "fireworks," except to say, on page 2, line 12, as follows:

> In the enforcement of this section, the definitions of "fireworks" contained in the laws of the respective States shall be applied.

It would appear that those who are in the business of manufacturing fireworks are entitled a reasonable time in which to determine the definitions of "fireworks" in the various States, and to learn something about the laws in those States which allow local municipalities and units of government to determine whether fireworks are lawful or unlawful.

Mr. President, I have offered the amendment in complete good faith, not merely to help manufacturers get by the July 4, deadline. It would suit me if the effective date could be made before July 4, but it so happens that by giving a 90-day period in which to enable manufacturers either to get out of the business or to determine how lawfully to engage in or continue their business, the requested amendment is reasonable in every respect.

The bill does not make it unlawful for fireworks to be sold or to be used in any State of the Union. That is left to State law. I have children. I do not want to see any more children maimed on July 4. But, Mr. President, the State laws which prohibit the use or sale of fireworks are in effect today. They will be in effect on July 4. All the bill would do would be to add another law to all those which already provide that manufacturers are responsible if they ship fireworks into forbidden States.

If State laws are properly enforced on July 4, no additional children will be maimed. If there is not a proper enforcement of State laws on July 4, this bill will not help at all.

Before a charge is made that the amendment is not offered in good faith,

I wish to say that so far as I am concerned so far as the Senator from Nevada is concerned, and so far as the senior Senator from South Dakota [Mr. MUNDT], whom I see on the floor, is concerned, we are interested simply in seeing to it that manufacturers have an opportunity either to get out of the business or else know how to comply with the State laws.

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

Mr. DANIEL. I yield.

Mr. MUNDT. The amendment offered by the Senator from Nevada [Mr. MCCARRAN], which has been called up by the Senator from Texas [Mr. DANIEL], in no sense is in opposition to the basic concept of H. R. 116, but simply provides an effective date as of September 1. Is not that correct?

Mr. DANIEL. The Senator is correct.

Mr. MUNDT. Does not the Senator from Texas believe that in passing proposed legislation affecting business or professional groups in this country, it is elemental justice, at least, to give them some type of warning before putting them arbitrarily out of business by law?

Mr. DANIEL. That is correct. No industry should be put out of business or required to conform with a law, such as the one which is here proposed, which depends on definitions and other provisions in the laws of at least 37 other States, without affording them an opportunity to study and know what they can do without violation of the law.

The Senator from South Dakota will remember that the Senator from Wisconsin [Mr. WILEY] quoted the statement of the Senator from Nevada to the effect that the law could be enforced, and that manufacturers could make charts of the various States and the localities within the States. Some time should be allowed for the preparation of these charts, so that manufacturers may know whether they can conform with the laws of the States or will have to go out of the business.

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

Mr. DANIEL. I yield to the Senator from South Dakota.

Mr. MUNDT. The junior Senator from Texas is a distinguished lawyer, and he was a very eminent attorney general of the State of Texas. Does it not occur to him that in the passage of proposed legislation, the Senate should give some attention, at least, to the possibility of compliance? One of the basic ideas in the enactment of laws it to bring about compliance with them, instead of creating conditions which will result in endless violations of the laws. Unless some time is allowed in which manufacturers of fireworks can study the contents of the law and its applicability to the various items of State legislation, it seems to me it would be entirely impossible for shippers of fireworks to know whether or not they were acting in compliance with the law.

Mr. DANIEL. From the discussion on the floor this afternoon, it seems to me that the Senator from South Dakota is correct.

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

Mr. DANIEL. I yield to the Senator from Minnesota.

Mr. THYE. I believe the manufacturers have had ample notice. The bill was reported to the Senate a year ago, and was then withdrawn. It was again reported to the Senate on April 14, 1954. During all the time the bill was in committee, being studied, certainly the manufacturers knew what to expect.

I may say, further, that all the bill seeks to do is to prohibit a manufacturer from shipping fireworks into a State which has enacted its own laws forbidding the sale and merchandising of fireworks of any kind. Therefore, we are not putting the manufacturer out of business in an unjust and an unfair manner, because it is only a question of forbidding him from shipping into a State which has said, by its own public laws, that he cannot merchandise fireworks in that State.

Of course, the question may be raised that if such a manufacturer ships fireworks into the State, and someone bootlegs them, a child can still be injured, lose his eyesight, or become maimed. However, all the bill is trying to do is what I have just stated, namely, to provide that a manufacturer cannot ship into a State which has a prohibition law on its statute books.

Mr. DANIEL. Is it not true that the committee heard evidence from some of the manufacturers who felt that the wording of the bill, which prevented them from knowingly shipping fireworks across State lines for use or sale in violation of State laws, would make it difficut for them to follow the law, and that they would not be able to continue in business if such a law were enacted?

Mr. THYE. Mr. President, I would not try to interpret what the manufacturers stated before the committee, because I am not a member of the committee, and I was not present at the hearings. I shall only say that such goods could be shipped across State lines. No one is going to tear a shipment open to determine what is in the shipment while it is en route across the State, whether it be by air, rail, or motor carrier. I say only that the bill provides that a shipper may not give as the designated point of destination a place in a State which has enacted a law providing that such merchandise cannot be shipped into the State. That is the only question with which the Senate is faced.

Mr. DANIEL. The proposed law goes much further than that. The bill provides that one shall be chargeable and subject to the punishment provided if he ships fireworks across State lines knowing that such fireworks are to be delivered, possessed, stored, transshipped, distributed, sold, or otherwise dealt with in a manner or for a use prohibited by the laws of such State. In other words, it would not apply just in the event a State prohibited the shipping into that State of a certain type of fireworks.

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

Mr. DANIEL. I yield to the Senator from Tennessee.

Mr. KEFAUVER. As I remember, two proposals were made before the committee. One was to limit the bill to a violation of the statutory law of the State where there was complete prohibition, and not to require the shipper to determine what the ordinances and the actual laws of the various counties or municipalities might be. It seems to me that the bill, as it is now worded, would place the burden upon the shipper, not only of not shipping fireworks into States where fireworks are absolutely prohibited, but of determining exactly what each municipal or county law may be. It would take some time to determine that.

Mr. DANIEL. I agree with the Senator from Tennessee, because I interpret municipal ordinances and laws of other local units of government as parts of the State law. Certainly they are in those States where statutes provide that it is illegal for fireworks to be sold in violation of the laws and ordinances of local units of government.

Mr. KEFAUVER. If the language were, "statutory law of the State" that would refer to the State statute and not to the municipal ordinances and local-option rules; but apparently the committee must have rejected the language "statutory law" and substituted "laws of such States."

I agree with the Senator from Texas that the language would place the burden on the shipper to determine what is meant by the laws of the various towns, cities, and local-option communities.

Mr. DANIEL. I think it would mean that the manufacturers would have to prepare for that. As the senior Senator from Nevada explained in the committee meeting, as quoted by the Senator from Wisconsin the manufacturers should have time to do that in order to comply with the law.

Mr. WILEY. Mr. President, I have listened with particular attention to the arguments which have been made, and I think in 2 or 3 minutes, at least in my own conscience, I can demolish them.

The first point raised is as to the time involved. The bill was passed by the House of Representatives on July 20, last year. It came to the Senate, was reported by the committee, and was put on the calendar. That was notice. The bill was recalled, and hearings were held on it. That was notice. We heard representatives of the manufacturers.

I call the attention of my colleagues to the fact that the manufacturers have made money because of the violation of the laws of 36 States. Do not forget that. That is why the States are asking Congress to pass the bill. That is why the Attorney General of my State has said, "We want a Federal statute on this subject. The manufacturers have been shipping fireworks into our State. We have no control over that, because there is no Federal statute affecting the matter."

The second point is as to what the manufacturers want the Congress to do. I do not wish to discuss personalities. I think the question is whether we want to think of the children of America or of 1 or 2 manufacturers. Some of the so-called maiming instruments are shipped in from the outside. Some come

from the Orient, and there are distributors who handle them. There is a manufacturer in Maryland who does a pretty good job in manufacturing fireworks. I understand there may be one in Texas. The question is whether the Senate should think in terms of the manufacturers. The manufacturers know the bill has been under consideration in the House and in the Senate for a year. The question is whether action on the bill is going to be postponed beyond another Fourth of July, which will result in children being injured and placed in hospitals, as the Senator from Minnesota [Mr. THYE] has said. That is the responsibility involved in the adoption of the amendment.

The manufacturers have had time to know of the attitude of 36 States, and how the American Medical Association and parents feel about the question. The manufacturers want to have time to unload fireworks again illegally into my State. The manufacturers can send them in interstate commerce because there is no Federal statute prohibiting it, but if a Federal statute is enacted, such as provided for by the bill, manufacturers will not be able to ship such fireworks.

It seems to me, Mr. President, that we are dealing with the question whether we shall comply with the wishes of the people of 36 States which prohibit the shipment of fireworks inside their borders and of other States which have local option laws. To my mind there is no problem involved. So far as I am concerned, the problem was answered when I replied to the argument of the Senator from Idaho [Mr. WELKER]. I have reported bills, and the Senator from Idaho has reported bills, which are more complicated than the provisions of the pending bill. If a certain commissioner of a State has authority to grant permission for the use of fireworks, that can be determined from reports which every businessman receives. To me, that is no argument.

The Senate can have its choice: Favor the manufacturers, and permit the maiming of children to occur on this 4th of July, or reject the amendment.

Mr. DANIEL. If that were the choice, and the only choice, then I would vote in favor of the children, because I am more interested in the children than I am in the manufacturers of fireworks, and the Senator from Wisconsin knows that just as well as he knows he is more interested in the children than he is in the manufacturers.

Mr. WILEY. I believe it.

Mr. DANIEL. And the Senator believes me when I say that, I am sure.

Mr. WILEY. I know the Senator from Texas well enough to know that.

Mr. DANIEL. If I thought that was the only question for decision before the Senate, I would be opposing the amendment of the Senator from Nevada instead of offering it for him in his absence. But I say, Mr. President, that while considering the children, and trying to keep dangerous and illegal fireworks away from them, we ought also to consider legitimate manufacturers who may have been sending legal fireworks into States without any violation of State laws. They say that they fear it will be impossible to do so any longer if the pending bill is enacted; that they cannot take a chance on someone using the fireworks in violation of State laws whenever they are shipped across State lines, even though they believed they would not be so used.

I do not believe the Senator from Wisconsin desires to leave the impression that all the manufacturers have been violating or intentionally aiding in the violation of State laws. I would not want to give one more day of time to manufacturers who have been sending fireworks across State lines in violation of State laws. The only manufacturers who should receive consideration are legitimate manufacturers who have not been violating State laws, but who fear they will be in a position of violating a new Federal statute unintentionally unless they are given an opportunity to know the effect of whatever law may be enacted.

So, Mr. President, I think we can well consider first the welfare of children and also the legitimate interest of the manufacturers who sincerely want to comply with the law.

As I have pointed out, this measure will not make illegal the use or sale of any fireworks if their use or sale is not illegal today. The situation on July 4 will be governed by the State laws which already are on the statute books. If those laws are properly enforced, no violations under the provisions of the pending measure will occur.

I believe we should consider both the welfare of our children and fairness to the manufacturers who are involved; and I believe we shall do so by accepting a provision for a definite effective date, so the manufacturers will know what they must do in order to comply with the law and to avoid violating it.

The Senator from Wisconsin [Mr. WILEY] has referred to a statement by the Senator from Nevada [Mr. MCCARRAN] in regard to the preparation of charts by the manufacturers, so they will be able to know how to comply with the laws in the various localities. The Senator from Nevada has also stated that the manufacturers should be given a reasonable time in which to prepare the charts and either to comply with the State laws on the subject or get out of the business.

Mr. MUNDT. Mr. President, will the Senator from Texas yield to me?

Mr. DANIEL. I yield.

Mr. MUNDT. I should like to associate myself with the statements just made by the Senator from Texas. If House bill 116 is properly enforced and if adequate notice is given, so that enforcement can be had, I think it conceivable that the bill will be able to bolster some of the States that, for reasons best known to themselves, have been weak in enforcing their laws on this subject.

I expect to support the bill; but, as a Member of Congress, I should like to keep myself in the position of having voted for the enactment of proposed legislation that will be reasonable and rational.

I certainly cannot accept the statement of the Senator from Wisconsin that the manufacturers have had adequate notice as a result of the introduction of the bill, because with a Congress in which, for every 50 bills introduced, only 1 is passed, certainly the operations of manufacturers would be disrupted if they had to take notice of every bill that was introduced. After all, a great many bills are introduced, but fail of passage in either one House or the other.

It is now almost the first of June, and at this time we are asked to pass a bill by which certain legitimate business people would be told, at a time when they had accumulated certain inventories, that the United States Government would, in effect, put them into bankruptcy by making it impossible for them either to have time to prepare the necessary charts, to which reference has been made, or to dispose of the stocks they already have on hand, for as it is now written, the bill will virtually make it necessary for such manufacturers to go out of business entirely if they are to obey the law. In fact, because of their present possession of the merchandise which it would thus be impossible for the manufacturers either to sell or to keep, the effect of the bill, if enacted as it now stands, would be to drive such manufacturers into bankruptcy.

Mr. President, I believe that we should make the bill workable, and in that connection should recognize that in the United States, ex post facto laws are not passed. Certainly the situation I have just outlined is the one in which the distributors would find themselves, under the provisions of the bill as it now stands, in view of the fact that the bill will be enacted in almost the very month in which the distributors and manufacturers do the bulk of their business. I know of no measure passed by Congress which has put any group in the United States into virtual bankruptcy, even though they have been engaged in a lawful business.

In my opinion, the bill as it now stands violates a second principle when it fails to provide a means by which a legitimate manufacturer can ascertain the actual requirements of the various laws on the subject, so that he will have an opportunity to comply with them. By a means suggested by the Senator from Nevada, an opportunity will be provided for the legitimate manufacturers and distributors to comply with the law. That means is needed, in order to give them notice that they will have to comply with such laws in the future; and such a provision will place on the State officials the responsibility of having their State laws on this subject enforced as of July of this year.

For that reason, I should like to support the bill, and I believe it is constructive. I think it can be amended in such a way as to provide a reasonable, effective date, in which case the bill will be a reasonable piece of proposed legislation that will do injustice to none. Certainly the bill can be amended in such a way that honorable men who are engaged in this business activity will have

an opportunity to know what the law is, and to comply with it.

I neither like to vote bankruptcy upon legitimate business concerns nor to vote punishment upon those who, in violating the law, have not had an opportunity to know what it is.

Of course, in connection with this subject, children are our primary consideration. Under the bill, they will have the protection of all of the State laws that already are on the statute books, and they will have the added protection which properly can be provided by the pending measure.

I believe it is in the interest of good government and fair play to provide an effective date that will make it possible for this measure to be understood and be obeyed. In that way, we shall not deliberately vote into bankruptcy certain legitimate enterprises that have had no warning and no notice other than the fact that the bill was "in the hopper." Without such adequate notice, they would find that at the very time when they had expected to sell their merchandise, they would have to keep it on hand, and thus be forced into bankruptcy, because they would not be in a position to sell it or otherwise dispose of it. Such an arrangement does not seem to me to be in keeping with the proper procedure for the Congress of the United States to follow.

The PRESIDING OFFICER (Mr. BUSH in the chair). The question is on agreeing to the amendment submitted by the Senator from Texas [Mr. DANIEL], at the request of the Senator from Nevada [Mr. MCCARRAN], and the Senator from South Dakota [Mr. MUNDT].

Mr. LEHMAN. Mr. President, my particular interest in the subject covered by the pending bill arises from the fact that some years ago, when my daughter was suddenly stricken with appendicitis, an immediate appendectomy became necessary, and, as a result, I had occasion to take her to the hospital on July 4. I spent all that day and several days following in the hospital, and I saw youngster after youngster brought into that hospital. There must have been a dozen of them who were brought into the hospital in the relatively small city of Hanover, N. H.; and among that number there were 2 or 3 who were threatened with the loss of their sight; and in 1 or 2 cases I believe they actually did lose their sight—all because of injuries from fireworks.

In New York, we have laws prohibiting the sale and use of fireworks. However, a certain amount of bootlegging goes on in connection with the sale of fireworks. That bootlegging is made possible only because fireworks, including firecrackers, are shipped into the State, across State lines, and are made available to dealers who are willing to break the law of the State of New York.

So I believe this question is completely and exclusively a humane one. I do not think we should give consideration to the effect of the proposed legislation on 1, 2, 3, or half a dozen manufacturers who, in my opinion, in most instances know they are breaking the law when they ship their products into a State which by statute prohibits the sale of or dealing in fireworks, including firecrackers.

The question is whether we are to endeavor to save lives and prevent injury to hundreds, if not thousands, of people, including adults as well as boys and girls, because from time to time adults also are injured or maimed by the use of fireworks. I think it would be entirely wrong for us to help a handful of dealers to go through another season, another 4th of July. So far as I am concerned, I certainly intend to vote against the pending amendment.

MILITARY EFFECTIVENESS OF THE UNITED STATES

Mr. FERGUSON. Mr. President, yesterday I appeared on the television and radio program called Meet the Press. I was asked a question toward the end of the program, and time did not permit a full reply. If I recall, the question was whether or not I believed our Military Establishment to be weaker at the present time than when the Republicans took over in 1953. In reply, in order that the record may be clear, my answer was "No."

I think it should be said, in amplification of that reply, that our military strength and effectiveness today are far greater than in January 1953, when President Eisenhower took over as Commander in Chief. Our buildup, in terms of modern weapons and equipment, continues at an accelerated rate. As chairman of the subcommittee of the Senate Committee on Appropriations which deals with defense appropriations, I have some personal knowledge of this subject. We are stronger now than we were a year ago, and we are growing stronger all the time.

For example, we shall have a 120-wing Air Force 1 year ahead of the original estimated date, and our Army infantry divisions now have 84 percent greater firepower than World War II infantry divisions had. By means of stepped-up training and the furnishing of equipment we have greatly increased the strength of our allies—for example, South Korea, which now has 20 combat-ready divisions.

The integration of guided missiles, such as Nike and the pilotless bomber Matador, vastly improves our military strength. We have one additional armored division and a number of new National Guard units with newer equipment. I do not believe that we reduced the effectiveness of our Military Establishment in South Korea by withdrawing several divisions. I think we strengthened the morale of the South Korean people. Therefore, we have given them greater responsibility. I believe that when people are defending their liberties, if they are given responsibility they will measure up to it.

I wish to emphasize that the reductions in expenditures and costs have been focused on surplus, on noncombat personnel, and on nonessential supplies and services which are easily dispensed with in the hard problems of warfare.

There are many examples of these accomplishments. For instance, we shall man the 120-wing Air Force with at least 83,000 fewer military personnel than were estimated a year ago.

The number of personnel in higher headquarters units in the Air Force is being reduced by 10 percent. Approximately 8,000 surplus cooks and bakers have been eliminated, and some 9,000 automobile mechanics and drivers have been eliminated as the result of better utilization of cars. For example, it was formerly the policy of the military to have an automobile overhauled every 1,000 miles. Private drivers, many of whom drive even greater mileages than do the drivers of military vehicles, know from experience, and industry knows from experience, that overhauling an automobile every 1,000 miles is not an economy. In fact, it is a waste. We have found that the number of cooks, bakers, mechanics, and drivers could be reduced. I know that music is essential in the Air Force, but we have been able to eliminate 2,406 musicians—I think that is the exact number.

The use of Navy personnel overseas has resulted in great savings in funds, and a great increase in international good will.

Coming back to the question of the South Koreans who are armed, the figures show that the cost of supporting an American division, as compared with the cost of a Korean division, is almost 21 times as great. I heard General Van Fleet testify before the committee that it has been discovered that, when trained by Americans, the South Koreans are really a strong fighting force.

These examples indicate some of the ways in which we are increasing the strength of our defenses, and yet reducing the costs. I can say emphatically that we are not weaker now than we were at the beginning of the new administration.

Mr. President, I desire now to turn to another subject.

The PRESIDING OFFICER. The Senator from Michigan has the floor.

AMENDMENT OF VETERANS' READJUSTMENT AND ASSISTANCE ACT—ELIGIBILITY FOR VETERANS' UNEMPLOYMENT COMPENSATION

Mr. FERGUSON. Mr. President, in a previous session of Congress I introduced a bill which was enacted and became known as title IV of the Veterans' Readjustment Assistance Act of 1952. The bill which I intend to introduce today, and which I shall later send to the desk for appropriate reference, seeks to amend title IV of the Veterans' Readjustment Assistance Act of 1952 in order to change the period during which a veteran would be eligible for Veterans' Unemployment Compensation.

The present law contains a provision which terminates the provisions relating to Veterans Unemployment Compensation 5 years after a date determined by Presidential proclamation or concurrent resolution of the Congress. The present act does not adequately limit the period

during which a veteran may receive this unemployment compensation. At the same time, the act might work to prevent veterans who are drafted into the service of their country at a later date from being eligible.

The amendment I am now proposing would limit the eligibility of any veteran to a period of not more than 3 years, unless he went to school under terms of the act, in which case he would have 1 additional year, up to a total of 5 years after his discharge. In all cases under this title, the first 90 days after discharge is not counted because the veteran receives his discharge allowance at that time. A 3-year period is believed to be adequate and equitable.

The bill would also extend the general life of the title in order that the benefits might be available to persons who enter the military service in the future.

I believe the program should be continued as long as this Nation continues to draft its young men to military service, and therefore do not want to set an arbitrary limit which might be at variance with the duration of the draft laws.

The amendment has the support of the State commanders of the congressionally chartered veterans organizations in Michigan and was recommended by them.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter which I received from Dr. Robert M. Ashley, commissioner, Michigan Employment Security Commission, dated March 26, 1954.

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

MICHIGAN EMPLOYMENT SECURITY COMMISSION,
Detroit, Mich., March 26, 1954.

Hon. HOMER J. FERGUSON,
Senate Office Building,
Washington, D. C.

DEAR SENATOR: I am enclosing a letter addressed to me, and a resolution drawn up by the commanders of the veterans' organizations in the State of Michigan. These letters are self-explanatory, needing little comment from me. However, I feel as do the commanders of the veterans' groups in Michigan, that you did the veterans not only of Michigan, but of the United States a great service in reclaming a bill for us that was on its way to the graveyard.

The accompanying amendment we felt would show that the veterans are not interested in "rocking chair" money, but merely want an emergency taken care of when it arrives. We feel that 3 years after he is discharged the veteran should be able to take care of himself. We also feel that should a veteran take up schooling, he might need protection a year after school, but not in excess of 5 years, after his discharge. We also feel very keenly that the program should not be discontinued after 5 years, if we continue to draft our youth into the Armed Forces, and that looks like a continuing program.

Let me again express to you the feeling of gratitude expressed in all veterans' organizations for your interest and efforts in their behalf.

Kindest personal regards,
Dr. ROBERT M. ASHLEY.

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a letter which Dr. Ashley received from Mr. Hendrick G. Nobel, legislative director, AMVETS, Department of Michigan.

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

AMVETS, DEPARTMENT OF MICHIGAN,
Detroit, Mich., March 26, 1954.

Dr. ROBERT M. ASHLEY,
Wyandotte, Mich.

DEAR DR. ASHLEY: At a meeting of the department commanders group at Lansing, March 24, 1954, the attached resolution was adopted.

In recognition of your efforts in behalf of unemployed veterans the group requested that I, as a member of the legislative subcommittee of the group, contact you and ask you to forward the resolution to Senator FERGUSON.

With this request goes our sincere thanks for your continuous interest and never-tiring efforts to assist in the rehabilitation of the veteran.

Yours sincerely,
HENDRIK G. NOBEL,
Legislative Director,
AMVETS, Department of Michigan.

Mr. FERGUSON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a resolution adopted by the Department Commanders Group, Congressionally Chartered Veterans' Organizations, at Lansing, Mich., on March 24, 1954.

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

DEPARTMENT COMMANDERS GROUP,
CONGRESSIONALLY CHARTERED VETERANS ORGANIZATIONS,
Lansing, Mich., March 24, 1954.

Whereas title IV, section 409, of Public Law 550 (Veterans Readjustment Assistance Act of 1952) provides for termination of the program of paying unemployment compensation to veterans 5 years after a date determined by presidential proclamation or concurrent resolution of Congress; and

Whereas a termination date for the paying of unemployment compensation benefits to returning veterans should be related to the individual veteran and should not provide for the discontinuance of the entire program since there is every indication that the drafting of the youth of this Nation will be continued to fill the needs of the Armed Forces and thus continue the need of this program; and

Whereas a provision authorizing the payment of unemployment benefits to veterans should adequately protect the veteran and carry out the intent of the program if it covers a period of 3 years after his date of discharge except in the case of the veteran who takes advantage of schooling under title II of Public Law 550 and who may complete such schooling at such a time that he cannot immediately secure employment: Therefore be it

Resolved, That the department commanders group of the State of Michigan composed of the department commanders of the congressionally chartered veterans organizations and their legislative officers do hereby recommend to Senator FERGUSON, the author of the amendment that created title IV of the Veterans' Readjustment Assistance Act of 1952, that section 409 of Public Law 550 be amended to provide for the termination of benefits for the individual veteran but not for the discontinuance of the program and offer as a suggestion that section 409 of Public Law 550 be amended to read as follows:

"No compensation shall be paid under this title for any week commencing 3 years after the effective date of this title or 3 years after the veterans' last date of discharge, whichever is the later. Provided, however, that a veteran pursuing a training program under title II of this act may receive compensation for 1 year after such training period but not beyond a period in excess of 5 years from the date of his last discharge."

Respectfully submitted.

JOSEPH H. TAYLOR,
Disabled American Veterans.
EDWIN A. HRKULA,
Marine Corps League.
HENDRIK G. NOBEL,
AMVETS.
S. BURR MCCURDY,
United Spanish War Veterans.
JOSEPH H. RETZENHEIN,
Veterans of Foreign Wars.
BILLY R. WICKENS,
The American Legion.

Mr. FERGUSON. Mr. President, I now ask unanimous consent to introduce the bill to which I have referred.

There being no objection, the bill (S. 3473) to amend title IV of the Veterans' Readjustment Assistance Act of 1952 so as to provide that any person serving in the Armed Forces on or after June 27, 1950 shall be entitled to unemployment compensation benefits subject to such title, and for other purposes, introduced by Mr. FERGUSON, was received, read twice by its title, and referred to the Committee on Finance.

ORDER FOR RECESS

Mr. KNOWLAND. Mr. President, I ask unanimous consent that when the Senate completes its labors today it stand in recess until 12 o'clock noon tomorrow.

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

PROHIBITION OF TRANSPORTATION OF FIREWORKS IN CERTAIN CASES

The Senate resumed the consideration of the bill (H. R. 116) to amend title 18, United States Code, so as to prohibit the transportation of fireworks into any State in which the sale or use of such fireworks is prohibited.

Mr. FERGUSON obtained the floor.

Mr. KEFAUVER. Mr. President, has the Senator from Michigan made a unanimous-consent request relative to voting on the pending bill, or can the Senator from Michigan tell us whether a vote will be had on it this evening? I wish to offer an amendment, and I should like to know what the legislative program is for this evening.

Mr. FERGUSON. Mr. President, I ask the Senator to withhold his request for a few minutes.

Mr. KEFAUVER. Mr. President, I ask unanimous consent to send to the desk at this time an amendment which I intend to offer to the pending bill, and I ask that the amendment be received and printed for the information of the Senate, and lie on the table.

The PRESIDING OFFICER. Is there objection?

Mr. CASE. Mr. President, reserving the right to object, is it to be understood that the submission of the amendement and having it lie on the table after being printed for the information of the Members of the Senate does not mean that no

vote will be taken today on the pending bill?

Mr. FERGUSON. As I understand the rule, the submission of the amendment does not delay anything.

Mr. CASE. If a unanimous-consent request is agreed to that the amendment shall be printed for the information of the Members of the Senate, obviously that request cannot be complied with until there is time to have the amendment printed.

The PRESIDING OFFICER. The Chair will state that the submission of the amendment does not change the parliamentary situation. The pending question is on agreeing to the amendment offered by the Senator from Texas [Mr. DANIEL] at the request of the Senator from Nevada [Mr. MCCARRAN].

Mr. CASE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from South Dakota will state it.

Mr. CASE. Did the request of the Senator from Tennessee include a unanimous-consent request that the amendment be printed?

Mr. KEFAUVER. That is what I am asking. I assume that no vote will be had on the pending bill tonight. If a vote is to be reached this evening, I shall simply offer the amendment before a vote is had on the bill.

Mr. CASE. Under those circumstances I have no objection.

The PRESIDING OFFICER. Without objection, the amendment will be received and printed and will lie on the table.

INDOCHINA AND OUR FOREIGN POLICY

Mr. FERGUSON. Mr. President, I should like to discuss for a few minutes today some of the problems of our foreign relations which concern and trouble all of us.

What is going on today in Geneva and Indochina is of direct concern and interest to the people of the United States. We do not have to be told of the dangers of world communism. The process of aggression, conquest, revolution and broken treaties that has led to the terrible enslavement of 800 million people since the end of the war is tragically plain to the world.

We know that the ultimate objective of the Communists is world domination and we realize that every mile they can advance from their fortress, every person they enslave increases their strength and by the same token weakens the strength of the free world.

We know that we can have no faith in their expressed motives or intent to the free world. We have witnessed their callow disregard for treaties. Again and again we have seen the use they make of international conferences called to attempt to remove some of the obstructions to a peaceful world. Berlin and Geneva stand as fresh demonstrations of the conspicuous bad faith of the Communists in international negotiations.

These are extremely serious days for our country. A large and vital area of the free world is in immediate and present danger of being conquered by communism. This area is the great southeastern Asia peninsula and the islands that lie adjacent to it on the south. In this area there are seven countries with a population of 200 million people. These 7 countries, the 3 states of Indochina—Laos, Cambodia and Vietnam with the 4 other states of the area, Burma, Thailand, Malaya and Indonesia—control the approaches to the Indian Ocean.

If the Communists can conquer southeast Asia they will control the entire western shores of the Pacific Ocean from the Bering Sea down to the waters that wash the island continent of Australia.

This control would place Australia, New Zealand, and the Philippines in immediate danger and would jeopardize the very existence of Japan which would be deprived of its sources of food and raw materials and would at the same time be deprived of the most important markets for the products the Japanese must sell in order to maintain their economy.

The immediate focal point of the Communist attack is Indochina, where the three nations, Laos, Cambodia, and Vietnam, with France, are bearing the brunt of a war that has been going on for 8 years and that has constantly been increasing in intensity.

The results of this war and the destiny of these countries are so important to the future of the free world that I would like to review some of their recent history to place the background for what is their present.

The French have had some interests in Indochina since the 18th century, but France's role there as the ruling colonial power has only been a product of the last 75 years. The 3 Associated States, Laos, Cambodia, and Vietnam, have a total population of approximately 30 million. The population of Cambodia is about 3 million, that of Laos about 2 million. The population of Vietnam is around 25 million, and these 25 million are today divided just about half and half between the free part of the country and the part that the Communists control. That does not mean land area; it refers to population.

During the Second World War the French, their country occupied as it was by the Germans, had little choice but to continue the Vichy type of government they had in Indochina. This French Government was powerless to protect Indochina from the Japanese, and when the Japanese withdrew after their surrender on August 13, 1945, they left behind them a condition of chaos.

The Indochinese had lost much of the respect and awe with which they had regarded the French. They had witnessed them powerless against the Japanese and had not seen the Japanese in any way punished, because—except for the war in the air and at sea—Indochina was bypassed.

In the cleaning-up phase that took place right after the Japanese surrender, the Allies agreed at Potsdam that the Chinese troops of Gen. Chiang Kai-shek would occupy the northern part of Vietnam and the British would take over temporarily in the south. In September of 1945 French troops began to arrive and attempted to restore order to the southern part of the country. In the north, as the Chinese troops withdrew, a rough sort of popular-front government had effective control. This government was set up by a man who was called Ho Chi Minh, the man who is today the head of the Communist Viet Minh.

There was not much question that at that time many of the supporters of Ho Chi Minh were genuinely concerned with establishing a government that would free Vietnam from French colonial rule.

At this point, Mr. President, I might cite a personal experience I had when I was in Indochina several years ago. We received a briefing by the French and the British. The British had come up from Singapore and there was a long briefing on the conditions in Indochina. That evening at our hotel we were asked by the local governor if we would not see the local officials of the Vietnam Government without the French and the British. We did see them, and I shall state the way they looked at the situation. When I said there were people on the other side who were genuinely concerned with establishing a government that would free Vietnam from French colonial rule, here is the way they put the proposition to us:

> There are people on the other side fighting with the Communists who believe they can establish independence for this country through that method and through the Communists. They have never experienced what Communist colonialism is. They have experienced French colonialism, and they believe they have a better chance to get independence through the Communists than have we who are fighting on the side of the French.

They said further:

> You can help independence greatly if you will have the American Government support our local government, and not the French. When you send war materiel to the front, send it to us as a government, and we can use it effectively for our independence and for the people fighting with the Communists. We have reason to believe they will come over to us.

Mr. President, because of various circumstances we could not accomplish that in America. That is one of the reasons why there was not a consolidation of the independence movement. The Communists adopt a great cause, such as the independence of certain people, and then they prostitute that cause. They say, "We will give you independence"; but they would not give independence. They give nothing but slavery. They would give colonialism under communism.

However, if we consider the biography of this man, Ho Chi Minh, we can see a perfect example of how the Communists use the genuine nationalist aspirations of colonial peoples to attempt to enslave them as satellites in the Communist imperial system.

His history is far from that of a genuine nationalist devoted only to the interests of his own country and his own people, it is rather the story of a man who has spent 34 years in Communist activity in many parts of the world. His

history is that of a man whose loyalties are to world communism and to its high command in Peking and Moscow. In France in 1920 he helped found the French Communist Party. From 1923 to 1925 Ho Chi Minh was in Moscow being trained in Communist tactics.

Mr. President, I was told of a man who served in prison under the Japanese and who was in the next cell to Ho. He knows that Ho is a Communist, for the reason that he tried to indoctrinate him with communism. He was a Communist through and through and is now serving the Russian and Red Chinese Communists.

From 1925 to 1927 he was in China with the Russian Communist leader Borodian. From that time until 1931 he was organizing the beginnings of the Vietnamese Communist Party.

This man's life has been an example of how international communism trains its agents to take advantage of periods of unrest to pose as national leaders, while in reality they are agents for the vicious imperialism that threatens the future of the world. Over 30 years ago this man was in Moscow being trained for his present role of posing as a national leader while attempting to bring another country under the control of Moscow and Peking.

Through 1946 and 1947 the French attempted to deal with Ho Chi Minh in order to reestablish some order in Indochina. In 1946 they signed an agreement with him from which they hoped to gain some stability in Vietnam.

Fighting between the French and Viet Minh gradually became more and more violent in 1947, 1948, and 1949, but it was not until 1950 that it began to take on the character of a major war. With the fall of China to the Communists in 1950, they had control of the long border between Indochina and China. With this control they could begin to supply Ho Chi Minh's Viet Minh forces with military supplies sufficient for waging increasingly larger-scale war.

There is no question but that at the beginning the fighting in Indochina started as a product of the chaos left by the Second World War. At that time there was a genuine uprising against French colonial rule, but today this picture has changed completely. Today the Viet Minh does not work for the national independence of the Vietnamese people that it claims to represent. Today the Viet Minh is attempting to force a satellite status upon the whole of Indochina and bring it within the new imperialism of the Communist bloc.

Today the international Communist character rather than the nationalist character of the Viet Minh can be proved very easily by a study of its leaders, their background training and loyalties. I have cited some of the Communist record of Ho Chi Minh. The majority of the men who surround him have a history like his of international Communist activity by no means confined to Indochina. These are men who have received their training in Moscow and in China.

Their leadership comes from Moscow and Peking and that is where their loyalties are and will remain. The few Viet Minh officials who can be thought of as still truly nationalist today are the dupes and captives of their Communist bosses who use them for the moment to maintain the pretense that this is a nationalist movement.

What I was there told by the ministers proved that beyond any doubt.

The driving force back of the political and military effort to enslave Indochina comes from the ideological direction and the military supplies that are supplied Moscow and Peking. Technical advice and military equipment come from both the U. S. S. R. and China. It is an interesting footnote on life back of the Iron Curtain to notice that not only are Czech and Russian military equipment being used by the Vietminh, but also its currency is printed in Czechoslovakia.

In 1950 as the Communists were able to make their control of China complete they immediately branched out to gain complete control of all of the Pacific coasts of Asia. In 1950 they attempted to conquer Korea, and in 1950 the character of the fighting in Indochina changed. From this time on Indochina has been increasingly the battlefield for a serious war.

As soon as this administration came into power—in fact, as early as December, when General Eisenhower was still President-elect—the President and Secretary Dulles began to give the most serious attention to the problem of Indochina. It was in December of 1952 when the President-elect was returning on the cruiser *Helena* from his trip to Korea that he and Secretary Dulles outlined their policy toward Indochina.

Secretary Dulles discussed these conversations which he and the President had aboard the *Helena* in his address on the Geneva Conference May 7. He said:

> We realized that if Vietnam fell into hostile hands, and if the neighboring countries remained weak and divided, then the Communists could move on into all of Southeast Asia. For these reasons, the Eisenhower administration from the outset gave particular attention to the problem of Southeast Asia.

The Secretary went on to say:

> Our efforts took two complementary lines. We sought to strengthen the resistance to communism in Indochina. We sought also to build in Southeast Asia a broader community of defense.

Mr. President, we are living in days when the threat to the free world is extremely serious and we have an enormous responsibility to examine our policies and our actions to see that the interests of this country are supported by the wisest policy and that our policies are carried out in the best possible manner.

This is a responsibility that must be carried out with all of the intelligence and careful thought of our capabilities. It is a responsibility that cannot recognize any partisanship.

Our problem in strengthening the resistance to communism in Indochina has had two major aspects. First, the three Associated States of Indochina and France together simply do not have the material resources to wage a war on this scale against the strength of international communism.

Once the war material began to come from Czechoslovakia and Russia, down through China, and was sent across the border, the situation was found to be entirely different from what it was in the beginning.

Second, this war cannot be fought unless the peoples of the three countries of Indochina have the will to fight. I wish to emphasize this point.

The peoples of these three countries have had no opportunity for normal political or economic life more than 12 years. As a colonial country, their economic life was tied to France, so they have had to face 14 years of economic dislocation since the fall of France in 1940. To appreciate what this disruption has meant, consider just one figure. Before the war Indochina exported as much as 1,500,000 tons of rice in a year. By 1952 they were exporting around 300,000 tons. We can well imagine what that can do to a country like Indochina.

What the Second World War meant to southeast Asia is hard for us to grasp. For these countries the war meant the creation of a state of chaos that the Western World has never experienced. In southeast Asia the very institutions that men live by were destroyed. Governments and societies ceased to exist in the sense that we know them. Channels of commerce and trade disappeared, communications with the outside world ceased to exist. And on top of this dislocation these peoples have had to face 8 years of a cruel civil war kept alive by the internal aggression that the Communists know how to create so well.

For these peoples to have the determination to continue to fight they must have the hope that their efforts and sacrifices will give them a promise of a future when they can live in a society of their own choice, with a government of their own choice.

I do not think there is anything truer than that. I experienced such a feeling after talking with persons who live there and are natives.

We have recognized the three Associated States in 1950, but this administration, in the words of Secretary Dulles, has said:

> The French should give greater reality to their intention to grant full independence to Vietnam, Laos, and Cambodia. This would take away from the Communists their false claims to be leading the fight for independence.

Very real progress has been made in this respect. On July 3, 1953, the French issued a declaration that pledged full independence to Laos, Cambodia, and Vietnam.

The people of those three nations must realize that that is an accomplished fact, that it is true, and there is no question about it.

On October 22, 1953, Laos received its full independence. Within the past April, the Vietnamese and the French issued a joint declaration of intent to sign an independence pact, and only last week the Vietnamese published the text of the proposed treaties for its independence and association with France, and on the basis of these treaties has submitted its own peace proposals at Geneva. The Cambodian Government

has already taken over the complete administration of all of its own internal affairs.

We have made our policy and our principles perfectly plain to the French in this respect. We believe these countries must have their independence and that that is essential to build up any will to fight on their part.

I feel that when the people of Vietnam and of Indochina know that they have their independence, that we have no imperialism in our hearts in connection with what we are doing, and that other nations which are helping them have no thoughts of impearialism or colonialism, the people of the Associated States will build an army and will preserve their liberties and freedom.

In the rush of events of our daily existence it is easy to overlook the importance of these achievements and to overlook the great difficulties that beset them. Laos and Cambodia have both been invaded by the Communists, and Vietnam is cruelly torn by the bitter fighting. Under these conditions it is a great credit to the French and their Indochinese allies that they have been able to make this progress.

To help the Indochinese governments with their economic development and with public works and training programs we have been giving them in the neighborhood of $25 million a year since 1951.

It is obvious that the Indochinese countries and France do not have the resources to fight a war of this magnitude.

As I explained, once the Communists started to bring in the material from Communist Russia and Red China, that were true. We have been assuming the difference between what they can support and what has been needed. Up until 1951 our assistance was general economic assistance to France. Since that time we have been furnishing the French financial assistance for the Indochina war in the following amounts:

Fiscal year 1952: $250 million.

Fiscal year 1953: $250 million.

Fiscal year 1954: $785 million. (The original appropriation was for $400 million; this was increased last September by $385 million after the administration consulted with the Congress.)

Fiscal year 1955: $800 million (has been proposed).

In addition to these sums, for end items from the United States in the period 1950 to 1953, we allocated $900 million.

Those are very large amounts.

Tremendous as the dollar figures are, I do not think one can grasp the significance of this aid unless one thinks of it in concrete terms. In addition to the financial assistance we give the French, which is earmarked for the war in Indochina, let me call attention to the amounts of equipment we have been sending to Indochina.

Not counting planes and ships, we have been sending, on an average, 30,000 tons of material to Indochina a month. We have sent 200 million rounds of small-arms ammunition, 20,000 transport vehicles, 1,000 armored cars and tanks, 360 military aircraft, 50 aircraft on loan, 390 naval craft, 10,500 radio sets, 200,000 small arms and automatic weapons, and shells, hospital, engineering, and technical equipment of all kinds.

Those figures, Mr. President, do not show that we have been furnishing too little.

It is hard to exaggerate the meaning of such aid to the defense of Indochina. As one example, all fighter planes the French and Indochinese have are American planes.

Everything that we have sent to that area has been sent to fill a void or a vacuum. Our experts have followed those programs with the greatest care; we have had as our goal supplying up to the capacity for utilization. Mr. President, we have furnished up to the ability to utilize.

This does not mean that we have sent exactly everything the French have requested. Sometimes, under the great pressure of the fighting, our technical experts have felt that some types of equipment have been requested which could not be used at the time. But our objective and our record have been to furnish, and furnish rapidly, the material requested by the French for the war.

There has been no disagreement with the French over the amount and nature of the aid given by the United States for the war. Furthermore, our aid has been given as fast as it could be effectively used.

In the words I quoted from Secretary Dulles' speech of last week, he spoke of the necessity of creating "a broader community of defense" in southeast Asia. Over a year ago President Eisenhower, in his speech of April 18, 1953, said that "aggression in Korea and in southeast Asia are threats to the whole free community to be met by united action."

As far back as 1951, Mr. Dulles negotiated treaties with the Philippines, Australia, and New Zealand which recognized the importance of this area to the United States. Such treaties were first steps to the working out of a more comprehensive security system for the area.

The Secretary of State, on March 29 of this year, said, after consultation with leaders of Congress from both parties:

> The imposition on southeast Asia of the political system of Communist Russia and its Chinese Communist ally, by whatever means, would be a grave threat to the whole free community. The United States feels that possibility should not be passively accepted, but should be met by united action.

Since Secretary Dulles make this speech, we have conferred with the representatives of the free nations who have immediate interests in the area—Viet Nam, Laos, Cambodia, Thailand, the Philippines, Australia, and New Zealand. In addition, we have informed other nations having interests that might be affected. While the Geneva Conference is going on, we are continuing conversations about the establishment of a collective defense.

Our policy is also directed toward developing in the nations of southeast Asia an awareness and realization of the danger which confronts them directly as a result of this Communist imperialism. We are trying to build into countries the will to remain free—that spirit of liberty and freedom which is essential in order to succeed against the Communists.

Our policy is also directed toward developing in the nations of southeast Asia an awareness and realization of the danger which directly confronts them as a result of Communist imperialism. They must show they understand what colonial communism is, and what being Communists will mean to them. They have not really experienced colonialism until they have experienced Communist colonialism. Some of these people have never enjoyed freedom. They must be told what it will mean to them and what it can mean to them. I believe personally that every man has, in his heart and soul, the desire for freedom, and all that is necessary is to arouse it in him and activate it in order that he may use it, and then he will exercise the eternal vigilance which is necessary always to keep his freedom.

Joint action with the peoples in the area under discussion in order to build a system of collective defense is obviously in the interest of the free world. What this country does must in part depend upon an invitation from the Associated States and the French for us to participate.

In other words, Mr. President, the three independent states must ask for materiel and for aid in training in order that they may use such materiel and aid in securing their independence and freedom. I think France must show the same purpose, and demonstrate beyond doubt that the Associated States will have independence, and that France wants them to keep their independence.

Our objectives must be twofold: To prevent by peaceful means, if possible, further aggression, and domination of this area by the Communists.

If we had not pursued the policies we have adopted since 1950 I am satisfied the area would have long ago been engulfed by Communist aggression.

I believe that our aid programs have promoted our national interest. If we always proceed in behalf of our enlightened self-interest, I know that the liberty and freedom of other parts of the world will be preserved, and by preserving liberty and freedom elsewhere we will secure our own.

I think we have demonstrated to the peoples of southeast Asia that we are interested in their attaining genuine freedom, and that we and the French have no idea of fastening any system of colonialism upon them. I say that, Mr. President, because of the recent negotiations by the French. As soon as the people of that area of the world understand—and the French so understand—that they are to get their freedom, I am sure there will be a change.

It is in the direct line of American policy to give support and aid to these countries in maintaining the independence they are acquiring and to see that that independence is not wiped away by the new imperialism that comes out of Moscow and Peking.

Our diplomacy has successfully kept this area out of Communist enslavement. The problems we face are extremely complex and are of great difficulty. To meet

them successfully is going to require great patience, great forbearance, and great determination. Let all of us—all Senators, on both sides of the aisle—work together, in helping the United States work with other countries.

RECESS

The PRESIDING OFFICER. What is the pleasure of the Senate?

Mr. FERGUSON. Mr. President, under the order previously entered, I now move that the Senate stand in recess until tomorrow, at 12 o'clock noon.

The motion was agreed to; and (at 6 o'clock and 10 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until tomorrow, Tuesday, May 18, 1954, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate May 17 (legislative day of May 13), 1954:

DIPLOMATIC AND FOREIGN SERVICE

Lampton Berry, of Mississippi, for reappointment in the Foreign Service as a Foreign Service officer of class 1, a consul general, and a secretary in the diplomatic service of the United States of America, in accordance with the provisions of section 520 (a) of the Foreign Service Act of 1946.

The following-named persons for appointment as Foreign Service officers of class 3, consuls, and secretaries in the diplomatic service of the United States of America:

John Crawford Brooks, of California.
Jack M. Fleischer, of Wisconsin.
John Hay, of Virginia.
Richard N. Meyer, of Maryland.

The following-named persons for appointment as Foreign Service officers of class 4, consuls, and secretaries in the diplomatic service of the United States of America:

Stephen J. Campbell, of California.
Rupert Prohme, of California.
Albert A. Rabida, of Colorado.

The following-named persons for appointment as Foreign Service officers of class 6, vice consuls of career, and secretaries in the diplomatic service of the United States of America:

James E. Akins, of Ohio.
George M. Barbis, of California.
Robert T. Burns, of Indiana.
Roy O. Carlson, of Illinois.
Joseph H. Cunningham, of Nebraska.
Harold L. Davey, of Nebraska.
John L. De Ornellas, of Alabama.
John T. Dreyfuss, of California.
James D. Farrell, of Kansas.
Samuel R. Gammon III, of Texas.
H. Kent Goodspeed, of California.
Chadwick Johnson, of Massachusetts.
C. Dirck Keyser, of New Jersey.
Miss Paulina C. Kreger, of Ohio.
P. Wesley Kriebel, of Pennsylvania.
Samuel W. Lewis, of Texas.
Joe Lill, of Kansas.
Alan W. Lukens, of Pennsylvania.
Miss Ruth A. McLendon, of Texas.
Julian F. MacDonald, Jr., of Ohio.
H. Freeman Matthews, Jr., of Virginia.
Philip C. Narten, of Ohio.
Joseph B. Norbury, Jr., of New York.
Frank V. Ortiz, Jr., of New Mexico.
Raymond L. Perkins, Jr., of Colorado.
Birney A. Stokes, of New Jersey.
Richard D. Vine, of New York.
William Marshall Wright, of Arkansas.
Charles T. York, of New York.

CONFIRMATIONS

Executive nominations confirmed by the Senate May 17 (legislative day of May 13), 1954:

COLLECTOR OF CUSTOMS

Gustav F. Doscher, Jr., of South Carolina, to be collector of customs for customs collection district No. 16, with headquarters at Charleston, S. C.

PUBLIC HEALTH SERVICE

The following candidates for appointment in the Regular Corps of the Public Health Service, effective date of acceptance:

J. D. Leggett to be surgeon.
Earl S. Schaefer to be assistant scientist.
William B. De Witt to be senior assistant sanitarian.

HOUSE OF REPRESENTATIVES

MONDAY, MAY 17, 1954

The House met at 12 o'clock noon.

Dr. Paul N. Garber, bishop of the Richmond area of the Methodist Church, Richmond, Va., offered the following prayer:

Almighty God, our Heavenly Father, we would express our thanks for our national heritage and especially for those noble forefathers of days gone by who laid the firm foundations of our Republic. We are grateful that they proclaimed the sacred principle that all men are created equal and are endowed by their Creator with certain inalienable rights, among which are life, liberty, and the pursuit of happiness.

We are grateful, our Heavenly Father, that our mothers and fathers believed in vital religion and that in the building of our Republic they made divine resources the chief cornerstone.

And so today we pray that we of this generation may be worthy sons and daughters of our forebears. May we be loyal at all times to our noble heritage of democracy and religion.

Be very near, our Heavenly Father, to each and every Member of our Congress. Give them courage, give them strength, and give them wisdom in their great field of service. May they in the language of the Scriptures serve their own generation by the will of God.

Forgive us when we make mistakes and at last save us, we pray in the name of our Saviour. Amen.

The Journal of the proceedings of Thursday, May 13, 1954, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Carrell, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 235. Concurrent resolution requesting the President of the United States to return to the House of Representatives H. R. 1769 for reenrollment.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a concurrent resolution of the House of the following title:

H. Con. Res. 197. Concurrent resolution favoring the granting of the status of permanent residence to certain aliens.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 1303. An act to provide for the expeditious naturalization of former citizens of the United States who have lost United States citizenship by voting in a political election or plebiscite held in occupied Japan;

S. 2802. An act to further encourage the distribution of fishery products, and for other purposes; and

S. 3245. An act to provide emergency credit.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 7893. An act making appropriations for the Treasury and Post Office Departments, Export-Import Bank of Washington, and Reconstruction Finance Corporation for the fiscal year ending June 30, 1955, and for other purposes.

The message also announced that the Senate insists upon its amendments to the foregoing bill; requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. BRIDGES, Mr. MCCARTHY, Mr. SALTONSTALL, Mr. CARLSON, Mr. KILGORE, Mr. MAYBANK, and Mr. MCCLELLAN to be the conferees on the part of the Senate.

The message also announced that the Vice President has appointed Mr. CARLSON and Mr. JOHNSTON of South Carolina members of the joint select committee on the part of the Senate, as provided for in the act of August 5, 1939, entitled "An act to provide for the disposition of certain records of the United States Government," for the disposition of executive papers referred to in the report of the Archivist of the United States numbered 54–13.

ANNIVERSARY OF NORWAY'S INDEPENDENCE DAY

Mr. TALLE. 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. TALLE. Mr. Speaker, this is Norway's Independence Day; and on this significant occasion, I want to pay tribute to a remarkable people. In their own country they call it "den syttende Mai," meaning the 17th of May, which to the Norwegian people has the same meaning as the Fourth of July in our own country.

The Norwegian people are remarkable because of their intense love of liberty. I need not belabor that point because it is a universally accepted fact. That spirit pervades their writings of today. It goes back through the Middle Ages. It is recorded in the songs of the Skalds who accompanied their soldiers to battle. That same spirit is portrayed in